

LATAH COUNTY PROSECUTOR'S OFFICE  
 WILLIAM W. THOMPSON, JR.  
 PROSECUTING ATTORNEY  
 Latah County Courthouse  
 P.O. Box 8068  
 Moscow, Idaho 83843-0568  
 (208) 882-8580 Ext. 3316  
 ISB No. 2613

CASE NO. CR-05-02027  
July 7 2005 2:22 PM  
*[Signature]*

IN THE DISTRICT COURT OF THE SECOND JUDICIAL DISTRICT OF THE  
 STATE OF IDAHO, IN AND FOR THE COUNTY OF LATAH

STATE OF IDAHO,	)	
Plaintiff,	)	
	)	Case No. CR-2005-02027
V.	)	
	)	RULE 11 PLEA AGREEMENT
STEVEN JAMES SITLER,	)	
Defendant.	)	
_____	)	

COMES NOW THE STATE OF IDAHO, by and through its attorney,  
 William W. Thompson, Jr., Prosecuting Attorney, and Defendant  
 STEVEN JAMES SITLER, and his attorney, Dean Wullenwaber, and  
 pursuant to Rule 11(d)(1)(B), Idaho Criminal Rules, submit the  
 following Plea Agreement to the Court for its acceptance or  
 rejection:

1. That the Defendant shall enter a guilty plea in Latah  
 County Case CR-2005-02027 to the charge of LEWD CONDUCT  
 WITH A MINOR UNDER SIXTEEN YEARS OF AGE, Idaho Code 18-  
 1508, a Felony, as stated in the Criminal Information  
 filed herein.

**ORIGINAL**

2. The State agrees that it will not recommend a sentence greater than a judgment of conviction with the court retaining jurisdiction. The prosecuting attorney has been made aware by counsel for the defendant that the volume and extent of acts by the defendant are greater than the investigator's documentation. The prosecuting attorney has also been made aware by counsel for the defendant that similar acts occurred in connection with minors now residing in other states. The State agrees that it will not charge Steven James Sitler with any other crimes of a similar nature to Lewd Conduct with a Minor Under Sixteen Years of Age based on facts he discloses in connection with this case.

The defendant's guilty plea in this Latah County case is premised in part on the declaration of the Stevens County (State of Washington) Prosecuting Attorney, Jerry Wetle, that (a) because of the plea of the defendant in Latah County, Idaho, and (b) because the defendant will become a registered sex offender, and (c) because the defendant will be sentenced and/or receive treatment in the Latah County action, and (d) because Stevens County would not have gained information about similar incidents occurring in Stevens County without the defendant's disclosures in Latah County, and (e) because the defendant is agreeing to pay restitution for all victims, including any in Stevens County, Stevens County agrees that it will not charge Steven James Sitler with any other crimes of a similar nature to LEWD CONDUCT WITH A MINOR UNDER SIXTEEN YEARS OF AGE based on facts he disclosed in connection with this case. Mr. Wetle's correspondence confirming this agreement is attached as Exhibit "A."

3. The defendant will fully cooperate with the pre-sentence investigation report, will undergo, at his own expense, a comprehensive psychosexual evaluation by Valley Treatment Associates with the report of such evaluation to be completed and provided to the court, counsel and the pre-sentence investigator sufficiently in advance of sentence that it can be fully reviewed, and will agree to pay restitution for counseling / treatment expenses of all of his victims including any in Stevens County, Washington, or any other

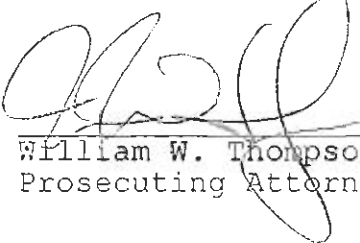
jurisdiction (although only one is named in the charging documents). The State acknowledges that the defendant, through his counsel, has cooperated as evidenced by his plea pursuant to this agreement.

