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Commonwealth of Kentucky
Urukiko rw'Ubutabera
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KRS 189A.010, 189A.070, 189A.085

DUI (Guilty Plea)

Gutwara imodoka wasinze (Kwemera icyaha)

Dosiye Nomero. ________________
Urukiko ________________
Intara ________________
Ihamagara # ________________
Itariki icyaha cyakoreweho ________

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KUMENYESHA AMAKURU GUSA. NTABWO ARI INYANDIKO YEMEWE Y'URUKIKO.

COMMONWEALTH OF KENTUCKY UREGA
HAMWE NA

____ UREGWA

Aderesi: ____

Uregwa yariyiziye ubwe ❑ afite umwunganizi CYANGWA ❑ nta mwunganizi afite, maze asaba urukiko kumwemerera kwemera **"ICYAHA"** nk'uko bisobanuye ahakurikira. Mu gushyigikira iki gitekerezo, Uregwa yavuze ibikurikira:

1. Ni njye muntu uvugwa haruguru mu ihamagara **rinshinja Gutwara nasinze ❑ inshuro ya mbere ❑ iya kabiri ❑ n'iya gatatu ❑ icyaha cya kane gikurikirana**. Nemeye icyaha cyo ________________________________.
2. Icyemezo cyanjye kuri ubu ntabwo kibangamiwe n'ibiyobyabwenge, inzoga cyangwa imiti.
3. Nasuzumye kopi y'ihamagazwa.
4. ❑ **Nabwiye umwunganizi wanjye mu by'amategeko ibimenyetso byose nzi birebana n'ibyo nshinjwa.** Nizera ko afite amakuru yuzuye kuri dosiye yanjye. Twaganiriye bihagije kandi nsobanukiwe ibyo nshinjwa ndetse n'uburyo bushoboka bwo kubyireguraho. Nyuzwe n'inama umwunganizi mu by'amategeko yampaye.
5. **Nsobanukiwe kandi nshobora "KUTEMERA ICYAHA" cyangwa "KWEMERA ICYAHA" ku byo nshinjwa byose. Nsobanukiwe** ko **Itegeko Nshinga rimpa ubu burenganzira:** (a) uburenganzira **bwo kutishinja;** (b) uburenganzira bwo **kuburanishwa byihuse kandi mu ruhame n'inteko y'abacamanza, mfite umpagararira mu mategeko,** aho **Commonwealth igomba kwemeza ko mpamwa n'icyaha ku buryo budashidikanywaho;** (c) uburenganzira **bwo guhabwa umwunganizi mu by'amategeko iyo ntashobora kumwiyishyurira;** (d) uburenganzira bwo **kutemera no gusuzuma abatangabuhamya bose bahamagajwe ngo baze kunshinja;** (e) uburenganzira bwo **gutanga ibimenyetso byose, harimo abatangabuhamya, banshinjura;** (f) uburenganzira bwo **kujuririra urubanza rwanjye mu rukiko rwisumbuye;** n' (g) uburenganzira bwo **gutanga ingwatiramubiri.** Nsobanukiwe ko **iyo nemeye "ICYAHA," ba nkuyeho ubu burenganzira kandi ntakaza uburenganzira bwo gutwara imodoka muri Commonwealth ya Kentucky.** Nsobanukiwe kandi ko **nimpamwa n'ibyaha byo gutwara nasinze cyangwa ibyaha byo gukoresha uruhushya rwo gutwara rwahagaritswe, ibihano bizongerwa kuri buri cyaha kimpamye.**
6. Nsobanukiwe ko ninemera **"ICYAHA,"** Urukiko rushobora kumpa igihano cyose kiri mu biteganywa n'amategeko kandi ko nubwo rushobora guha agaciro inama za Commonwealth, Urukiko rushobora kutazigenderaho. Ibihano bigenerwa uwatwaye imodoka yasinze birimo:

    (a) **Icyaha cya mbere mu myaka 10:**

    (1) **Ibihano** - Amande kuva $200 kugeza kuri $500 na/cyangwa amasaha 48 kugeza ku minsi 30 y'igifungo. Gukora imirimo ifitiye igihugu akamaro mu gihe cy'amasaha 48 kugeza ku minsi 30 gishobora gusimbura amande cyangwa gufungwa. Iyo hagaragajwe impamvu nkomezacyaha mu gihe cyakorwaga, hari itegeko ryo gufungwa iminsi (4).

    (2) **Ikiguzi n'amafaranga** - Amagarama y'urukiko, Amafaranga ahabwa serivisi ipima abatwaye imodoka basinze, Amafaranga ya gahunda yo kugorora abanyamakosa, Amafaranga y'intara, Amafaranga ya Leta.

    (3) **Gahunda yo kugorora ababaswe n'ibiyobyabwenge cyangwa inzoga** - Iminsi 90.

