8/24/2018

RECEIVED
AUG 31 2018
CLERK OF COURT OF APPEALS DIV II
STATE OF WASHINGTON

TO: Clerk of Court / Washington State Court of Appeals / David Ponzoha

FR: James O. Wright, Jr. DOC# 390826
Defendant
Cause no. 49106-1-II
Superior Court for Thurston County cause no. 16-1-00211-34

Dear Clerk,

Enclosed you will find my Personal Restraint Petition, timely filed, August 24, 2018.

Documents include:

1) Personal Restraint Petition
No. 49106-1-II, 16-1-00211-34
(Total 6 pages)
2) 4 Grounds - (4 attachments)
(Total 11 pages)
3) Verification
(Total 1 page)
4) PLRA Statement (1 page)
5) 5 EXHIBITS (5 pages)

Please send verification that you are in receipt of this PRP and that it has been filed as timely.

(over →)

Thank you.

Respectfully submitted,
8/24/18
James O. Wright, Jr.

Send any and all correspondence to:

Coyote Ridge Corrections Center
James O. Wright, Jr. DOC# 390826
Unit GB 42-24
P.O. BOX 769
Connell, WA 99326

Thanks again, sir.

FILED
COURT OF APPEALS
DIVISION II

2018 AUG 31 PM 1:20

STATE OF WASHINGTON

BY_____

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION

	)	
	)	
	)	**NO.** 49106-1-II, 16-1-00211-34
	)	
	)	**PERSONAL RESTRAINT PETITION**
James O. Wright, Jr.	)	* The petitioner invokes GR 3.1 (mail box rule)
Petitioner's Full Name		

If there is not enough room on this form, use the back of these pages or use other paper. Fill out all of the form and other papers you are attaching before you sign this form in front of a notary.

A. STATUS OF PETITIONER

I, James O. Wright, Jr. CRCC, DOC#390826, Unit GB42-24, P.O. BOX 769, Connell, WA 99326,
(Full name and current address)

Apply for relief from confinement. I am ✓ am not _____ now in custody serving a sentence upon conviction of a crime. (If not serving a sentence upon conviction of a crime) I am now in custody because of the following type of court order: Judgement and Sentence
(Identify type of court order)

1. The court in which I was sentenced is: Thurston County Superior Court.
2. I was convicted of the crime of: Indecent liberties.
3. I was sentenced after (check one) Trial ✓ Plea of Guilty ____ on 6-23-2016.
Date of Sentence
4. The Judge who imposed sentence was Gary Tabor.
5. My lawyer at trial court was James P. Foley #20402,
Name and Address if known

6. I did ✓ did not ____ appeal from the decision of the trial court. (If the answer is that I did), I appealed to: Washington State Court of Appeals Division II.
Name of court or courts to which appeal took place

7. My lawyer for my appeal was: Joel and Edward Penoyar.
Name and address if known or write "none"

The decision of the appellate court was _____ was not ✓ published. (If the answer is that it was published, and I have this information) the decision is published in _____

_____.

8. Since my conviction I have ✓ have not _____ asked a court for some relief from my sentence other than I have already written above. (If the answer is that I have asked, the court I asked was Thurston County Superior Court. Relief was denied on
Name of court
still pending.
Date of Decision or, if more than one, all dates)

(If you have answered in question 7 that you did ask for relief), the name of your lawyer in the proceedings mentioned in my answer was P.O. Box 425 South Bend, WA
Name and address if known

_____.

9. If the answers to the above questions do not really tell about the proceedings and the courts, judges and attorneys involved in your case, tell about it here: _____

_____

_____

_____.

B. GROUNDS FOR RELIEF:

(If I claim more than one reason for relief from confinement, I will attach sheets for each reason separately, in the same way as the first one. The attached sheets should be numbered "First Ground", "Second Ground", "Third Ground", etc). I claim that I have two reason(s) for this court to grant me relief from the conviction and sentence described in Part A.

