

CONCLUSIONS OF LAW

1. This Court has jurisdiction of the subject matter and the parties in the above-entitled cause.
2. The Defendant qualifies for a Deferred Prosecution pursuant to Chapter 10.05 RCW, and has agreed to the same.

ORDER

1. The Defendant shall complete the two year Treatment Program filed with the Court and incorporated herein by reference.
2. Three years from the date either Probation or the Court first receives written proof of successful completion of the two-year Treatment Program, but no less than five years from the date of this Order, upon proof the Defendant is in compliance with all conditions of this Order, the Court shall dismiss the offense(s) charged under the above cause number(s).
3. The Defendant shall follow all conditions of said Treatment Program until modified by the Court and shall not change treatment agencies without prior approval of the Court.
4. The Defendant shall comply with the following requirements and conditions during the entire period of the Court's jurisdiction:
 - (a). Maintain total abstinence from alcohol and non-prescribed drugs.
 - (b). Have no criminal violations of law and no alcohol-related infractions.
 - (c). Not drive without a valid license and proof of insurance as required by law.
 - (d). Submit to an alcohol test of Defendant's breath or blood upon the request of a law enforcement officer who has reasonable grounds to believe Defendant was driving or was in actual physical control of a motor vehicle while under the influence of intoxicating liquor or drugs.
 - (e). Pay **court costs** in the amount of \$ _____ within _____ days.
 - (f). Appear in court at any time requested by the Court throughout the period of this Deferred Prosecution.
 - (g). Pay a **breath test assessment** of \$125.00 within _____ days.
 - (h). Attend and complete a **DUI Victim's Panel** within _____ days. Attend _____ additional DUI Victim's Panels. DUI Victim's Panels shall be attended in intervals of no more than one every _____ months.
 - (i). During the three years following completion of the two-year Treatment Program, attend a minimum of _____ **alcoholism self-help recovery support group** meetings

per week (for example, AA/NA). Proof of such attendance must be filed with Court by the 5th day of each month.

(j). Pay \$ _____ for the costs of an **emergency response** (up to \$1,000.00) (RCW 38.52.430).

(k). For a period of _____ year(s) following a period of revocation or suspension, drive only a motor vehicle equipped with a functioning **ignition interlock** device and comply with the attached Ignition Interlock Order.

(l). Pay **restitution** to this Court in the amount of \$ _____ within _____ days. The Court shall forward the payment(s) to (name/address):

(m). Other Conditions _____

5. The Defendant is placed on probation with
Probation until completion of the Treatment Program and shall pay a probation fee in the amount of \$65.00 per month unless the fee is reduced by Probation. After completion of the treatment program the Defendant shall pay a sentence compliance fee of \$240.00 per year until the offense(s) charged under the above cause number(s) are dismissed or this Deferred Prosecution is revoked. The Defendant must contact the Probation office associated with the court authorizing this Deferred Prosecution not earlier than 10 days and not later than 20 days after entry of this Order. The Defendant must keep that probation office and the Court advised of all address changes. Defendant must keep the probation office informed of any new criminal violations of the law.
Kent Probation, 206-205-9200; Bellevue Probation (City case) 425-452-6956), (State case) 206-205-9200; Issaquah Probation, 206-205-9200;
Redmond Probation, 206-205-9200; Seattle Probation, 206-205-9200;
Shoreline Probation, 206-205-9200; Burien Probation, 206-205-9200.

6. The Defendant shall authorize the treatment staff of Defendant's Treatment Agency to communicate freely with the Court and Probation regarding the Defendant's treatment progress. The Treatment Agency shall file reports in first year: every month; second year: every 3 months.

7. In the event that the Defendant fails or neglects to carry out and fulfill any term or condition of the Treatment Program, the Treatment Agency shall immediately, in writing, report such breach to Probation, together with its recommendation.

8. The docket(s) charging the Defendant with the crime(s) subject to this Order shall be removed from the regular court docket files and placed in the Court's special Deferred Prosecution filing section.

9. For Title 46 offenses, an abstract of the Defendant's acceptance for Deferred Prosecution shall be sent to the Department of Licensing.

10. If the Defendant fails to undertake and fulfill any term or condition of this Order or of the prescribed Treatment Agency, or any other condition as set forth by the Probation Department; the Court, upon receiving notice of any such failure, neglect or violation, shall hold a hearing to determine whether the Defendant should be removed from the Deferred Prosecution program and proceed to a stipulated trial on said charge(s).

11. In the event the Court revokes the Deferred Prosecution status, the Defendant, having already stipulated to the accuracy and admissibility of the police report(s) and any other documents, reports or evidence filed in this case at the time the Court accepted the Petition for Deferred Prosecution, shall have Defendant's guilt or innocence determined by the Court solely considering said evidence.

12. If there are any inconsistencies between this Order and the Treatment Plan, the terms and conditions as set forth in this Order shall be controlling.

13. This matter shall be set for review at any time upon request of the Defendant, the State/City, Probation or the Court.

DATED THIS _____ day of _____, _____.

Judge / Court Commissioner / Judge Pro Tem

Attorney for Defendant

Defendant

Deputy/Prosecuting Attorney