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COURT OF APPEALS

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STATE OF WASHINGTON

BY   
DEPUTY

CASE NO. **40729-9**

THURSTON COUNTY CAUSE NO.

09-1-00568-4

THE COURT OF APPEALS  
OF THE STATE OF WASHINGTON  
DIVISION TWO

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IN RE THE PERSONAL RESTRAINT  
OF MICHAEL DAVID CRAWFORD

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PERSONAL RESTRAINT PETITION

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MICHAEL DAVID CRAWFORD, PRO SE  
STAFFORD CREEK CORRECTIONS CENTER  
191 CONSTANTINE WAY  
ABERDEEN, WA. 98520

PETITIONER MAY FILE THE  
PETITION WITHOUT PAYMENT OF  
A FILING FEE



COURT CLERK 6/11/10

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**B. GROUNDS FOR RELIEF:**

The Petitioner's Judgement and Sentence is based on a miscalculated offender score. It is invalid on its face and is in violation of RCW 9.94A.585 and is therefore a miscarriage of justice and subject to review under RAP 16.4 (c)(2)(5)(6) and (7).

**1. STATEMENT OF FACTS:**

On February 25, 2009, the Petitioner pled guilty to First Degree Perjury. In exchange, the Prosecutor recommended that the Petitioner should be sentenced to the low end of the standard range and the sentence should be served concurrently with cause no. 08-1-2248-3.

The Judge followed the recommendation and the Petitioner was sentenced to 62 months, the low end with an offender score calculated at 8 points.

However, the offender score found in the Petitioner's Judgement and Sentence only adds up to 7 points and indicates that the Petitioner was not on Community Placement at the time he committed his crime. (see Appendix A, p.2 to see the Petitioner's Criminal History as listed in his Judgement and Sentence.)

It reads as follows:

- 1)UPCS-HEROIN (ADULT NV) 1 point merged with 3) as one offense
- 2)ELUDING (ADULT NV) 1 point
- 3)UPCS-MORPHINE (ADULT NV) 1 point merged with 1) as one offense
- 4)ASSAULT 1 (ADULT SV) 1 point
- 5)UPCS HEROIN (ADULT NV) 1 point
- 6)POSS.EXP. NO LIC. (ADULT NV) 1 point
- 7)UPF 2 (ADULT NV) 1 point
- 8)UPF 2 (JUVENILE NV) half point
- 9)ASSAULT 3 (JUVENILE NV) half point
- 10)DUI (GROSS MISDEMEANOR) DOES NOT COUNT TOWARD OFFENDER SCORE

It is clear that the Petitioner's offender score adds up to 7 points, yet on page 3 under 2.3 Sentencing Data (see pg.3 of Appendix A) the offender score is listed as 8. In fact it appears that the 8 was scribbled over another number as if there was some confusion as to what the actual count was.

It is unclear as to how the State came up with an offender score of 8. Perhaps this miscalculation was due to the incorrect inclusion of the Petitioner's gross misdemeanor DUI in the offender score. Possibly the State could have mistakenly counted the juvenile felonies as whole points instead of half points. It is also possible that the State forgot that counts 1 and 3 are merged as 1 point.

What is clear is that the Petitioner was sentenced with an offender score of 8 which is not supported by the record, and is inconsistent with the information provided in his Judgment and Sentence. The Judgment and Sentence is based on a miscalculated offender score and is invalid on its face.

## **2. STATEMENT OF LAW:**

A trial court acts without authority when it imposes a sentence that is contrary to law. *State v. Paine*, 69 Wn.app 873, 882, 850 P.2d 1369 (1993). An offender score quantifies criminal history for sentencing purposes. *State v. Mehaffey*, 125 Wn.app 595, 599, 105 P.3d 447 (2005).

A defendant may challenge illegal or erroneous sentences for the first time on appeal. *State v. Ford*, 137 Wn.2d 472, 477, 973 P.2

