

**DISTRICT COURT OF WASHINGTON  
FOR SAN JUAN COUNTY**

**THE STATE OF WASHINGTON, Plaintiff,**  
**vs.**  
\_\_\_\_\_, **Defendant.**

DOB: \_\_\_\_\_

NO. \_\_\_\_\_

**JUDGMENT AND SENTENCE FOR:**

- 1)  Driving Under The Influence
- Physical Control
- 2)  Reckless Driving RCW 46.61.500(3)
- Negligent Driving – 1<sup>st</sup> Degree RCW 46.61.5249(4)

(DUIJS)

Clerk's Action Required:  8,  9,  10

**1. The defendant is adjudged guilty based upon a guilty plea, Alford plea, jury verdict, or bench trial.** The court verified the defendant's criminal history and driving record and made findings as follows:  GY\_\_\_\_(number) Passenger(s) under age 16,  BAC \_\_\_\_\_,  No Test,  Refusal,  Drug related,  THC \_\_\_\_\_,  Non-alcohol related,  CDL Vehicle Information:  Hazmat vehicle,  Commercial vehicle,  16 Passenger vehicle, and

**Therefore, the defendant is sentenced as follows:** Sentence is suspended for a period of \_\_\_\_\_ years on the following conditions:

- Count 1 \_\_\_\_\_ days of jail \_\_\_\_\_ days suspended, fine of \$ \_\_\_\_\_ with \$ \_\_\_\_\_ suspended
- Count 2 \_\_\_\_\_ days of jail \_\_\_\_\_ days suspended, fine of \$ \_\_\_\_\_ with \$ \_\_\_\_\_ suspended
- Count 3 \_\_\_\_\_ days of jail \_\_\_\_\_ days suspended, fine of \$ \_\_\_\_\_ with \$ \_\_\_\_\_ suspended
- Count \_\_\_\_\_  Tracking Infraction \_\_\_\_\_ dismissed  with  without prejudice.
- Count \_\_\_\_\_  Tracking Infraction \_\_\_\_\_ dismissed  with  without prejudice.

**JAIL**

- Serve a total of \_\_\_\_\_ days in jail with credit for \_\_\_\_\_ days served
- Serve a total of \_\_\_\_\_ days of electronic home monitoring (EHM) with credit for \_\_\_\_\_ days served.
- Defendant may serve 15 days EHM in lieu of 1 day in jail.  Defendant may serve 30 days EHM in lieu of 2 days jail.
- Alternative confinement: \_\_\_\_\_
- Jail sentences are  concurrent  consecutive with all other commitments \_\_\_\_\_
- Defendant may serve \_\_\_\_\_ days of jail on Work Crew if defendant is eligible, a position is available, and defendant pays all costs. Defendant must submit an application to the Work Crew Supervisor immediately.
- Defendant may receive  day for day  \_\_\_\_\_ days credit for successful completion of intensive in-patient treatment.

**2. PAY**

The defendant is indigent as defined in RCW 10.101.010(3)(a)-(c).

**Defendant shall pay to the clerk of this court:**

- |   |   |  |                  |
|---|---|--|------------------|
| <input type="checkbox"/> Count 1 Fine   | \$ _____  | <input type="checkbox"/> Count 2 Fine                          | \$ _____         |
| <input type="checkbox"/> Count 1 PSEA   | \$ _____  | <input type="checkbox"/> Count 2 PSEA                          | \$ _____         |
| <input type="checkbox"/> Count 1 Criminal Traffic Fee   | \$ <u>102.50</u>  | <input type="checkbox"/> Count 2 Criminal Traffic Fee          | \$ <u>102.50</u> |
| <input type="checkbox"/> Criminal Conviction Fee  | \$ <u>43.00</u>   | <input type="checkbox"/> DNA Fee (RCW 43.43.7541)              | \$ _____         |
| <input type="checkbox"/> Booking Fee  | \$ <u>25.00</u>   | <input type="checkbox"/> DNA Fee Waived - previously collected |                  |
| <input type="checkbox"/> Alcohol Violator Fee DUC   | \$ <u>250.00</u>  | <input type="checkbox"/> PPIA (RCW 9A.88.120)                  | \$ _____         |
| <input type="checkbox"/> DPO Assessment (RCW 26.50)   | \$ <u>15.00</u>   | <input type="checkbox"/> Other: _____                          | \$ _____         |
| <input type="checkbox"/> DPR (RCW 26.50.110)  | \$ <u>30.75</u>   | <input type="checkbox"/> Other: _____                          | \$ _____         |
| <input type="checkbox"/> DV Assessment  | \$ <u>100.00</u>  |  |                  |
| <input type="checkbox"/> Probation/Monitoring Fee:  | <input type="checkbox"/> 1 year: <input type="checkbox"/> \$600.00, <input type="checkbox"/> \$200.00 - <input type="checkbox"/> 2 years: <input type="checkbox"/> \$1,200.00 <input type="checkbox"/> \$240.00 |  |                  |
|   | <input type="checkbox"/> 5 years: <input type="checkbox"/> \$3,000.00 <input type="checkbox"/> \$600.00   |  |                  |
| <input type="checkbox"/> Restitution <input type="checkbox"/> to be determined <input type="checkbox"/> set by separate order filed herein. | \$ _____  |  |                  |

