

IN THE COURT OF APPEALS  
OF THE STATE OF WASHINGTON

RECEIVED  
SEP 02 2010  
CLERK OF COURT OF APPEALS DIV II  
STATE OF WASHINGTON

IN RE THE PERSONAL ) NO. 40729-9-II  
RESTRAINT PETITION OF ) RESPONSE TO  
) PERSONAL RESTRAINT  
MICHAEL DAVID CRAWFORD ) PETITION

Comes now Edward G. Holm, Prosecuting Attorney in and for Thurston County, State of Washington, by and through John C. Skinder, Deputy Prosecuting Attorney, and files its response to petitioner's personal restraint petition pursuant to RAP 16.9.

I. BASIS OF CURRENT RESTRICTIONS ON LIBERTY

Petitioner is currently in the custody of the Washington Department of Corrections pursuant to a sentence of 62 months for a single count of Perjury in the first degree, RCW 9A.72.020, imposed in Thurston County Superior Court Cause No. 09-1-00568-4 and pursuant to a sentence of 27 months for two counts of Felony VUCSA violations, RCW 69.50.4013, and one count of Attempting to Elude a police vehicle, RCW 46.61.024, imposed in Thurston County Superior Court Cause No. 08-1-02248-3.

## II. STATEMENT OF PROCEEDINGS

Mr. Crawford was charged by Information filed on March 30, 2009, with one count of Perjury in the first degree, RCW 9A.72.020. (Appendix A). A Certification of Probable Cause was also filed on March 30, 2009. (Appendix B). On July 23, 2009, the State filed a statement of defendant's criminal history and SRA offender score sheet. (Appendix C). Also, on July 23, 2009, Mr. Crawford entered a plea of guilty to that charge as contained in the original Information; his standard sentence range was 62-82 months. (Appendix D). He was sentenced on July 23, 2009, and ordered to serve 62 months in the department of corrections; as part of the plea agreement, the Court ordered that this sentence run concurrent to the sentence imposed in Thurston County Superior Court Cause No. 08-1-02248-3. (Appendix E). A transcript of the sentencing hearing in Thurston County Superior Court Cause No. 09-1-00568-4 is attached herein as Appendix F.

This PRP was timely filed by Mr. Crawford on May 17, 2010.

### III. RESPONSE TO ISSUE RAISED

The trial court did not miscalculate the offender score; instead, the Judgment and Sentence contains a scrivener's error.

The trial court correctly sentenced Mr. Crawford as having an offender score of "8". The Court engaged in the following discussion regarding the defendant's offender score with counsel and the defendant at the change of plea hearing on July 23, 2009:

THE COURT: The standard range for that offense would be based upon your criminal history. I'm told that you have a criminal history that consists of seven prior adult felony convictions, and it looks like there are two juvenile convictions, but I don't see them counted in the offender score.

MR. JONES: They are counted, Your Honor, and that is because the parties are agreeing for purposes of this sentencing that crime number one and crime number three constitute same criminal conduct, Your Honor. And so the seven adult felonies would count as six points. The two adult -- two juvenile felonies would count as one point. And then he was on supervision, that counts as one point. For a total of eight.

THE COURT: Okay. I've amended the sheet so I understand that. In any event, the offender score would be 62 -- I'm sorry. The offender score would be eight, and the standard range would be 62-82 months. You understand that?

THE DEFENDANT: Yes.

THE COURT: All right. Paragraph 6(g), the State indicates that they will recommend a bottom-of-the-range sentence of 62 months, concurrent with another cause number, 08-1-2248-3. Usual costs, crime victim assessment, DNA. Is that what you understand the State will be recommending?

THE DEFENDANT: Yes, Your Honor.

[App. F, 3-5].

The Court then amended the SRA offender score sheet and initialed it. [App. C, second page]. The defendant then stipulated to the Court relying on the certification of probable cause filed on March 30, 2009 [App. B], and subsequently Mr. Crawford pleaded guilty and accepted the guilty plea as “free and voluntary”. [App. F, pages 5-6].

Clearly, based on the record of the change of plea hearing, Mr. Crawford was sentenced correctly as having an offender score of “8”. However, his Judgment and Sentence does not have the box checked indicating that the defendant committed the current offense while on community placement. [App. E, page 2]. This was a scrivener’s error.

In *State v. Healy*, COA 62994-8-I, 2010 Wash. App. LEXIS 1860, the court remanded for correction of a scrivener’s error when “it is clear from the report of proceedings that what the court intended was to impose terms of 61 months on the two burglary convictions and a term of 51 months on the attempted burglary conviction”; the Court remanded “solely for the correction of this scrivener’s error, so that the judgment accurately reflects the sentence the trial court

intended.”

Here the trial court clearly intended that the judgment include the additional one point as the defendant was on community placement when he committed the current offense. To demonstrate the duration of community placement, the State submits the judgment and sentence for Thurston County Superior Court Cause No. 99-1-1205-8 the offense that Mr. Crawford was serving community placement at the time he committed the current offense; the period of community placement ordered was 24 months. [App. G]. The defendant was not released from custody on the Assault in the first degree conviction in Thurston County Superior Court Cause No. 99-1-01205-8 until September, 2008. [App. C]. Therefore, on February 25, 2009, the date of the commission of the crime of perjury in the first degree, the defendant was on community placement.

Based on the report of proceedings from the change of plea hearing and the other supporting documentation referenced in the attached Appendices, it is clear that Mr. Crawford was sentenced with a correct offender score of “8”. It is also clear that the judgment and sentence contained an error by omission when the box indicating that

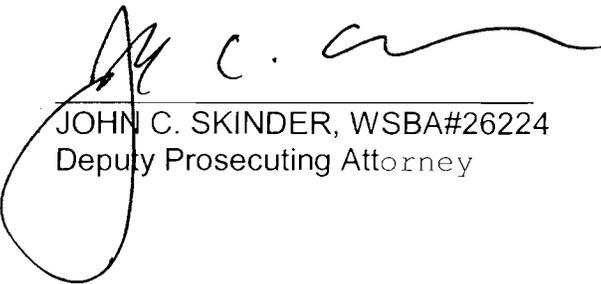
the defendant was on community placement when he committed the crime was not checked; this was a scrivener's error. The State seeks permission to correct this clerical error pursuant to RAP 7.2.

IV. CONCLUSION

Pursuant to RAP 7.2, the State respectfully requests the permission of this Court to present an order to the Trial Court correcting the above-described scrivener's error.

RESPECTFULLY SUBMITTED this 1<sup>st</sup> day of SEPTEMBER,  
2010.

EDWARD G. HOLM  
Prosecuting Attorney



JOHN C. SKINDER, WSBA#26224  
Deputy Prosecuting Attorney

# APPENDIX A

FILED  
SUPERIOR COURT  
THURSTON COUNTY, WASH.

09 MAR 30 PM 2: 07

BETTY J. GOULD, CLERK

BY WJ  
DEPUTY

**IN THE SUPERIOR COURT OF WASHINGTON  
IN AND FOR THURSTON COUNTY**

STATE OF WASHINGTON,

Plaintiff,

NO. **09-1-00568-4**

vs.

MICHAEL DAVID CRAWFORD

**INFORMATION**

DESC: W/ M/508/140/GRY/BRN

DOB: 11/22/1977

SID: WA18027654 FBI: 297949CB6

BOOKING NO. UNKNOWN

PCN NO. UNKNOWN

JOHN M. "JACK" JONES

Senior Deputy Prosecuting Attorney

Defendant.