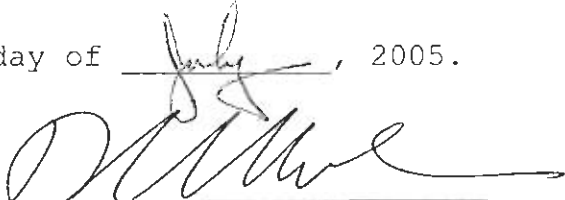
4. That any other terms of sentencing, including period of confinement and fine, are not the subject of this agreement, and both parties are free to make what recommendations they believe to be appropriate subject to the limitations on the State's recommendations outlined in paragraph 2 above.
5. Defendant understands (a) the nature of the charge to which he agrees to plead guilty and acknowledges that he is not being coerced into entering his plea of guilty; (b) the consequences of pleading guilty, including the maximum penalties that may be imposed and any mandatory minimum penalties; and that (c) by pleading guilty he will waive his rights to a jury trial, to confront accusers, and to refrain from incriminating himself. Defendant further acknowledges that he is satisfied with his legal representation, has reviewed with his attorney all possible defenses, and by his plea of guilty voluntarily waives those defenses. Defendant also understands that he has a right to appeal the judgment and sentence of the Court herein and hereby freely and voluntarily waives such appeal rights and his right to appeal any subsequent decisions of the Court relative to motions for reduction of sentence pursuant to I.C.R. 35 provided, however, that in the event the court elects to exceed the State's recommendation and not retain jurisdiction, the defendant shall retain his full rights to appeal such sentence and to pursue motions under I.C.R. 35.
6. This agreement is entered into pursuant to I.C.R. 11(d)(1)(B); Defendant understands if the Court does not accept the sentencing recommendations of the parties that he shall not be afforded the opportunity to withdraw his plea of guilty.
7. This plea agreement is based upon the facts and circumstances as they exist at the date of the signing of this agreement. The defendant acknowledges covenants and agrees that during the period of time

between the date of this agreement and the date of sentencing, he will not violate any law other than traffic infractions nor fail to comply with any conditions of his release or other conditions ordered by the Court, and shall cooperate fully with any presentence investigation ordered herein, although it is contemplated that counsel for defendant may be present during the interview of Steven Sitler by the presentence investigator. Should the defendant in any way breach these agreements and covenants, the State is released from any obligations hereunder regarding a sentencing recommendation, the Court may sentence the defendant up to the maximum authorized by law and the defendant shall not be afforded the opportunity to withdraw his plea of guilty.

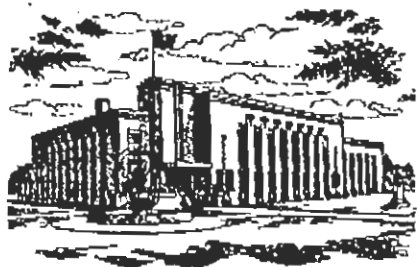
8. This is the entire agreement and understanding between the parties.

IT IS SO STIPULATED this 7<sup>th</sup> day of July, 2005.

  
\_\_\_\_\_  
William W. Thompson, Jr.  
Prosecuting Attorney

  
\_\_\_\_\_  
Dean Wullenwaber  
Counsel for Defendant

  
\_\_\_\_\_  
STEVEN JAMES SITLER  
Defendant



JOHN G. WETLE  
STEVENS COUNTY PROSECUTING ATTORNEY

July 7, 2005

Mr. William Thompson  
P.O. Box 8068  
Moscow, Idaho 83843-0568

Re: Confirmation of Rule II Plea Agreement

Dear Mr. Thompson:

I have reviewed the Rule II Plea Agreement in State v. Steven Sitler, Cause No. CR-2005-02027, specifically paragraphs 2 and 3. I find that both paragraphs accurately state my position in this matter, wherein no charges will be pursued concerning disclosed Stevens County victims for crimes similar to Lewd Conduct with a Minor Under Sixteen Years of Age.

Very truly yours,

John G. Wetle  
Prosecuting Attorney for Stevens County  
WSBA # 7533

JGW/vf

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EXHIBIT   A