

Superior Court of Washington, County of _____

State of Washington,
Plaintiff,

vs.

_____,
Defendant. DOB _____
PCN/TCN: _____
SID: _____

No. _____

Felony Judgment and Sentence – Prison

☐ RCW 9.94A.507 Prison Confinement

(Sex Offense and Kidnapping of a Minor)

(FJS/RJS)

☐ **Clerk's Action Required:** 2,1, 4.1, 4.3a, 4.3b,
4.8, 5.2, 5.3, 5.5, 5.7, and 5.8

☐ Defendant Used Motor Vehicle

☐ Juvenile Decline ☐ Mandatory

☐ Discretionary

I. Hearing

- 1.1** The court conducted a sentencing hearing this date; the defendant, the defendant's lawyer, and the (deputy) prosecuting attorney were present.

II. Findings

- 2.1 Current Offenses:** The defendant is guilty of the following offenses, based upon
☐ guilty plea ☐ jury-verdict ☐ bench trial on (date) _____:

<i>Count</i>	<i>Crime</i>	<i>RCW (w/subsection)</i>	<i>Class</i>	<i>Date of Crime</i>

Class: FA (Felony-A), FB (Felony-B), FC (Felony-C)

(If the crime is a drug offense, include the type of drug in the second column.)

☐ Additional current offenses are attached in Appendix 2.1a.

The jury returned a special verdict or the court made a special finding with regard to the following:

GV [] For the crime(s) charged in count _____, **domestic violence – intimate partner** was pled and proved.

GV [] For the crime(s) charged in count _____, **domestic violence – family or household member** was pled and proved.

[] The defendant used a **firearm** in the commission of the offense in count _____. RCW 9.94A.825, RCW 9.94A.533.

[] The defendant used a **deadly weapon other than a firearm** in committing the offense in count _____. RCW 9.94A.825, RCW 9.94A.533.

[] Count _____ is aggravated murder in the first degree, committed while the defendant was [] under 16 years of age [] 16 through 20 years of age.

[] Count _____ was committed while the defendant was under 18 years of age and the time of confinement is over 20 years.

[] The defendant engaged, agreed, offered, attempted, solicited another, or conspired to engage a victim of child rape or child molestation in sexual conduct in return for a fee in the commission of the offense in count _____. RCW 9.94A.839.

[] In count _____, an internet advertisement in which the victim of the crime was described or depicted was instrumental in facilitating the commission of the crime. RCW 9.68A.100, RCW 9.68A.101, or RCW 9.68A.102, Laws of 2013, ch. 9, §1.

[] The offense was predatory as to count _____. RCW 9.94A.836.

[] The victim was under 15 years of age at the time of the offense in count _____. RCW 9.94A.837.

[] The victim was developmentally disabled, mentally disordered, a frail elder, or a vulnerable adult at the time of the offense in count _____. RCW 9.94A.838, RCW 9A.44.010.

[] The defendant acted with **sexual motivation** in committing the offense in count _____. RCW 9.94A.835.

[] 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.

[] This offense is a trafficking crime or was reduced from a trafficking crime as defined in RCW 9A.40.100.

[] In count _____, the defendant committed a robbery of a pharmacy as defined in RCW 18.64.011(21), RCW 9.94A.832.

[] Count _____, **Violation of the Uniform Controlled Substances Act (VUCSA)**, RCW 69.50.401 and RCW 69.50.435, took place in a school, school bus, within 1,000 feet of the perimeter of a school grounds or within 1,000 feet of a school bus route or stop designated by the school district; or in a public park, public transit vehicle, or public transit stop shelter; or in, or within 1,000 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.

[] 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 in count _____. RCW 9.94A.605, RCW 69.50.401, RCW 69.50.440.

