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SUPREME COURT OF THE STATE OF WASHINGTON

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STEVEN JAMES MONTGOMERY,

Petitioner.

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RESPONSE TO MOTION FOR DISCRETIONARY REVIEW

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 ORIGINAL

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## **I. IDENTITY OF RESPONDENT**

Respondent is the Washington State Department of Corrections (Department or DOC).

## **II. DECISION**

Respondent requests that this Court deny Petitioner's motion for discretionary review seeking review of the November 27, 2013, Order Dismissing Personal Restraint Petition entered by the Washington State Court of Appeals, Division I. Appendix 1.

## **III. ISSUES PRESENTED FOR REVIEW**

1. Does Montgomery's Motion for Discretionary Review fail to meet any of the requirements governing acceptance of review under RAP 13.4(b)?
2. Where RCW 9.94A.501(2) places probationers supervised by the DOC on community custody, does RCW 9.94A.704(2)(a) authorize the DOC to assess Montgomery's risk of reoffense and impose conditions prohibiting him, without prior permission of the DOC, (1) from going to the house where his wife and children live and (2) from having contact with minors, including his own children?
3. Where none of the sentencing court's conditions require Montgomery to have the freedom to go to the house where his wife and children live or to have contact with minors, are the DOC's conditions consistent with RCW 9.94A.704(6), which prohibits the DOC from imposing conditions that contravene or decrease court-imposed conditions?

4. Where the Constitution does not require unfettered access to one's children, is the DOC's condition prohibiting Montgomery from having contact with his children *without prior permission* consistent with due process?
5. Where, at the time Montgomery committed his crime, the sentencing court had authority to impose the same conditions that the DOC has imposed, is RCW 9.94A.501(2) not an increase in punishment under the Ex Post Facto Clause?

#### IV. SUMMARY OF ARGUMENT

Montgomery challenges conditions that prohibit him, without prior DOC permission, from going to the house where his wife and children live and from having contact with minors, including his own children. The DOC was justified in imposing the geographic condition and the no-contact condition in his case. Montgomery's crime victim was a 16-year-old female. He was in his 40s when he molested her. He has a history of drug convictions. And he has not yet entered into sexual deviancy treatment. The DOC is permitting him to contact his children and go to his wife's home, but only by prior permission. Additionally, the DOC has authority to impose conditions that do not decrease the sentencing court's conditions, and the court at sentencing did not impose conditions requiring Montgomery to have access to his children and to his wife's residence. Additionally, one's constitutional right to parent does not include the right to wholly unfettered access to one's children. Finally, the DOC's

additional conditions do not constitute an increase in punishment under the Ex Post Facto Clause because they are the same conditions that the court could have imposed on Montgomery under the law in effect at the time of his underlying offense.

#### V. STATEMENT OF THE CASE

In October 2009, Montgomery was found guilty by jury verdict of communication with a minor for immoral purposes (nonfelony) and third degree child molestation (felony). Appendix 2, Gross Misdemeanor Judgment and Sentence; Appendix 3, Felony Judgment and Sentence. He committed those crimes on July 13, 2008. *Id.* The court sentenced him in January 2010. As to the nonfelony, the court imposed 365 days of confinement, suspended, with probation for 24 months under the DOC's supervision. Appendix 2, at 1-2. As to the felony, the court imposed 60 months of confinement and zero months of community custody. Appendix 3, at 6-7.

In October 2009, Montgomery committed the crime of possession of methamphetamine. Appendix 4, Judgment and Sentence. The court sentenced him in April 2011 to 19 months of confinement and one year of community custody. *Id.* at 4-5.

After Montgomery served his confinement terms, he began supervision for the 24-month probation term and the 12-month community

custody term on April 1, 2013. Appendix 5, OMNI Legal Face Sheet, at 1-2 (showing “Count Start Date”). His scheduled end date for the community custody term is April 15, 2014. *Id.* at 1-2 (“Count End Date” for cause AJ). The scheduled end date for the probation term is April 1, 2015. *Id.* at 1 (“Count End Date” for cause AI). The end dates could be extended if the supervision terms are tolled in the future pursuant to RCW 9.94A.171.

The DOC imposed several conditions on Montgomery as part of its supervision of him. These include the condition to have no contact with minor children, including his own children, unless he has prior approval from the DOC and his treatment provider and an approved adult chaperone is present. Appendix 5, at 4; Appendix 6, Offender Conditions, at 9. Additionally, Montgomery is prohibited from being “at or around” a home on 107th Place, W. in Edmonds, Washington. Appendix 5, at 4; Appendix 6, at 8. This is the home of his wife and children. Appendix 7, Snohomish County Incident Report, at 2.

Originally, the no-contact condition exempted Montgomery’s biological son. Appendix 6, at 9; Appendix 8, Declaration of Staci Rickey, at ¶3. A few days after the DOC imposed this condition, it was informed by the Child Protective Services (CPS) and the Edmonds Police Department that CPS had investigated the family in the past. Appendix 8,

at ¶3. As a result, Montgomery's community corrections officer (CCO) modified the condition to remove the exemption for his biological son. Shortly thereafter, CPS notified the DOC that it had an open investigation regarding possible removal of the children from the home. *Id.* The DOC also received information from a confidential source indicating that Montgomery may have sexually abused his step-daughter, who is now his adopted daughter. *Id.* Montgomery's CCO also witnessed behaviors that indicated that Montgomery may have an unhealthy fixation on his step-daughter. *Id.*

At the time Montgomery filed the motion in superior court, which ultimately was transferred to the Court of Appeals as a personal restraint petition (Appendix 1), Montgomery's CCO did not feel comfortable modifying the current no-contact condition until Montgomery receives sex offender treatment and a therapist subsequently communicates to the CCO that it is safe for Montgomery to have contact with his children without permission. *Id.*, at ¶ 4. Since then, Montgomery was evaluated by a sex offender treatment provider. Appendix 9, OMNI Chronos, at entry dated 07/30/2013. However, due to Montgomery's denial of having committed his sex offense, he is viewed as not being amenable to treatment. Appendix 10, OMNI Chrono. Additionally, in regard to contact with Montgomery's adopted daughter, the daughter's therapist as of August

2013 was not recommending contact with Montgomery due to the daughter's emotional distress related to him. *Id.*

Meanwhile, seven days after Montgomery began supervision, he was arrested at the home on 107th Place. Appendix 7; Appendix 11, Report of Alleged Violation. The DOC held an administrative hearing on April 18, 2013. Appendix 12, Hearing and Decision Summary Report. Montgomery pleaded guilty to the allegation of being at the residence without permission. *Id.* The hearing officer imposed credit for time served, with a release date of April 22, 2013. *Id.* at 2; Appendix 13, Confinement Order. Montgomery has since returned to supervision in the community.

After he challenged the DOC's conditions in superior court, the court transferred the motion to the Court of Appeals as a personal restraint petition. Appendix 14, Order Transferring Motion For Relief From Judgment.

## VI. ARGUMENT

### A. **Montgomery Fails To Meet Any Of The Three Requirements For Discretionary Review**

RAP 13.4(b) sets forth the requirements that govern acceptance of discretionary review following a Court of Appeals' dismissal of personal restraint petitions. *See* RAP 13.5A. Under RAP 13.4(b), the Supreme

Court will accept review if the Court of Appeals' decision conflicts with another decision of the Court of Appeals, if a significant question of law under the Constitution is involved, or if the petition involves an issue of substantial public interest that should be determined by the Supreme Court.

Montgomery has failed to show that the Court of Appeals' decision conflicts with another decision of the Court of Appeals regarding a significant question of law under the Constitution. He also has failed to show that his petition involves an issue of substantial public interest that should be determined by the Supreme Court. This Court should deny the motion for discretionary review.

**B. The DOC Properly Imposed Conditions Of Community Custody Under RCW 9.94A.704**

The Court of Appeals properly dismissed Montgomery's petition because RCW 9.94A.501 gives the DOC authority to impose the conditions that he challenges. Under RCW 9.94A.501(2), probationers supervised by the DOC are placed on community custody. The statute that sets out the conditions the DOC can impose during community custody is RCW 9.94A.704. Under RCW 9.94A.704(2)(a), the DOC "shall assess the offender's risk of reoffense and may establish and modify additional conditions of community custody based upon the risk to

community safety.” The geographic condition and the no-contact condition in this case are intended to decrease risk to minors and to reduce risk to community safety generally.

Also, the DOC has authority to impose conditions that do not decrease or contravene the court’s conditions. RCW 9.94A.704(6). The conditions in this case do not decrease or contravene any conditions in Montgomery’s judgment and sentence. The court did not impose any conditions requiring Montgomery to have unfettered access to his children and to the home where his children and wife reside.

Furthermore, Montgomery’s denial of his crime makes him a poor candidate for treatment, and there are indications that he has sexually abused his adopted daughter. It is reasonable for the DOC to impose the conditions that it has imposed.

The DOC has acted properly in accordance with both RCW 9.94A.501 and RCW 9.94A.704. Therefore, the DOC respectfully requests that the Court deny review.

**C. The Right To Parent Does Not Guarantee Unfettered Access To One’s Child When The Defendant Abused Children**

Montgomery claims that the DOC’s condition of no contact with his children without prior permission interferes with his constitutional right to parent. Motion of Montgomery, at 8. He relies on *State v.*

*Letourneau*, 100 Wn. App. 424, 997 P.2d 436 (2000). However, unlike in Montgomery's case, there was no evidence in that case that the offender had abused her own children. The DOC has received information that Montgomery may have abused his adopted daughter.

Additionally, the DOC's condition, unlike the condition in *Letourneau*, does not prevent Montgomery from having contact with his children. Rather, it prevents him from having contact without permission. The Constitution does not require unfettered access to one's children.

**D. The Amendment To RCW 9.94A.501 Does Not Increase The Quantum Of Punishment**

Montgomery claims that the 2008 amendment that added RCW 9.94A.501(2) (effective 2009) violates his ex post facto rights because it enhanced the DOC's ability to impose additional conditions on probationers. However, under the law in existence at the time Montgomery committed his crime, the superior court had authority to impose the conditions he now challenges. Likewise, the superior court had the ability to modify those conditions during the term of probation.