First Ground
(First, Second, etc)

*See attachments marked (Attachment 1 and Attachment 2

1. I should be given a new trial or released from confinement because (State legal reasons why you think there was some error made in your case which gives you the right to a new trial or release from confinement): Ineffective Assistance of Counsel - for failure to interview witnesses, Due Process violation (Abuse of discretion) and Sixth Amendment Constitutional Claim.

2. The following facts are important when considering my case. (After each fact statement put the name of the person or persona who know the fact and will support your statement of the fact. If the fact is already in the record of your case, indicate that also) James P. Foley, WSBA# 20402, failed to interview the states 3 witnesses. This fact is stated in my case. The State excluded black people from the venirepersons. This is stated (fact) in my case.

3. The following reported court decisions (indicate citations if possible) in cases similar to mine show the error I believed happened in my case. (If none are known, state "None Known". _____

Strickland v. Washington, State v. Buckman 190 Wn. 2d 51, Jones v. Wood, 114 F.3d 1002 (9th Cir. 1997) State v. Ray 116 Wn. 2d 531, 548, State v. Tinkham, 74 Wn. App. 102, 109, Bavmaun v. United States, 692 F.2d 565, ~~580~~ 580. United States v. Henderson 409 F.3d 1293, 1305 (11th Cir. 2005)

4. The following statutes and constitutional provisions should be considered by the court. (If none are now, state, "None Known") Listed above, and not known - I am not an attorney.

5. This petition is the best way I know to get the relief I want, and not other way will work as well because: No other way to state a claim.

C. STATEMENT OF FINANCES: * See PLRA w/ EXHIBITS

If you cannot afford to pay the $250 filing fee or cannot afford to pay an attorney to help you, fill out this form. If you have enough money for these, do not fill this part of the form. If currently in confinement you will need to attach a copy of your prison finance statement.

1. I do ✓ do not_____ ask the court to file this without making me pay the $250 filing fee because I am so poor and cannot pay the fee.

2. I have $ 2.16 in my prison or institution account.

3. I do ✓ do not _____ ask the court to appoint a lawyer for me because I am so poor and cannot afford to pay a layer.

4. I am ✓ am not ____ employed. My salary or wages amount to $ 30-42 a month. My employer is Department of Corrections.
Name and address of employer

5. During the past 12 months I did _____ did not ✓ get any money from a business, profession or other form of self-employment. (If I did, it was _____
Type of self-employment
And the total income I received was $_____.

6. During the past 12 months I:

Did ___ Did Not ✓ Receive any rent payments. If so, the total I received was $_____

Did ___ Did Not ✓ Receive any interest. If so, the total I received was $_____

Did ___ Did Not ✓ Receive any dividends. If so, the total I received was $_____

Did ✓ Did Not ___ Receive any other money. If so the total I received was $ 300

Do___ Do Not ____ Have any cash except as said in question 2 of Statement of Finances. If so the total amount of cash I have is $_____.

Do ✓ Do Not ____ Have any savings or checking accounts. If so, the total amount in all accounts is $ 44.00

Do ____Do Not ✓ Own stocks, bonds or notes. If so, their total value is: $_____.

7. List all real estate and other property or things of value which belong to you or in which you have an interest. Tell what eat item or property is worth and how much you owe on it. Do not list household furniture and furnishings and clothing which you or your family need.

Items	Value

8. I am ____ am not ✓ married. If I am married, my wife or husband's name and address is:

_____

_____.

9. All of the persons who need me to support them are listed below:

Name & Address	Relationship	Age

10. All the bills I owe are listed here:

Name & Address of Creditor	Amount

D. REQUEST FOR RELIEF:

I want this court to:

✓ Vacate my conviction and give me a new trial, or

✓ Vacate my conviction and dismiss the criminal charges against me without a new trial

_____ Other: _____
(Please Specify)

E. OATH OF PETITIONER

STATE OF WASHINGTON)
) ss.
COUNTY OF Franklin)

After being first duly sworn, on oath, I depose and say: That I am the petitioner, that I have read the petition, know its contents, and I believe the petition is true.