d 452 (1999). Failure to object does not waive legal errors leading to an excessive sentence. *State v. Mendoza*, 139 Wn.app 693, 701-2, 162 P.2d 439 (2007). A sentence in excess of statutory authority is subject to collateral attack, (2) a sentence is excessive if based upon a miscalculated offender score and (3) a defendant cannot agree to punishment in excess of that which the legislature has established. *In re Per. Restraint of Goodwin*, 146 Wn.2d 861, 873-74 50 P3d 618. A sentencing court acts without statutory authority when it imposes a sentence based on a miscalculated offender score. *In re Pers. Restraint of Johnson*, 131 Wn.2d 558, 568, 933 P.2d 1019 (1997). More over a sentence that is based on an incorrect score is a miscarriage of justice, 131 wn.2d at 569. This is true even where the sentence imposed is actually within the correct standard range. 146 Wn.2d at 867-68. Fundamental principles of due process prohibit a criminal defendant from being sentenced on the basis of information which is false, lacks minimum indicia of reliability, or is unsupported by the record. *Ford*, 137 Wn.2d at 481 (citing *Torres v United States*, 140 F.392 404 (2nd Cir. 1998)). Thus to satisfy due process requirements, the facts relied upon by the trial court must have some basis in the trial record.

**C. STATEMENT OF FINANCES:**

1. The Petitioner requests this court to waive the filing fee because he is ~~so poor~~ he cannot pay the fee.
2. He has less than \$50.00 in his prison trust account.

3. He requests this court to appoint a lawyer for him, because he is so poor he cannot afford to pay a lawyer.
4. He is unemployed
5. During the past 12 months he did get approximately \$500.00 from drawing portraits.
6. During the past 12 months, he did not get any rent payments. did not get any interest, did not get any dividends, or any other money.
7. He did not have any cash except as said in answer 2, did not have any savings or checking accounts and he did not own any stocks bonds or notes.
8. He owns no real estate or other property or things of value.
9. He is not married.
10. No person relies on him for support.
11. All the bills he owes are listed here:  
approximately 3000,00 in fines to Thurston County and Pierce County. There are probably other debts that the petitioner owes, but is unsure.

**D. REQUEST FOR RELIEF:**

For the foregoing reasons the Petitioner requests this court to remand this case back to the trial court for resentencing, with 7 points, his correct offender score.

The petitioner also requests any other relief this court deems necessary.

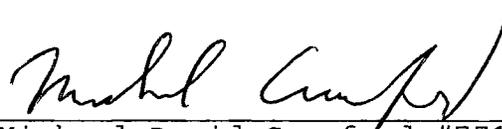
**E. OATH OF PETITIONER:**

STATE OF WASHINGTON )

) ss.

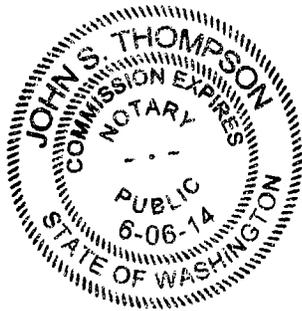
COUNTY OF GRAYS HARBOR )

After being duly sworn, on oath, I depose and say; That I am the Petitioner, that I have read the petition. know it's contents, and that I believe the petition is true.



Michael David Crawford #771542  
Stafford Creek Corrections Center  
191 Cnstantine Way  
Aberdeen, WA. 98520

SUBSCRIBED AND SWORN to before me this 13 of May, 2010.



Notary Public in and for  
the State of Washington,

residing at Shelton

my commission expires: 6/6/14

A F-34 APPENDIX A

FILED  
SUPERIOR COURT  
THURSTON COUNTY WA

'09 JUL 23 P3:38

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SUPERIOR COURT OF WASHINGTON  
COUNTY OF THURSTON

STATE OF WASHINGTON, Plaintiff,

vs.

No. 09-1-00568-4

MICHAEL DAVID CRAWFORD,

Defendant.

FELONY JUDGMENT AND SENTENCE (FJS)

SID: WA18027654

If no SID, use DOB: 11/22/1977

PCN: 767004281 BOOKING NO. C0157582

Prison (non-sex offense)

I. HEARING

1.1 A sentencing hearing was held on JULY 23, 2009 and the defendant, the defendant's lawyer and the deputy prosecuting attorney were present.

II. FINDINGS

There being no reason why judgment should not be pronounced, the court FINDS:

2.1 CURRENT OFFENSE(S): The defendant was found guilty on JULY 23, 2009 by  plea  jury-verdict  bench trial of

COUNT	CRIME	RCW	DATE OF CRIME
1	PERJURY IN THE FIRST DEGREE	9A.72.020	FEBRUARY 25, 2009

as charged in the ORIGINAL information.

Additional current offenses are attached in Appendix 2.1.

The court finds that the defendant is subject to sentencing under RCW 9.94A.712.

A special verdict/finding for use of firearm was returned on Count(s) \_\_\_\_\_, RCW 9.94A.602, 9.94A.533.