Under RCW 9.92.060 as it existed in 2008, the superior court could impose conditions on probationers. Under RCW 9.92.064, the court could modify the conditions at any time.

Additionally, for felonies, former RCW 9.94A.700 (2008) allowed the court to prohibit the offender from having contact with a class of persons and allowed the court to impose geographic restrictions. These did not need to be crime related. *See* former RCW 9.94A.700(5)(a), (b).<sup>1</sup>

The Supreme Court has consistently read the ex post facto clauses of the United States Constitution and the Washington State Constitution co-extensively, as a prohibition on the application of ex post facto laws. *E.g.*, *State v. Hennings*, 129 Wn.2d 512, 524-25, 919 P.2d 580 (1996); U.S. Const., art. I, § 10, cl. 1; Wash. Const. art. I, § 23.

The ex post facto clause is sometimes misread as a prohibition on “any legislative change that has any conceivable risk of affecting a prisoner’s punishment.” *Cal. Dep’t of Corr. v. Morales*, 514 U.S. 499, 508, 115 S. Ct. 1597, 131 L. Ed. 2d 588 (1995). However, the U.S. Supreme Court has “never accepted this expansive view of the Ex Post Facto Clause.” *Id.* When a change in the law creates a “risk of affecting a prisoner’s actual term of confinement by making it more difficult for him to make a persuasive case for early release . . . that fact alone cannot end the matter for ex post facto purposes.” *Id.* at 509.

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<sup>1</sup> Former RCW 9.94A.715 (2008) provided that the court could impose conditions of community custody as listed in former RCW 9.94A.700, which is now codified at RCW 9.94B.050.

In determining whether a statutory amendment falls within the ex post facto prohibition, the question is whether the change increases the punishment. *Collins v. Youngblood*, 497 U.S. 37, 41-44, 110 S. Ct. 2715, 111 L. Ed. 2d 30 (1990); *Morales*, 514 U.S. at 506, n.3. In *Collins*, the U.S. Supreme Court considered a change made to a Texas statute. Prior to Collins' commission of his crime, if a trial court issued an invalid sentence, the judgment and sentence were void, and the defendant was entitled to a new trial. After commission of the crime, the law was changed to permit the appellate court to reform an improper sentence. *Id.* at 39-40. Although the amended law deprived the defendant of the substantial protection of a new trial, the U.S. Supreme Court held that it was not an ex post facto law, because it "[did] not punish as a crime an act previously committed, which was innocent when done; nor make more burdensome the punishment for a crime, after its commission; nor deprive one charged with crime of any defense available according to law at the time when the act was committed." *Id.* at 52.

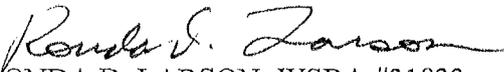
Because the conditions that the DOC has imposed on Montgomery are no different from the conditions he could have been subject to under 2008 statutes, the 2008 amendment to RCW 9.94A.501 does not violate the ex post facto clause.

## VII. CONCLUSION

Montgomery's Motion for Discretionary Review does not meet the criteria of RAP 13.4(b). *See* RAP 13.5A. Therefore, Respondent respectfully requests that this Court deny his motion.

RESPECTFULLY SUBMITTED this 13th day of February, 2014.

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Attorney General

  
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Assistant Attorney General  
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PO Box 40116  
Olympia WA 98504-0116  
(360) 586-1445

**CERTIFICATE OF SERVICE**

I certify that on the date below I caused to be electronically filed the foregoing document with the Clerk of the Court using the electronic filing system and I hereby certify that I have serve the document to the following participant:

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- ABC/Legal Messenger
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MARK D. MESTEL

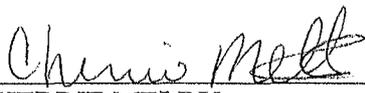
Via Email [mark.mestel@gmail.com](mailto:mark.mestel@gmail.com)

LENELL NUSSBAUM

Via Email [lenell@nussbaumdefense.com](mailto:lenell@nussbaumdefense.com)

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

EXECUTED this 13th day of February, 2014, at Olympia, WA.

  
\_\_\_\_\_  
CHERRIE MELBY  
Legal Assistant

## OFFICE RECEPTIONIST, CLERK

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**From:** OFFICE RECEPTIONIST, CLERK  
**Sent:** Thursday, February 13, 2014 4:45 PM  
**To:** 'Melby, Cherrie (ATG)'  
**Subject:** RE: Montgomery 89730-1

Rec'd 2-13-14, the brief has been accepted but the attachment exceed the limit of (25) that you may file by email. Please mail the attachments or hand deliver.  
Thank you.

Please note that any pleading filed as an attachment to e-mail will be treated as the original. Therefore, if a filing is by e-mail attachment, it is not necessary to mail to the court the original of the document.

**From:** Melby, Cherrie (ATG) [mailto:CherrieK@ATG.WA.GOV]  
**Sent:** Thursday, February 13, 2014 4:41 PM  
**To:** OFFICE RECEPTIONIST, CLERK  
**Subject:** Montgomery 89730-1

Good afternoon. Please find the attached Response to Motion for Discretionary Review for the Respondent, Department of Corrections and Certificate of Service.

Case name – In re the Personal Restraint Petition of Steven James Montgomery  
WSSC Cause No. 89730-1  
By Ronda D. Larson, WSBA #31833  
Assistant Attorney General Corrections Division, OID #91025

Cherrie Melby  
Legal Assistant II  
Corrections Division  
P.O. Box 40116  
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CRIMINAL JUSTICE DIVISION  
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Assistant / Paralegal: Cherri  
for Attorney: Ronda

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IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON  
DIVISION ONE

FILED  
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STATE OF WASHINGTON  
2013 NOV 27 AM 10:36

IN THE MATTER OF THE )  
PERSONAL RESTRAINT OF: ) No. 70389-7-1  
 )  
STEVEN MONTGOMERY, ) ORDER DISMISSING PERSONAL  
 ) RESTRAINT PETITION  
 )  
\_\_\_\_\_  
Petitioner. )

Steven Montgomery was convicted by a jury of third degree child molestation and communicating with a minor for immoral purposes in Snohomish County Superior Court Cause No. 09-1-00248-1 for offenses committed on July 13, 2008. Following his release from incarceration, Montgomery filed a motion seeking to vacate community custody conditions imposed by the Department of Corrections (DOC) prohibiting him from having contact with his biological or adopted children and from living at or going to his family's home without the prior approval of his community corrections officer (CCO). The motion was transferred to this court for consideration as a personal restraint petition. CrR 7.8(c)(2). To obtain relief by means of a personal restraint petition on an issue for which the petitioner has had no prior opportunity for judicial review, the petitioner must show that he is under restraint and that the restraint is unlawful. In re Pers. Restraint of Cashaw, 123 Wn.2d 138, 148-49, 866 P.2d 8 (1994); RAP 16.4. Because Montgomery has not met this burden, the petition is dismissed.

Community custody conditions may be imposed by the sentencing court pursuant to RCW 9.94A.703, but DOC also has the authority to "establish and modify additional conditions of community custody based upon the risk to

community safety.”<sup>1</sup> RCW 9.94A.704(2)(a). The sentencing court must require an offender to comply with these conditions imposed by DOC. However, DOC “may not impose conditions that are contrary to those ordered by the court and may not contravene or decrease court-imposed conditions.”<sup>2</sup> RCW 9.94A.704(6).

A boilerplate form indicating the conditions of community custody imposed by the sentencing court is attached to Montgomery’s judgment and sentence. Several of the boilerplate conditions, including “[d]o not initiate or prolong contact with minor children without the presence of an adult who is knowledgeable of the offense and has been approved by the supervising Community Corrections Officer” and “[d]o not remain overnight in a residents [sic] where minor children are spending the night” are crossed out. Upon Montgomery’s release, DOC imposed additional community custody conditions, including: (1) prohibiting Montgomery from having contact with any minor children, including his own children, without the prior approval of DOC and his sex offender treatment provider; and (2) preventing Montgomery from being “at or around” his family’s residence.

Montgomery does not challenge DOC’s authority pursuant to RCW 9.94A.704 to impose community custody conditions. Montgomery instead argues that, because the sentencing court explicitly refused to impose conditions preventing him from having contact with his children, DOC exceeded its authority in doing so.

Because the sentencing court’s intent in crossing out the conditions that

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<sup>1</sup> At the time Montgomery committed his crimes, this language was codified at RCW 9.94A.715(2)(b).

<sup>2</sup> At the time Montgomery committed his crimes, this language was codified at RCW 9.94A.715(2)(c).

Montgomery now challenges was unclear, this court remanded for the sentencing court to conduct a reference hearing. On remand, the sentencing court made the following findings:

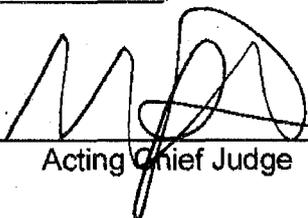
1. At the time of the sentencing hearing, the court did not intend to prohibit the defendant from having contact with his children.
2. The court did not anticipate the possibility that the Department of Corrections would impose any of the conditions that the court had crossed out in Appendix A. The court did not consider what authority the Department might have to impose such conditions.
3. At the time the crime was committed, the Department of Corrections did not have the authority to impose additional conditions of supervision. A statute creating such authority took effect after commission of the crime but before sentencing. Laws of 2009, ch. 375. At the time of sentencing, the court did not consider whether that statute applied to the case.

Montgomery has not shown that the DOC conditions were contrary to conditions imposed by the sentencing court. It is clear that the sentencing court did not order these conditions at the time of sentencing, but it is not clear that the intent of the sentencing court was to prohibit DOC from imposing these conditions. Consequently, the DOC conditions preventing such contact are not contrary to the sentencing court's conditions.

Because Montgomery has not demonstrated that he is entitled to relief by means of a personal restraint petition, now, therefore, it is hereby

ORDERED that the personal restraint petition is dismissed under RAP 16.11(b).

Done this 27<sup>th</sup> day of November, 2013.

