

Caseloads of the Courts of Washington

Deferred Prosecution(1)/Deferral Report for DUI Charges Disposed - 2023 Annual Report

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	----- Deferred Prosecution Program (2) -----				----- Prosecutor's Deferral or Diversion (3) -----				
	In Progress	Completed Program/Charges Dismissed	Program Revoked/Defendant Convicted	Completion Rate	In Progress	Completed Program/Charges Dismissed	Completed Program/Charges Reduced	Program Revoked/Defendant Convicted	Completion Rate
Original Charges									
DUI	968	1,021	278	79%	431	119	0	77	61%
Physical Control	28	28	7	80%	14	4	0	2	67%
Amended to									
Negligent Driving	0	0	0	0%	11	1	31	0	100%
Reckless Driving	1	0	1	0%	5	0	4	0	100%
Other	3	9	5	64%	7	6	1	0	100%
Other Charges									
Driving/License Suspended	0	1	0	100%	0	0	0	0	0%
No Valid Operator's License	5	1	0	100%	2	3	0	1	75%
Other	356	242	141	63%	60	44	2	29	61%
Total	1,361	1,302	432	75%	530	177	38	109	66%

(1) Chapter 208, Section 3, Laws of 1998, codified as RCW 10.05.120(1), changed the requirements of the deferred prosecution program. Previously, charges could be dismissed upon successful completion of the program. Beginning in mid-1998, dismissals are allowed three years subsequent to successful completion of the program.

(2) The categories under Deferred Prosecution Program include the following:

-- In Progress--charges in a deferred prosecution program pending completion of specific conditions.

-- Completed Program/Charges Dismissed--charges that have been dismissed where the defendant completed the conditions of the deferred prosecution program.

-- Program Revoked/Defendant Convicted--charges removed from a deferred prosecution program, where a finding of guilt has been made and a sentence entered.

-- Completion Rate--an estimate of the completion rate for charges disposed from deferred prosecution. The estimate is calculated by dividing the Completed Program/Charges Dismissed by the sum of Completed Program/Charges Dismissed and Program Revoked/Defendant Convicted.

(3) The categories under Prosecutor's Deferral Or Diversion include the following:

-- In Progress--charges in a prosecutor's deferral or diversion program. This occurs when the prosecutor enters into a stipulated agreement with the defendant. Upon completion or adherence to specific conditions, the court may reduce the charge to a lesser offense, dismiss the charge, or the defendant may enter a plea of not guilty. This is known as a deferred finding, deferred sentence, agreed continuance, or court accepted diversion program.

-- Completed Program/Charges Dismissed--charges that have been dismissed where the defendant completed the conditions of a deferral/diversion program.

-- Completed Program/Charges Reduced--charges that have been reduced from the original DUI where the defendant completed conditions of a deferral/diversion program.

-- Program Revoked/Defendant Convicted--charges removed from another deferral/diversion program, where a finding of guilt and sentence has been entered.

-- Completion Rate--an estimate of the completion rate for charges disposed from a prosecutor's deferral or diversion program. The estimate is calculated by dividing the sum of Completed Program/Charges Dismissed and Completed Program/Charges Reduced by the sum of Completed Program/Charges Dismissed and Completed Program/Charges Reduced and Program Revoked/Defendant Convicted.

Note: Data in this statewide table are not comparable to those presented in the court-level DUI table. This table uses the number of charges, while figures in the court-level DUI table are based on the number of cases. In addition, these four reports on charges disposed do not include data from Seattle Municipal Court.