A special verdict/finding for use of deadly weapon other than a firearm was returned on Count(s) \_\_\_\_\_, RCW 9.94A.602, 9.94A.533.

A special verdict/finding for Violation of the Uniform Controlled Substances Act was returned on Count(s) \_\_\_\_\_, RCW 69.50.401 and RCW 69.50.435, taking place in a school, school bus, within 1000 feet of the perimeter of a school grounds or within 1000 feet of a school bus route stop designated by the school district; or in a public park, public transit vehicle, or public transit stop shelter; or in, or within 1000 feet of the perimeter of a civic center designated as a drug-free zone by a local government authority, or in a public housing project designated by a local governing authority as a drug-free zone.

COPY TO SHERIFF

- A special verdict/finding that the defendant committed a crime involving the manufacture of methamphetamine, including its salts, isomers, and salts of isomers, when a juvenile was present in or upon the premises of manufacture was returned on Count(s) \_\_\_\_\_ . RCW 9.94A.605, RCW 69.50.401, RCW 69.50.440.
- The defendant was convicted of vehicular homicide which was proximately caused by a person driving a vehicle while under the influence of intoxicating liquor or drug or by the operation of a vehicle in a reckless manner and is therefore a violent offense. RCW 9.94A.030.
- This case involves kidnapping in the first degree, kidnapping in the second degree, or unlawful imprisonment as defined in chapter 9A.40 RCW, where the victim is a minor and the offender is not the minor's parent. RCW 9A.44.130.
- The court finds that the offender has a chemical dependency that has contributed to the offense(s). RCW 9.94A.607.
- The crime charged in Count(s) \_\_\_\_\_ involve(s) domestic violence.
- Other current convictions listed under different cause numbers used in calculating the offender score are (list offense and cause number):

None of the current offenses constitute same criminal conduct except: \_\_\_\_\_

2.2 CRIMINAL HISTORY (RCW 9.94A.525):

CRIME	DATE OF SENTENCE	SENTENCING COURT (County & State)	DATE OF CRIME	A or J Adult, Juv.	TYPE OF CRIME
1 UPCS-HEROIN	3-2-09	THURSTON CO. 08-1-2248-3	12-15-08	A	NV
2 ELUDING	3-2-09	" "	12-15-08	A	NV
3 UPCS-MORPHINE	3-2-09	" "	12-15-08	A	NV
4 ASSAULT 1 (RELEASED 9-08)	2005	THURSTON CO. 99-1-1205-8	8-5-99	A	SV
5 UPCS-HEROIN	1998	PIERCE CO. 98-1-3798-1	9-1-98	A	NV
6 POSS. EXP. - NO LIC,	1997	THURSTON CO. 97-1-1070-9	6-25-97	A	NV
7 UPF 2	1997	" "	6-25-97	A	NV
8 UPF 2	1995	THURSTON CO. 95-8-494-5	6-10-95	J	NV
9 ASSAULT 3	1995	" "	6-10-95	J	NV
10 DUI	1999	OLY. MUNI, CR0180405	12-18-98	A	GM

- Additional criminal history is attached in Appendix 2.2.
- The defendant committed a current offense while on community placement (adds one point to score). RCW 9.94A.525.
- The court finds that the following prior convictions are one offense for purposes of determining the offender score (RCW 9.94A.525): *(CRIMES 1 AND 3 LISTED ABOVE)*

The following prior convictions are not counted as points but as enhancements pursuant to RCW 46.61.520:

None of the prior convictions constitutes same criminal conduct except \_\_\_\_\_

2.3 SENTENCING DATA:

COUNT	OFFENDER SCORE	SERIOUSNESS LEVEL	STANDARD RANGE	ENHANCEMENTS*	TOTAL STANDARD RANGE	MAXIMUM TERM
I	8	IV	62-82405.	N/A	62-82405.	10 YRS

\* (F) Firearm, (D) Other deadly weapons, (V) VUCSA in a protected zone, (VH) Veh. Horn, see RCW 46.61.520, (JP) Juvenile present. [ ] Additional current offense sentencing data is attached in Appendix 2.3.

2.4 [ ] EXCEPTIONAL SENTENCE. Substantial and compelling reasons exist which justify an exceptional sentence:

[ ] within [ ] below the standard range for Count(s) \_\_\_\_\_.

[ ] above the standard range for Count(s) \_\_\_\_\_.