  
\_\_\_\_\_  
Acting Chief Judge



3. (X) The termination of probation shall be set at 24 months from the date of this order; however, the court shall have the authority at any time prior to the entry of an order terminating probation to revoke, modify, or change the terms and conditions of this sentence and to extend the period of probation. Probation is tolled during any time the defendant is in custody.
4. (X) The defendant shall not commit any law violations.
5. (X) The defendant shall obtain a sexual deviancy evaluation and shall participate and make progress in sexual deviancy treatment with a licensed provider.
- (X) The defendant shall comply with the list of conditions order by the court and document as Appendix A filed under this cause number with the Judgment and Sentence forms in this case.
6. ( ) The defendant shall pay to the clerk of this court:
- (a) ( ) \$ \_\_\_\_\_ court costs, plus any costs determined after this date as established by separate order of this court;
- (b) (X) Victim assessment; As ordered in Court I.  
\$500.00 on or after June 6, 1998.
- (c) ( ) \$ \_\_\_\_\_ total amount restitution (with credit for amounts paid by co-defendants). The amount and recipient(s) of the restitution are as established by separate order of this court;

- (d) ( ) \$887727 recoupment for attorney's fees;
- (e) ( ) \$ \_\_\_\_\_ fine;
- (f) ( ) \$ \_\_\_\_\_ Dept. Drug enforcement fund;
- (g) ( ) \$125.00 Washington State Toxicology Laboratory Fee. [ ] All or part suspended due to inability to pay. RCW 46.61.6054(1).
- (h) ( ) \$ \_\_\_\_\_ Domestic Violence Penalty (Post 8/4/04--\$100 maximum) RCW 10.99.080

7. The above payments shall be made in the manner established by Local Rule 7.2(f) and according to the following terms:
- ( ) not less than \$ \_\_\_\_\_ per month,
- ( ) on a schedule established by the defendant's community corrections officer, to be paid within \_\_\_\_\_ months of ( ) this date ( ) release from confinement.
- (X) As required in the Judgment and Sentence for Count 1 under this cause number.
8. (X) The defendant shall be prohibited from having any contact, directly or indirectly, with C.H., (dob: 12/11/82) for a period of one year.
9. (X) The defendant, having been convicted of a sexual offense, a drug offense associated with the use of hypodermic needles, or a prostitution related offense, shall cooperate with the Snohomish County Health District in conducting a test for the presence of human immunodeficiency virus. The defendant, if out of custody, shall report to the HIV/AIDS Program Office at 2722 Colby, Suite 333, Everett, Washington, within one hour of this order to arrange for the test.
10. ( ) If this is a crime enumerated in RCW 9A.1.040 which makes you ineligible to possess a firearm, you must surrender any concealed pistol license at this time, if you have not already done so. (Pursuant to RCW 9A.1.047(1), the Judge shall read this section to the defendant in open court).

**FILED**

1/25/10

APPENDIX F TO JUDGMENT AND SENTENCE  
NOTIFICATION OF REGISTRATION REQUIREMENT  
RCW 9A.44.130, 140

SONYA KRASKI  
COUNTY CLERK  
SNOHOMISH CO. WASH.

I have been informed and fully understand that:

1. I have been convicted of a sex offense, and I am required to register with the County Sheriff in the county of my residence.
2. If I am not immediately sentenced to a term of confinement, I must report to register immediately after sentencing. If I am in custody, I must register within 24 hours of my release from custody.
3. If I am not a Washington resident but I become one, I must register within 24 hours of moving to Washington.
4. When registering, I must provide the County Sheriff with the following information:  
(a) Name; (b) Address; (c) Date and place of birth; (d) Place of employment; (e) Crime for which convicted; (f) Date and place of conviction; (g) Aliases used; and (h) Social Security number.
5. I am required to register pursuant to the above obligations. If I change my residence address within the same county, I must send written notice of the change of address to the County Sheriff within ten days of establishing the new residence. If I am required to register pursuant to the above obligations and I move to a new county, I must register with the County Sheriff in the new county within ten days of establishing the new residence, and must also send written notice within ten days of the change of address to the County Sheriff with whom I last registered.
6. Because I have been convicted of a sex offense, the County Sheriff will obtain a photograph of me and will obtain a copy of my fingerprints.
7. I am required to register pursuant to the above obligations and if I knowingly fail to do so, I may be charged and convicted of a crime.
8. The crime(s) for which I have been convicted is/are:

Count #

a. Class A felony. My obligation to register continues until I am specifically relieved of it by court order.

b. Class B felony. My obligation to register continues for 16 years after the last date of release from confinement, if any (including full-time residential treatment), pursuant to the conviction or entry of the judgment and sentence, if I have spent fifteen consecutive years in the community without being convicted of any new offenses.

c. Class C felony. My obligation to register continues for 10 years after the last date of release from confinement, if any (including full-time residential treatment), pursuant to the conviction, or entry of the judgment and sentence, if I have spent ten consecutive years in the community without being convicted of any new offenses. *Gross Misdemeanor*

DATED this 21<sup>st</sup> day of Jan, 2007. 2016

  
STEVEN JAMES MONTGOMERY, Defendant

Cause No. 09-1-00248-1



ORDER OF COMMITMENT

**FILED**

2010 JAN 28 PM 3:52

THE STATE OF WASHINGTON to the Department of Corrections of the County of Snohomish, State of Washington:

WHEREAS, STEVEN JAMES MONTGOMERY, has been convicted of the crime(s) of Count 2: Communication With a Minor for Immoral Purposes and Judgment has been rendered against the defendant that punishment be by imprisonment in the Snohomish County Department of Corrections for a period of time as specified in the attached certified copy of Judgment and Sentence, Now, Therefore,

THIS IS TO COMMAND YOU, the Snohomish County Department of Corrections, to detain the defendant pursuant to the terms of the Judgment and Sentence.

FURTHER, this is to command you that should the Judgment and Sentence authorize the release of the defendant to a Work/ Training Release Facility or Program, or to any other program or for some specific purpose, this Order of Commitment shall constitute authority for you to release the defendant for that program or purpose, subject to any additional requirements of that program or purpose.

WITNESS, the Honorable Ellen J. Fall Judge of Snohomish County Superior Court and the seal thereof, this 21 day of January, 2010

Sonya Kraski  
Clerk of the Superior Court

By: Sonya Kraski  
Deputy Clerk

**FILED CERTIFIED COPY**

JAN 28 2010

SONYA KRASKI  
SNOHOMISH COUNTY CLERK  
EX-OFFICIO CLERK OF COURT

SUPERIOR COURT OF WASHINGTON  
FOR SNOHOMISH COUNTY

THE STATE OF WASHINGTON,

Plaintiff,

v.

MONTGOMERY, STEVEN JAMES

Defendant.

No. 09-1-00248-1

JUDGMENT AND SENTENCE  
(AS TO COUNT I ONLY)

Prison

Special Sexual Offender  
Sentencing Alternative

Clerk's Action Required,  
restraining order entered para. 4.3

Clerk's action required  
firearms rights revoked, para. 4.3 and 5.6

Clerk's action required, para 5.4  
Restitution Hearing set.

288933  
2-02-10

SID: WA11899458  
If no SID, use DOB: 01/13/1962

I. HEARING

1.1 A sentencing hearing was held 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 October 28, 2009 by jury verdict of:

COUNT	CRIME	RCW	INCIDENT #	DATE OF CRIME
I	3° Child Molestation	9A.44.089	SSO, 0820523	07/13/08

as charged in the 1<sup>st</sup> Amended Information.

Additional current offenses are attached in Appendix 2.1.

The defendant is a sex offender subject of indeterminate sentencing under RCW 9.94A.712

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

The defendant used a firearm in the commission of the offense on Court(s) \_\_\_\_\_  
RCW 9.94A.602, 9.41.010, 9.94A.533

- The defendant used a **deadly weapon other than a not a firearm** on Count(s) \_\_\_\_\_, RCW 9.94A.602, 9.94A.533
- The defendant acted with **sexual motivation** in committing the offense in Count(s) \_\_\_\_\_, RCW 9.94A.835
- The offense was **predatory** as to count(s) \_\_\_\_\_, RCW - 9.94A.836 (effective 3-20-2006)
- The **victim was under 15 years of age** at the time of the offense was returned on count(s) \_\_\_\_\_, RCW 9.94A.837 (effective 3-20-2006)
- The victim was **developmentally disabled, mentally disordered, or a frail elder or vulnerable adult** at the time of the offense was returned on count(s) \_\_\_\_\_, RCW 9.94A.010, 9.838 (effective 3-20-2006)
- 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, in a public transit vehicle, or in a 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.
- 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, RCW 69.50.605, RCW 69.50.440, 69.50.401.
- The defendant was convicted of  **vehicular homicide**  **vehicular assault** 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 offender has a **chemical dependency** which contributed to the offense and imposes as a condition of sentence that defendant shall participate in the rehabilitative program/affirmative conduct:  
\_\_\_\_\_  
RCW 9.94A.607
- The crime charged in Count(s) \_\_\_\_\_ involve(s) **domestic violence**. RCW 10.99.020
- The offense in Count(s) \_\_\_\_\_ was **committed in a county jail or state correctional facility**. RCW 9.94A
- In Count \_\_\_\_\_ a **motor vehicle was used in the commission of this felony**. The Department of Licensing shall revoke the defendant's driver's license. RCW 46.20.285.
- Count \_\_\_\_\_ is a criminal street gang related felony offense in which the defendant compensated, threatened, or solicited a minor in order to involve that minor in the commission of the offense. Laws of 2008, ch 276 § 302
- Count \_\_\_\_\_ is the crime of unlawful possession of a firearm and the defendant was a criminal street gang member or associate with the defendant committed the crime. RCW 9.94A.545
- Count \_\_\_\_\_ involves attempting to elude a police vehicle during the commission of the crime the defendant endangered one or more persons other than the defendant or the pursuing law enforcement officer. Laws of 2008, ch. 219 § 2.

