

**SUPERIOR COURT OF WASHINGTON FOR KING COUNTY**

STATE OF WASHINGTON,	)	
	)	No.
Plaintiff,	)	
	)	<b>JUDGMENT AND SENTENCE,</b>
v.	)	<b>NON-FELONY -- Count(s)</b>
	)	[ ] DEFERRING Imposition of
	)	Sentence/Probation
	)	[ ] SUSPENDING Sentence
Defendant.	)	
_____	)	

The Prosecuting Attorney, the above-named defendant and counsel \_\_\_\_\_ being present in Court, the defendant having been found guilty of the crime(s) charged in the [amended] information on \_\_\_\_\_ by plea/ jury verdict/ bench trial and there being no reason why judgment should not be pronounced;

IT IS ADJUDGED that the defendant is guilty of the crime(s) of: \_\_\_\_\_

[ ] For the crimes charged in Counts \_\_\_\_\_, **domestic violence** (as defined in RCW 10.99.020) was pled and proved.

IT IS ORDERED pursuant to RCW 9.95.200 and 9.95.210 that:

[ ] the imposition of sentence against the defendant is hereby **DEFERRED** for a period of \_\_\_\_\_ months from this date upon the following terms and conditions:

**OR**

[ ] the defendant is sentenced to imprisonment in the King County Jail, Department of Adult Detention, for \_\_\_\_\_ days on each count (maximum 364 days for gross misdemeanor), said term(s) to run [ ] concurrently [ ] consecutively with each other, and to run [ ] concurrently [ ] consecutively with [ ] count(s) \_\_\_\_\_ [ ] Cause No(s). \_\_\_\_\_ and the sentence (less any days of confinement imposed below) is hereby **SUSPENDED** upon the following terms and conditions:

(1) The defendant shall serve a term of confinement of \_\_\_\_\_ [ ] in the King County Jail, Department of Adult Detention, [ ] in King County Work/Education Release subject to conditions of conduct ordered this date, [ ] in King County Electronic Home Detention subject to conditions of conduct ordered this date, with credit for [ ] \_\_\_\_\_ days served [ ] days as determined by the King County Jail, solely on this cause, to commence no later than \_\_\_\_\_. This term shall run [ ] concurrently [ ] consecutively with \_\_\_\_\_ . This term shall run consecutive to any other term not specifically referenced in this order.

(2)  The defendant shall serve \_\_\_\_\_ months of probation under the supervision of the Washington State Department of Corrections (DOC) and comply with the standard rules and regulations of supervision. Probation shall commence immediately but is tolled during any period of confinement. The defendant shall report for supervision within 72 hours of this date or release date if in custody. If DOC declines to supervise, the defendant shall be on unsupervised probation.

The defendant shall be on unsupervised probation for \_\_\_\_\_ months, subject to the conditions of this sentence.  A review hearing is set for \_\_\_\_\_ at \_\_\_\_\_ a.m./p.m. in this courtroom.

For the following crimes (committed on or after 8/1/2009), probation is mandatory (but DOC will not supervise convictions after 8/1/2011): assault in the fourth degree or violation of a domestic violence court order pursuant to RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.50.110, 26.52.070, or 74.34.145, if the defendant has a prior conviction for one or more of the following: (a) a violent offense; (b) a sex offense; (c) a crime against a person as defined in RCW 9.94A.411; (d) assault in the fourth degree; or (e) violation of a domestic violence court order. Ch. 40, Laws of 2011 Special Session, §3.

For the following crimes, probation may be ordered and if probation is ordered, DOC supervision is mandatory: (a) sexual misconduct with a minor in the second degree, custodial sexual misconduct in the second degree, communication with a minor for immoral purposes, or failure to register pursuant to RCW 9A.44.130; (b) a repetitive domestic violence offense where domestic violence was pled and proven after 8/1/2011, if the defendant has a prior conviction for either a felony domestic violence offense or a repetitive domestic violence offense, where domestic violence was pled and proven after 8/1/2011. Ch. 40, Laws of 2011 Special Session, §2(1).

DOC will not supervise any other nonfelony probation. Ch. 40, Laws of 2011 Special Session, §2(5).