[ ] The defendant and state stipulate that justice is best served by imposition of the exceptional sentence above the standard range and the court finds the exceptional sentence furthers and is consistent with the interests of justice and the purposes of the sentencing reform act.

[ ] Aggravating factors were [ ] stipulated by the defendant, [ ] found by the court after the defendant waived jury trial, [ ] found by jury by special interrogatory.

Findings of fact and conclusions of law are attached in Appendix 2.4. [ ] Jury's special interrogatory is attached. The Prosecuting Attorney [ ] did [ ] did not recommend a similar sentence.

2.5 ABILITY TO PAY LEGAL FINANCIAL OBLIGATIONS. The court has considered the total amount owing, the defendant's past, present and future ability to pay legal financial obligations, including the defendant's financial resources and the likelihood that the defendant's status will change. The court finds that the defendant has the ability or likely future ability to pay the legal financial obligations imposed herein. RCW 9.94A.753.

[ ] The following extraordinary circumstances exist that make restitution inappropriate (RCW 9.94A.753):

\_\_\_\_\_

2.6 For violent offenses, most serious offenses, or armed offenders recommended sentencing agreements or plea agreements are [ ] attached [ ] as follows: \_\_\_\_\_

III. JUDGMENT

3.1 The defendant is GUILTY of the Counts and Charges listed in Paragraph 2.1 and Appendix 2.1.

3.2 [ ] The court DISMISSES Counts \_\_\_\_\_ [ ] The defendant is found NOT GUILTY of Counts.

IV. SENTENCE AND ORDER

IT IS ORDERED:

4.1 Defendant shall pay to the Clerk of this Court:

JASS CODE

\$ RESERVED Restitution to: \_\_\_\_\_

RTN/RJN

\$ \_\_\_\_\_ Restitution to: \_\_\_\_\_

\$ \_\_\_\_\_ Restitution to: \_\_\_\_\_

(Name and Address--address may be withheld and provided confidentially to Clerk of the Court's office.)

PCV \$ 500.00 Victim assessment RCW 7.68.035

\$ \_\_\_\_\_ Domestic Violence assessment RCW 10.99.080

CRC \$ 200.00 Court costs, including RCW 9.94A.760, 9.94A.505, 10.01.160, 10.46.190

Criminal filing fee \$ \_\_\_\_\_ FRC  
 Witness costs \$ \_\_\_\_\_ WFR  
 Sheriff service fees \$ \_\_\_\_\_ SFR/SFS/SFW/WRF  
 Jury demand fee \$ \_\_\_\_\_ JFR  
 Extradition costs \$ \_\_\_\_\_ EXT  
 Other \$ \_\_\_\_\_

*PUB* \$ \_\_\_\_\_ Fees for court appointed attorney RCW 9.94A.760  
*WFR* \$ \_\_\_\_\_ Court appointed defense expert and other defense costs RCW 9.94A.760  
*FCM/MTH* \$ \_\_\_\_\_ Fine RCW 9A.20.021; [ ] VUCSA chapter 69.50 RCW, [ ] VUCSA additional fine  
 deferred due to indigency RCW 69.50.430  
*CDF/LDI/PCD* \$ \_\_\_\_\_ Drug enforcement fund of Thurston County RCW 9.94A.760  
*NTF/SAD/SDI* \$ \_\_\_\_\_ Thurston County Drug Court Fee  
*CLF* \$ \_\_\_\_\_ Crime lab fee [ ] suspended due to indigency RCW 43.43.690  
 \$ 100.00 Felony DNA collection fee [ ] not imposed due to hardship RCW 43.43.7541  
*RTN/RJN* \$ \_\_\_\_\_ Emergency response costs (Vehicular Assault, Vehicular Homicide only, \$1000  
 maximum) RCW 38.52.430  
 \$ \_\_\_\_\_ Other costs for: \_\_\_\_\_  
 \$ 800.00 TOTAL RCW 9.94A.760

The above total may not include all restitution or other legal financial obligations, which may be set by later order of the court. An agreed restitution order may be entered. RCW 9.94A.753. A restitution hearing may be set by the prosecutor or is scheduled for \_\_\_\_\_.

[ ] RESTITUTION. Schedule attached.

[ ] Restitution ordered above shall be paid jointly and severally with:

<i>RJN</i>	<u>NAME of other defendant</u>	<u>CAUSE NUMBER</u>	<u>(Victim's name)</u>	<u>(Amount-\$)</u>
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

The Department of Corrections (DOC) or clerk of the court shall immediately issue a Notice of Payroll Deduction. RCW 9.94A.7602, RCW 9.94A.760(8).