- Current offenses encompassing the same criminal conduct and counting as one crime in determining the offender score are (RCW 9.94A.589):
  - Other current convictions listed under different cause numbers used in calculating the offender score are (list offense and cause number):
- 2.2 CRIMINAL HISTORY: Prior convictions constituting criminal history for purposes of calculating the offender score are (RCW 9.94A.515):

CRIME	DATE OF SENTENCE	SENTENCING COURT (County & State)	DATE OF CRIME	A or J Adult, Juv.	TYPE OF CRIME
1 VUCSA -Possession with Intent to Manufacture/Deliver (cocaine)	10/31/88	Snohomish County, WA		A	B
2 VUCSA - Possession (cocaine)	11/14/88	Chelan County, WA		A	C
3 VU CSA-Possession (cocaine)	11/18/88	Snohomish County, WA		A	C
4 1° Theft (2 counts)	05/08/98	King County, WA		A	B
5 2° Theft	06/08/98	King County, WA		A	C
6 2° Theft	06/22/98	Snohomish County, WA		A	C
7 VUCSA (conspiracy)	05/28/99	King County, WA		A	C

- 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):
  - 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	SERIOUS LEVEL	STANDARD RANGE (not including enhancements)	PLUS ENHANCEMENTS	TOTAL STANDARD RANGE (including enhancements)	MAXIMUM TERM
1	8	V	60 months		60 months	5 years

\*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 [For Determinate Sentence]**. Substantial and compelling reasons exist which justify an exceptional sentence  above  within  below the standard range for Count(s) \_\_\_\_\_.
- The defendant and state stipulate that justice is best served by imposition of an exceptional sentence above the standard range and the court finds that exceptional sentence furthers and is consistent with the interest of justice and the purposes of the sentence 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. The jury's interrogatory is attached. The prosecuting attorney  did  did not recommend a similar sentence.
- EXCEPTIONAL MINIMUM TERM [For Maximum and Minimum Term Sentence]** Substantial and compelling reasons exist which justify an exceptional minimum term  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.142):

The defendant has the present means to pay the costs of incarceration. RCW 9.94A.760.  
 2.6 The prosecutor's recommendation was 60 months on Count 1, 365 days with 365 days suspended on Count 2. The prosecutor recommended counts 1 & 2 run consecutively.

### 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 \_\_\_\_\_  
 3.3  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:

RMA	<u>\$15/\$25/\$50</u>	Restitution Monitoring Fee The Clerk shall collect this fee before collecting restitution or any other assessed legal financial obligations.	SCC 4.94.010 RCW 9.94A.760
PCV	<u>\$500</u>	Victim assessment \$500.00 crimes committed on or after June 6, 1996.	RCW 7.68.035
CRC	<u>\$ Lawe</u>	Court costs, including Criminal filing fee \$ _____ FRC Witness costs \$ _____ WFR Sheriff service fees \$ _____ SFR/SFS/SPW/SRF Jury demand fee \$ _____ JFR Other \$ _____	RCW 9.94A.760, 9.94A.505, 10.01.160, 10.46.190
PUB	\$ _____	Fees for court appointed attorney	RCW 9.94A.030
WFR	<u>\$924.00</u>	Court appointed defense expert and other defense costs	RCW 9.94A.030
FCM	\$ _____	Fine RCW 9A.20.021; <input type="checkbox"/> VUCSA additional fine deferred due to indigency	RCW 69.50.430
CDF/LDI/ FCD/NTF/SAD/BDI	\$ _____	Drug enforcement fund of _____	RCW 9.94A.030
CLF	\$ _____	Crime lab fee <input type="checkbox"/> deferred due to indigency	RCW 43.43.690
EXT	\$ _____	Extradition costs	RCW 9.94A.505
	\$ _____	Emergency response costs (Vehicular Assault, Vehicular Homicide only, \$1000 maximum)	RCW 38.52.430
	<u>\$100</u>	Biological Sample Fee (for offenses committed after 7-1-2002)	RCW 43.43.7541
	\$ _____	Domestic Violence Penalty (for offenses committed after 06-04-2004, \$100 maximum)	RCW 10.99.080
	\$ _____	Other costs for: _____	
	<u>\$600</u>	TOTAL	RCW 9.94A.760

- The above total does not include all restitution or other legal financial obligations, which may be set by later order of the court. An agreed restitution order may be entered. RCW 9.94A.753.
- RESTITUTION. Schedule attached, Appendix 4.1.
- Restitution ordered above shall be paid jointly and severally with:
- | NAME of other defendant | CAUSE NUMBER | (Victim name) | (Amount-\$) |
|-------------------------|--------------|---------------|-------------|
|                         |              |               |             |

RJN

- The Department of Corrections may immediately issue a Notice of Payroll Deduction. RCW 9.94A.7602, 9.94A.760(9)

All payments shall be made in accordance with the policies of the clerk and on a schedule established by the Department of Corrections, commencing immediately, unless the court specifically sets forth the rate here: Not less than

\$ 25<sup>00</sup> per month commencing 60 Days after release  
 RCW 9.94A.760

All payments shall be made within 63 months of:  release of confinement;  
 entry of judgment;  Other \_\_\_\_\_

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

- 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 \$50.00 per day unless another rate is specified here \_\_\_\_\_, RCW 9.94A.760(2)

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

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.

4.2  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. The defendant, if out of custody, shall report to the HIV/AIDS Program Office at 3020 Rucker, Suite 206, Everett, WA 98201 within one (1) hour of this order to arrange for the test. RCW 70.24.340

DNA TESTING. The defendant shall have a  biological sample (offenses committed 7-1-2002 and after),  blood sample (offenses committed before 7-1-2002) drawn for purposes of DNA identification analysis and the defendant shall fully cooperate in the testing. The appropriate agency, the county or Department of Corrections, shall be responsible for obtaining the sample prior to the defendant's release from confinement. RCW 43.43.754

4.3 The defendant shall not have contact with C.H., DOB: 12/11/92, including, but not limited to, personal, verbal, telephonic, written or contact through a third party for five years (not to exceed the maximum statutory sentence). EVEN IF THE PERSON WHO THIS ORDER PROTECTS INVITES OR ALLOWS CONTACT, YOU CAN BE ARRESTED AND PROSECUTED. ONLY THE COURT CAN CHANGE THIS ORDER. YOU HAVE THE SOLE RESPONSIBILITY TO AVOID OR REFRAIN FROM VIOLATING THIS ORDER.

(Check for any domestic violence crime as defined by RCW 10.99.020(3), Anti-harassment no contact order, or Sexual Assault Protection Order): VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE UNDER CHAPTER 26.50 RCW AND WILL SUBJECT A VIOLATOR TO ARREST. ANY ASSAULT, DRIVE-BY SHOOTING, OR RECKLESS ENDANGERMENT THAT IS A VIOLATION OF THIS ORDER IS A FELONY. RCW 10.99.050.

(Check for any harassment crime as defined by RCW 9A.46.060): VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE UNDER CHAPTER 9A.46 AND WILL SUBJECT A VIOLATOR TO ARREST. RCW 9A.46.080.

(For Domestic Violence orders only:) The clerk of the court shall forward a copy of this order on or before the next judicial day to the \_\_\_\_\_ County Sheriff's Office or \_\_\_\_\_ Police Department (where the protected person above-named lives), which shall enter it in a computer-based criminal intelligence system available in this state used by law enforcement to list outstanding warrants.

The defendant is ordered to reimburse \_\_\_\_\_ (name of electronic monitoring agency) at \_\_\_\_\_, for the cost of pretrial electronic monitoring, in the amount of \$ \_\_\_\_\_.

4.4 OTHER: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4.5 **CONFINEMENT OVER ONE YEAR.**

**CONFINEMENT [Determinate Sentences].** Defendant is sentenced to the following term of total confinement in the custody of the Department of Corrections (DOC):

60 months on Count 1 \_\_\_\_\_ months on Count \_\_\_\_\_  
\_\_\_\_\_ months on Count \_\_\_\_\_ months on Count \_\_\_\_\_  
\_\_\_\_\_ months on Count \_\_\_\_\_ months on Count \_\_\_\_\_

The confinement time on Count(s) \_\_\_\_\_ includes \_\_\_\_\_ months as enhancement for  firearm  deadly weapon  sexual motivation  VUCSA in a protected zone  manufacture of methamphetamine with juvenile present  sexual conduct with a child for a fee

**CONFINEMENT [Maximum Term and Minimum Term].** Defendant is sentenced to total confinement as follows. The maximum and minimum terms of confinement shall be served in a facility or institution operated, or utilized under contract, by the State of Washington.

Count \_\_\_\_\_: maximum term of \_\_\_\_\_ years AND minimum term of \_\_\_\_\_ months

Count \_\_\_\_\_: maximum term of \_\_\_\_\_ years AND minimum term of \_\_\_\_\_ months

Count \_\_\_\_\_: maximum term of \_\_\_\_\_ years AND minimum term of \_\_\_\_\_ months

Count \_\_\_\_\_: maximum term of \_\_\_\_\_ years AND minimum term of \_\_\_\_\_ months

The confinement time on Count(s) \_\_\_\_\_ includes \_\_\_\_\_ months as enhancement for  firearm  deadly weapon  sexual motivation  VUCSA in a protected zone  manufacture of methamphetamine with juvenile present  sexual conduct with a child for a fee

**FURTHER PROVISIONS APPLICABLE TO ALL SENTENCES:**

The minimum term of actual total confinement ordered on all counts cumulatively is \_\_\_\_\_  
(Add mandatory firearm and deadly weapon enhancement time to run consecutively to other counts. See Sec. 2.3, Sentence Data above.)

The maximum term of total confinement ordered on all counts cumulatively is \_\_\_\_\_

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: \_\_\_\_\_

*98 days JT  
29 days G*

4.6  COMMUNITY CUSTODY (up to 12 months) is ordered as follows:

Count \_\_\_\_\_ for a period of \_\_\_\_\_ months      Count \_\_\_\_\_ for a period of \_\_\_\_\_ months  
Count \_\_\_\_\_ for a period of \_\_\_\_\_ months      Count \_\_\_\_\_ for a period of \_\_\_\_\_ months  
Count \_\_\_\_\_ for a period of \_\_\_\_\_ months      Count \_\_\_\_\_ for a period of \_\_\_\_\_ months

or for the period of earned release awarded pursuant to RCW 9.94A.728(1) and (2), whichever is longer, and the conditions ordered are set forth below. The combined term of community custody and confinement shall not exceed the statutory maximum. RCW 9.94A.701 (Offenders sentenced to the custody of the Department of Corrections), RCW 9.94.702 (Offenders sentenced for one year or less), RCW 9.94A.\_\_\_\_ (Sex offenses). (Use paragraph 4.7 to impose community custody following work ethic camp.)