- [] Count _____ is a **criminal street gang**-related felony offense in which the defendant compensated, threatened, or solicited a minor in order to involve that **minor** in the commission of the offense. RCW 9.94A.833.
- [] Count _____ is the crime of **unlawful possession of a firearm** and the defendant was a **criminal street gang** member or associate when the defendant committed the crime. RCW 9.94A.701, RCW 9.94A.829.
- [] The defendant committed [] **vehicular homicide** [] **vehicular assault** proximately caused by driving a vehicle while under the influence of intoxicating liquor or drug, or by operating a vehicle in a reckless manner. The offense is, therefore, deemed a violent offense. RCW 9.94A.030.
- GY** [] In count _____, the defendant had (*number of*) _____ **passenger(s) under the age of 16** in the vehicle. RCW 9.94A.533.
- [] Count _____ involves **attempting to elude** a police vehicle and during the commission of the crime the defendant endangered 1 or more persons other than the defendant or the pursuing law enforcement officer. RCW 9.94A.834.
- [] In count _____, the defendant has been convicted of assaulting a law enforcement officer or other employee of a law enforcement agency who was performing their official duties at the time of the assault, as provided under RCW 9A.36.031, and the defendant intentionally committed the assault with what appeared to be a firearm. RCW 9.94A.831, RCW 9.94A.533.
- [] Count _____ is a felony in the commission of which the defendant used a **motor vehicle** in a manner that endangered person or property. RCW 46.20.285.
- [] The defendant has a **substance use disorder** that has contributed to the offense(s). RCW 9.94A.607.
- [] Reasonable grounds exist to believe the defendant is a mentally ill person as defined in RCW 71.24.025, and that this condition is likely to have influenced the offense. RCW 9.94B.080.
- [] In count _____, assault in the first degree (RCW 9A.36.011) or assault of a child in the first degree (RCW 9A.36.120), the offender used force or means likely to result in death or intended to kill the victim and shall be subject to a mandatory minimum term of 5 years. RCW 9.94A.540.
- [] Counts _____ encompass the same criminal conduct and count as 1 crime in determining the offender score. RCW 9.94A.589.
- [] **Other current convictions listed under different cause numbers used in calculating the offender score are** (*list offense and cause number*):

Crime		Cause Number	Court (County & State)	DV* Yes
1.				
2.				

* DV: Domestic Violence was pled and proved.

[] Additional current convictions listed under different cause numbers used in calculating the offender score are attached in Appendix 2.1b.

2.2 Criminal History (RCW 9.94A.525):

	Crime	Date of Crime	Date of Sentence	Sentencing Court (County & State)	A or J Adult, Juv.	Type of Crime	DV* Yes
1.							
2.							
3.							
4.							
5.							

* DV: Domestic Violence was pled and proved.

[] Additional criminal history is attached in Appendix 2.2.

[] The defendant committed a current offense while on community placement/community custody (adds 1 point to score). RCW 9.94A.525.

[] The prior convictions listed as number(s) _____, above, or in Appendix 2.2, are 1 offense for purposes of determining the offender score. RCW 9.94A.525.

[] The prior convictions listed as number(s) _____, above, or in Appendix 2.2, are not counted as points but as enhancements pursuant to RCW 46.61.520.

2.3 Sentencing Data:

Count No.	Offender Score	Serious -ness Level	Standard Range (not including enhancements)	Plus Enhancements*	Total Standard Range (including enhancements)	Community Custody	Max Term

* (F) Firearm, (D) Other deadly weapons, (V) VUCSA in a protected zone, (RPh) Robbery of a pharmacy, (VH) Veh. Hom, see RCW 9.94A.533(7), (JP) Juvenile present, (CSG) Criminal street gang involving minor, (AE)

Endangerment while attempting to elude, (ALF) Assault law enforcement with firearm, RCW 9.94A.533(12), (P16) Passenger(s) under age 16.

☐ Additional current offense sentencing data is attached in Appendix 2.3.

For violent offenses, most serious offenses, or armed offenders, recommended **sentencing agreements or plea agreements** are ☐ attached ☐ as follows:_____

2.4 ☐ Exceptional Sentence. The court finds substantial and compelling reasons that justify an exceptional sentence:

- ☐ below the standard range for ☐ confinement term(s) ☐ community custody term(s) on count(s) _____.
- ☐ above the standard range for ☐ confinement term(s) ☐ community custody term(s) on 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.
- ☐ Within the standard range for count(s) _____, but served consecutively to count(s) _____.