Jointly Charged with Co-Defendant(s):

N/A

Comes now the Prosecuting Attorney in and for Thurston County, Washington, and charges the defendant with the following crime(s):

**COUNT I - PERJURY IN THE FIRST DEGREE, RCW 9A.72.020 - CLASS B FELONY:**

In that the defendant, Michael David Crawford, in the State of Washington, on or about February 25, 2009, did make a materially false statement knowing such statement was false, under oath required by law, in an official proceeding.

DATED this 27 day of March, 2009.

  
\_\_\_\_\_  
JOHN M. "JACK" JONES, WSBA#16786  
Senior Deputy Prosecuting Attorney

INFORMATION

EDWARD G. HOLM  
Thurston County Prosecuting Attorney  
2000 Lakeridge Drive S.W.  
Olympia, WA 98502  
(360) 786-5540 Fax (360) 754-3358

# APPENDIX B



1 Deputy King will also testify that he was right behind defendant's car and watched it crash.  
2 With his headlights shining into the defendant's car as it crashed, Deputy King was able to see  
3 defendant in the driver's seat and then bounce over to the passenger side as a result of the collision and  
4 the airbag. Deputy King then ordered defendant out of the passenger side of the car.

5 Officer Hadley will also testify that defendant told him that defendant was the registered owner  
6 of the white car, a fact that Officer Hadley was able to verify. Deputy King will testify that defendant  
7 told him that the reason defendant tried to get away from the pursuing officers was because he had been  
8 stopped by police earlier that evening. At that time, a Tacoma officer had taken defendant's ID and drug  
9 paraphernalia. Apparently fearing an arrest, defendant stated that he slammed the car into gear and took  
10 off. Defendant presumed that all police had been notified of the incident and were looking for him.

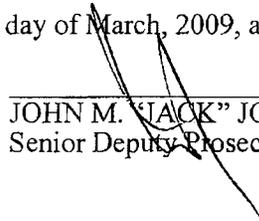
11 Deputy Matt Brennan will testify that he confirmed the Tacoma incident occurred. The state had  
12 obtained a copy of the radio traffic from the stop, which confirms it occurred and involved Tacoma  
13 Officer Joshua White. Deputy King will testify that the driver's side car door was jammed shut by the  
14 collision had be had to pry it open to search the car after defendant's arrest. Deputy King will also testify  
15 that the driver's side door window was closed and intact.

16 Since the trial was an official proceeding where the defendant testified under oath, and since  
17 whether the defendant was the driver or a passenger of the car involved in attempting to elude a pursuing  
18 police vehicle was a material issue in that trial, there is sufficient cause for defendant to be charged and  
19 brought to trial for Perjury in the First Degree. On February 26, 2009, a jury in Thurston County  
20 Superior Court found defendant guilty of Attempting to Elude a Pursuing Police Vehicle.

21 Defendant currently in custody in the Department of Corrections, so a No Bail warrant is  
22 requested in order to secure defendant's presence.

23 Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing  
is true and correct to the best of my knowledge.

Signed and dated by me this 27 day of March, 2009, at Olympia, Washington.

  
\_\_\_\_\_  
JOHN M. "SLACK" JONES, WSBA# 16786  
Senior Deputy Prosecuting Attorney

CERTIFICATION OF PROBABLE CAUSE

EDWARD G. HOLM  
Thurston County Prosecuting Attorney  
2000 Lakeridge Drive S.W.  
Olympia, WA 98502  
(360) 786-5540 Fax (360) 754-3358

# APPENDIX C

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF THURSTON

STATE OF WASHINGTON,

Plaintiff,

vs.

MICHAEL DAVID CRAWFORD  
Defendant.

NO. 09-1-568-4

PROSECUTOR'S STATEMENT OF  
CRIMINAL HISTORY

FILED  
SUPERIOR COURT  
THURSTON COUNTY WA  
09 JUL 23 PM 4:11  
BETTY J. COULSON CLERK

There are no known convictions for SRA purposes.

The defendant's known criminal history:

CRIME	SENTENCE DATE	SENTENCING COURT	CRIME DATE	ADULT / JUV.	CRIME TYPE
UPCS - HEROIN	3-2-09	08-1-2248-3 THURSTON CO.	12-15-08	A	NV
FELONY	3-2-09	" "	12-15-08	A	NV
UPCS - MARIJUANA	3-2-09	" "	12-15-08	A	NV
ASSAULT 1° *	2005	99-1-1205-8 THURSTON CO.	8-5-99	A	SV
UPCS - HEROIN	1998	98-1-3798-1 PACIFIC CO.	9-1-98	A	NV
POSS. EXA. - No Lic.	1997	97-1-1070-9 THURSTON CO.	6-25-97	A	NV
UPF 2°	1997	" "	6-25-97	A	NV
UPF 2°	1995	95-B-444-5 THURSTON CO.	6-10-95	J	NV
ASSAULT 3°	1995	" "	6-10-95	J	NV
NJI	1999	CR 0180405 OCT MUNI	12-18-98	A	CROSS VIOL.

\* RELEASED 9/08

DATED this 31 day MARCH, 2009.

JOHN M. "JACK" JONES, WSBA# 16786  
Senior Deputy Prosecuting Attorney

EDWARD G. HOLM  
Thurston County Prosecuting Attorney  
2000 Lakeridge Drive S.W.  
Olympia, WA 98502  
(360) 786-5540 Fax (360) 754-3358

PROSECUTOR'S STATEMENT OF  
CRIMINAL HISTORY

09-1-568-4  
 COUNT I

**PERJURY, FIRST DEGREE**

(RCW 9A.72.020)  
 CLASS B FELONY  
 NONVIOLENT

**I. OFFENDER SCORING (RCW 9.94A.525(7))**

**ADULT HISTORY:**

Enter number of felony convictions ..... 7 x 1 = 7

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 =

Enter number of nonviolent felony dispositions ..... 2 x 1/2 = 1

**OTHER CURRENT OFFENSES:** (Other current offenses which do not encompass the same conduct count in offender score)

Enter number of other felony convictions ..... x 1 =

**STATUS:** Was the offender on community custody on the date the current offense was committed? (if yes), + 1 = 1

Total the last column to get the **Offender Score**  
 (Round down to the nearest whole number)

**8**

**II. SENTENCE RANGE**

A. OFFENDER SCORE:	0	1	2	3	4	5	6	7	8	9 or more
STANDARD RANGE (LEVEL V)	6 - 12 months	12+ - 14 months	13 - 17 months	15 - 20 months	22 - 29 months	33 - 43 months	41 - 54 months	51 - 68 months	62 - 82 months	72 - 96 months

- B. The range for attempt, solicitation, and conspiracy is 75% of the range for the completed crime (RCW 9.94A.595).
- C. If the court orders a deadly weapon enhancement, use the applicable enhancement sheets on pages III-5 or III-6 to calculate the enhanced sentence.
- D. For a finding that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, see page III-7, Sexual Motivation Enhancement – Form C.
  - Statutory maximum sentence is 120 months (10 years) (RCW 9A.20.021(1))

**III. SENTENCING OPTIONS**

- I. First-Time Offender Wavier; for eligibility and sentencing rules see RCW 9.94A.650
- II. Alternative to Total Confinement; for eligibility and rules see RCW 9.94A.680.
- III. Work Ethic Camp; for eligibility and sentencing rules see RCW 9.94A.690.
- IV. Drug Offender Sentencing Alternative; for eligibility and sentencing rules see RCW 9.94A.660.