1 **3. Financial obligations are due and payable immediately unless the court has set a payment schedule.**

- 2  Defendant is placed on the Court's Time Pay Program and may perform Community Service in lieu of paying a portion of  
the above Legal Financial Obligations (except restitution) in accordance with current court policy. Provide proof of  
completion to the court/probation department monthly by the first of the month.  
3  Other: \_\_\_\_\_

4 **4. Mandatory Conditions of Sentence – DUI/Physical Control**

- 5  (a) The defendant shall not drive a motor vehicle without a valid license. (b) The defendant shall not drive a motor vehicle  
without proof of liability insurance or other financial responsibility. (c) The defendant shall not drive or be in physical control  
of a motor vehicle with an alcohol concentration of .08 or more or a THC concentration of 5.00 nanograms per milliliter of  
whole blood or higher, within two hours after driving. (d) The defendant shall submit to a breath or blood alcohol test upon  
6 the reasonable request of a law enforcement officer. (e) The defendant shall not drive a motor vehicle without a functioning  
ignition interlock device as required by the Department of Licensing. If you violate any one of these conditions within this  
7 state, the court shall order you confined for no less than 30 days and your driving privilege will be suspended for 30 days.  
 Comply with the rules and requirements of the Department of Licensing regarding the installation and use of a functioning  
8 ignition interlock device.  
 No criminal violations of law or alcohol related infractions.  
9  Comply with the requirement to install an ignition interlock device for an additional period as follows:  12 additional  
months for each passenger under the age of 16 for BAC less than 0.15, drug-related, no test, or THC. RCW 46.61.5055(6).  
10 Total additional months: \_\_\_\_\_; OR  18 additional months for each passenger under the age of 16 for BAC  
greater or equal to 0.15, or refusal. RCW 46.61.5055(6). Total additional months: \_\_\_\_\_  
11 This period is in addition to any other ignition interlock device requirements imposed by the court or the Department of  
Licensing.  
12  The court has ordered the defendant to refrain from consuming any alcohol. The defendant must comply with alcohol  
monitoring as authorized by law.  The defendant shall pay the cost of monitoring.  The cost of monitoring shall be  
paid by \_\_\_\_\_. (RCW 46.61.5055(5)).

13 **5. Conditions of Sentence – Reckless Driving/Negligent Driving – 1<sup>st</sup> Degree (Prior within 7 years)**

- 14  (a) The defendant shall not drive a motor vehicle without a valid license and proof of liability insurance or other financial  
responsibility. (b) The defendant shall not drive or be in physical control of a motor vehicle with an alcohol concentration of  
.08 or more or a THC concentration of 5.00 nanograms per milliliter of whole blood or higher, within two hours after driving.  
15  The defendant shall submit to a breath or blood alcohol test upon the reasonable request of a law enforcement officer.  
 No criminal violations of law or alcohol related infractions.  
16  Comply with mandatory ignition interlock device requirements as imposed by the Department of Licensing.

17 **6. Additional Conditions of Sentence – Discretionary Ignition Interlock**

- 18  Comply with discretionary ignition interlock device requirements. RCW 46.20.720(1):  
 For a period of \_\_\_\_\_ years  or for \_\_\_\_\_ months drive only a motor vehicle equipped with a functioning  
ignition interlock device, which is in addition to any ignition interlock device restriction imposed by DOL.  
19 Unless otherwise stated, the calibration level for any ignition interlock requirement imposed under this order shall be .025%.