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 Legal Financial Obligations/Restitution. The court has considered the total amount owing, the defendant's financial resources and the nature of the burden that payment will impose. (RCW 10.01.160). The court makes the following specific findings:

- ☐ The defendant is indigent, as defined in RCW 10.101.010(3), because the defendant:
 - ☐ receives public assistance.
 - ☐ is involuntarily committed to a public mental health facility.
 - ☐ receives an annual income, after taxes, of 125 percent or less of the current federal poverty level.
- ☐ Under RCW 10.101.010(3)(d), the court finds the defendant is indigent.
- ☐ The defendant is not indigent as defined in RCW 10.101.010(3)(a)-(c).
 - ☐ The following extraordinary circumstances exist that make restitution inappropriate (RCW 9.94A.753):_____
- ☐ The defendant has the present means to pay costs of incarceration. RCW 9.94A.760.
- ☐ (Name of agency) _____'s costs for its emergency response.

2.6 [] Felony Firearm Offender Registration. The defendant committed a felony firearm offense as defined in RCW 9.41.010, and:

[] The defendant should register as a felony firearm offender. The court considered the following factors in making this determination:

[] the defendant's criminal history.

[] whether the defendant has previously been found not guilty by reason of insanity of any offense, in this state or elsewhere.

[] evidence of the defendant's propensity for violence that would likely endanger persons.

[] other: _____

[] The defendant must register as a felony firearm offender because the offense was committed in conjunction with an offense committed against a person under the age of 18, or a serious violent offense or offense involving sexual motivation, as defined in RCW 9.94A.030.

III. Judgment

3.1 The defendant is **guilty** of the counts and charges listed in Section 2.1 and Appendix 2.1.

3.2 [] The court **dismisses** counts _____ in the charging document.

IV. Sentence and Order

It is Ordered:

4.1 Confinement and Community Custody. The court sentences the defendant to total confinement and community custody as follows:

(A) Confinement and Community Custody. A term of total confinement in the custody of the Department of Corrections (DOC) under RCW 9.94A.589 and, if required by RCW 9.94A.701, a term of community custody supervised by DOC.

[] The defendant was under 18 at the time of the offense and shall be initially placed in the custody of the Department of Children, Youth, and Families (DCYF).

Count No.	Base Sentence (not including enhancements)	Plus Enhancements	Total Sentence	Community Custody

The "total sentence" in the above table **contains** enhancements for [] firearm [] deadly weapon [] VUCSA in a protected zone [] manufacture of methamphetamine with a juvenile present [] impaired driving.

[] The confinement time on count(s) _____ contain(s) a mandatory minimum term of _____.

Actual number of months of total confinement ordered is: _____

The **community custody** term includes [] 12 months (for crimes against a person, drug offenses, or offenses involving the unlawful possession of a firearm by a street gang member or associate) [] 18 months for Violent Offenses [] 36 months for Serious Violent Offenses.

Note: If the combined term of confinement and community custody for any particular count exceeds the count's statutory maximum set forth in Section 2.3, the court must reduce the community custody term. RCW 9.94A.701.

(B) Confinement and Community Custody. The court orders the following:

Count _____ minimum term: _____ maximum term: _____

Count _____ minimum term: _____ maximum term: _____

Before the expiration of the minimum term, the defendant will be reviewed for releasability by the Indeterminate Sentence Review Board (ISRB). Once released by the ISRB, the defendant is subject to the supervision of DOC for a period of time to be determined by the ISRB.