(Signature Here)

SUBSCRIBED AND SWORN to before me this 24 day of August 2018

Notary Public in and for the State of Washington
Residing at

If a notary is not available, explain why none is available and indicate who can be contacted to help you find a Notary: The Coyote Ridge Corrections Center law library is closed on Fridays (Today's date is Friday, August 24, 2018.

I declare that I have examined this petition and to the best of my knowledge and belief it is true and correct.

DATED This 24th day of August, 2018.

(Signature Here)

*Attachment 1

"First Ground"

49106-1-II
16-1-00211-34

I

Ineffective ~~Assistance~~ BY of Counsel

A. Failure To Interview Witnesses

The defense counsel in case #16-1-00211-34 in Thurston County Washington, failed to interview the States three witnesses, but rather based the defense soley on the States case, limiting examination to direct cross and lost any opportunity to uncover arguable motive for false complaint, or impeachability.

2

In this Courts ruling, in reference to the defendants SAG, page 18 footnotes, (see *EXHIBIT 1 @ 10) the Court gives the defendant leave to bring "failure to investigate witnesses" claim back before this Court in the form of a Personal Restraint Petition. The defendant does so now...,

3

To prevail in an ineffective assistance of counsel claim one must establish both deficient performance and prejudice. *Strickland v. Washington*, 466 U.S. 668, 687. To show ~~predjudice~~ prejudice, the appellant need not prove that the outcome would have been different but must show only a "reasonable probability" by less than a more likely than not standard - that, but for counsels

unprofessional errors, the results of the proceedings would have been different. Strickland, 466 U.S. at 694 (188 Wn. 2d 525 :: In re Pers. Restraint of Lui) opinion at 13 (LEXIS): We apply the same prejudice standard to ineffective assistance claims brought in a personal restraint petition as we do on appeal.

In re Pers. Restraint of Crace, 174 Wn. 2d 835, 846-47, If a personal restraint petition makes a successful ineffective assistance of counsel claim he has necessarily met his burden to show actual and substantial prejudice. (see also, 190 Wn. 2d 51 :: State v. Buckman (2017))

4

Failure to interview witnesses called to attention of trial counsel as important constitutes ineffectiveness. Jones v. Wood, 114 F. 3d 1002 (9th Cir. 1997)

5

A criminal defendant has a State and Federal constitutional right to effective assistance of counsel. State v. Tinkham, 74 Wn. App. 102, 109

To discharge this duty, a trial counsel must investigate the case, and investigation includes witness interviews. State v. Ray, 116 Wn. 2d 531, 548

And finally the 9th Circuit Court of Appeals, in Baumaun v. United States, 692 F. 2d 565, 580, the Court states ("we have clearly held that defense counsels

~~6~~ 8

failure to interview witnesses that the prosecution intends to call during trial may constitute ineffective assistance of counsel")

6

The defendant asks the Court to find that the defense counsels failure to interview witnesses, Known to be substantial to the States case, is "ineffective assistance of counsel", and in that finding the required finding of prejudice exists. And that this case be remanded back to Superion Court for retrial.

*Attachment 2

"Second Ground"

49106-1-II
16-1-00211-34

Due Process (Abuse of ~~discretion~~) and a Sixth Amendment Constitutional Claim

A. The State excluded a fair cross-section of the community from the jury pool. (see EXHIBIT 5)

2

The State excluded black minorities from the entire jury pool.

3

The defendant is an African-American male accused of assaulting a white woman being tried by an all-white jury.

4

There were no blacks in the entire venirepersons to choose from.

5

It would be hard to phathom that the State capitol does not have an African American population from which to draw from.

6

The defendants attorney objected (see jury selection transcripts not available to defendant) during ~~do~~ jury selection but did not follow through with a motion, possibly because he feared the hostility an attack on

the all-white jury system would stir-up.

7

A defendant has a Sixth Amendment right to "the presence of a fair cross-section of the community on venire panels, or lists from which grand and petit juries are drawn." United States v. Henderson 409 F.3d 1293, 1305 (11th Cir. 2005).