All payments shall be made in accordance with the policies of the clerk of the court and on a schedule established by DOC or the clerk of the court, commencing immediately, unless the court specifically sets forth the rate here: Not less than \$ \_\_\_\_\_ per month commencing \_\_\_\_\_ RCW 9.94A.760.

The defendant shall report as directed by the clerk of the court and provide financial information as requested. RCW 9.94A.760(7)(b).

The financial obligations imposed in this judgment shall bear interest from the date of the judgment until payment in full, at the rate applicable to civil judgments. RCW 10.82.090. An award of costs on appeal against the defendant may be added to the total legal financial obligations. RCW 10.73.160.

In addition to the other costs imposed herein, the court finds that the defendant has the means to pay for the cost of incarceration and is ordered to pay such costs at the rate of \$50.00 per day, unless another rate is specified here: (JLR) RCW 9.94A.760.

4.2 DNA TESTING. The defendant shall have a biological sample collected for purposes of DNA identification analysis and the defendant shall fully cooperate in the testing. The appropriate agency shall be responsible for obtaining the sample prior to the defendant's release from confinement. RCW 43.43.754.

[ ] HIV TESTING. The defendant shall submit to HIV testing. RCW 70.24.340.

4.3 The defendant shall not have contact with \_\_\_\_\_ (name, DOB) including, but not limited to, personal, verbal, telephonic, written or contact through a third party for \_\_\_\_\_ years (not to exceed the maximum statutory sentence).

[ ] Domestic Violence No-Contact Order or Antiharassment No-Contact Order is filed with this Judgment and Sentence.

4.4 OTHER: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4.5 CONFINEMENT OVER ONE YEAR. The defendant is sentenced as follows:

(a) CONFINEMENT. RCW 9.94A.589. Defendant is sentenced to the following term of total confinement in the custody of the Department of Corrections (DOC):

62 months on Count I \_\_\_\_\_ months on Count \_\_\_\_\_  
\_\_\_\_\_ months on Count \_\_\_\_\_ months on Count \_\_\_\_\_

Actual number of months of total confinement ordered is: 62 MOS.  
(Add mandatory firearm and deadly weapons enhancement time to run consecutively to other counts, see Section 2.3, Sentencing Data, above.) CONCURRENT WITH 08-1-2248-3

[ ] The confinement time on Count(s) \_\_\_\_\_ contain(s) a mandatory minimum term of \_\_\_\_\_.

NON-FELONY COUNTS: N/A

Sentence on counts \_\_\_\_\_ is/are suspended for \_\_\_\_\_ months on the condition that the defendant comply with all requirements outlined in the supervision section of this sentence.

\_\_\_\_\_ days of jail are suspended on Count \_\_\_\_\_  
\_\_\_\_\_ days of jail are suspended on Count \_\_\_\_\_

All counts shall be served concurrently, except for the portion of those counts for which there is a special finding of a firearm or other deadly weapon as set forth above at Section 2.3, and except for the following counts which shall be served consecutively: \_\_\_\_\_

The sentence herein shall run consecutively with the sentence in cause number(s) \_\_\_\_\_

but concurrently to any other felony cause not referred to in this Judgment. RCW 9.94A.589.

Confinement shall commence immediately unless otherwise set forth here: \_\_\_\_\_

The defendant shall receive credit for time served prior to sentencing if that confinement was solely under this cause number. RCW 9.94A.505. The time served shall be computed by the jail unless the credit for time served prior to sentencing is specifically set forth by the court: \_\_\_\_\_

4.6 [ ] COMMUNITY CUSTODY is ordered as follows: NA

Count \_\_\_\_\_ for a range from \_\_\_\_\_ to \_\_\_\_\_ months;  
Count \_\_\_\_\_ for a range from \_\_\_\_\_ to \_\_\_\_\_ months;  
Count \_\_\_\_\_ for a range from \_\_\_\_\_ to \_\_\_\_\_ months;

or for the period of earned release awarded pursuant to RCW 9.94A.728(1) and (2), whichever is longer, and standard mandatory conditions are ordered. [See RCW 9.94A.700 and .705 for community placement offenses, which include serious violent offenses, second degree assault, any crime against a person with a deadly weapon finding and chapter 69.50 or 69.52 RCW offenses not sentenced under RCW 9.94A.660 committed before July 1, 2000. See RCW 9.94A.715 for community custody range offenses, which include sex offenses not sentenced under RCW 9.94A.712 and violent offenses committed on or after July 1, 2000. Use paragraph 4.7 to impose community custody following work ethic camp.] STATUTORY LIMIT ON SENTENCE. Notwithstanding the length of confinement plus any community custody imposed on any individual charge, in no event will the combined confinement and community custody exceed the statutory maximum for that charge. Those maximums are: Class A felony--life in prison; Class B felony--ten (10) years in prison; Class C felony--5 (5) years in prison.