(C) Concurrent/Consecutive Confinement and Community Custody

All confinement terms shall be served concurrently, except for the portion of those confinement terms for which there is an enhancement as set forth above at Section 2.3, and except for the following counts which shall be served consecutively:

The following confinement term(s) shall run consecutively with the sentence in the following cause number(s) (see RCW 9.94A.589(3)): _____

Confinement shall commence immediately unless otherwise set forth here: _____

Community custody on all counts shall be served concurrently, except for the following counts, which shall be served consecutively: _____

The community custody terms of this sentence shall run consecutively with the community custody term in the following cause number(s) (see RCW 9.94A.589(2)(a)): _____

(D) Credit for Time Served. The defendant shall receive credit for eligible time served prior to sentencing, if that confinement was solely under this cause number. RCW 9.94A.505. The jail shall compute time served.

(E) [] Work Ethic Program. RCW 9.94A.690, RCW 72.09.410. The court finds that the defendant is eligible and is likely to qualify for a work ethic program. The court recommends that the defendant serve the sentence at a work ethic program. Upon completion of a work ethic program, the defendant shall be released on community custody for any remaining time of total confinement, subject to the conditions in Section 4.2. 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 confinement.

4.2 Community Custody Conditions

Mandatory Conditions:

While on community custody, the defendant shall:

- (1) Inform DOC of court-ordered treatment;
If any court orders mental health or substance use disorder treatment, the defendant must notify DOC and the defendant must release treatment information to DOC for the duration of incarceration and supervision. RCW 9.94A.562.
- (2) Comply with any conditions imposed by DOC under RCW 9.94A.704;
- (3) Not reside in a community protection zone (if the defendant was sentenced under RCW 9.94A.507 for an offense listed in RCW 9.94A.507(1)(a), and the victim of the offense was under 18 years of age at the time of the offense);
- (4) Not serve in any paid or volunteer capacity where they have control or supervision of minors under the age of 13 (if the offender was sentenced under RCW 9A.36.120);

Waivable Conditions (*check conditions that are **not** waived*):

While on community custody, the defendant shall:

- ☐ Report to and be available for contact with the assigned community corrections officer as directed;
- ☐ Work at department-approved education, employment, or community restitution, or any combination thereof;
- ☐ Refrain from possessing or consuming controlled substances, including cannabis, except pursuant to lawfully issued prescriptions/authorizations;
- ☐ Obtain prior approval of the department for the offender's residence location and living arrangements.

Discretionary Conditions (*check conditions that are imposed*):

The court orders that, during the period of supervision, the defendant shall:

- ☐ Remain within, or outside of, a specified geographical boundary, to wit: _____;
- ☐ Refrain from direct or indirect contact with the victim of the crime or a specified class of individuals, to wit: _____;
- ☐ Participate in crime-related treatment or counseling services, to wit: _____;
- ☐ Participate in rehabilitative programs or otherwise perform affirmative conduct reasonably related to the circumstances of the offense, the offender's risk of reoffending, or the safety of the community, to wit: _____;

- [] Refrain from possessing or consuming alcohol;
[] Comply with the following crime-related prohibitions:

Special Conditions:

As authorized by RCW 9.94A.703(4), the defendant shall:

(A) Long-Term Juvenile Sentences. RCW 9.94A.730. If the defendant committed the above crime(s) while under age 18 and is sentenced to more than 20 years of confinement:

- (i) As long as the defendant's conviction is not for aggravated first degree murder or certain sex crimes, and the defendant has not been convicted of any crime committed after they turned 18 or committed a disqualifying serious infraction as defined by DOC in the 12 months before the petition is filed, the defendant may petition the Indeterminate Sentence Review Board (ISRBB) for early release after the defendant has served 20 years.
- (ii) If the defendant is released early because the petition was granted or by other action of the ISRB, the defendant will be subject to community custody under the supervision of DOC for a period of time determined by the ISRB, up to the length of the court-imposed term of incarceration. The defendant will be required to comply with any conditions imposed by the ISRB.
- (iii) If the defendant violates the conditions of community custody, the ISRB may return the defendant to confinement for up to the remainder of the court-imposed term of incarceration.