8

Taylors Sixth Amendment-based-"fair cross-section" right, which guarantees a representative jury venire regardless of the defendant's race or sex, and the Batson equal protection right, which covers race-based pre-emptory challenges, and ensures only that members of a defendants own race may not be discriminatorily excluded from her jury.

9

Under the Sixth Amendment and Art. 1 Sec. 22 of the State Constitution the defendant has a right to a jury of his peers.

10

Defendants Sixth Amendment right to a jury of his peers was violated, not only by there being no blacks in the jury, more importantly, not a single African-American in the entire jury pool to choose from. Not a fair cross-section of the community.

20 LED 659, 80 US 434 Clinton v. Englebrecht

(3) Where a jury was not selected and summoned in conformity, with the territorial law, a challenge for that reason to the array should have been allowed, and where such challenge was disallowed, the judgment in the case will be reversed.

*Attachment 3

49106-1-II

"Third Ground"

10-1-00211-34

1

Defense Counsel's Failure to Object

A. To officer Hinrich's inconsistencies (statements)

2

Officer Hinrich wrote in his police report:
At 1152 hrs. Officer Nutter advised she had located Wright at the corner of 4th and Adams. I advised Wright he was under arrest for touching the pastor. Wright said "I didn't touch her." I transported Wright to OPD for an interview. I read Wright his Miranda warnings and he stated he understood and would not sign the form...
Based on previous interactions with Wright I could see Wright was not willing to talk about the incident and was playing games. I ended the interview.
~~(Italisized~~ (italisized for emphasis) See EXHIBIT 2

3

NOTE: Defendant was placed under arrest at the corner of 4th and Adams. The charge was "touching the pastor".

4.

Wright said "I didn't touch her".

5

This statement was made before defendant was

Mirandized.

6

Now note, "I transported Wright to OPD (Olympia Police Department) for an interview. I read Wright his Miranda warnings...

7

Now note what Officer Hinrich testified to in trial on page 55 of the VRP, line 20, (see *EXHIBIT 3)
A. He -- when I read him Miranda and asked...

8

The inconsistency is that the police report states he placed me under arrest, then asked questions, then transported me to OPD and read Miranda warnings and attempted to continue questions.

9

However, when he testified in Court during trial, he states that he read Miranda at 4th and Adams.

10

These are inconsistant facts that defense counsel (if he had been prepared) should have objected to as to being inadmissable.

11

Also, the statement, Wright said "I didn't touch her", should have been an inadmissable statement

that defense counsel should have objected to.

12

Because defense counsel failed to object to inadmissable evidence, defendant asks this court to find that the defense counsels failure to object to inadmissable evidence prejudiced the defendant and remand this case back to Superior Count for retrial.

13

Inconsistant Statements by Officer Hinrich

1. Police report states:
"I transported Wright to OPD ... then read Miranda warnings".
2. Trial transcript (VRP) states:
"He -- when I read him Miranda and asked...

14

The difference

One statement suggest Officer Hinrich transported defendant to OPD... Then read Miranda warnings.
The other statement made under oath on the witness Stand states he read Miranda at 4th and Adams.

*Attachment 4

49106-1-II

"Fourth Ground"

16-1-00211-34

Defense Counsel ~~failed to give~~ correct Sentencing Guidelines

2

A. Defense Counsel told defendant numerous times that the maximum Sentence if convicted at trial was 60 Months with 1/3 off for good time, minus time served in County jail. Which would leave approximately 34 Months to serve in prison.

3

Defendant was sentenced to 60 Months to life, with only 10 percent reduction for good time, leaving 54 months to serve in prison.

4

Defense counsel never mentioned a life sentence if convicted, nor did he mention an Indeterminate Sentence and ISRB.

5

But for defense counsels unprofessional errors, the defendant would have taken the plea bargain.

6.

The plea bargain states:

Standard range for these offenses is 51-68 Months (see EXHIBIT 4)

16

7

There is "no statement" of a life sentence in the standard range.