On or after July 1, 2003, DOC shall supervise the defendant if DOC classifies the defendant in the A or B risk categories; or, DOC classifies the defendant in the C or D risk categories and at least one of the following apply:

a) the defendant committed a current or prior:		
i) Sex offense	ii) Violent offense	iii) Crime against a person (RCW 9.94A.411)
iv) Domestic violence offense (RCW 10.99.020)		v) Residential burglary offense
vi) Offense for manufacture, delivery or possession with intent to deliver methamphetamine including its salts, isomers, and salts of isomers,		
vii) Offense for delivery of a controlled substance to a minor; or attempt, solicitation or conspiracy (vi, vii)		
b) the conditions of community placement or community custody include chemical dependency treatment.		
c) the defendant is subject to supervision under the interstate compact agreement, RCW 9.94A.745.		

While on community placement or community custody, the defendant shall: (1) report to and be available for contact with the assigned community corrections officer as directed; (2) work at DOC-approved education, employment and/or community restitution (service); (3) not consume controlled substances except pursuant to lawfully issued prescriptions; (4) not unlawfully possess controlled substances while in community custody; (5) pay supervision fees as determined by DOC; and (6) perform affirmative acts necessary to monitor compliance with the orders of the court as required by DOC. The residence location and living arrangements are subject to the prior approval of DOC while in community placement or community custody. Community custody for sex offenders not sentenced under RCW 9.94A.712 may be extended for up to the statutory maximum term of the sentence. Violation of community custody imposed for a sex offense may result in additional confinement.

Pay all court-ordered legal financial obligations                      Report as directed to a community corrections officer

Notify the community corrections officer in advance                      Remain within prescribed geographical boundaries to be  
of any change in defendant's address or employment                      set by CCO

[ ] The defendant shall not consume any alcohol and shall submit to random breath testing as directed by DOC for purposes of monitoring compliance with this condition.

[ ] Defendant shall have no contact with: \_\_\_\_\_

[ ] The defendant shall undergo evaluation and fully comply with all recommended treatment for the following:

- [ ] Substance Abuse                                              [ ] Mental Health
- [ ] Sexual Deviancy                                              [ ] Anger Management
- [ ] Other: \_\_\_\_\_

[ ] The defendant shall enter into and complete a certified domestic violence program as required by DOC or as follows:

[ ] The defendant shall not use, possess, manufacture or deliver controlled substances without a valid prescription, not associate with those who use, sell, possess, or manufacture controlled substances and submit to random urinalysis at the direction of his/her CCO to monitor compliance with this condition.

[ ] The defendant shall comply with the following additional crime-related prohibitions: \_\_\_\_\_

Other conditions may be imposed by the court or DOC during community custody, or are set forth here: \_\_\_\_\_

The conditions of community supervision or community custody shall begin immediately unless otherwise set forth here: \_\_\_\_\_

4.7 [ ] **WORK ETHIC CAMP.** RCW 9.94A.690, RCW 72.09.410. The court finds that the defendant is eligible and is likely to qualify for work ethic camp and the court recommends that the defendant serve the sentence at a work ethic camp. Upon completion of work ethic camp, the defendant shall be released on community custody for any remaining time of total confinement, subject to the conditions below. Violation of the conditions of community custody may result in a return to total confinement for the balance of the defendant's remaining time of total confinement. The conditions of community custody are stated above in Section 4.6.

4.8 **OFF LIMITS ORDER** (known drug trafficker) RCW 10.66.020. The following areas are off limits to the defendant while under the supervision of the county jail or Department of Corrections: \_\_\_\_\_

## V. NOTICES AND SIGNATURES

5.1 **COLLATERAL ATTACK ON JUDGMENT.** Any petition or motion for collateral attack on this Judgment and Sentence, including but not limited to any personal restraint petition, state habeas corpus petition, motion to vacate judgment, motion to withdraw guilty plea, motion for new trial or motion to arrest judgment, must be filed within one year of the final judgment in this matter, except as provided for in RCW 10.73.100. RCW 10.73.090.