*The scoring sheets are intended to provide assistance in most cases but do not cover all permutations of the scoring rules.*

# APPENDIX D

7

FILED  
SUPERIOR COURT  
THURSTON COUNTY WA

'09 JUL 23 P4:10

BETTY J GOULD CLERK

**SUPERIOR COURT OF WASHINGTON  
FOR THURSTON COUNTY**

STATE OF WASHINGTON \_\_\_\_\_  
Plaintiff

vs.  
Michael Crawford  
Defendant.

BY \_\_\_\_\_  
DEPUTY

NO. 09-1-568-4

STATEMENT OF DEFENDANT ON  
PLEA OF GUILTY  
(STDFG)

[Docket No. A/O # 4]

1. My true name is: Michael Crawford
2. My age is: 31
3. I went through the 18 grade.
4. I HAVE BEEN INFORMED AND FULLY UNDERSTAND THAT:
  - (a) I have the right to representation by a lawyer and that if I cannot afford to pay for a lawyer, one will be provided at no expense to me.
  - (b) I am charged with: Perjury First Degree

The elements are as set forth in the State's ( ) information.

5. I UNDERSTAND I HAVE THE FOLLOWING IMPORTANT RIGHTS, AND I GIVE THEM ALL UP BY PLEADING GUILTY:

- (a) The right to a speedy and public trial by an impartial jury in the county where the crime is alleged to have been committed;
- (b) The right to remain silent before and during trial, and the right to refuse to testify against myself;
- (c) The right at trial to hear and question the witnesses who testify against me;
- (d) The right at trial to testify and to have witnesses testify for me. These witnesses can be made to appear at no expense to me;
- (e) That I am presumed innocent unless the charge is proven beyond a reasonable doubt or I enter a plea of guilty;
- (f) The right to appeal a finding of guilt after a trial.

6. IN CONSIDERING THE CONSEQUENCES OF MY GUILTY PLEA, I UNDERSTAND THAT:

- (a) Each crime with which I am charged carries a maximum sentence, a fine, and a STANDARD SENTENCE RANGE as follows:

COUNT NO.	OFFENDER SCORE	STANDARD RANGE ACTUAL CONFINEMENT (not including enhancements)	PLUS Enhancements*	TOTAL ACTUAL CONFINEMENT (standard range including enhancements)	COMMUNITY CUSTODY RANGE (Only applicable for crimes committed on or after July 1, 2000. For crimes committed prior to July 1, 2000, see paragraph 6(f))	MAXIMUM TERM AND FINE
1	8	62-82	0	62-82	N/A	10 + 20,000

\* (F) Firearm, (D) other deadly weapon, (V) VUCSA in protected zone, (VH) Veh. Hom, See RCW 46.61.520, (JP) Juvenile present

- (b) The standard sentence range is based on the crime charged and my criminal history. Criminal history includes prior convictions and juvenile adjudications or convictions, whether in this state, in federal court, or elsewhere.
- (c) The prosecuting attorney's statement of my criminal history has been filed with this statement. Unless I have attached a different statement, I stipulate and agree that the prosecuting attorney's statement is true, correct and complete, and that any federal or out of state convictions listed are properly classified under the laws of this state as a felony, that none of the convictions constitutes same criminal conduct, and I waive any and all challenges to that history. If I have attached my own statement, I assert that it is correct and complete. If I am convicted of any additional crimes between now and the time I am sentenced, I am obligated to tell the sentencing judge about those convictions.
- (d) If I am convicted of any new crimes before sentencing, or if any additional criminal history is discovered, both the standard sentence range and the prosecuting attorney's recommendation may increase. Even so, my plea of guilty to this charge is binding on me. I cannot change my mind if additional criminal history is discovered even though the standard sentencing range and the prosecuting attorney's recommendation increase or a mandatory sentence of life imprisonment without the possibility of parole is required by law.
- (e) In addition to sentencing me to confinement, the judge will order me to pay \$500.00 as a victim's compensation fund assessment. If this crime resulted in injury to any person or damage to or loss of property, the judge will order me to make restitution, unless extraordinary circumstances exist which make restitution inappropriate. The amount of restitution may be up to double my gain or double the victim's loss. The judge may also order that I pay a fine, court costs, attorney fees and the costs of incarceration.
- (f) ~~For crimes committed prior to July 1, 2000:~~ In addition to sentencing me to confinement, the judge may order me to serve up to one year of community supervision if the total period of confinement ordered is not more than 12 months. If this crime is a drug offense,

assault in the second degree, assault of a child in the second degree, or any crime against a person in which a specific finding was made that I or an accomplice was armed with a deadly weapon, the judge will order me to serve at least one year of community placement. If this crime is a vehicular homicide, vehicular assault, or a serious violent offense, the judge will order me to serve at least two years of community placement. The actual period of community placement, community custody, or community supervision may be as long as my earned early release period. During the period of community placement, community custody, or community supervision, I will be under the supervision of the Department of Corrections, and I will have restrictions placed on my activities.

For crimes committed on or after July 1, 2000: In addition to sentencing me to confinement, the judge may order me to serve up to one year of community custody if the total period of confinement ordered is not more than 12 months. If the crime I have been convicted of falls into one of the offense types listed in the following chart, and I am sentenced to more than 12 months, the court will sentence me to community custody for the community custody range established for that offense type unless the judge finds substantial and compelling reasons not to do so. If the period of earned release awarded per RCW 9.94A.150 is longer, that will be the term of my community custody. If the crime I have been convicted of falls into more than one category of offense types listed in the following chart, then the community custody range will be based on the offense type that dictates the longest term of community custody. If the crime I have been convicted of is not listed in the following chart and I am sentenced to more than 12 months, then there will be no period of community custody.

OFFENSE TYPE	COMMUNITY CUSTODY RANGE
Serious Violent Offenses	24 to 48 months or up to the period of earned release, whichever is longer.
Violent Offenses	18 to 36 months or up to the period of earned release, whichever is longer.
Crimes Against Persons	9 to 18 months or up to the period of earned release, whichever is longer.
Offenses under Chapter 69.50 or 69.52 RCW	9 to 12 months or up to the period of earned release, whichever is longer.

During the period of community custody I will be under the supervision of the Department of Corrections, and I will have restrictions placed on my activities. My failure to comply with these conditions will render me ineligible for general assistance, RCW 74.04.005(6)(h), and may result in the Department of Corrections transferring me to a more restrictive confinement status or other sanctions.

- (g) The prosecuting attorney will make the following recommendation to the judge: 62 months concurrent to 08-1-2248-3  
COSRS, CUF, DNA

- (h) The judge does not have to follow anyone's recommendation as to sentence. The judge must impose a sentence within the standard range unless the judge finds substantial and compelling reasons not to do so. If the judge goes outside the standard range, either the state or I can appeal that sentence. If the sentence is within the standard range, no one can appeal the sentence.
- (i) If I am not a citizen of the United States, a plea of guilty to an offense punishable as a crime under state law is grounds for deportation, exclusion from admission to the United States, or denial of naturalization pursuant to the laws of the United States.
- (j) I understand that I may not possess, own, or have under my control any firearm unless my right to do so is restored by a court of record and that I must immediately surrender any concealed pistol license. RCW 9.41.040.
- (k) Public assistance will be suspended during any period of imprisonment.