    (4) **Guhagarikwa kw' uruhushya rwo gutwara** - Mu gihe kitarenga amezi 6 (cyangwa iyo Uregwa atagejeje ku imyaka 18, kugeza Uregwa yujuje imyaka 18, cyangwa ayirengeje) -yo Azemererwa gusaba guhabwa agakoresho gashyirwa kuruhushya rwe rwahagaritswe kandi ashobora kwemererwa gusaba uburenganzira bwo gutwara buhabwa uwahagarikiwe uruhushya mu gihe hari imbogamizi afite iyo icyaha cyakozwe kiboneka mu Mategeko (KRS 189A.010(1)(c) cyangwa (d). Purake ishobora gufatirwa igihe uruhushya rwo gutwara ibinyabiziga rusimbura urwahagaritswe cyangwa uruhushya rwo gutwara ibinyabiziga ruhabwa abafite ibibazo rudatanzwe.

    (b) **Icyaha cya kabiri mu myaka 10:**

    (1) **Ibihano** - Amande kuva $350 kugeza kuri $500 n'iminsi 7 kugeza ku mezi 6 by'igifungo. Urukiko rushobora gutegeka iminsi 10 kugeza ku mezi 6 y'imirimo nsimburagifungo. Agomba gufungwa mu gihe runaka kandi/cyangwa agakora imirimo nsimburagifungo. Iyo hari impamvu nkomezacyaha, igihano gitegetswe cyo gufungwa kiba iminsi 14.

    (2) **Ikiguzi n'amafaranga** - Amagarama y'urukiko, Amafaranga ahabwa serivisi ikurikirana abatwara imodoka basinze, Amafaranga ya gahunda yo kugorora abanyamakosa , Amafaranga y'intara, Amafaranga ya Leta.

    (3) **Gahunda yo kugorora ababaswe n'ibiyobyabwenge n'inzoga** - Umwaka 1.

    (4) **Guhagarikwa kw' uruhushya rwo gutwara** - Mu gihe kitarenga amezi 18 (cyangwa iyo Uregwa atagejejeku myaka 18, kugeza Uregwa yujuje imyaka 18, cyangwa ayirengeje). Azemererwa gusaba guhabwa agakoresho gahabwa umuntu kagashyirwa ku ruhushya rwe rwahagaritswe kandi ashobora kwemererwa gusaba uburenganzira bwo gutwara buhabwa uwahagarikiwe uruhushya mu gihe hari imbogamizi afite iyo icyaha cyakozwe kiboneka mu Mategeko (KRS 189A.010(1)(c) cyangwa (d). Purake ishobora gufatirwa igihe uruhushya rwo gutwara ibinyabiziga rusimbura urwahagaritswe cyangwa uruhushya rwo gutwara ibinyabiziga ruhabwa abafite ibibazo rudatanzwe.

(c) **Icyaha cya gatatu mu myaka 10:**

(1) **Ibihano** - Amande kuva $500 kugeza ku $1000 n'iminsi 30 kugeza ku mezi 12 y'igifungo, kandi urukiko rushobora gutegeka iminsi 10 kugeza ku mezi 12 by'imirimo nsimburagifungo. Agomba gufungwa mu gihe runaka kandi/cyanga agakora imirimo nsimburagifungo. Iyo hari impamvu nkomezagihano, igihano ntarengwa cy'igifungo kikaba iminsi 60.

(2) **Ikiguzi n'amafaranga** - Amagarama y'urukiko, Amafaranga ahabwa serivisi ipima abatwaye imodoka basinze, Amafaranga ya gahunda yo kugorora abanyamakosa , Amafaranga y'intara, Amafaranga ya Leta.

(3) **Gahunda yo kugorora ababaswe n'ibiyobyabwenge n'inzoga** - Umwaka 1.

(4) **Guhagarikwa kw' uruhushya rwo gutwara** - Mu gihe kitarenga amezi 36 (cyangwa iyo Uregwa atagejeje ku myaka 18, kugeza Uregwa yujuje imyaka 18, cyangwa ayirengeje). Azemererwa gusaba guhabwa agakoresho gahabwa umuntu kagashyirwa ku ruhushya rwe rwahagaritswe kandi ashobora kwemererwa gusaba uburenganzira bwo gutwara buhabwa uwahagarikiwe uruhushya mu gihe hari imbogamizi afite iyo icyaha cyakozwe kiboneka mu Mategeko (KRS 189A.010(1)(c) cyangwa (d). Purake ishobora gufatirwa igihe uruhushya rwo gutwara ibinyabiziga rusimbura urwahagaritswe cyangwa uruhushya rwo gutwara ibinyabizigaruhabwa abafite ibibazo rudatanzwe.

(d) **Icyaha cya kane cyangwa gikurikirana mu myaka 10:**

(1) **Ibihano** kuva ku mwaka 1 kugeza kuri 5 (Icyiciro cya D cy'icyaha cy'ubugome). Agomba gukora igihano mu minsi 120. Iyo hari impamvu nkomezacyaha, igihano gitegetswe cyo gufungwa kiba iminsi 240.

(2) **Ikiguzi n'amafaranga** - Amagarama y'urukiko, Amafaranga ahabwa serivisi ipima abatwaye imodoka basinze, Amafaranga ya gahunda yo kugorora abanyamakosa , Amafaranga y'intara, Amafaranga ya Leta.