5.2 **LENGTH OF SUPERVISION.** For an offense committed prior to July 1, 2000, the defendant shall remain under the court's jurisdiction and the supervision of the Department of Corrections for a period up to 10 years from the date of sentence or release from confinement, whichever is longer, to assure payment of all legal financial obligations unless the court extends the criminal judgment an additional 10 years. For an offense committed on or after July 1, 2000, the court shall retain jurisdiction over the offender, for the purpose of the offender's compliance with payment of the legal financial obligations, until the obligation is completely satisfied, regardless of the statutory maximum for the crime. RCW 9.94A.760 and RCW 9.94A.505(5). The clerk of the court is authorized to collect unpaid legal financial obligations at any time the offender remains under the jurisdiction of the court for purposes of his or her legal financial obligations. RCW 9.94A.760(4) and RCW 9.94A.753(4).

5.3 **NOTICE OF INCOME-WITHHOLDING ACTION.** If the court has not ordered an immediate notice of payroll deduction in Section 4.1, you are notified that the Department of Corrections or the clerk of the court may issue a notice of payroll deduction without notice to you if you are more than 30 days past due in monthly payments in an amount equal to or greater than the amount payable for one month. RCW 9.94A.7602. Other income-withholding action under RCW 9.94A.760 may be taken without further notice. RCW 9.94A.7606.

5.4 RESTITUTION HEARING.

[ ] Defendant waives any right to be present at any restitution hearing (sign initials): \_\_\_\_\_.

5.5 Any violation of this Judgment and Sentence is punishable by up to 60 days of confinement per violation. RCW 9.94A.634.

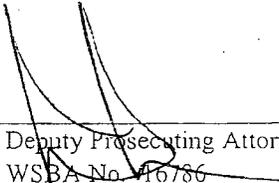
5.6 FIREARMS. You must immediately surrender any concealed pistol license and you may not own, use or possess any firearm unless your right to do so is restored by a court of record. (The clerk of the court shall forward a copy of the defendant's driver's license, identicard, or comparable identification to the Department of Licensing along with the date of conviction or commitment.) RCW 9.41.040, 9.41.047.

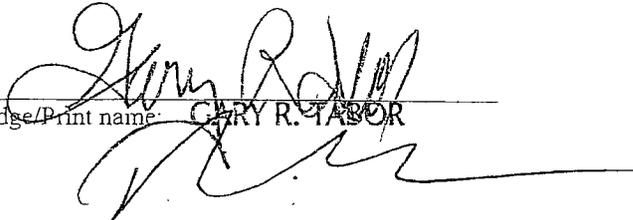
5.7 [ ] The court finds that Count \_\_\_\_\_ is a felony in the commission of which a motor vehicle was used. The clerk of the court is directed to immediately forward an Abstract of Court Record to the Department of Licensing, which must revoke the defendant's driver's license. RCW 46.20.285.

5.8 If the defendant is or becomes subject to court-ordered mental health or chemical dependency treatment, the defendant must notify DOC and the defendant's treatment information must be shared with DOC for the duration of the defendant's incarceration and supervision. RCW 9.94A.562.

5.9 OTHER: Bail previously posted, if any, is hereby exonerated and shall be returned to the posting party.

DONE in Open-Court and in the presence of the defendant this date: JULY 23, 2009.

  
\_\_\_\_\_  
Deputy Prosecuting Attorney  
WSBA No. 416786  
Print name: JOHN M. "JACK" JONES

  
\_\_\_\_\_  
Judge/Print name: CARY R. TABOR  
Attorney for Defendant  
WSBA No. 18680  
Print name: RICHARD A. WOODROW

VOTING RIGHTS STATEMENT: RCW 10.64.140. I acknowledge that my right to vote has been lost due to felony conviction. If I am registered to vote, my voter registration will be cancelled. My right to vote may be restored by: a) A certificate of discharge issued by the sentencing court, RCW 9.94A.637; b) A court order issued by the sentencing court restoring the right, RCW 9.92.066; c) A final order of discharge issued by the indeterminate sentence review board, RCW 9.96.050; or d) A certificate of restoration issued by the governor, RCW 9.96.020. Voting before the right is restored is a class C felony, RCW 92A.84.660.  
Defendant's signature: 

I am a certified interpreter of, or the court has found me otherwise qualified to interpret, the \_\_\_\_\_ language, which the defendant understands. I translated this Judgment and Sentence for the defendant into that language.  
Interpreter signature/Print name: \_\_\_\_\_

I, \_\_\_\_\_, Clerk of this Court, certify that the foregoing is a full, true and correct copy of the Judgment and Sentence in the above-entitled action now on record in this office.