*conditions attached*

While on community custody, the defendant shall (1) report to Department of Corrections (DOC), 8625 Evergreen Way, Suite 100, Everett, Washington 98208 not later than 72 hours after release from custody 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 or possess controlled substances except pursuant to lawfully issued prescriptions; (4) pay supervision fees as determined by DOC; (5) perform affirmative acts necessary to monitor compliance with orders of the court as required by DOC; (6) comply with instructions, rules, and regulations of DOC for the conduct of the defendant during the period of community custody, (7) comply with other conditions of community custody stated in this Judgment and Sentence or other conditions imposed by the court or DOC during community custody, and (8) notify DOC of any change in the defendant's address or employment. The residence location and living arrangements are subject to the prior approval of DOC while on community custody. Community custody for sex offenders may be extended for up to 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 C.H. DOB 12/11/1992.  See ¶4.3.

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

The defendant shall participate in the following crime-related treatment or counseling services:  
INCORPORATE APPENDIX A FILED WITH THE J&Ss.  
\_\_\_\_\_

The defendant shall participate in the following:  State certified domestic violence batterer's treatment program  chemical dependency evaluation  mental health evaluation  anger management program, and fully comply with all recommended treatment.

The defendant shall comply with the following crime-related prohibitions: \_\_\_\_\_

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 Unless otherwise ordered, all conditions of this sentence shall remain in effect notwithstanding any appeal.

SUPERIOR COURT OF WASHINGTON  
FOR SNOHOMISH COUNTY

THE STATE OF WASHINGTON,

Plaintiff,

v.

MONTGOMERY, STEVEN JAMES

Defendant.

No. 09-1-00248-1

APPENDIX A  
ADDITIONAL CONDITIONS  
OF COMMUNITY CUSTODY

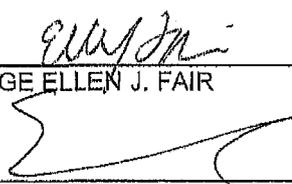
ADDITIONAL CONDITIONS OF COMMUNITY CUSTODY:

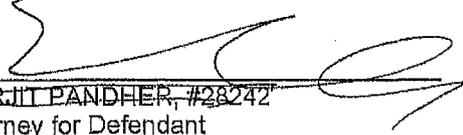
1. Have no direct or indirect contact with C.H. (DOB: 12/11/1992) or members of her family.
2. Pay the costs of crime-related counseling and medical treatment required by C.H. (DOB: 12/11/1992).
3. Obey all municipal, county, state, tribal and federal laws.
4. ~~Do not initiate or prolong contact with minor children without the presence of an adult who is knowledgeable of the offense and has been approved by the supervising Community Corrections Officer.~~
5. ~~Do not seek employment or volunteer positions, which place you in contact with or control over minor children.~~
6. ~~Do not frequent areas where minor children are known to congregate, as defined by the supervising Community Corrections Officer.~~
7. ~~Do not possess or access sexually explicit materials, as directed by the supervising Community Corrections Officer. Do not frequent establishments whose primary business pertains to sexually explicit or erotic material.~~
8. ~~Do not possess or control sexual stimulus material for your particular deviancy as defined by the supervising Community Corrections Officer and therapist except as provided for therapeutic purposes.~~
9. ~~Do not possess or control any item designated or used to entertain, attract or lure children.~~
10. ~~Do not date women or form relationships with families who have minor children, as directed by the supervising Community Corrections Officer.~~
11. ~~Do not remain overnight in a residence where minor children live or are spending the night.~~
12. Do not possess or consume alcohol and do not frequent establishments where alcohol is the chief commodity for sale.
13. Do not possess or consume controlled substances unless you have a legally issued prescription.
14. Do not associate with known users or sellers of illegal drugs.

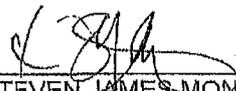
15. Do not possess drug paraphernalia.
16. Stay out of drug areas, as defined in writing by the supervising Community Corrections Officer.
17. Find and maintain fulltime employment and/or a fulltime educational program during the period of supervision, as directed by the supervising Community Corrections Officer.
18. ~~Do not access the Internet on any computer in any location, unless such access is approved in advance by the supervising Community Corrections Officer and your treatment provider. Any computer to which you have access is subject to search.~~ *if recommended by CLO.*
19. Participate and make progress in sexual devlancy treatment with a licensed provider. Follow all conditions outlined in your treatment contract. Do not change therapists without advanced permission of the supervising Community Corrections Officer.
20. Participate in offense related counseling programs, to include Department of Corrections sponsored offender groups, as directed by the supervising Community Corrections Officer.
21. Participate in substance abuse treatment as directed by the supervising Community Corrections Officer.
22. Participate in urinalysis, Breathalyzer, polygraph and plethysmograph examinations as directed by the supervising Community Corrections Officer.
23. Your residence, living arrangements and employment must be approved by the supervising Community Corrections Officer.
24. You must consent to DOC home visits to monitor your compliance with supervision. Home visits include access for the purposes of visual inspection of all areas of the residence in which you live or have exclusive/joint control/access.
25. Register as a sex offender with the county of your residence for the period provided by law.

Dated this 21 day of January, 2010

  
 \_\_\_\_\_  
 HALLEY R. HUPP, #23331  
 Deputy Prosecuting Attorney

  
 \_\_\_\_\_  
 JUDGE ELLEN J. FAIR

  
 \_\_\_\_\_  
 GURJIT PANDHER, #28242  
 Attorney for Defendant  
*Piculis, G Azore*

  
 \_\_\_\_\_  
 STEVEN JAMES MONTGOMERY  
 Defendant

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.7753(4); RCW 9.94A.760 and RCW 9.94A.505(4). The clerk of the court has the authority to collect unpaid legal financial obligations at any time while you remain under the jurisdiction of the court for purposes of your legal financial obligations. RCW 9.94A.760, 9.94A.753(4).

5.3 **NOTICE OF INCOME-WITHHOLDING ACTION.** If the court has not ordered an immediate notice of payroll deduction in paragraph 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 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): \_\_\_\_\_
- Defendant waives any right to a restitution hearing within 6 months RCW 9.94A.750.
- A restitution hearing shall be set for \_\_\_\_\_

The Prosecutor shall provide a copy of the proposed restitution order and supporting affidavit(s) of victim(s) 21 judicial days prior to the date set for said restitution hearing. The defendant's presence at said restitution hearing may be excused only if a copy of the proposed restitution order is signed by both defendant and defense counsel and returned to the Court and Prosecutor no later than 10 judicial days prior to said hearing.

5.5 Any violation of this Judgment and Sentence is punishable by up to 60 days of confinement per violation. RCW 9.94A.634. Offenders who have not completed the maximum term of total confinement and are subject to a third violation hearing, and DOC finds the violation has been committed, may be returned to a state correctional facility to serve up to the remaining portion of the sentence. RCW 9.94A.737(2).

5.6 **FIREARMS.** 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, identicard, or comparable identification, to the Department of Licensing along with the date of conviction or commitment). RCW 9.41.040, 9.41.047

If this is a crime enumerated in RCW 9.41.040 which makes you ineligible to possess a firearm, you must surrender any concealed pistol license at this time, if you have not already done so.

(Pursuant to RCW 9.41.047(1), the Judge shall read this section to the defendant in open court. The Clerk 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).

The defendant is ordered to forfeit any firearm he/she owns or possesses no later than \_\_\_\_\_ to \_\_\_\_\_ (name of law enforcement agency) RCW 9.41.098.

Cross off if not applicable:

5.7 **SEX AND KIDNAPPING OFFENDER REGISTRATION, RCW 9A.44.130, 10.01.200.** Because this crime involves a sex offense or kidnapping offense (e.g., 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 you are not the minor's parent), you are required to register with the sheriff of the county of the state of Washington where you reside. If you are not a resident of Washington but you are a student in Washington or you are employed in Washington or you carry a vocation in Washington, you must register with the sheriff of the county of your school, place of employment, or vocation. You must register immediately upon being sentenced unless you are in custody, in which case you must register within 24 hours of your release.

If you leave the state following your sentencing or release from custody but later move back to Washington, you must register within 3 days after moving to this state or within 24 hours after doing so if you are under the jurisdiction of this state's Department of Corrections. If you leave this state following your sentencing or release from custody but later while not a resident of Washington you become employed in Washington, carry out a vocation in Washington, or attend school in Washington, you must register within 3 business days after starting school in this state or becoming employed or carrying out a vocation in this state, or within 24 hours after doing so if you are under the jurisdiction of this State's Department of Corrections. If you become employed at a public or private institution of higher education, you are required to notify the sheriff for the county of your residence of your employment by the institution within 10 days of accepting employment or by the first business day after beginning to work at the institution, whichever is earlier. If your enrollment or employment at a public or private institution of higher education is terminated, you are required to notify the sheriff for the county of your residence of your termination of enrollment or employment within 10 days of such termination. (Effective September 1, 2006) If you attend, or plan to attend, a public or private school regulated under Title 28A RCW or chapter 72.40 RCW, you are required to notify the sheriff of the county of your residence of your intent to attend the school. You must notify the sheriff within 10 days of enrolling or 10 days prior to arriving at the school to attend classes, whichever is earlier. If you are enrolled on September 1, 2006, you must notify the sheriff immediately. The sheriff shall promptly notify the principal of the school.

If you change your residence within a county, you must send signed written notice of your change of residence to the sheriff within 72 hours of moving. If you change your residence to a new county within this state, you must send signed written notice of your change of residence to the sheriff of your new county of residence at least 14 days before moving, register with that sheriff within 24 hours of moving and you must give signed written notice of your change of address to the sheriff of the county where last registered within 10 days of moving. If you move out of Washington State, you must also send written notice within 10 days of moving to the county sheriff with whom you last registered in Washington State.

If you are a resident of Washington and you are admitted to a public or private institution of higher education, you are required to notify the sheriff of the county of your residence of your intent to attend the institution within 10 days of enrolling or by the first business day after arriving at the institution, whichever is earlier.

