LCrRLJ 3.2
BAIL; REVIEW OF DEFENDANTS IN CUSTODY

Any person arrested for the following offenses shall be held in jail without bail pending their first appearance:

1. Any offense classified under Section 10.99 of the Revised Code of Washington as Domestic Violence.

2. A violation of RCW 46.61.502 (Driving Under the Influence), RCW 46.61.503 (Driver Under 21 Consuming Alcohol), or RCW 46.61.504 (Physical Control of Vehicle Under the Influence), when the person has previously been convicted of or had a deferred prosecution granted for two or more of any of these offenses.

Defendants incarcerated, pretrial or post-trial, may be reviewed upon request of either party or at the Court's discretion. The request shall be in writing, on a form provided by the court, stating the defendant's name, court docket number and purpose for the review. The time for review shall be coordinated with the in-custody clerk. The requesting party shall ensure that the other party has been served with notice of the review at least one day prior to the review date.

Attorneys representing incarcerated defendants may request review by phone, by providing the in-custody clerk with the information indicated above.

[Adopted January 7, 1989; amended effective September 1, 1991; August 6, 2001; May 1, 2003.]

Note: Definition of domestic violence per RCW 10.99.020:

"(3) 'Domestic violence' includes but is not limited to any of the following crimes when committed by one family or household member against another:

"(a) Assault in the first degree (RCW 9A.36.011);
"(b) Assault in the second degree (RCW 9A.36.021);
"(c) Assault in the third degree (RCW 9A.36.031);
"(d) Assault in the fourth degree (RCW 9A.36.041);
"(e) Drive-by shooting (RCW 9A.36.045);
"(f) Reckless endangerment (RCW 9A.36.050);
"(g) Coercion (RCW 9A.36.070);
"(h) Burglary in the first degree (RCW 9A.52.020);
"(i) Burglary in the second degree (RCW 9A.52.030);
"(j) Criminal trespass in the first degree (RCW 9A.52.070);
"(k) Criminal trespass in the second degree (RCW 9A.52.080);
"(l) Malicious mischief in the first degree (RCW 9A.48.070);
"(m) Malicious mischief in the second degree (RCW 9A.48.080);
"(n) Malicious mischief in the third degree (RCW 9A.48.090);
"(o) Kidnapping in the first degree (RCW 9A.40.020);
"(p) Kidnapping in the second degree (RCW 9A.40.030);
"(q) Unlawful imprisonment (RCW 9A.40.040);
"(r) Violation of the provisions of a restraining order restraining the person or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care (RCW 26.09.300, 26.10.220, or 26.26.138);

"(s) Violation of the provision of a protection order or no-contact order restraining the person or restraining the person from going onto the grounds of or entering a residence, workplace, school, or day care (RCW 26.50.060, 26.50.070, 26.50.130, 10.99.040, or 10.99.050);

"(t) Rape in the first degree (RCW 9A.44.040);

"(u) Rape in the second degree (RCW 9A.44.050);

"(v) Residential burglary (RCW 9A.52.025);

"(w) Stalking (RCW 9A.46.110); and

"(x) Interference with the reporting of domestic violence (RCW 9A.36.150)."