20 **Employer exemption:** When the defendant provides an employer affidavit to the Department of Licensing, this order shall not  
apply to vehicles owned, leased, or rented by defendant's employer or to those vehicles whose care and/or maintenance is the  
temporary responsibility of the employer and driven at the direction of the defendant's employer as a requirement of employment  
21 during working hours. **Except that**, the employer exemption does not apply when the employer's vehicle is assigned exclusively  
to the defendant and used solely to commute to and from employment.

22 **7. Additional Conditions of Sentence:**

- 23  Supervised probation with probation department and abide by all rules and regulations of probation department.  
Supervised probation shall end upon completion of all therapeutic conditions of this Judgment and Sentence. Pay Bench  
24 Monitoring Fee during remaining period of suspension.  
25  Obtain a substance use disorder evaluation  expanded alcohol assessment from a Washington State approved  
agency in accordance with court standards, provide evaluation and treatment program to the probation officer within 60  
days, successfully complete any recommended treatment (including self-help programs recommended by the treatment  
provider), and provide monthly progress reports to the probation officer.

- Not possess or use marijuana, even if authorized under RCW 69.51A, unless the court, after consideration of reports from the treating physician, the chemical dependency counselor and other relevant information, has found that its use is not inconsistent with supervision. Defendant has or obtains documentation for possession or use of marijuana pursuant to 69.51A RCW, the defendant shall immediately provide a copy to the probation officer or to the prosecuting attorney if the defendant is not on supervised probation.
- Not possess or consume alcohol and not go to any bar, tavern, or liquor store, except in the scope and course of employment. Not possess or use a controlled substance or drug paraphernalia, except pursuant to a physician's prescription. Submit to testing of breath, blood, or urine at the request of a probation officer or counselor or at the request of a law enforcement officer with reasonable grounds to believe Defendant possessed or used alcohol or drugs.
- Attend a DUI Impact Panel.  Attend Alcohol Drug & Information School.  Attend Driver Improvement School within 6 months  Attend  Alcoholics Anonymous  Narcotics Anonymous  other self-help program (\_\_\_\_\_) meetings \_\_\_\_\_ times a week for \_\_\_\_\_ months or as recommended by treatment provider
- Complete Administrative Booking process, if not already completed.
- Other: \_\_\_\_\_

**8. Department of Licensing Notice – DUI, Physical Control, Reckless Driving, Negligent Driving 1<sup>st</sup> – Defendant under 21.**

- Count \_\_\_\_\_ is (a) a violation of RCW chapter 69.41 [Legend drug], 69.50 [VUCSA], or 69.52 [Imitation drugs], and the defendant was under 21 years of age at the time of the offense **OR** (b) a violation under RCW 9.41.040 (unlawful possession of firearm), and the defendant was under the age of 18 at the time of the offense **OR** (c) a violation under RCW chapter 66.44 [Alcohol], and the defendant was under the age of 18 at the time of the offense, **AND** the court finds that the defendant previously committed an offense while armed with a firearm, an unlawful possession of a firearm offense, or an offense in violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW.

**Clerk's Action** –The clerk shall forward an Abstract of Court Record (ACR) to the DOL, which must suspend/revoke the Defendant's driver's license.

**9. FURTHER HEARINGS**

- Review Hearing:  Restitution  LFO  Community Service  Other \_\_\_\_\_ on \_\_\_\_\_ at 9:00 am. Hearing stricken and Defendant's presence waived if: \_\_\_\_\_.
- Review Hearing:  Restitution  LFO  Community Service  Other \_\_\_\_\_ on \_\_\_\_\_ at 9:00 am. Hearing stricken and Defendant's presence waived if: \_\_\_\_\_.

10.  Bail or Bond is  Exonerated,  Forfeited.

**I have read the rights, conditions, and warnings.**

Dated:

\_\_\_\_\_  
Judge/Commissioner/Pro Tem

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Date of Birth

Defendant's Mailing Address and Telephone Number:

\_\_\_\_\_  
Prosecuting Attorney

\_\_\_\_\_  
WSBA No.

\_\_\_\_\_  
Defense Attorney

\_\_\_\_\_  
WSBA No.

Written Waiver of Counsel is filed.