4.3a Legal Financial Obligations: The defendant shall pay to the clerk of this court:

JASS/Odyssey CODE

PCV 3105	\$_____	Victim assessment RCW 7.68.035 (\$500)
PDV 3102	\$_____	Domestic Violence (DV) assessment RCW 10.99.080
VPO 3366	\$_____	Violation of a DV protection order (\$15 mandatory fine) RCW 26.50.110 or RCW 7.105.450
CRC 3403	\$_____	Court costs, including RCW 9.94A.760, 9.94A.505, 10.01.160, 10.46.190
	Criminal filing fee	\$_____ FRC (\$200)
	Witness costs	\$_____ WFR
	Sheriff service fees	\$_____ SFR/SFS/SFW/WRF
	Jury demand fee	\$_____ JFR

Extradition costs \$_____ EXT

Other \$_____

PUB 3225 \$_____ Fees for court appointed attorney. RCW 9.94A.760

WFR 3231 \$_____ Court appointed defense expert and other defense costs.
RCW 9.94A.760

FCM 3303 \$_____ Fine RCW 9A.20.021; [] VUCSA chapter 69.50 RCW,
[] VUCSA additional MTH 3337
[] fine deferred due to indigency. RCW 69.50.430

CDF 3302 \$_____ Drug enforcement fund of _____RCW 9.94A.760

LDI 3308/FCD 3363

NTF 3338/SAD 3365/SDI 3307

\$_____ DUI fines, fees and assessments

CLF 3212 \$_____ Crime lab fee [] suspended due to indigency. RCW 43.43.690

FPV 3335 \$_____ Specialized forest products. RCW 76.48.171

PPI 3405 \$_____ Trafficking/Promoting prostitution/Commercial sexual abuse of
minor fee (may be reduced by no more than two thirds upon a
finding of inability to pay.) RCW 9A.40.100, 9A.88.120, 9.68A.105

EXM 3233 \$_____ Fee for Possession of Depictions of a Minor Engaged in Sexually
Explicit Conduct (\$1,000 fee for each separate conviction). RCW
9.68A.070

DEF 3506 \$_____ Emergency response costs (\$2,500 max.) RCW 38.52.430

\$_____ Other fines or costs for: _____

RTN/RJN 3801

\$_____ Restitution to: _____

\$_____ Restitution to: _____

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

\$_____ **Total** RCW 9.94A.760

[] The above total does 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:

[] shall be set by the prosecutor.

[] is scheduled for (*date*) _____.

[] The defendant waives any right to be present at any restitution hearing
(*sign initials*): _____.

[] The court finds that the restitution is owed to an insurer or a state agency other than the
Department of Labor and Industries and the defendant does not have the current or likely
future ability to pay that restitution. The court, in its discretion, waives restitution.

[] **Restitution Schedule** attached.

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

Name of other defendant **Cause Number** (Victim's name) (Amount-\$)

RJN

[] 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. (Restitution payments must begin immediately. RCW 9.4A.750(1).)

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

[] The court orders the defendant to pay costs of incarceration at the rate of \$_____ per day, (actual costs not to exceed \$100 per day). (*JLR*) RCW 9.94A.760. (This provision does not apply to costs of incarceration collected by the DOC under RCW 72.09.111 and 72.09.480.)

No interest shall accrue on non-restitution obligations imposed in this judgment. 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.

Restitution Interest:

[] The court finds that the restitution is owed to an insurer or a state agency other than the Department of Labor and Industries and the defendant does not have the current or likely future ability to pay interest on that restitution. The court, in its discretion, waives interest on restitution.

[] After considering the defendant's available funds and liabilities, whether the defendant is indigent, homeless, or mentally ill, and the victim's input relating to financial hardship caused to the victim, the court waives interest on restitution.

[] The restitution 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.

4.3b [] Electronic Monitoring Reimbursement. The defendant is ordered to reimburse (*name of electronic monitoring agency*) _____ at (*address*) _____, for the cost of pretrial electronic monitoring in the amount of \$_____.