NOTIFICATION RELATING TO SPECIFIC CRIMES: IF ANY OF THE FOLLOWING PARAGRAPHS DO NOT APPLY, THEY SHOULD BE STRICKEN AND INITIALED BY THE DEFENDANT AND THE JUDGE.

- [l] ~~This offense is a most serious offense or "strike" as defined by RCW 9.94A.030, and if I have at least two prior convictions for most serious offenses, whether in this state, in federal court, or elsewhere, the crime for which I am charged carries a mandatory sentence of life imprisonment without the possibility of parole.~~
- [m] ~~The judge may sentence me as a first-time offender instead of giving a sentence within the standard range if I qualify under RCW 9.94A.030. This sentence could include as much as 90 days' confinement, and up to two years community supervision if the crime was committed prior to July 1, 2000, or up to two years of community custody if the crime was committed on or after July 1, 2000, plus all of the conditions described in paragraph (e). Additionally, the judge could require me to undergo treatment, to devote time to a specific occupation, and to pursue a prescribed course of study or occupational training.~~
- [n] ~~If this crime involves a kidnapping offense involving a minor, I will be required to register where I reside, study or work. The specific registration requirements are set forth in Attachment "A."~~
- [o] **For all sentencings on or after July 1, 2002, that involve a felony**, or stalking under RCW 9A.46.110, or harassment under RCW 9A.46.020, or communicating with a minor for immoral purposes under RCW 9.68A.090, I will be required to provide a biological sample for purposes of DNA identification analysis, and will be assessed a \$100 fee for this purpose.
- [p] If this is a crime of domestic violence, the court may order me to participate in a domestic violence perpetrator program approved under RCW 26.50.150.

- MC
- [q] If this crime involves prostitution, or a drug offense associated with hypodermic needles, I will be required to undergo testing for the human immunodeficiency (AIDS) virus.
  - [r] The judge may sentence me under the special drug offender sentencing alternative (DOSA) if I qualify under former RCW 9.94A.120(6) (for offenses committed before July 1, 2001) or RCW 9.94A.660 (for offenses committed on or after July 1, 2001). This sentence could include a period of total confinement in a state facility for one-half of the midpoint of the standard range plus all of the conditions described in paragraph 6(e). During confinement, I will be required to undergo a comprehensive substance abuse assessment and to participate in treatment. The judge will also impose community custody of at least one-half of the midpoint of the standard range that must include appropriate substance abuse treatment, a condition not to use illegal controlled substances, and a requirement to submit to urinalysis or other testing to monitor that status. Additionally, the judge could prohibit me from using alcohol or controlled substances, require me to devote time to a specific employment or training, stay out of certain areas, pay thirty dollars per month to offset the cost of monitoring and require other conditions, including affirmative conditions.
  - [s] If the judge finds that I have a chemical dependency that has contributed to the offense, the judge may order me to participate in rehabilitative programs or otherwise to perform affirmative conduct reasonably related to the circumstances of the crime for which I am pleading guilty.
  - [t] If this crime involves the manufacture of methamphetamine, a mandatory clean-up fine of \$3,000.00 will be assessed. If this crime involves a felony violation of the Uniform Controlled Substances Act, then a mandatory \$1,000 drug enforcement fund penalty will be assessed, and shall be doubled if this is a subsequent controlled substances offense.
  - [u] If this crime involves a violation of the state drug laws, my eligibility for state and federal food stamps, welfare, and education benefits will be affected. 20 U.S.C. § 1091(r) and 21 U.S.C. § 862a.
  - [v] If this crime involves a motor vehicle, my driver's license or privilege to drive will be suspended or revoked. If I have a driver's license, I must now surrender it to the judge.
  - [w] If this crime involves the offense of vehicular homicide while under the influence of intoxicating liquor or any drug, as defined by RCW 46.61.502, committed on or after January 1, 1999, an additional two years shall be added to the presumptive sentence for vehicular homicide for each prior offense as defined in RCW 46.61.5055(8).
  - [x] The crime of \_\_\_\_\_ has a mandatory minimum sentence of at least \_\_\_\_\_ years of total confinement. The law does not allow any reduction of this sentence.
  - [y] I am being sentenced for two or more serious violent offenses arising from separate and distinct criminal conduct and the sentences imposed on counts \_\_\_\_\_ and \_\_\_\_\_ will run consecutively unless the judge finds substantial and compelling reasons to do otherwise.

[z] I understand that the offense(s) I am pleading guilty to include a deadly weapon or firearm enhancement. ~~Deadly weapon or firearm enhancements are mandatory, they must be served in total confinement, and they must run consecutively to any other sentence and to any other deadly weapon or firearm enhancements.~~

[aa] I understand that the offenses I am pleading guilty to include both a conviction under RCW 9A1.040 for unlawful possession of a firearm in the first or second degree and one or more convictions for the felony crimes of theft of a firearm or possession of a stolen firearm. The sentences imposed for these crimes shall be served consecutively to each other. A consecutive sentence will also be imposed for each firearm unlawfully possessed.

MC [bb] I understand that if I am pleading guilty to the crime of unlawful practices in obtaining assistance as defined in RCW 74.08.331, no assistance payment shall be made for at least 6 months if this is my first conviction and for at least 12 months if this is my second or subsequent conviction. This suspension of benefits will apply even if I am not incarcerated. RCW 74.08.290.

7. I plead guilty to: \_\_\_\_\_  
count Perjury First Degree  
count \_\_\_\_\_  
count \_\_\_\_\_  
in the ORIGINAL Information. I have received a copy of that Information, discussed it with my attorney, and understand the nature of the charges to which I am pleading guilty.

8. I make this plea freely and voluntarily.

9. No one has threatened harm of any kind to me or to any other person to cause me to make this plea.

10. No person has made promises of any kind to cause me to enter this plea except as set forth in this statement.

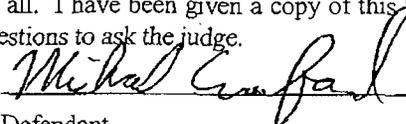
11. The judge has asked me to state what I did in my own words that makes me guilty of this crime.

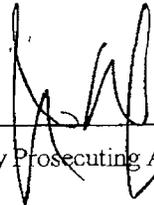
This is my statement: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Instead of making a statement, I agree that the court may review the police reports and/or a statement of probable cause supplied by the prosecution to establish a factual basis for the plea.

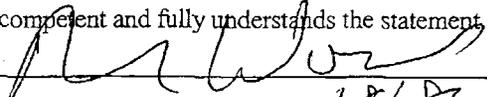
I do not believe I am guilty. However, I wish to plead guilty in order to take advantage of the State's plea offer. I agree that the State could produce sufficient evidence at trial from which a reasonable jury would likely find me guilty beyond a reasonable doubt of the above charges.

12. My lawyer has explained to me, and we have fully discussed, all of the above paragraphs and Attachment "A," if applicable. I understand them all. I have been given a copy of this "Statement of Defendant on Plea of Guilty." I have no further questions to ask the judge.

  
Defendant

  
Deputy Prosecuting Attorney, WSBA # 1670

I have read and discussed this statement with the defendant and believe that the defendant is competent and fully understands the statement.

  
Defendant's Lawyer, WSBA # 1888

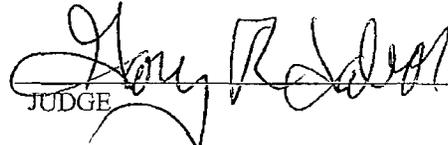
### COURT'S FINDINGS

The foregoing statement was signed by the defendant in open court in the presence of the defendant's lawyer and the undersigned judge. The defendant asserted that [check appropriate box]:

- (a) The defendant had previously read the entire statement above and that the defendant understood it in full;
- (b) The defendant's lawyer had previously read to him or her the entire statement above and that the defendant understood it in full; or
- (c) An interpreter had previously read to the defendant the entire statement above and that the defendant understood it in full. The Interpreter's Declaration is attached.