(3) **Gahunda yo kugorora ababaswe n'ibiyobyabwenge cyangwa inzoga** - Umwaka 1.

(4) **Guhagarikwa kw' uruhushya rwo gutwara** - Mu gihe kitarenga amezi 60 (cyangwa iyo Uregwa atagejeje ku myaka 18, kugeza Uregwa yujuje imyaka 18, cyangwa ayirengeje). Zemererwa gusaba guhabwa agakoresho gahabwa umuntu kagashyirwa kuruhushya rwe rwahagaritswe kandi ashobora kwemererwa gusaba uburenganzira bwo gutwara buhabwa uwahagarikiwe uruhushya mu gihe hari imbogamizi afite iyo icyaha cyakozwe kiboneka mu Mategeko KRS 189A.010(1)(c) cyangwa (d). Purake ishobora gufatirwa igihe uruhushya rwo gutwara ibinyabiziga rusimbura urwahagaritswe cyangwa uruhushya rwo gutwara ibinyabizigaruhabwa abafite ibibazo rudatanzwe.

(e) **Impamvu nkomezagihano zavuzweho haruguru ni:** (1) Gutwara imodoka (**MV**) mayiro 30 ku isaha hejuru y'umuvuduko ntarengwa; (2) Gutwara imodoka mu cyerekezo kitari cyo mu muhanda mugari werekeza uruhande rumwe; (3) Gutwara imodoka yateza impanuka y'urupfu cyangwa gukomeraka bikomeye; (4) Gutwara imodoka wanyoye bigaragarira mu maraso cyangwa mu mwuka uhumeka ku gipimo cya 0,15 cyangwa birenze hakurikijwe ikindi gipimo cy'amaraso n'umwuka gikorwa amasaha abiri nyuma yuko uwanyoye ahagaritse gutwara. (5) Kwanga gupimwa umwuka bisabwe n'umupolisi ufite impamvu zimvukana zo gutekereza ko umuntu yari atwaye cyangwa yagenzuraga ikinyabiziga atubahirije itegeko rya KRS 189A.010(1), keretse ku cyaha cya mbere giteganywa mu itegeko rya KRS 189A.010(5)(a); na (6) Gutwara imodoka itwaye umugenzi ufite munsi y'imyaka 12.

7. Nsobanukiwe ko **iyo urukiko rwanze ubwumvikane bwo kwemera icyaha**, rugomba kubimenyesha no kundeka nkaba nakomeza kwemera icyaha, aho nshobora guhabwa igihano cyoroheje ugereranyije n'icyo nasabye mu bwumvikane bwo kwemera icyaha, cyangwa se nkaba nahagarika ibyo kwemera icyaha bityo urubanza rugakomeza.

8. Kubera ko nemeye icyaha, **Commonwealth yemeye kugira inama** Urukiko ku bihano bikurikira by'umwimerere/bivuguruye: ______
____

Uretse iyo nama, nta muntu n'umwe, harimo n'umwunganizi wanjye mu by'amategeko wansezeranyije izindi nyungu ziturutse ku kwemera icyaha kwanjye, ndetse nta n'umuntu wigeze ampata cyangwa ngo ankange kugira ngo nemere **"ICYAHA."**

9. ❑ Kubera ko **mpamwa n'icyaha kandi nkaba ntavuga ko ndi umwere**, Ndifuza kwemera **"ICYAHA"** nshingiye ku nama iri haruguru. Ibi bimenyetso byemeza ko mpamwa n'icyaha: ku ya ________________________________, ____________________
____

CYANGWA

❑ Hashingiwe ku rubanza rwa **<u>North Carolina v. Alford</u>, 400 U.S. 25 (1970)**, Ndifuza kwemera **"ICYAHA"** nshingiye ku nama iri haruguru. Mu kubyemera ntyo, Simba nemeye icyaha ariko mba nizeye ko ibimenyetso binshinja bigaragaza ko mpamwa na cyo kandi inyungu zanjye zirengerwa neza no kwemera icyaha.

10. Nsobanukiwe ko kubera gukatirwa uyu munsi, **Nshobora guhanishwa ibihano bikomeye basanze mpamwa n'icyaha kandi/ cyangwa nkaba nahamwa ibyaha by'ubugome naramuka nkoze mu bihe biri imbere.** Nsobanukiwe ko igihe ntari umunyamerika, nshobora gusubizwa mu gihugu naturutsemo hakurikijwe amategeko n'amabwiriza bigenga Urwego rw'Igihugu cy'Amerika rushinzwe abinjira n'imipaka.

11. Ntangaje ko kwemera **"ICYAHA"** kwanjye bikozwe mu bwisanzure, mbizi, nkoresheje ubwenge kandi ku bushake. Nsobanukiwe imiterere y'uru rubanza, amabwiriza yuzuye agenga uku kwemera icyaha, ndetse n'inshingano zose ntegekwa kubahiriza n'aya mabwiriza mabwiriza.

Yashyizweho umukono _______ kuri uyu munsi wa ____.

______________________	______________________	______________________
Umukono w'Uregwa	**Umukono w'avoka w'Uregwa (niba ahari)**	**Izina ry'avoka mu nyuguti nkuru**

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