4.4 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. This paragraph does not apply if it is established that the Washington State Patrol crime laboratory already has a sample from the defendant for a qualifying offense. RCW 43.43.754.

The facility where the defendant serves the term of confinement shall be responsible for obtaining the sample as part of the defendant's intake process or as soon as practicable.

4.5 No Contact:

☐ The defendant shall not have contact with (*name(s) of protect person(s)*) _____

including, but not limited to, personal, verbal, telephonic, written, or contact through a third party until _____
(which does not exceed the maximum statutory sentence).

☐ The defendant is excluded or prohibited from coming within (*distance*) _____ of:
(*name(s) of protected person(s)*) _____'s
☐ home/residence ☐ workplace ☐ school or ☐ other location(s) _____
_____, until _____
(which does not exceed the maximum statutory sentence).

☐ A separate *Domestic Violence No-Contact Order*, *Antiharassment No-Contact Order*, or *Stalking No-Contact Order* is filed concurrent with this Judgment and Sentence.

4.6 Other: _____

4.7 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 the Department of Corrections: _____

4.8 Exoneration: The court hereby exonerates any bail, bond, and/or personal recognizance conditions.

V. Notices and Signatures

5.1 Collateral Attack on Judgment. If you wish to petition or move 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, you must do so within 1 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. If you committed your offense prior to July 1, 2000, you shall remain under the court's jurisdiction and the supervision of DOC for a period of 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. If you committed your offense on or after July 1, 2000, the court shall retain jurisdiction over you, for the purpose of your compliance with payment of the legal financial obligations, until you have completely satisfied your obligation, regardless of the statutory maximum for the crime. RCW 9.94A.760 and RCW 9.94A.505(5). The clerk of the court has authority to collect unpaid legal financial obligations at any time while you remain under the jurisdiction of the court for purposes of your 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 DOC 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 1 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 Community Custody Violation.

- (a) If you are subject to a violation hearing and DOC finds that you committed the violation, you may receive a sanction of up to 30 days of confinement. RCW 9.94A.633(1).
- (b) If you have not completed your maximum term of total confinement and you are subject to a violation hearing and DOC finds that you committed the violation, DOC may return you to a state correctional facility to serve up to the remaining portion of your sentence. RCW 9.94A.633(2)(a).
- (c) Only for sex offenses under RCW 9.94A.507, aggravated murder under RCW 10.95.030(3), or early release under RCW 9.94A.730: The Indeterminate Sentence Review Board may return you to total confinement for up to the remainder of your court-imposed prison term, if you are found guilty of violating a condition of community custody at a violation hearing. RCW 9.95.435.

5.5a Firearms. You may not own, use, or possess any firearm and, under federal law, any firearm or ammunition, unless your right to do so is restored by the court in which you are convicted or the superior court in Washington State where you live, and by a federal court, if required. **You must immediately surrender any concealed pistol license(s).** (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 (DOL) and the Washington State Patrol Firearms Background Check Program along with the date of conviction or commitment.) RCW 9.41.040 and RCW 9.41.047.

5.5b [] Felony Firearm Offender Registration. The defendant is required to register as a felony firearm offender. The specific registration requirements are in the "*Felony Firearm Offender Registration*" attachment.

5.6 Sex and Kidnapping Offender Registration. RCW 9A.44.128, 9A.44.130, 10.01.200.

1. General Applicability and Requirements: Because this crime involves a sex offense or kidnapping offense involving a minor, as defined in RCW 9A.44.128, you are required to register.

If you are a resident of Washington, you must register with the sheriff of the county in the state of Washington where you reside. You must register within 3 business days of being sentenced unless you are in custody, in which case you must register at the time of your release with the person designated by the agency that has jurisdiction over you. You must also register within 3 business days of your release with the sheriff of the county in the state of Washington where you will be residing.

While in custody, if you are approved for partial confinement, you must register when you transfer to partial confinement with the person designated by the agency that has jurisdiction over you. You must also register within 3 business days from the end of partial confinement or release from confinement with the sheriff of the county where you reside.