I find the defendant's plea of guilty to be knowingly, intelligently and voluntarily made. Defendant understands the charges and the consequences of the plea. There is a factual basis for the plea. The defendant is guilty as charged.

Dated: 7-23-09

  
JUDGE

### INTERPRETER'S DECLARATION

I am a certified interpreter or have been found otherwise qualified by the court to interpret in the \_\_\_\_\_ language, which the defendant understands, and I have translated the statement of defendant on plea of guilty for the defendant from English into that language. The defendant has acknowledged his or her understanding of both the translation and the subject matter of this document. I certify under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Interpreter

Location: Olympia, Washington

# APPENDIX E

10  
FILED  
SUPERIOR COURT  
THURSTON COUNTY WA

'09 JUL 23 P 3:38

BETTY J GOULD CLERK

By \_\_\_\_\_

SUPERIOR COURT OF WASHINGTON  
COUNTY OF THURSTON

STATE OF WASHINGTON, Plaintiff,

vs.

MICHAEL DAVID CRAWFORD,

Defendant.

No. 09-1-00568-4

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 PROSECUTING ATTORNEY

FELONY JUDGMENT AND SENTENCE (FJS)  
(RCW 9.94A.500, .505)(WPF CR 84.0400 (5/2006))

09-1-00568-4

COPY TO DOC 09-9-11408-3

Page 1

J53

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	62-82 mos.	N/A	62-82 mos.	10 yrs

\* (F) Firearm, (D) Other deadly weapons, (V) VUCSA in a protected zone, (VH) Veh. Hom, 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	\$ _____		
<i>PUB</i>	\$ _____	Fees for court appointed attorney		RCW 9.94A.760
<i>WFR</i>	\$ _____	Court appointed defense expert and other defense costs		RCW 9.94A.760
<i>FCM/MTH</i>	\$ _____	Fine RCW 9A.20.021; <input type="checkbox"/> VUCSA chapter 69.50 RCW, <input type="checkbox"/> VUCSA additional fine deferred due to indigency RCW 69.50.430		
<i>CDF/LDI/FCD</i>	\$ _____	Drug enforcement fund of Thurston County		RCW 9.94A.760
<i>NTF/SAD/SDI</i>	\$ _____	Thurston County Drug Court Fee		
<i>CLF</i>	\$ _____	Crime lab fee <input type="checkbox"/> suspended due to indigency		RCW 43.43.690
	\$ 100.00	Felony DNA collection fee <input type="checkbox"/> not imposed due to hardship		RCW 43.43.7541
<i>RTN/RJN</i>	\$ _____	Emergency response costs (Vehicular Assault, Vehicular Homicide only, \$1000 maximum)		RCW 38.52.430
	\$ _____	Other costs for: _____		
	\$ <u>500<sup>00</sup></u>	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:

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

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 of any change in defendant's address or employment

Remain within prescribed geographical boundaries to be 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.

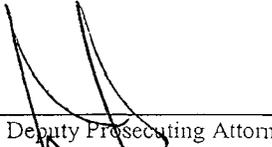
5.6 **FIREARMS. You must immediately surrender any concealed pistol license and you may not own, use or possess any firearm unless your right to do so is restored by a court of record.** (The clerk of the court shall forward a copy of the defendant's driver's license, identicard, or comparable identification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

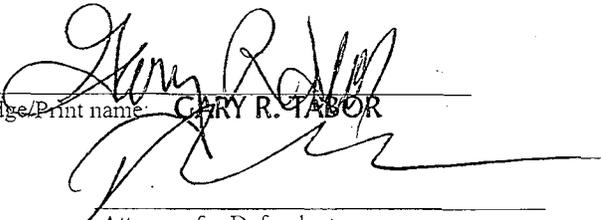
5.7  The court finds that Count \_\_\_\_\_ is a felony in the commission of which a motor vehicle was used. The clerk of the court is directed to immediately forward an Abstract of Court Record to the Department of Licensing, which must revoke the defendant's driver's license. RCW 46.20.285.

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. 46786  
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 9A.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

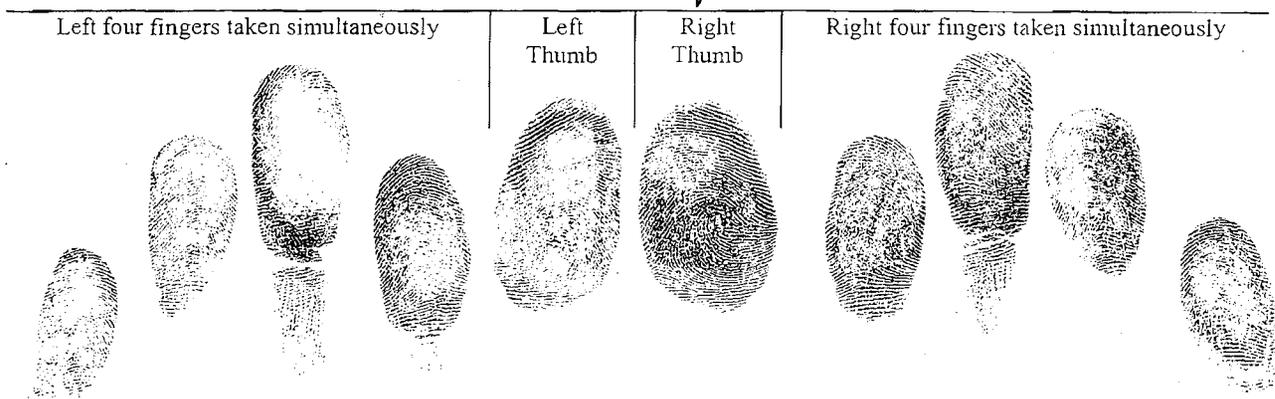
Other \_\_\_\_\_

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

Race:  Asian/Pacific Islander  Black/African-American  Caucasian  Native American  Other: \_\_\_\_\_ Ethnicity:  Hispanic  Non-Hispanic Sex:  Male  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, Sus Pettus Dated: 7/23/09

DEFENDANT'S SIGNATURE: X Mental Crawford



**SUPERIOR COURT OF THE STATE OF WASHINGTON  
COUNTY OF THURSTON**

STATE OF WASHINGTON

NO. 09-1-00568-4

Plaintiff,

vs.

WARRANT OF COMMITMENT ATTACHMENT TO  
JUDGMENT AND SENTENCE (PRISON)

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

# APPENDIX F



APPEARANCES

For the Plaintiff:

JOHN "JACK" JONES  
Prosecuting Attorney  
2000 Lakeridge Drive SW  
Olympia, Washington 98502

For the Defendant:

RICHARD WOODROW  
Attorney at Law  
3732 Pacific Ave SE  
Olympia, WA 98501-2125

1 MR. JACKSON: The next case would be add-on  
2 number four, State of Washington versus Michael  
3 Crawford, Mr. Jones and Mr. Woodrow.

4 MR. JONES: Your Honor, this matter is on for  
5 change of plea and sentencing to the original  
6 information. I'll hand up the paperwork.

