



**Snohomish County District Court**  
 Cascade    Everett    Evergreen    South

State of Washington,  
 City of \_\_\_\_\_, Plaintiff,

v.  
 \_\_\_\_\_ Defendant.

No(s): \_\_\_\_\_

**ORDER GRANTING DEFERRED PROSECUTION  
 PURSUANT TO RCW 10.05**

Substance Use Disorder –    Alcohol    Drugs

<input type="checkbox"/> BAC: _____	<input type="checkbox"/> No Test	<input type="checkbox"/> Refusal
<input type="checkbox"/> Drug Related	<input type="checkbox"/> THC: _____	<input type="checkbox"/> CDL
<input type="checkbox"/> Passenger Under 16	<input type="checkbox"/> Wrong way on highway	
<input type="checkbox"/> Passenger in vehicle	<input type="checkbox"/> Caused injury / damage	

Mental Health Problems

Domestic Violence Behavior Problems

THIS MATTER coming on for hearing upon the petition of Defendant for a RCW 10.05 deferred prosecution, and the Court, having examined the report and treatment plan of the evaluating agency; and having found that Defendant has acknowledged and waived the right to testify, the right to a speedy trial, the right to call witnesses to testify, the right to present evidence in defense, and the right to a jury trial; and stipulated to the admissibility and sufficiency of the facts as contained in the written police report, and that Defendant has acknowledged the admissibility of the stipulated facts in any criminal hearing or trial on the underlying offense(s) held subsequent to revocation of the order granting deferred prosecution; and that Defendant's statements were made knowingly and voluntarily, and that Defendant has never before been granted a deferred prosecution or like program for a similar offense; and that Defendant does not believe that Defendant is innocent of the charges herein; and that Defendant does believe Defendant suffers from a substance use disorder, mental problems and/or a domestic violence behavior problem; now therefore,

**IT IS HEREBY ORDERED:**

- 1) That the deferred prosecution is granted until an order of dismissal or revocation is entered by the court.
- 2) That Defendant pay for and complete the treatment program outlined in the attached report which is approved. Defendant shall remain continuously in treatment throughout the treatment plan and not change treatment programs without prior approval of the court. Any lapse of thirty (30) days in treatment shall provide the court with a sufficient basis, by itself, to revoke this deferred prosecution. That Defendant ensure that reports from the treatment facility be filed with the court at least monthly for the duration of the treatment program.
- 3) That Defendant shall complete a Victim Panel within 60 days (the DUI Victim Panel if this is a Title 46 RCW charge; the Domestic Violence Victim panel if this is a domestic violence charge).
- 4) That Defendant be on supervision with the probation department and is required to appear at all scheduled appointments and comply with all recommendations of that department
- 5) That Defendant pay the following legal financial obligations: (a) monthly probation fees; (b) mandatory alcohol violator assessment if this is a Title 46 RCW offense; and (c) if the plaintiff is a city, the filing fee assessed to the city at the time this case was filed with the court.

- 6) That Defendant keep the clerk of this court advised of a current mailing address at all times during the period of deferred prosecution. Should Defendant fail to appear for any review hearing, of which notice was sent to the last address provided by Defendant, this shall be considered a willful failure to appear.
- 7) That Defendant not be found by a judicial officer to have committed any crime.
- 8) That Defendant totally abstain from the use of intoxicating liquor or impairing drug(s) not prescribed by a physician, and not refuse a urinalysis, breath or blood test lawfully requested.
- 9) If this involves a Title 46 RCW offense, that Defendant not operate a motor vehicle without a valid operator's license and/or proof of liability insurance, and that Defendant not consume any amount of alcohol or impairing drug and operate a motor vehicle. The operation of a motor vehicle with any alcohol and/or any impairing drug in Defendant's system whatsoever shall provide the court with sufficient basis, by itself, to revoke this deferred prosecution. The fact that charges have not or did not result in a conviction is not relevant to revocation on this ground.
- 10) If this involves an alcohol-related Title 46 RCW offense, that Defendant not operate any motor vehicle without an ignition interlock device for the period of time as determined by the Department of Licensing.
- 11) If this involves a domestic violence offense, that Defendant not be found by a judicial officer to have committed any offense involving domestic violence, violation of a no contact or protection order or possession of firearms or weapons. The fact that charges have not or did not result in a conviction is not relevant to a potential revocation on this ground. Defendant shall not possess firearms, must surrender firearms under RCW 9.41.800, and must file proof within 60 days of compliance with any active order to surrender weapons issued in this matter or related civil protection orders or no contact orders.
- 12) Other: \_\_\_\_\_  
\_\_\_\_\_

DATED this \_\_\_\_ day of \_\_\_\_\_, 20\_\_

\_\_\_\_\_  
Judicial Officer

\_\_\_\_\_  
Defendant's Attorney

\_\_\_\_\_  
Defendant

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

**Interpreter's Declaration:** I am a certified or registered interpreter, or have been found otherwise qualified by the court to interpret in the \_\_\_\_\_ language, which the defendant understands. I have interpreted this document for the defendant from English to that language. I certify under penalty of perjury under the laws the State of Washington that the foregoing is true and correct.

Dated at (city) \_\_\_\_\_, Washington this \_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
Interpreter Signature

\_\_\_\_\_  
Print Name