Even if you lack a fixed residence, you are required to register. Registration must occur within 24 hours of release in the county where you are being supervised if you do not have a residence at the time of your release from custody or within 48 hours after ceasing to have a fixed residence. If you enter a different county and stay there for more than 24 hours, you will be required to register in the new county. You must also report in person to the sheriff of the county where you are registered on a weekly basis if you have been classified as a risk level II or III, or on a monthly basis if you have been classified as a risk level I. The lack of a fixed residence is a factor that may be considered in determining a sex offender's risk level. If you move to another state, or if you work, carry on a vocation, or attend school in another state you must register a new address, fingerprints, and photograph with the new state within 10 days after establishing residence, or after beginning to work, carry on a vocation, or attend school in the new state. You must also send written notice within 10 days of moving to the new state or to a foreign country to the county sheriff with whom you last registered in Washington State.

If you have a fixed residence and you are designated as a risk level II or III, you must report, in person, every 90 days to the sheriff of the county where you are registered. Reporting shall be on a day specified by the county sheriff's office, and shall occur during normal business hours. If you comply with the 90-day reporting requirement with no violations for at least 5 years in the community, you may petition the superior court to be relieved of the duty to report every 90 days. If you apply for a name change, you must submit a copy of the application to the county sheriff of the county of your residence and to the state patrol not fewer than five days before the entry of an order granting the name change. If you receive an order changing your name, you must submit a copy of the order to the county sheriff of the county of your residence and to the state patrol within five days of the entry of the order. RCW 9A.44.130(7).

If you apply for a name change, you must submit a copy of the application to the county sheriff of the county of your

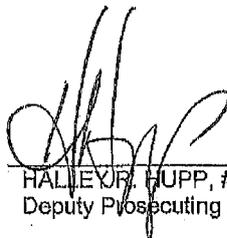
residence and to the state patrol not fewer than 5 days before the entry of an order granting the name change. If you receive an order changing your name, you must submit a copy of the order to the county sheriff or the county of your residence and to the state patrol within 5 days of the entry of the order. RCW 9A.44.130(7).

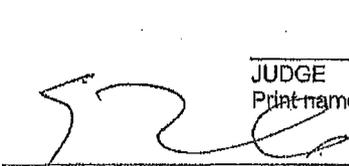
5.8 RIGHT TO APPEAL. If you plead not guilty, you have a right to appeal this conviction. If the sentence imposed was outside of the standard sentencing range, you also have a right to appeal the sentence. You may also have the right to appeal under other circumstances.  
  
This right must be exercised by filing a notice of appeal with the clerk of this court within 30 days from today. If a notice of appeal is not filed within this time, the right to appeal is IRREVOCABLY WAIVED.  
  
If you are without counsel, the clerk will supply you with an appeal form on your request, and will file the form when you complete it.  
  
If you are unable to pay the costs of the appeal, the court will appoint counsel to represent you, and the portions of the record necessary for the appeal will be prepared at public expense.

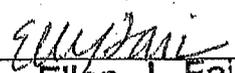
5.9 Voting Rights Statement: I acknowledge that my right to vote has been lost due to felony conviction. If I am registered to vote, my voter registration will be cancelled. My right to vote may be restored by: a) A certificate of discharge issued by the sentencing court, RCW 9.94A.637; b) A court order 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 92A.84.660.

5.10 OTHER: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DONE in Open Court and in the presence of the defendant this date: JAN 21, 2010

  
HALLEX R. HUPP, #23331  
Deputy Prosecuting Attorney

  
GURJIT PANDHER, #28242  
Attorney for Defendant  
*Gurjit Pandher  
12/2000*

  
JUDGE  
Print name: Ellen J. Fair  
  
STEVEN JAMES MONTGOMERY  
Defendant

Interpreter signature/Print name: \_\_\_\_\_  
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: 09-1-00248-1

I, Sonya Kraski, 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, \_\_\_\_\_, Deputy Clerk



ORDER OF COMMITMENT

**FILED**

THE STATE OF WASHINGTON to the Department of Corrections of the County of Snohomish, State of Washington:

WHEREAS, STEVEN JAMES MONTGOMERY, has been convicted of the crime of Communication With a Minor for Immoral Purposes and judgment has been pronounced against the defendant that punishment be by Imprisonment in the Snohomish County Department of Corrections for a period of time as specified in the attached certified copy of Judgment and Sentence, Now, Therefore,

JAN 28 2010  
SONYA KRASKI  
SNOHOMISH COUNTY CLERK  
OFFICIAL CLERK OF COURT

THIS IS TO COMMAND YOU, the Snohomish County Department of Corrections, to detain the defendant pursuant to the terms of the Judgment and Sentence.

FURTHER, this is to command you that should the Judgment and Sentence authorize the release of the defendant to a Work/ Training Release Facility or Program, or to any other program or for some specific purpose, this Order of Commitment shall constitute authority for you to release the defendant for that program or purpose, subject to any additional requirements of that program or purpose.

WITNESS, the Honorable Ellen J. Fair, Judge of Snohomish County Superior Court and the seal thereof, this 21 day of January, 2009.

Sonya Kraski  
Clerk of the Superior Court

By: Sonya Kraski  
Deputy Clerk

CERTIFIED  
COPY

Added Cause  
AJ

FILED  
APR 28 2011

SONYA KRASKI  
SNOHOMISH COUNTY CLERK  
EX-OFFICIO CLERK OF COURT

SUPERIOR COURT OF WASHINGTON  
FOR SNOHOMISH COUNTY

THE STATE OF WASHINGTON,  
  
v.  
  
MONTGOMERY, STEVEN JAMES  
  
SID: WA11899458  
If no SID, use DOB:

No. 10-1-00673-1

JUDGMENT AND SENTENCE

- Prison
- Jail One Year or Less
- First Time Offender
- Special Drug Offender Sentencing Alternative
- Clerk's action required, firearm rights revoked, ¶ 5.5
- Clerk's action required, ¶¶ 2.1, 4.1, 4.3, 4.5, 5.2, 5.3
- Clerk's action required, ¶ 5.6 (use of motor vehicle)
- Restitution Hearing set, ¶ 4.3

I. HEARING

1.1 A sentencing hearing was held and the defendant, the defendant's lawyer and the (deputy) prosecuting attorney were present.

II. FINDINGS

2.1 CURRENT OFFENSE(S). The defendant was found guilty on April 27, 2011 by plea of:

COUNT	CRIME	RCW	CLASS	INCIDENT #	DATE OF CRIME
1	Possession of a Controlled Substance, Methamphetamine	69.50.4013	C	EDM 0903952	10/15/09

as charged in the Information.

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

- See ¶ 4.1 regarding findings in relation to Drug Offender or Parenting Sentencing Alternative.
- The defendant used a **firearm** in the commission of the offense(s) in Count(s) \_\_\_\_\_, RCW 9.94A.602, 9.41.010, 9.94A.533.
- The defendant used a **deadly weapon other than a firearm** in the commission of the offense(s) in Count(s) \_\_\_\_\_, RCW 9.94A.602, 9.94A.533.
- The defendant committed the offense in Count(s) \_\_\_\_\_ with **sexual motivation**. RCW 9.94A.835.
- Count(s) \_\_\_\_\_ **Violation of the Uniform Controlled Substances Act (VUCSA)**, RCW 69.50.401 and RCW 69.50.435, took place in a school, school bus, within 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, in a public transit vehicle, or in a 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.

- [ ] The defendant committed a crime involving the manufacture of methamphetamine including its salts, isomers, and salts of isomers, when a juvenile was present in or upon the premises of manufacture in Count(s) \_\_\_\_\_, RCW 9.94A.605, 69.50.401, 69.50.440.
- [ ] Count(s) \_\_\_\_\_ is (are) a **criminal street gang**-related felony offense in which the defendant compensated, threatened, or solicited a minor in order to involve that minor in the commission of the offense. RCW 9.94A.833.
- [ ] Count(s) \_\_\_\_\_ is (are) the crime of **unlawful possession of a firearm** and the defendant was a **criminal street gang** member or associate when the defendant committed the crime. RCW 9.94A.702, 9.94A.\_\_\_\_.
- [ ] The defendant committed **vehicular assault** proximately caused by driving a vehicle while under the influence of intoxicating liquor or drug or by operating a vehicle in a reckless manner. The offense is, therefore, deemed a violent offense. RCW 9.94A.030.
- [ ] Count(s) \_\_\_\_\_ involve(s) **attempting to elude a police vehicle** and during the commission of the crime the defendant endangered one or more persons other than the defendant or the pursuing law enforcement officer. RCW 9.94A.834.
- [ ] Count(s) \_\_\_\_\_ is (are) a felony in the commission of which the defendant used a **motor vehicle**. RCW 46.20.285.
- [ ] The defendant has a **chemical dependency** that has contributed to the offense(s) in Count(s) \_\_\_\_\_. RCW 9.94A.607.
- [ ] The crime charged in Count(s) \_\_\_\_\_ involve(s) **domestic violence**. RCW 10.99.020.
- [ ] The offense in Count(s) \_\_\_\_\_ was (were) **committed in a county jail or state correctional facility**. RCW 9.94A.533(5).
- [ ] Count(s) \_\_\_\_\_ involve(s) **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.
- [ ] Count(s) \_\_\_\_\_ and \_\_\_\_\_ merge. (See ¶ 3.2 for dismissal of specific count.)
- [ ] Counts \_\_\_\_\_ encompass the **same criminal conduct** and count as one crime in determining the offender score. RCW 9.94A.589.
- [ ] **Other current convictions** listed under different cause numbers used in calculating the offender score are (list offense and cause number):

**2.2 CRIMINAL HISTORY.** Prior convictions constituting criminal history for purposes of calculating the offender score are (RCW 9.94A.525):

	<u>CRIME</u>	<u>DATE OF SENTENCE</u>	<u>SENTENCING COURT (County &amp; State)</u>	<u>A or J (Adult or Juvenile)</u>	<u>TYPE OF CRIME</u>
1	VUCSA-Possession w/Intent to Manufacture/Deliver (Cocaine)	10/31/88	Snohomish Co., WA	A	B
2	VUCSA-Possession (Cocaine)	11/14/88	Chelan Co., WA	A	C
3	VUCSA-Possession (Cocaine)	11/18/88	Snohomish Co., WA	A	C
4	First Degree Theft (2 Counts)	5/8/98	King Co., WA	A	B
5	Second Degree Theft	5/8/98	King Co., WA	A	C
6	Second Degree Theft	6/22/98	Snohomish Co., WA	A	C
7	VUCSA (Conspiracy)	5/28/99	King Co., WA	A	C
8	Third Degree Child Molestation	1/21/10	Snohomish Co., WA	A	C

- The defendant committed Count(s) \_\_\_\_\_ while on community custody (adds one point to score). RCW 9.94A.525.
- The court finds the following prior convictions are one offense for purposes of determining the offender score (RCW 9.94A.525):
- 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	SRA LEVEL	STANDARD RANGE (not including enhancements)	*PLUS ENHANCEMENTS	TOTAL STANDARD RANGE (including enhancements)	MAXIMUM TERM
	9		12+-24 months		12+-24 months	5 years/\$10,000

\*(F) Firearm, (D) Other deadly weapons, (V) VUCSA in a protected zone, (VH) Vehicular Homicide, See RCW 46.61.520, (JP) Juvenile Present, (CSG) Criminal Street Gang involving Minor, (AE) Endangerment While Attempting to Elude.