7 THE COURT: Mr. Crawford, I've been handed a  
8 seven-page form, indicates that you intend to plead  
9 guilty to the charge of perjury in the first degree.  
10 Is that correct?

11 Mr. Crawford, let me address you again. I was  
12 asking you a question. I don't guess you were  
13 listening to me.

14 THE DEFENDANT: I'm sorry.

15 THE COURT: I've been handed a packet that  
16 says you intend to enter a plea of guilty to a charge  
17 of perjury in the first degree. Is that correct?

18 THE DEFENDANT: Yes, Your Honor.

19 THE COURT: That's a class B felony with a  
20 maximum sentence of up to ten years in prison and up  
21 to a \$20,000 fine. Are you aware of that?

22 THE DEFENDANT: Yes, Your Honor.

23 THE COURT: The standard range for that  
24 offense would be based upon your criminal history.  
25 I'm told that you have a criminal history that

1 consists of seven prior adult felony convictions, and  
2 it looks like there are two juvenile convictions, but  
3 I don't see them counted in the offender score.

4 MR. JONES: They are counted, Your Honor, and  
5 that is because the parties are agreeing for purposes  
6 of this sentencing that crime number one and crime  
7 number three constitute same criminal conduct, Your  
8 Honor. And so the seven adult felonies would count  
9 as six points. The two adult -- two juvenile  
10 felonies would count as one point. And then he was  
11 on supervision, that counts as one point. For a  
12 total of eight.

13 THE COURT: Okay. I've amended the sheet so  
14 that I understand that. In any event, the offender  
15 score would be 62 -- I'm sorry. The offender score  
16 would be eight, and the standard range would be 62 to  
17 82 months. You understand that?

18 THE DEFENDANT: Yes.

19 THE COURT: All right. Paragraph 6(g), the  
20 State indicates that they will recommend a  
21 bottom-of-the-range sentence of 62 months, concurrent  
22 with another cause number, 08-1-2248-3. Usual costs,  
23 crime victim assessment, DNA. Is that what you  
24 understand the State will be recommending?

25 THE DEFENDANT: Yes, Your Honor.

1 THE COURT: Now, are you aware that a court  
2 will listen to recommendations but does not have to  
3 follow anyone's recommendation?

4 THE DEFENDANT: Yes.

5 THE COURT: Paragraph 11 asks you to state in  
6 your own words what you did that makes you guilty of  
7 this offense. There's nothing written there.  
8 Instead, there's a box checked that says, "I agree  
9 the court may review a statement of probable cause  
10 supplied by the prosecution to establish a factual  
11 basis for the plea." I see that Mr. Jones filed a  
12 certification of probable cause on March the 30th of  
13 this year. Do the parties agree that that's what I  
14 can consider?

15 MR. WOODROW: Yes, Your Honor.

16 MR. JONES: Yes, Your Honor.

17 THE COURT: I'll take a moment and do so. All  
18 right.

19 The Court having read the facts there, and that  
20 refreshes my recollection about some prior  
21 involvement in this matter, it appears that the  
22 elements of the crime of perjury in the first degree  
23 are addressed.

24 So, Mr. Crawford, to the charge in the  
25 Information, perjury in the first degree, what is

1 your plea, guilty or not guilty?

2 THE DEFENDANT: Guilty.

3 THE COURT: Are you making that guilty plea  
4 freely and voluntarily?

5 THE DEFENDANT: Yes, Your Honor.

6 THE COURT: The Court then finds that you have  
7 made a free and voluntary plea. You've had the  
8 assistance of counsel. I will find you guilty as  
9 charged with perjury in the first degree. Are we  
10 proceeding to disposition?

11 MR. JONES: Yes, Your Honor.

12 MR. WOODROW: Yes, Your Honor.

13 MR. JONES: I'd ask you to follow the  
14 recommendation, Your Honor. Since he's pleading  
15 guilty at this time, I would ask you to give him the  
16 benefit of the bottom of the range, and, since this  
17 sentence is somewhat longer than his last sentence,  
18 concurrent time, I believe, is appropriate.

19 THE COURT: Mr. Woodrow.

20 MR. WOODROW: Thank you, Your Honor. Your  
21 Honor, this is an agreed recommendation. Your Honor,  
22 Michael suffered a head injury when this accident  
23 occurred. He was also under the influence at the  
24 time the accident occurred. Both the officers who  
25 had stopped him indicated that in separate police

1 reports. He's been diagnosed with a severe mental  
2 health disorder as a juvenile, and Michael wanted you  
3 to be aware of that.

4 He was only out of custody a short time before the  
5 08 cause number happened. He has a son that's out  
6 there, and wanted to litigate this matter but felt  
7 that he should take advantage of the State's offer,  
8 the concurrent sentence offer, get out of prison, get  
9 this behind him so he can reestablish his contact  
10 with his son. That's all I have, Your Honor. Thank  
11 you.

12 THE COURT: Mr. Crawford, you have the right  
13 to speak. Is there anything you want to say before I  
14 sentence you?

15 THE DEFENDANT: Is there any way I can stay  
16 here until the next family visiting day so I can see  
17 my son? It's the 8th. I might not be able to see  
18 him for a few years because his mom isn't allowed to  
19 visit me in prison due to her criminal record.

20 THE COURT: I'll just answer you by telling  
21 you I can't control that. I don't control the inner  
22 workings of the jail. Sometimes, people go to prison  
23 on a particular day of the week. Other times, they  
24 go on special transports. And I don't know when you  
25 would be transported. I can't control that.

1           In any event, do you want to say anything about  
2 this conviction?

3           THE DEFENDANT: No, Your Honor.

4           THE COURT: All right. Mr. Crawford, it's to  
5 your advantage to tie this up in a package deal, I  
6 would indicate. And so this appears to be something  
7 that you've thought out. You've talked to your  
8 attorney about it. In pleading guilty, you're now  
9 accepting the Court's sentence, and I must sentence  
10 you within the standard range. So the State's  
11 recommendation is the bottom of the range. Your  
12 attorney concurs with that. And, under the  
13 circumstances, that's appropriate.

14           I'll sentence you to 62 months in prison  
15 concurrent with 08-1-2248-3. And I don't remember  
16 what the sentence is there.

17           MR. JONES: I don't, either, Your Honor, but  
18 it was --

19           THE COURT: In any event, concurrent means  
20 they run together; although, this one will extend  
21 beyond the other range, I'm sure. I must by law  
22 impose a \$500 crime victim assessment, a \$200 filing  
23 fee, a \$100 DNA fee, and you must provide a DNA  
24 sample. I'll not impose any court-appointed counsel  
25 fees. As I said, as to visitation, I don't control

1 that, but I understand they have visitation on  
2 weekends here.

3 MR. WOODROW: Thank you, Your Honor.

4 MR. JONES: Thank you.

5 THE COURT: I'll sign that order when it's  
6 handed up.

7  
8  
9 ---o0o---

# APPENDIX G

FILED  
SUPERIOR COURT  
THURSTON COUNTY, WASH.