If you are not a resident of Washington but you are a student in Washington or you are employed in Washington or you carry on a vocation in Washington, you must register with the sheriff of the county of your school, place of employment, or vocation. You must

register within 3 business days of being sentenced unless you are in custody, in which case you must register at the time of your release with the person designated by the agency that has jurisdiction over you. You must also register within 3 business days of your release with the sheriff of the county of your school, where you are employed, or where you carry on a vocation.

2. Offenders Who are New Residents, Temporary Residents, or Returning

Washington Residents: If you move to Washington or if you leave this state following your sentencing or release from custody but later move back to Washington, you must register within 3 business days after moving to this state. If you leave this state following your sentencing or release from custody but later, while not a resident of Washington, you become employed in Washington, carry on a vocation in Washington, or attend school in Washington, you must register within 3 business days after starting school in this state or becoming employed or carrying out a vocation in this state. If you are visiting and intend to reside or be present 10 or more days in Washington, then you must register the location where you plan to stay or your temporary address with the sheriff of each county where you will be staying within 3 business days of your arrival.

3. Change of Residence Within State: If you change your residence within a county, you must provide, by certified mail with return receipt requested or in person, signed written notice of your change of residence to the sheriff within 3 business days of moving. If you change your residence to a new county within this state, you must register with the sheriff of the new county within 3 business days of moving. Also, within 3 business days, you must provide, by certified mail with return receipt requested or in person, signed written notice of your change of address to the sheriff of the county where you last registered.

4. Leaving the State or Moving to Another State: If you move to another state, or if you work, carry on a vocation, or attend school in another state, you must register a new address, fingerprints, and photograph with the new state within 3 business days after establishing residence, or after you begin to work, carry on a vocation, or attend school in the new state. If you move out of the state, you must also send written notice within 3 business days of moving to the new state or to a foreign country to the county sheriff with whom you last registered in Washington State.

5. Travel Outside the United States: If you intend to travel outside the United States, you must provide signed written notice of the details of your plan to travel out of the country to the sheriff of the county where you are registered. Notice must be provided at least 21 days before you travel. Notice may be provided to the sheriff by certified mail, with return receipt requested, or in person.

If you cancel or postpone this travel, you must notify the sheriff within 3 days of canceling or postponing your travel or on the departure date you provide in your notice, whichever is earlier.

If you travel routinely across international borders for work, or if you must travel unexpectedly due to a family or work emergency, you must personally notify the sheriff at least 24 hours before you travel. You must explain to the sheriff in writing why it is impractical for you to comply with the notice required by RCW 9A.44.130(3).

6. Notification Requirement When Enrolling in or Employed by a Public or Private Institution of Higher Education or Common School (K-12): You must give notice to the sheriff of the county where you are registered within 3 business days:

i) before arriving at a school or institution of higher education to attend classes;

- ii) before starting work at an institution of higher education; or
- iii) after any termination of enrollment or employment at a school or institution of higher education.

7. Registration by a Person Who Does Not Have a Fixed Residence: Even if you do not have a fixed residence, you are required to register. Registration must occur within 3 business days of release in the county where you are being supervised, if you do not have a residence at the time of your release from custody. Within 3 business days after losing your fixed residence, you must send signed written notice to the sheriff of the county where you last registered. If you enter a different county and stay there for more than 24 hours, you will be required to register with the sheriff of the new county not more than 3 business days after entering the new county. You must also report weekly in person to the sheriff of the county where you are registered. The weekly report shall be on a day specified by the county sheriff's office, and shall occur during normal business hours. You must keep an accurate accounting of where you stay during the week and provide it to the county sheriff upon request. The lack of a fixed residence is a factor that may be considered in determining an offender's risk level and shall make the offender subject to disclosure of information to the public at large, pursuant to RCW 4.24.550.

8. Application for a Name Change: If you apply for a name change, you must submit a copy of the application to the sheriff of the county of your residence and to the state patrol not fewer than 5 days before the entry of an order granting the name change. If you receive an order changing your name, you must submit a copy of the order to the county sheriff of the county of your residence and to the state patrol within 3 business days of the entry of the order. RCW 9A.44.130(7).