- 2.4**  **EXCEPTIONAL SENTENCE.** Substantial and compelling reasons exist which justify an exceptional sentence  above  below the standard range for Count(s) \_\_\_\_\_ or  within the standard range for Count(s) \_\_\_\_\_ but served consecutively to Count(s) \_\_\_\_\_.
- The defendant and State stipulate that justice is best served by imposition of an exceptional sentence above the standard range and the court finds that exceptional sentence furthers and is consistent with the interests of justice and the purpose 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.  The jury's 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(5)):
- \_\_\_\_\_

- The defendant has the present means to pay costs of incarceration. RCW 9.94A.760.

**2.6 PROSECUTOR'S RECOMMENDATION.** The prosecutor's recommendation was as follows:

19 months on Count I \_\_\_\_\_ months on Count IV  
 \_\_\_\_\_ months on Count II \_\_\_\_\_ months on Count V  
 \_\_\_\_\_ months on Count III \_\_\_\_\_ months on Count VI

Terms on each count to run:

- concurrently with or  consecutively to each other  
 concurrently with or  consecutively to the terms imposed in Cause No(s). \_\_\_\_\_

III. JUDGMENT

- 3.1 The defendant is **GUILTY** of the counts and charges listed in Paragraph 2.1.
- 3.2  The court **DISMISSES** Count(s) \_\_\_\_\_
- 3.3  The defendant was found **NOT GUILTY** of Count(s) \_\_\_\_\_

IV. SENTENCE AND ORDER

IT IS ORDERED:

4.1 **CONFINEMENT OVER ONE YEAR.** The court sentences the defendant to total confinement as follows:

**CONFINEMENT.** RCW 9.94A.589. A term of total confinement in the custody of the Department of Corrections (DOC):

19 months on Count I \_\_\_\_\_ months on Count IV  
 \_\_\_\_\_ months on Count II \_\_\_\_\_ months on Count V  
 \_\_\_\_\_ months on Count III \_\_\_\_\_ months on Count VI

The confinement time on Count(s) \_\_\_\_\_ includes \_\_\_\_\_ months as enhancement for  Firearm  Deadly Weapon  VUCSA in a Protected Zone  Manufacture of Methamphetamine with Juvenile Present  other \_\_\_\_\_

Actual term of total confinement ordered is 19 months.

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

\_\_\_\_\_ *concurrently*  
 The sentence herein shall run ~~consecutively~~ with the sentence in cause number(s) 09-1-00242-1  
*(Snohomish County)*  
 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: \_\_\_\_\_

**CREDIT FOR TIME SERVED.** The defendant shall receive credit for time served prior to sentencing if that confinement was solely under this cause number. RCW 9.94A.505(6). 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: ✓

**WORK ETHIC PROGRAM.** RCW 9.94A.690, RCW 72.09.410. The court finds that the defendant is eligible and is likely to qualify for work ethic program. The court recommends that the defendant serve the sentence at a work ethic program. Upon completion of work ethic program, the defendant shall be released on community custody for any remaining time of total confinement, subject to the conditions in ¶ 4.2. Violation of the conditions of community custody may result in a return to total confinement for the balance of the defendant's remaining time of total confinement.

4.2

**COMMUNITY CUSTODY.** RCW 9.94A.701. The defendant shall serve the following term of community custody (12 months for crimes against a person, drug offenses, or offenses involving the unlawful possession of a firearm by a street gang member or associate; 18 months for violent offenses; and 36 months for serious violent offenses):

Count I for a period of <u>12</u> months	Count IV for a period of _____ months
Count II for a period of _____ months	Count V for a period of _____ months
Count III for a period of _____ months	Count VI for a period of _____ months

and the conditions ordered are set forth below. The combined term of community custody and confinement shall not exceed the statutory maximum.

The defendant shall report to DOC, 8625 Evergreen Way, Suite 100, Everett, Washington 98208 not later than 72 hours after release from custody.

While on 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) notify DOC of any change in the defendant's address or employment; (4) not consume or possess controlled substances except pursuant to lawfully issued prescriptions; (5) not own, use, or possess firearms or ammunition; (6) pay supervision fees as determined by DOC; (7) perform affirmative acts necessary to monitor compliance with orders of the court as required by DOC; and (8) abide by any additional conditions imposed by DOC under RCW 9.94A.704 and .706. The residence location and living arrangements are subject to the prior approval of DOC while on community custody.

The defendant shall not consume ~~any alcohol~~ <sup>or possess controlled substances w/o a valid prescription in his name.</sup>

The defendant shall have no contact with \_\_\_\_\_ [ ] See ¶ 4.5.

The defendant shall remain [ ] within [ ] outside of a specific geographical boundary, to wit: \_\_\_\_\_

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

The defendant shall participate in the following: [ ] State certified domestic violence treatment program [ ] chemical dependency evaluation [ ] mental health evaluation [ ] anger management program, and fully comply with all recommended treatment.

The defendant shall comply with the following crime-related prohibitions: \_\_\_\_\_

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

4.3 LEGAL FINANCIAL OBLIGATIONS. Defendant shall pay to the clerk of the court:

PVC	<input checked="" type="checkbox"/> \$500	Victim assessment	RCW 7.68.035
CRV	\$ _____ <input type="checkbox"/> waived	Court costs, including	RCW 9.94A.030, .505; 10.01.160
		Criminal filing fee \$ _____	FRC
		Witness costs \$ _____	WFR
		Sheriff service fees \$ _____	SFR/BFS/SFW/SRF
		Jury demand fee \$ _____	JFR
		Other \$ _____	RCW 10.46.190
PUB	<input type="checkbox"/> \$962 <input type="checkbox"/> waived	Fees for court appointed attorney	RCW 9.94A.760
WFR	\$ _____	Court appointed defense expert and other costs	RCW 9.94A.760
FCM	<input type="checkbox"/> \$1,000 <input checked="" type="checkbox"/> \$2,000	Fine RCW 9A.20.021; <input type="checkbox"/> VUCSA additional fine deferred due to indigency	RCW 69.50.430
CDF/LD/ FCD/NTF/SAD/SDI	\$ _____	Drug enforcement fund of \$ _____	RCW 9.94A.760
CLF	<input type="checkbox"/> \$100	Crime lab fee <input type="checkbox"/> suspended due to indigency	RCW 43.43.690
EXT	\$ _____	Extradition costs	RCW 9.94A.505
RTN/RJN	\$ _____	Emergency response costs (Vehicular Assault, Vehicular Homicide, DUI only, \$1000 maximum)	RCW 38.52.430
	<input checked="" type="checkbox"/> \$100	Biological Sample Fee	RCW 43.43.7541
		(for offenses committed after 07-01-2002)	
PDV	<input type="checkbox"/> \$100	Domestic Violence Penalty (for offenses committed after 06-04-2004 - maximum \$100)	RCW 10.99.080
	\$ _____	Other costs for: _____	
	<u>\$ 2600</u>	TOTAL	RCW 9.94A.760

RESTITUTION. 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 for \_\_\_\_\_
- Defendant waives any right to be present at any restitution hearing (sign initials): SO
- Defendant waives any right to a restitution hearing within 6 months. RCW 9.94A.753

A separate Restitution Order is being entered contemporaneously with this Judgment and Sentence.

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 and on a schedule established by the Department of Corrections, commencing immediately, unless the court specifically sets forth the rate here of not less than:

\$ 100.00 per month commencing 60 Days After release RCW 9.94A.760.

All payments shall be made within 120 months of  release of confinement;  entry of judgment;  other \_\_\_\_\_

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

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 \$100.00 per day (not to exceed \$100 per day) unless another rate is specified here \_\_\_\_\_ RCW 9.94A.760(2).

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

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.

4.4 [X] **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 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. The defendant, if out of custody, shall report to the HIV/AIDS Program Office at 3020 Rucker, Suite 106, Everett, Washington 98201 within one (1) business day of entry of this order to arrange for the test. RCW 70.24.340.

4.5 **NO CONTACT.**

[ ] The defendant shall not have contact with \_\_\_\_\_  
\_\_\_\_\_ (name, DOB)

including, but not limited to, personal, verbal, telephonic, written or contact through a third party until \_\_\_\_\_ (date) (not to exceed the maximum statutory sentence). EVEN IF THE PERSON WHO THIS ORDER PROTECTS INVITES OR ALLOWS CONTACT, YOU CAN BE ARRESTED AND PROSECUTED. ONLY THE COURT CAN CHANGE THIS ORDER. YOU HAVE THE SOLE RESPONSIBILITY TO AVOID OR REFRAIN FROM VIOLATING THIS ORDER.

[ ] A separate post conviction Domestic Violence No Contact Order, Anti-Harassment Order, or Sexual Assault Protection Order [ ] was filed at the time of entry of the plea of guilty/guilty verdict [ ] is filed contemporaneously with this Judgment and Sentence. (Entry of a separate order makes a violation of this no contact sentencing provision also punishable as a criminal offense, and the order will be entered into the law enforcement database.)

[ ] The pre-trial Domestic Violence No Contact Order, Anti-Harassment Order, or Sexual Assault Protection Order entered on \_\_\_\_\_ is hereby terminated.