8

On 4-6-16 defense counsel brought the "States Recommendation Plea of Guilty" to the defendant. The defendant refused the offer.

9

The offer, if accepted would have released me that same day, 4-6-16, after only 2 months in county jail.

10

For the sentence to go from 2 months time served to a 60 month to life sentence is unreasonable and vindictive sentencing.

11

But for defence counsel's unprofessional errors the outcome of the proceedings would have been different.

12

Defendant asks the court to remand this case back to Superior Court for re-sentencing.

As the United States Court of Appeals for the Ninth Circuit has instructed, the courts must, "continue to construe pro se filings liberally," Hebbe v. Pliler, 627 F.3d 338, 342 (9th Cir. 2010) A "complaint [filed by a pro se prisoner] must be held to less stringent standards than formal pleadings drafted by lawyers". (quoting Erickson v. Pardus, 551 U.S. 89, 94, 127 S. Ct. 2197, 167 L.3d 2d 1081 (2007)

I declare under penalty of perjury under the laws of the State of Washington that I am the petitioner, that I have read the petition, know its contents, and I believe the petition is true.

(signature)

Signed this [date] at CRCC
8/24/2018
August 24, 2018

* The petitioner invokes GR 3.1 (mail box rule)

PLRA IN FORMA PAUPERIS STATUS REPORT
FOR DEFINED PERIOD : 11/30/2017 TO 05/31/2018

DOC# : 0000390826 NAME : WRIGHT JAMES ADMIT DATE : 06/24/2016

DOB : 12/22/1955 ADMIT TIME : 12:02

AVERAGE MONTHLY RECEIPTS	20% OF RECEIPTS	AVERAGE SPENDABLE BALANCE	20% OF SPENDABLE
39.30	7.86	9.95	1.99

*EXHIBIT 1

The element that the victim not be the spouse of the defendant was eliminated in 2013 and no longer needs to be proven to convict a defendant for indecent liberties.[9] *See* RCW 9A.44.100 (LAWS OF 2013, ch. 94, § 2). Thus, Wright fails to show how the trial court's failure to provide a "married" instruction constitutes a manifest error affecting a constitutional right. Therefore, we hold that Wright has waived this challenge.

2. Ineffective Assistance of Counsel[10]

a. Failing to cross-examine victim

Wright argues that defense counsel provided ineffective assistance because he failed to thoroughly cross-examine the victim about the inconsistencies in her testimony. However, Wright does not identify what he claims were inconsistencies in the victim's testimony. The record shows that the only potential inconsistency within the victim's testimony was about whether she saw Wright again on the day of the incident at the end of the first or second service. But this particular fact was irrelevant to the incident that had occurred constituting the charged crime and the elements of that crime.

Wright argues that defense counsel's failure to attack the victim's credibility based on such inconsistent testimony constituted deficient performance. However, the "'extent of cross-

[9] Although the element was eliminated, the trial court included in its to-convict instruction that the State had to prove beyond a reasonable doubt "[t]hat the defendant was not the spouse or registered domestic partner of [the victim] at the time of the sexual contact." CP at 29. Wright does not challenge the inclusion.

[10] Wright's claims of ineffective assistance of counsel based on defense counsel's failure to conduct a presentence investigation, thoroughly investigate the allegations, discuss Wright's and defense counsel's roles within the case, and challenge the inconsistencies within Officer Henrichs's police report involve facts or evidence not in the record and such claims are properly raised through a personal restraint petition, not a SAG. *State v. Alvarado*, 164 Wn.2d 556, 569, 192 P.3d 345 (2008). Therefore, we decline to address these claims.

*EXHIBIT 2

REPORTING OFFICER NARRATIVE

Olympia Police Department		OCA 2016-00930
Victim: STAMPFLI, TAMMY L	Offense: SEX OFFENSE/FONDLING,INDECENT	Date / Time Reported: Sun 02/07/2016 08:02

THE INFORMATION BELOW IS CONFIDENTIAL - FOR USE BY AUTHORIZED PERSONNEL ONLY

On 02-07-2016 at 0802 hrs, I was dispatched to an assault clear at the United Churches (110 11th Ave SE). I contacted the Pastor, Tammy Stampfli.

