

Superior Court of Washington, County of _____

State of Washington,

Plaintiff,

vs.

Defendant.

DOB _____

PCN/TCN:

SID:

No. _____

**Felony Judgment and Sentence --
First-Time Offender**

(FJS/RJS)

Clerk's Action Required: 2.1, 3.2, 4.1, 4.3,
4.7, 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) _____ :

Count	Crime	RCW (w/subsection)	Class	Date of Crime

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 has a **chemical dependency** 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.

[] Count _____ is a felony in the commission of which the defendant used a **motor vehicle in a manner that endangered people or property**. RCW46.20.285.

[] 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.

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

Additional current offense sentencing data is attached in Appendix 2.3.

2.4 First-Time Offender Waiver. The court finds that the defendant qualifies for waiver of a standard range 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 the costs of incarceration. RCW 9.94A.760.

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 Paragraph **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 First-Time Offender Waiver of Standard Sentence. RCW 9.94A.030, RCW 9.94A.650. The defendant is a first-time offender. The court waives imposition of a sentence within the standard sentence range and imposes the following sentence:

(A) Confinement. The court sentences the defendant to the following term of total confinement in the custody of:

the _____ county jail.

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).

_____ days total confinement (up to 90 days). RCW 9.94A.650.

Other: _____

Confinement shall commence immediately unless otherwise set forth here:

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.

Partial Confinement. The defendant may serve the sentence, if eligible and approved, in partial confinement in the following programs, subject to the following conditions: _____

work crew (RCW 9.94A.725) home detention (RCW 9.94A.731, .190)

work release (RCW 9.94A.731) electronic monitoring (RCW 9.94A.030)

Alternative Conversion. RCW 9.94A.680. _____ days of total confinement ordered above are hereby converted to _____ hours of community restitution (service) (8 hours = 1 day, nonviolent offenders only, 30 days maximum) under the supervision of the Department of Corrections (DOC) to be completed:

on a schedule established by the defendant's community corrections officer.

as follows: _____

Conversion of Jail Confinement (Nonviolent and Nonsex Offenses). RCW 9.94A.680(3). The county jail is authorized to convert jail confinement to an available county supervised community option, to reduce the time spent in the community option by earned release credit consistent with local correctional facility standards, and may require the offender to perform affirmative conduct pursuant to RCW 9.94A.607.

The defendant shall receive credit for time served in an available county supervised community option prior to sentencing. The jail shall compute time served.

Alternatives to total confinement were not used because of: _____

criminal history failure to appear (finding required for nonviolent offenders only) RCW 9.94A.680.

(B) Community Service. RCW 9.94A.650. The defendant shall perform _____ hours of community restitution (service) as approved by the defendant's community corrections officer, to be completed:

on a schedule established by the defendant's community corrections officer.

as follows: _____

This community restitution is in addition to the ordered total confinement.

4.2 Community Custody. RCW 9.94A.650. The defendant shall serve _____ months in community custody under the supervision of the DOC (up to 12 months if treatment is ordered and up to 6 months if treatment is not ordered).

The defendant shall report to the DOC no later than 72 hours after release from custody at the address provided in open court or by separate document. The defendant shall comply with the instructions, rules, and regulations of the DOC for the conduct of the defendant during the period of community custody. The defendant shall obey all laws and perform affirmative acts as required by the DOC to confirm compliance with the orders of the court. The defendant shall comply with any other conditions of community custody stated in this Judgment and Sentence or imposed by the DOC under RCW 9.94A.704 and .706 during community custody. The court orders that during the period of supervision the defendant shall:

- | | |
|---|---|
| <input type="checkbox"/> pay all court-ordered legal financial obligations. | <input type="checkbox"/> not possess or consume controlled substances, including marijuana, without a valid prescription/authorization. |
| <input type="checkbox"/> obtain prior approval of DOC for the defendant's residence location and living arrangements. | <input type="checkbox"/> undergo available treatment for a period not to exceed one year. |
| <input type="checkbox"/> report as directed to a community corrections officer. | <input type="checkbox"/> remain within prescribed geographical boundaries. |
| <input type="checkbox"/> work at DOC-approved education or employment. | <input type="checkbox"/> obtain a mental health evaluation and comply with recommended treatment. |
| <input type="checkbox"/> not possess or consume alcohol. | <input type="checkbox"/> obtain a substance use disorder evaluation and comply with recommended treatment. |

The conditions of community custody shall begin immediately unless otherwise set forth here: _____

Court-Ordered Treatment: If any court orders mental health or substance use disorder treatment, the defendant must notify the DOC and the defendant must release treatment information to the DOC for the duration of incarceration and supervision. RCW 9.94A.562.

4.3 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
- EXW 3501 \$ _____ Court appointed defense expert and other defense costs RCW 9.94A.760
- CDF 3302 \$ _____ Drug enforcement fund of _____ RCW 9.94A.760
- LDI 3308/FCD 3363
- NTF 3338/SAD 3365/SDI 3307
- CLF 3212 \$ _____ Crime lab fee [] suspended due to indigency RCW 43.43.690
- DEF 3506 \$ _____ Emergency response costs (\$2,500 max.) RCW 38.52.430
Agency: _____
- FPV 3335 \$ _____ Specialized forest products RCW 76.48.171
- \$ _____ Other fines or costs for: _____
- RTN 3801/4801 \$ _____ 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 Dept. 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 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 the 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 Dept. 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.

4.4 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. If the defendant has already had a biological sample collected, the collecting agency may choose not to collect another sample. 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.

If further confinement is not ordered,

the defendant shall report to *(law enforcement agency)* _____
by *(date/time)* _____ to provide a biological sample.

The defendant shall immediately provide a biological sample to the local police department or sheriff's office before leaving the courtroom.

Failure to provide a biological sample is a gross misdemeanor.

4.5 No Contact:

The defendant shall not have contact with *(name(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 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 the DOC 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. 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 for 10 years from your date of sentence or release from confinement, whichever is longer, and for restitution until you have completely satisfied your obligation, regardless of the statutory maximum for the crime. RCW 9.94A.760, 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), 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 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.** If you are subject to a violation hearing and the DOC finds that you committed the violation, you may receive a sanction of up to 30 days of confinement. RCW 9.94A.633(1).
- 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 information 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, 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.

Delete or cross off if not applicable:

<p>5.6 [] Offender Registration. (Unlawful Imprisonment Involving a Minor) RCW 9A.44.128, 9A.44.130, 10.01.200.</p> <p>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.</p> <p>If you are a resident of Washington, you must register with the sheriff of the county of 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 of the state of Washington where you will be residing.</p>
--

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 attend school in Washington, become employed in Washington, or carry on a vocation in Washington, you must register within 3 business days after starting school in this state or becoming employed in this state 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 to the county sheriff with whom you last registered in Washington State within 3 business days of moving to the new state or to a foreign country.

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 county 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.

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 9.41.040 [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 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
WSBA No.
Print Name:

Attorney for Defendant
WSBA No.
Print Name:

Defendant
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 the DOC. My right to vote will be 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 Signature

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:
<input type="checkbox"/> Asian	<input type="checkbox"/> Black	<input type="checkbox"/> Indian-American Indian or Alaska Native	<input type="checkbox"/> Hispanic
<input type="checkbox"/> Multiracial	<input type="checkbox"/> Native Hawaiian or Other Pacific Islander	<input type="checkbox"/> Non-Hispanic	<input type="checkbox"/> Male
<input type="checkbox"/> Refused	<input type="checkbox"/> White	<input type="checkbox"/> Unavailable	<input type="checkbox"/> Refused
<input type="checkbox"/> Unknown	<input type="checkbox"/> Other:	<input type="checkbox"/> Unknown	<input type="checkbox"/> Female

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
-------------------------------------	------------	-------------	--------------------------------------