(3) Defendant shall pay to the clerk of this Court:

- (a)  Restitution is not ordered;
- Order of Restitution is attached;
- Restitution to be determined at a restitution hearing on (Date) \_\_\_\_\_ at \_\_\_\_\_ m.;
- Date to be set;
- The defendant waives presence at future restitution hearing(s);

- (b) \$ \_\_\_\_\_, Court costs;
- (c) \$ \_\_\_\_\_, Victim assessment, \$500 for gross misdemeanors and \$250 for misdemeanors (mandatory);
- (d)  \$100 DNA collection fee (RCW 43.43.7541)(mandatory for crimes listed in paragraph 12);
- (e) \$ \_\_\_\_\_, Recoupment for attorney's fees to King County Public Defense Programs;
- (f) \$ \_\_\_\_\_, Fine; \$ \_\_\_\_\_ of this fine is suspended upon the terms and conditions herein;

(g) **TOTAL financial obligation:** \_\_\_\_\_;  
The payments shall be made to the King County Superior Court Clerk according to the rules of the Clerk and the following terms:  Not less than \$ \_\_\_\_\_ per month;  On a schedule established by DOC if it has active supervision of the defendant, or by the county clerk. Pursuant to RCW 9.94A.7602, if the defendant is more than 30 days past due in payments, a notice of payroll deduction may be issued without further notice to the offender. Pursuant to RCW 9.94A.760(7)(b), the defendant shall report as directed by DJA and provide financial information as requested.

(4)  The defendant shall complete \_\_\_\_\_ community service hours  at a rate of not less than \_\_\_\_\_ hours per month  to be completed by (Date) \_\_\_\_\_. If DOC supervision is not ordered, this will be monitored by  the Helping Hands Program  this court.

A review hearing is set on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ a.m./ p.m. in this courtroom.

(5)  The defendant shall complete \_\_\_\_\_ days of Community Work Program (Work Crew).

- (6)  The defendant shall attend the King County Supervised Community Option (**Enhanced CCAP**) subject to conditions of conduct ordered this date:  
 For a period of \_\_\_\_\_ days.  
 While in Work/ Education Release.
- (7)  The defendant shall not purchase, possess, or use any  alcohol  controlled substance (without lawful prescription). The defendant shall submit to urinalysis and breath testing as required by DOC and submit to search of person, vehicle or home by a Community Corrections Officer upon reasonable suspicion of violation;
- (8)  The defendant shall obtain a substance abuse evaluation and follow all treatment recommendations; \_\_\_\_\_  
 \_\_\_\_\_
- (9)  The defendant shall enter into, make reasonable progress and successfully complete a state certified domestic violence treatment program; \_\_\_\_\_  
 \_\_\_\_\_
- (10)  The defendant shall have no contact with: \_\_\_\_\_  
 \_\_\_\_\_
- (11)  The defendant shall have no unsupervised contact with minors.
- (12)  The defendant shall have a biological sample collected for DNA identification analysis and shall fully cooperate in the testing, as ordered in Appendix G (for harassment, stalking, assault in the fourth degree with sexual motivation, communicating with a minor for immoral purposes, failure to register, custodial sexual misconduct in the second degree, patronizing a prostitute, sexual misconduct with a minor in the second degree, violation of a sexual assault protection order, or any other offense requiring registration under RCW 9A.44.130).
- (13)  The defendant shall register as a sex offender.
- (14) The defendant shall commit no criminal offenses.
- (15)  Additional conditions of probation are: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- (16) Additional conditions are attached to and incorporated as Appendix \_\_\_\_\_.

Date: \_\_\_\_\_

\_\_\_\_\_  
 Judge, King County Superior Court  
 Print Name: \_\_\_\_\_

Presented by:

\_\_\_\_\_  
 Deputy Prosecuting Attorney, WSBA #  
 Print Name: \_\_\_\_\_

Defendant's current address:  
 \_\_\_\_\_  
 \_\_\_\_\_

Form Approved for Entry:

\_\_\_\_\_  
 Attorney for Defendant, WSBA #  
 Print Name: \_\_\_\_\_