Stampfli advised around 0740 hrs, a transient male she shows as James Wright came to the side door on the west of the church. Stampfli advised she knows James from him attending church services. James advised he was cold and asked to come in. Stampfli stated he was wearing baggie jeans, no shirt with a zebra colored vest on.

Stampfli allowed James to enter the church and shortly after James said " I want to eat your pussy ". Stampfli advised she told James that was inappropriate. Stampfli stated she turned around to make coffee and James came up behind her and placed his knee between her legs and reached around and placed his hands on her crotch. Stampfli said she started screaming for James to leave and he did. See her attached written statement along with taped statement which Officer Nutter later received.

Stampfli advised she know James has been staying at the Drexel house. I advised OPD units of James Wright current clothing description and Officer Nutter responded to Drexel house to check if he was staying there. They advised he was living there and they would call when they see him.

At around 1055 hrs, I was recontacted by Stampfli husband at the church who stated Wright had returned to the church and was escorted from the property. Units checked the area to attempt to locate Wright.

At 1152 hrs, Officer Nutter advised she had located Wright at the corner of 4th and Adams. I advised Wright he was under arrest for touching the pastor. Wright said " I didn't touch her ". I transported Wright to OPD for an interview. I read Wright his Miranda warnings and he stated he understood and would not sign the form. Wright continued talking. When I asked Wright about being at the church he would say he went into one church this morning but he did not touch her. Wright then asked " what if I say she touched me ?".

Based on previous interactions with Wright I could see Wright was not willing to talk about the incident and was playing games. I ended the interview.

Sgt Herbig made contact with Prosecutor Mark Thompson and explained him the details of the case. Mark Thompson found there was PC for Wrights arrest for Indecent Liberties with Forcible compulsion.

I transported Wright to TCSO and booked him in for one count of Indecent Liberties.

I photographed Wright at TCSO to show his clothing description at time of arrest. I recovered Wright cheetah print vest and later placed it into evidence at OPD. At the time of booking Wright was also not wearing underwear and had his underwear in his right vest pocket.

I certify (declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct (RCW 9A.72.085). I am entering my authorized user ID and password to authenticate it.

*EXHIBIT 3

1 Q. At any point as the case officer, did you or anyone
2 else investigating this case, to the best of your
3 knowledge, locate James Wright?
4 A. Yes. Officer Nutter did.
5 Q. Do you recall when that was?
6 A. About twelve o'clock in the afternoon.
7 Q. What happened at that point?
8 A. I responded to the location and placed Mr. Wright
9 under arrest.
10 Q. At what location was that?
11 A. 4th and Adams, I believe.
12 Q. How far is that from United Churches?
13 A. About seven, eight blocks.
14 Q. When you were in contact with Mr. Wright, did you
15 inform him of why you were making contact?
16 A. Yes.
17 Q. Did he make any response to that?
18 A. He made one.
19 Q. What did he say?
20 A. He -- when I read him Miranda and asked him about
21 being at the church, he said he was at the church but
22 he didn't touch her.
23 Q. At that point had you already given him specifics of
24 what you were investigating?
25 A. Yes.

1 Q. Did he say or make any other comments about if there
2 were -- or any statements to you about the incident?
3 A. Mr. Wright asked me what if he said she touched him.
4 Q. So the person that you made contact that day, do you
5 see him in the courtroom?
6 A. Yes.
7 Q. Can you describe what he's wearing?
8 A. Seated at the defense table. Got a beard now.
9 Q. Does his appearance look different than when you made
10 contact with him?
11 A. Yes.
12 Q. How so?
13 A. He's got a beard now. His hair has grown out.
14 Q. Any question to you that it's the same individual?
15 A. No.
16 Q. Did you do or any officer that you know of do
17 anything to document Mr. Wright's appearance at the
18 time?
19 A. I photographed Mr. Wright.
20 MR. JURIS: If I may approach, Your Honor?
21 THE COURT: You may.
22 Q. I'm going to happened you what's been marked as State
23 No. 1. Do you recognize that?
24 A. Yes.
25 Q. And what is that?

