

State of Washington Snohomish County District Court <input type="checkbox"/> Cascade <input type="checkbox"/> Everett <input type="checkbox"/> Evergreen <input type="checkbox"/> South
State of Washington City of _____,
Plaintiff
vs.
_____ Defendant

No. _____

ORDER GRANTING DEFERRED PROSECUTION

<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	
<input type="checkbox"/> Mental Health		

THIS MATTER coming on for hearing upon the petition of the defendant for deferred prosecution, and the Court, having examined the report and treatment plan of the evaluating agency; and having found that the 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 his or her 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 the 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 the defendant's statements were made knowingly and voluntarily, and that the defendant has never before been granted a deferred prosecution or like program, that the defendant does not believe that the defendant is innocent of the charges herein, and that the defendant does believe the defendant suffers from alcoholism, drug addiction, or mental problems; 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 the defendant pay for and complete the two-year treatment program outlined in the attached report which is approved. The Defendant remain continuously in treatment and shall 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.
- 3) That the defendant shall be assessed by the Probation Department within 30 days to determine supervision level. Defendant must fully comply with all recommendations of that department; Defendant shall pay \$50 per month in probation fees for the term of the deferred prosecution (\$3000).
- 4) That the defendant not operate a motor vehicle without a valid operator's license, proof of liability insurance, or in violation of any ignition interlock order.
- 5) That the defendant totally abstain from the use of intoxicating liquor or drug(s) not prescribed by a physician.

- 6) That the defendant not be charged or convicted of any offense involving the use of intoxicating liquor and/or drugs. The defendant shall not consume alcohol and operate a motor vehicle. The operation of a motor vehicle with any alcohol in the 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 a potential revocation on this ground.
- 7) That the defendant ensure that reports as required by RCW chapter 10.05 be submitted to the Probation Department at least monthly for the duration of the treatment program.
- 8) That the defendant complete the DUI Victims Panel within 60 days.
- 9) That the defendant pay the \$250.00 BAC fee, imposed by the legislature as mandatory fee in all such cases. On city cases the defendant shall also pay the filing fee in the amount of \$_____.
- 10) That the defendant **NOT** refuse a breath or blood test lawfully offered to the defendant.
- 11) The defendant shall not operate any motor vehicle without an ignition interlock device for the period of time as determined by the Department of Licensing.
- 12) The defendant shall keep the clerk of this court advised of his/her current mailing address at all times during the period of the deferred prosecution. Should the defendant fail to appear for any review hearing, of which notice was sent to the last address provided by the defendant, this shall be considered a willful failure to appear.
- 13) Other: _____

DATED this _____ day of _____, 20____

Copy Received and Approved By:

 Judge / Pro Tem / Commissioner

 Deputy Prosecuting Attorney

 Defendant's Attorney

 Defendant

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 into that language. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Signed at (city) _____, (state) _____, on (date) _____.

 Interpreter Signature

 Print Name