5.7 [] Department of Licensing Notice: The court finds that count _____ is a felony in the commission of which a motor vehicle was used. **Clerk's Action** –The clerk shall forward an Abstract of Court Record (ACR) to the DOL, which must revoke the defendant's driver's license. RCW 46.20.285.

Findings for DUI, Physical Control, Felony DUI or Physical Control, Vehicular Assault, or Vehicular Homicide (ACR information) (check all that apply):

- [] Within 2 hours after driving or being in physical control of a vehicle, the defendant had an alcohol concentration of breath or blood (BAC) of _____.
- [] No BAC test result.
- [] BAC refused. The defendant refused to take a test offered pursuant to RCW 46.20.308.
- [] Drug-related. The defendant was under the influence of or affected by any drug.
- [] THC level was _____ within 2 hours after driving.
- [] Passenger under age 16. The defendant committed the offense while a passenger under the age of 16 was in the vehicle.

Vehicle Info.: [] Commercial Vehicle [] 16-Passenger Vehicle [] Hazmat vehicle

5.8 [] Department of Licensing Notice – Defendant under age 21 only.

Count _____ is (a) a violation of RCW chapter 69.41 [Legend drug], 69.50 [VUCSA], or 69.52 [Imitation drugs], and the defendant was under 21 years of age at the time of the offense **OR** (b) a violation under RCW 9A.10.040 [unlawful possession of firearm], and the defendant was under the age of 18 at the time of the offense **OR** (c) a violation under

RCW chapter 66.44 [Alcohol], and the defendant was under the age of 18 at the time of the offense, **AND** the court finds that the defendant previously committed an offense while armed with a firearm, an unlawful possession of a firearm offense, or an offense in violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW.

Clerk's Action –The clerk shall forward an Abstract of Court Record (ACR) to the DOL, which must revoke the defendant's driver's license. RCW 46.20.265.

5.9 Other: _____

Done in Open Court and in the presence of the defendant on this date: _____

Judge/Print Name:

Deputy Prosecuting Attorney Attorney for Defendant Defendant

WSBA No. _____ WSBA No. _____

Print Name: _____ Print Name: _____ Print Name: _____

Voting Rights Statement: I acknowledge that I have lost my right to vote because of this felony conviction and sentence to total confinement. If I am registered to vote, my voter registration will be cancelled.

My right to vote will be restored when I am not serving a sentence of total confinement in the custody of DOC. My right to vote is automatically restored but I must reregister to vote prior to voting. Voting or registering to vote before the right is restored is a class C felony. RCW 29A.84.140.

Defendant's signature: _____

I am a certified or registered interpreter, or the court has found me otherwise qualified to interpret, in the _____ language. I interpreted this Judgment and Sentence for the defendant into that language.

I certify, under penalty of perjury under the laws of the State of Washington, that the foregoing is true and correct.

Signed at (city) _____, (state) _____, on (date) _____

Interpreter

Print Name

VI. Identification of the Defendant

SID No. _____ Date of Birth _____

FBI No. _____ Local ID No. _____

PCN/TCN No. _____ Other _____

Alias name, DOB: _____

Race:

Ethnicity:

Sex:

☐ Asian ☐ Black ☐ Indian-American Indian or
Alaska Native

☐ Hispanic ☐ Male

☐ Multiracial ☐ Native Hawaiian or
Other Pacific Islander

☐ Non-Hispanic ☐ Female

☐ Refused ☐ White ☐ Unavailable

☐ Refused

☐ Unknown ☐ Other:

☐ Unknown

Fingerprints: I attest that I saw the defendant, who appeared in court, affix their fingerprints and signature on this document.

Clerk of the Court, Deputy Clerk: _____ Dated: _____

The defendant's signature:

Left 4 fingers taken simultaneously	Left Thumb	Right Thumb	Right 4 fingers taken simultaneously