*EXHIBIT 4

STATE'S RECOMMENDATIONON PLEA OF GUILTY
BASED ON ORIGINAL INFORMATION
State v. JAMES OTIS WRIGHT, JR 16-1-00211-34

Current Charge(s): INDECENT LIBERTIES FELONY (BY FORCIBLE COMPULSION)

Standard range for these offenses is **51-68 months**

***PLEA*: Plead guilty to Felony Harassment and Assault 4 with Sexual Motivation**
Standard Range 1-3 months for Count I, 0-364 days for Count II

INCARCERATION: 2 months

☐ Washington State Department of Corrections (DOC)

☒ Thurston County Jail

☐ **Defendant is required by law to remain in custody pending sentencing. See RCW 10.64.025(2).**

☐ **A PSI is required for all sex offenses. See, RCW 9.94.110**

FINANCIAL OBLIGATIONS:

$200 Court Costs, $100 DNA Fee, $500 Crime Victim Compensation Fund, and Court appointed counsel fees as ordered (Also, DV fee if charged as DV offense)
☒ *RESTITUTION for medical expenses or ongoing counseling related to this offense*

COMMUNITY SUPERVISION/PLACEMENT/CUSTODY: 12 months

☒NO CONTACT WITH VICTIM FOR 5 Years
☒ No criminal law violations;
☒ Obey all rules of D.O.C.
☐ No contact w/ minor children ;
☐ No Possession or Consumption of Controlled Substances unless by Lawful Prescription, and random urinalysis as required by CCO
☐ Drug abuse/ Alcohol abuse evaluation and treatment as ordered by CCO
☐ Mental Health treatment as ordered by CCO;

☒Sexual Deviancy Evaluation and any recommended treatment;
☐Mandatory Polygraph as required by CCO to monitor compliance with sentence;
☐Not possess or peruse any sexually explicit material as defined by therapist/CCO;
☐Mandatory HIV Test;
☐Comply W/ Mandatory Sex Offender Registration
☒Mandatory DNA Testing;
☐Living conditions to be approved by CCO
☐Geographical Restrictions as ordered by CCO

Offer extended on; 4/1/16.
Note: All offers subject to revision and/or revocation without notice. Offer may be revoked without further notice if defendant fails to appear for any hearing(s) or trial.

DPA: **CEJ**

110 11th Ave SE
Olympia, WA 98501

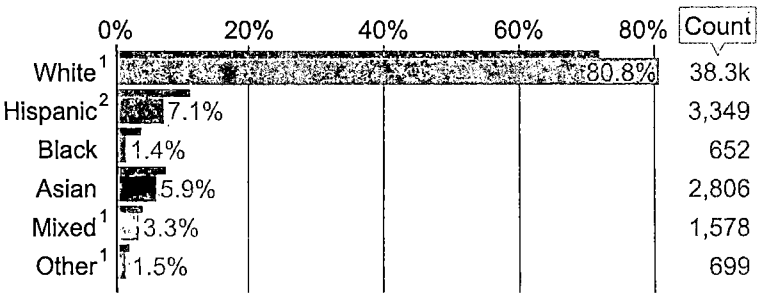
* EXHIBIT 5

More Maps

Race and Ethnicity in Olympia, Washington (City)

Race and Ethnicity#1

Percentage of the total population.
Scope: population of Washington and Olympia
Olympia
Washington



Count number of members in ethno-racial group
[1]non-Hispanic [2]excluding black and Asian Hispanics

Relative Race and Ethnicity#2

Race and Hispanic origin in Olympia as a percentage of the total population, expressed as percentage point difference from Washington.
Scope: population of Washington and Olympia