WITNESS my hand and seal of the said Superior Court affixed this date: \_\_\_\_\_

Clerk of the Court of said county and state, by: \_\_\_\_\_, Deputy Clerk

IDENTIFICATION OF DEFENDANT

SID No. WA18027654  
(If no SID take fingerprint card for State Patrol)

Date of Birth 11/22/1977

FBI No. 297949CB6

Local ID No. \_\_\_\_\_

PCN No. 707004281

Other \_\_\_\_\_

Alias name, DOB: \_\_\_\_\_

Race:

Asian/Pacific  
Islander

Black/African-American

Caucasian

Ethnicity:

Hispanic

Sex:

Male

Native American

Other: \_\_\_\_\_

Non-Hispanic

Female

FINGERPRINTS: I attest that I saw the same defendant who appeared in court on this document affix his or her fingerprints and signature thereto. Clerk of the Court, Deputy Clerk, Suzanne Williams Dated: 7/23/09

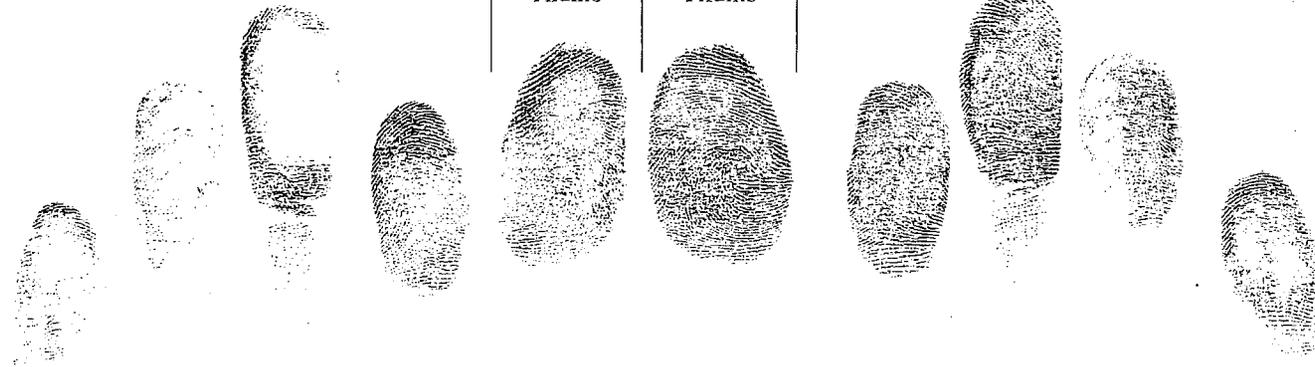
DEFENDANT'S SIGNATURE: X Michael Crawford

Left four fingers taken simultaneously

Left  
Thumb

Right  
Thumb

Right four fingers taken simultaneously



SUPERIOR COURT OF THE STATE OF WASHINGTON  
COUNTY OF THURSTON

STATE OF WASHINGTON

NO. 09-1-00568-4

Plaintiff,

WARRANT OF COMMITMENT ATTACHMENT TO  
JUDGMENT AND SENTENCE (PRISON)

vs.

MICHAEL DAVID CRAWFORD,

Defendant.

DOB: 11/22/1977  
SID: WA18027654 FBI: 297949CB6  
PCN:  
RACE: W  
SEX: M  
BOOKING NO:

THE STATE OF WASHINGTON TO:

The Sheriff of Thurston County and to the proper officer of the Department of Corrections.

The defendant MICHAEL DAVID CRAWFORD has been convicted in the Superior Court of the State of Washington for the crime(s) of:

**PERJURY IN THE FIRST DEGREE**

and the court has ordered that the defendant be sentenced to a term of imprisonment as set forth in the Judgment and Sentence.

YOU, THE SHERIFF, ARE COMMANDED to take and deliver the defendant to the proper officers of the Department of Corrections; and

YOU, THE PROPER OFFICERS OF THE DEPARTMENT OF CORRECTIONS, ARE COMMANDED to receive the defendant for classification, confinement and placement as ordered in the Judgment and Sentence.

By direction of the Honorable:



BETTY J. GOULD  
CLERK

By:   
DEPUTY CLERK