05 MAR 30 AM 10:41

BEATE J. COLE, CLERK

BY JB 9  
DEPUTY

SUPERIOR COURT OF WASHINGTON  
COUNTY OF THURSTON

STATE OF WASHINGTON,  
Plaintiff,  
v.  
MICHAEL DAVID CRAWFORD,  
Defendant.  
PCN: UNKNOWN  
SID: WA18027654 FBI: 197949CB6  
DOB: 11-22-1977  
BOOKING NO.: B81359  
DOC: 771542

No. 99-1-1205-8  
(FOR CRIMES COMMITTED ON OR AFTER 7-1-00)  
**JUDGMENT AND SENTENCE (JS)**  
 Prison  
 Jail One Year or Less  
 First-Time Offender  
 Special Sexual Offender Sentencing Alternative  
 Special Drug Offender Sentencing Alternative

*Previous Judgment  
and Sentence dated  
Nov 19, 1999 has  
been vacated.*

**I. HEARING**

1.1 A sentencing hearing was held on MARCH 30, 2005 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 MARCH 30, 2005  
by  plea  jury-verdict  bench trial of:

COUNT	CRIME	RCW	DATE OF CRIME
1	ASSAULT IN THE FIRST DEGREE	9A.36.011(1)(a)(c)	AUGUST 5, 1999

as charged in the THIRD AMENDED Information.

- 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, .510.
- A special verdict/finding for use of **deadly weapon other than a firearm** was returned on Count(s) \_\_\_\_\_ RCW 9.94A.602, .510.
- A special verdict/finding of **sexual motivation** was returned on Count(s) \_\_\_\_\_ RCW 9.94A.835.
- 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.

05-9-10602-9

JUDGMENT AND SENTENCE (JS) (Felony) 99-1-1205-8  
(RCW 9.94A.500, .505)(WPF CR 84.0400 (7/2002))

page 1

**COPY TO DOC**

SCANNED

COPY TO SHERIFF  
J32

- A special verdict/finding that the defendant committed a crime involving the manufacture of methamphetamine 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(a), 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**.
- Current offenses encompassing the same criminal conduct and counting as one crime in determining the offender score are (RCW 9.94A.589):
- None of the current offenses constitute same criminal conduct.
- Other current convictions listed under different cause numbers used in calculating the offender score are (list offense and cause number):

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 Assault 3	6-16-95	Thurston Co. 98-8-566-1	6-17-95	J	NV
2 Poss. Incendiary Device	9-3-97	Thurston Co. 97-1-1070-9	6-25-97	A	NV
3 unlawful poss of firearm 2	9-3-97	Thurston Co. 97-1-1070-9	6-25-97	A	NV
4 VVCSA	12-2-98	Pierce Co. 98-1-3798-1	9-1-98	A	NV
5					

- 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):
- None of the prior convictions constitutes same criminal conduct.
- The following prior convictions are not counted as points but as enhancements pursuant to RCW 46.61.520:

2.3 SENTENCING DATA:

COUNT NO.	OFFENDER SCORE	SERIOUSNESS LEVEL	STANDARD RANGE (not including enhancements)	PLUS ENHANCEMENTS*	TOTAL STANDARD RANGE (including enhancements)	MAXIMUM TERM
I	3	XII	120-160 mo.	Ø	120-160 mo.	Life / 850,000

\* (F) Firearm, (D) Other deadly weapons, (V) VVCSA in a protected zone, (VH) Veh. Hom, Sec 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  above  within  below the standard range for Count(s) \_\_\_\_\_. Findings of fact and conclusions of law are attached in Appendix 2.4. 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:

<u>JASS CODE</u>	\$ <u>RESERVED</u>	Restitution to: _____	
	\$ _____	Restitution to: _____	
RTN/RJN	\$ _____	Restitution to: _____	(Name and Address--address may be withheld and provided confidentially to Clerk's Office).
PCV	\$ <u>500.00</u>	Victim assessment	RCW 7.68.035
CRC	\$ <del>400.00</del> <u>230.68</u>	Court costs, including	RCW 9.94A.760, 9.94A.505, 10.01.160
		Criminal filing fee \$ <u>110.00</u>	FRC
		Witness costs \$ <u>120.68</u>	WFR
		Sheriff service fees \$ _____	SFR/SFS/SFW/WRF
		Jury demand fee \$ _____	JFR
		Extradition costs \$ _____	EXT
		Other _____ \$ _____	
PUB	\$ <u>0</u>	Fees for court appointed attorney	RCW 9.94A.760
WFR	\$ _____	Court appointed defense expert and other defense costs	RCW 9.94A.760
FCM/MTI	\$ _____	Fine RCW 9A.20.021; <input type="checkbox"/> VUCSA additional fine deferred due to indigency	RCW 69.50.430
CDF/LDF/CD	\$ _____	Drug enforcement fund of <u>Thurston County</u>	RCW 9.94A.760
NTF/SAD/SDI	\$ _____		
CLF	\$ <u>100.00</u>	Crime lab fee <input type="checkbox"/> deferred due to indigency	RCW 43.43.690
	\$ <del>100.00</del> <u>0</u>	Felony DNA collection fee <input type="checkbox"/> not imposed due to hardship <i>gill vaddy done</i>	RCW 43.43.754
	\$ _____	Emergency response costs (Vehicular Assault, Vehicular Homicide only, \$1000 maximum)	RCW 38.52.430
	\$ _____	Thurston County Drug Court Fund	
	\$ _____	TOTAL	RCW 9.94A.753

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 \_\_\_\_\_

RESTITUTION. Schedule attached.

[ ] Restitution ordered above shall be paid jointly and severally with: \_\_\_\_\_  
NAME of other defendant CAUSE NUMBER (Victim name) (Amount-\$)

RJN

[X] The Department of Corrections (DOC) may immediately issue a Notice of Payroll Deduction. RCW 9.94A.7602.

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

[X] 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 statutory rate. RCW 9.94A.760.

[X] The defendant shall pay the costs of services to collect unpaid legal obligations. RCW 36.18.190.

[X] 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.

4.2 DNA TESTING. For anyone convicted on or after July 1, 2002, regardless of when the crime occurred, of a felony, stalking, harassment, or communicating with a minor for immoral purposes, 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 defendant's release from confinement. RCW 43.43.754.

[ ] HIV TESTING. The Health Department or designee shall test and counsel the defendant for HIV as soon as possible and the defendant shall fully cooperate in the testing. RCW 70.24.340

4.3 The defendant shall not have contact with Kenneth Lee <sup>DOB Richard Kenneth Lee</sup> (name, DOB) including, but not limited to, personal, verbal, telephonic, written or contact through a third party for LIFE years (not to exceed the maximum statutory sentence).

[ ] Domestic Violence Protection Order or Antiharassment 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):

120 months on Count I \_\_\_\_\_ months on Count \_\_\_\_\_  
\_\_\_\_\_ months on Count \_\_\_\_\_ months on Count \_\_\_\_\_  
\_\_\_\_\_ months on Count \_\_\_\_\_ months on Count \_\_\_\_\_

Actual number of months of total confinement ordered is: \_\_\_\_\_  
(Add mandatory firearm and deadly weapons enhancement time to run consecutively to other counts, see Section 2.3, Sentencing Data, above)

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: \_\_\_\_\_

(b) **CONFINEMENT.** RCW 9.94A.712: The defendant is sentenced to the following terms of confinement in the custody of Department of Corrections:

Count \_\_\_\_\_ minimum term \_\_\_\_\_ maximum term

Count \_\_\_\_\_ minimum term \_\_\_\_\_ maximum term

Count \_\_\_\_\_ minimum term \_\_\_\_\_ maximum term

(c) 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** for count(s) \_\_\_\_\_, sentenced under RCW 9.94A.712, is ordered for any period of time the defendant is released from total confinement before the expiration of the maximum sentence.

**COMMUNITY PLACEMENT** is ordered as follows: Count I for 24 months; Count \_\_\_\_\_ for \_\_\_\_\_ months; Count \_\_\_\_\_ for \_\_\_\_\_ months;

**COMMUNITY CUSTODY** is ordered as follows:

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.]

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; (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.

The defendant shall not consume any alcohol.

Defendant shall have no contact with: Kenneth Lee

Defendant shall remain  within  outside of a specified geographical boundary, to wit: \_\_\_\_\_

The defendant shall participate in the following crime-related treatment or counseling services: \_\_\_\_\_

The defendant shall undergo an evaluation for treatment for  domestic violence  substance abuse  mental health  anger management and fully comply with all recommended treatment.

The defendant shall comply with the following crime-related prohibitions: No controlled substances without a valid prescription, random U.A.'s at CCO direction, do not associate with those who use, sell or manufacture controlled substances

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

For sentences imposed under RCW 9.94A.712, other conditions may be imposed during community custody by the Indeterminate Sentence Review Board, or in an emergency by DOC. Emergency conditions imposed by DOC shall not remain in effect longer than seven (7) working days.

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: \_\_\_\_\_

4.9 Defendant shall be allowed to have contact w/ Sylvia ~~on this~~ Crisford.

#### 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 purposes 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.

5.3 **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 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 court clerk shall forward a copy of the defendant's driver's license, identicaid, or comparable identification to the Department of Licensing along with the date of conviction or commitment). RCW 9.41.040, 9.41.047.

Cross off if not applicable:

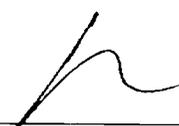
~~5.7 SEX AND KIDNAPPING OFFENDER REGISTRATION. (NOT APPLICABLE)~~

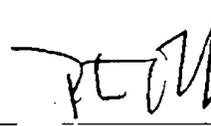
5.8 **OTHER:** Bail previously posted, if any, is hereby exonerated and shall be returned to the posting party.

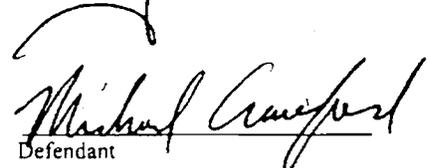
The court finds that Count \_\_\_\_\_ is a felony in the commission of which a motor vehicle was used. The court clerk is directed to immediately forward an Abstract of Court Record to the Department of Licensing, which must revoke the defendant's driver's license. RCW 46.20.285.

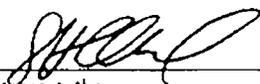
DONE in Open Court and in the presence of the defendant this date: 3-30-05

  
JUDGE GARY R. TABOR:

  
Senior Deputy Prosecuting Attorney  
WSBA #18177  
Print name: DAVID M. SOUKUP

  
Attorney for Defendant  
WSBA #11920  
Print name: PETER  
OFFENBECHER

  
Defendant  
MICHAEL DAVID CRAWFORD

Interpreter signature/Print name: SCOTT CARL DOLGO 32881 

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.

CAUSE NUMBER of this case: 99-1-1205-8  
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 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. 197949CB6

Local ID No. B81359

PCN No. UNKNOWN

Other \_\_\_\_\_

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

Race:

- Asian/Pacific Islander
- Black/African-American
- Caucasian
- Native American
- Other: \_\_\_\_\_

Ethnicity:

- Hispanic
- Non-Hispanic

Sex:

- Male
- 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 Jal D. Bales Dated: 3-30-05

DEFENDANT'S SIGNATURE:

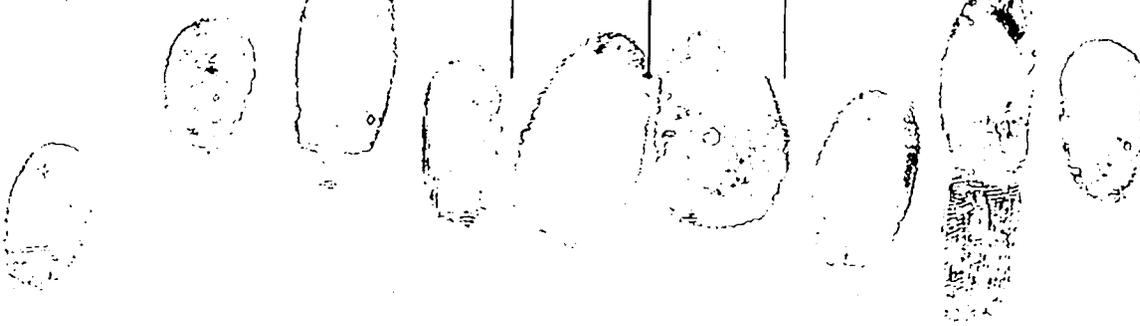
*Michael Crawford*

Left four fingers taken simultaneously

Left Thumb

Right Thumb

Right four fingers taken simultaneously



IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON

IN AND FOR THE COUNTY OF THURSTON

STATE OF WASHINGTON

NO. 99-1-1205-8

Plaintiff,

vs.

WARRANT OF COMMITMENT ATTACHMENT  
TO JUDGMENT AND SENTENCE (PRISON)

MICHAEL DAVID CRAWFORD,

Defendant.

DOB: 11-22-1977  
SID: WA18027654 FBI: 197949CB6  
PCN: UNKNOWN  
RACE: W  
SEX: M  
BOOKING NO: B81359  
DOC: 771542

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:

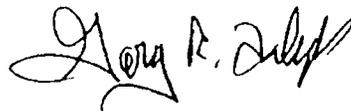
**ASSAULT IN THE FIRST DEGREE**

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

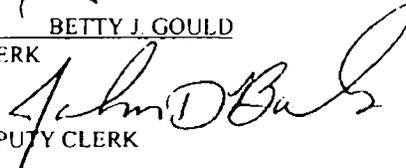
YOU, THE PROPER OFFICERS OF THE DEPARTMENT OF CORRECTIONS, ARE COMMANDED to receive the defendant for classification, confinement and placement as ordered in the Judgment and Sentence.

By direction of the Honorable:



BETTY J. GOULD

CLERK

By:   
DEPUTY CLERK

CERTIFICATE OF SERVICE

I certify that I served a copy of the State's Response to Personal Restraint Petition, on all parties or their counsel of record on the date below as follows:

- US Mail Postage Prepaid
- ABC/Legal Messenger
- Hand delivered by

TO: David C. Ponzoha, Clerk  
Courts of Appeals Division II  
950 Broadway, Suite 300  
Tacoma, WA 98402-4454

RECEIVED  
SEP 02 2010

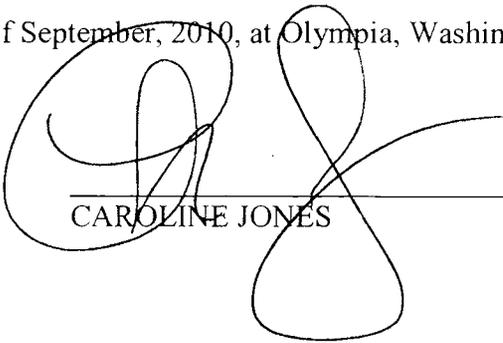
CLERK OF COURT OF APPEALS DIV II  
STATE OF WASHINGTON

AND

MICHAEL D. CRAWFORD  
#771542  
STAFFORD CREEK CORR CENTER  
191 CONSTANTINE WY  
ABERDEEN, WA 98520

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

Dated this 1 day of September, 2010, at Olympia, Washington.

  
\_\_\_\_\_  
CAROLINE JONES