4.6 **OTHER.** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4.7 **OFF-LIMITS ORDER.** (Known drug trafficker). RCW 10.66.020. The following areas are off limits to the defendant while under the supervision of the county jail or Department of Corrections: \_\_\_\_\_  
\_\_\_\_\_

4.8 Unless otherwise ordered, all conditions of this sentence shall remain in effect notwithstanding any appeal.

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.753(4); RCW 9.94A.760 and RCW 9.94A.505(5).
- 5.3 **NOTICE OF INCOME-WITHHOLDING ACTION.** If the court has not ordered an immediate notice of payroll deduction in paragraph 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 may be taken without further notice. RCW 9.94A.7606.
- 5.4 **VIOLATION OF JUDGMENT AND SENTENCE/COMMUNITY CUSTODY VIOLATION.**
  - (a) Any violation of a condition or requirement of sentence is punishable by up to 60 days confinement for each violation. RCW 9.94A.633.
  - (b) If you have not completed your maximum term of total confinement and you are subject to a third violation hearing and DOC finds that you committed the violation, DOC may return you to a state correctional facility to serve up to the remaining portion of your sentence. RCW 9.94A.714.

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

(Pursuant to RCW 9.41.047(1), the Judge shall read this section to the defendant in open court.)

The defendant is ordered to forfeit any firearm he/she owns or possesses no later than \_\_\_\_\_ to \_\_\_\_\_ (name of law enforcement agency). RCW 9.41.098

- 5.6 **MOTOR VEHICLE.** If the court found that you used a motor vehicle in the commission of the offense, then the Department of Licensing will revoke your driver's license. The clerk of the court is directed to immediately forward an Abstract of Court Record to the Department of Licensing, which must revoke your driver's license. RCW 46.20.285.
- 5.7 **CERTIFICATE OF DISCHARGE.**
  - (a) If you are under the custody and supervision of the Department of Corrections, the court will not issue a Certificate of Discharge until it has received notice from Department of Corrections and clerk's office that you have completed all requirements of the sentence and satisfied all legal financial obligations. RCW 9.94A.637.
  - (b) If you are not under the custody and supervision of the Department of Corrections, the court will not issue a Certificate of Discharge until it has received verification from you that you have completed all sentence conditions other than payment of legal financial obligations and the clerk's office that you have satisfied all legal financial obligations.

**5.8 RIGHT TO APPEAL.** If you plead not guilty, you have a right to appeal this conviction. If the sentence imposed was outside of the standard sentencing range, you also have a right to appeal the sentence. You may also have the right to appeal in other circumstances.

This right must be exercised by filing a notice of appeal with the clerk of this court within 30 days from today. If a notice of appeal is not filed within this time, the right to appeal is IRREVOCABLY WAIVED.

If you are without counsel, the clerk will supply you with an appeal form on your request, and will file the form when you complete it.

If you are unable to pay the costs of the appeal, the court will appoint counsel to represent you, and the portions of the record necessary for the appeal will be prepared at public expense.

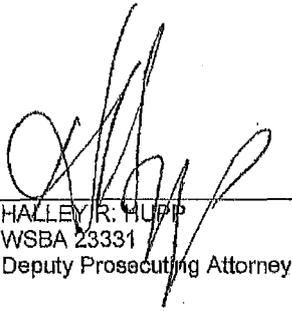
**5.9 VOTING RIGHTS STATEMENT.** I acknowledge that I have lost my right to vote because of this felony conviction. If I am registered to vote, my voter registration will be cancelled.

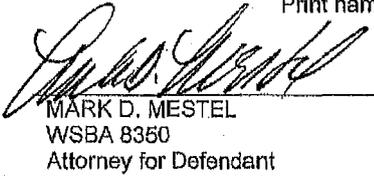
My right to vote is provisionally restored as long as I am not under the authority of DOC (not serving a sentence of confinement in the custody of DOC and not subject to community custody as defined in RCW 9.94A.030). I must re-register before voting. The provisional right to vote may be revoked if I fail to comply with all the terms of my legal financial obligations or an agreement for the payment of legal financial obligations.

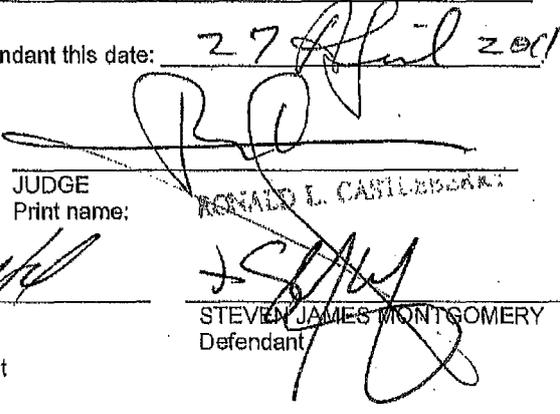
My right to vote may be permanently restored by one of the following for each felony conviction: a) a certificate of discharge issued by the sentencing court, RCW 9.94A.637; b) a court order issued by the sentencing court restoring the right, RCW 9.92.066; c) a final order of discharge issued by the 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 29A.84.660. Registering to vote before the right is restored is a class C felony, RCW 29A.84.140.

**5.10 OTHER.** \_\_\_\_\_

DONE in Open Court and in the presence of the defendant this date: 27 April 2001

  
HALLEY R. HUPP  
WSBA 23331  
Deputy Prosecuting Attorney

  
MARK D. MESTEL  
WSBA 8360  
Attorney for Defendant

  
JUDGE  
Print name: RONALD L. CASTELLON  
STEVEN JAMES MONTGOMERY  
Defendant

Interpreter signature/Print name: \_\_\_\_\_

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 No. of this case: 10-1-00673-1.

I, Sonya Kraski, 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, \_\_\_\_\_, Deputy Clerk

IDENTIFICATION OF DEFENDANT

SID Number: WA11899458  
(If no SID, take fingerprint card for State Patrol)

Date of Birth: 01/13/1962

FBI Number: 235796FA9

Local ID Number: \_\_\_\_\_

PCN Number: \_\_\_\_\_

DOC Number: 288933

Alias name, SSN, DOB:

Race: White

Ethnicity:

Sex: M

Hispanic

Non-Hispanic

Height: 600

Weight: 190

Hair: Blond or Strawberry

Eyes: Blue

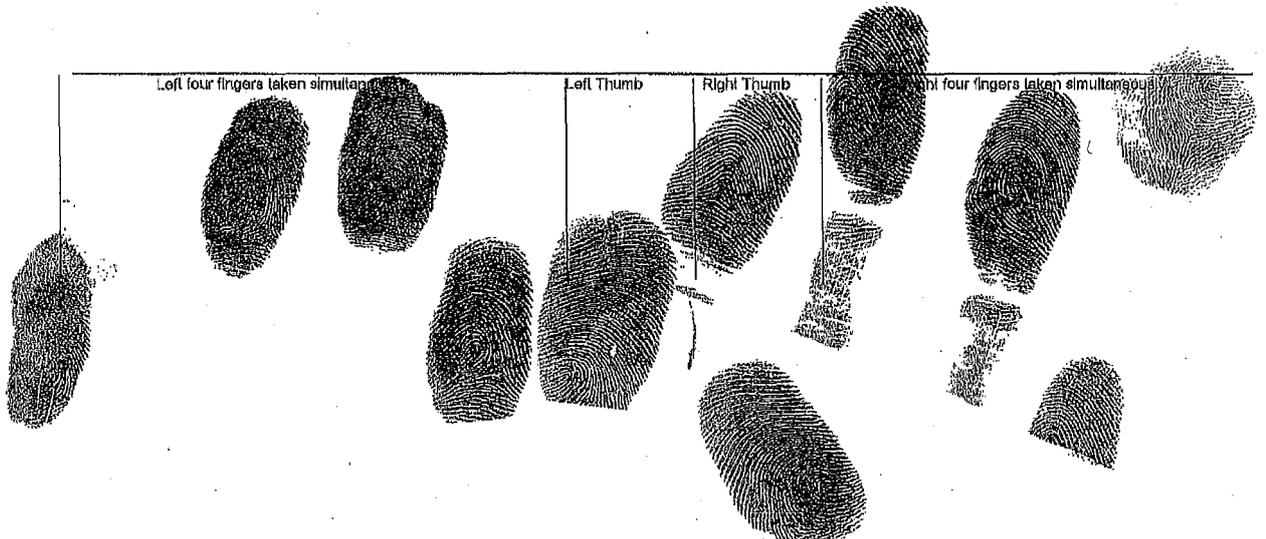
FINGERPRINTS: I attest that I saw the same defendant who appeared in court on this document affix his or her fingerprints and signature thereto. Clerk of the Court: [Signature] Deputy Clerk.

Dated: 4-27-11

24224 107<sup>th</sup> PL W  
EDMONDS, WA

DEFENDANT'S SIGNATURE: [Signature]

ADDRESS: 24224 107<sup>th</sup> PL W, EDMONDS, WA 9802



ORDER OF COMMITMENT

THE STATE OF WASHINGTON to the Sheriff of the County of Snohomish; State of Washington, and to the Secretary of the Department of Corrections, and the Superintendent of the Washington Corrections Center of the State of Washington:

WHEREAS, STEVEN JAMES MONTGOMERY has been duly convicted of the crime(s) of Court Possession of a Controlled Substance, Methamphetamine, as charged in the Information filed in the Superior Court of the State of Washington, in and for the County of Snohomish, and judgment has been pronounced against him/her that he/she be punished therefore by imprisonment in such correctional institution under the supervision of the Department of Corrections, Division of Prisons, as shall be designated by the Secretary of the Department of Corrections pursuant to RCW 72.02.210, for the term(s) as provided in the judgment which is incorporated by reference, all of which appears of record in this court; a certified copy of said judgment being endorsed hereon and made a part thereof; Now, Therefore,

THIS IS TO COMMAND YOU, the said Sheriff, to detain the said defendant until called for by the officer authorized to transfer to the custody of the Superintendent for the Washington State Department of Corrections or his designee for transport to either the Washington Corrections Center at Shelton, Washington or Washington Corrections Center for Women at Purdy, Washington and this is to command you, the said Superintendent and Officers in charge of said Washington Corrections Center to receive from the said officers the said defendant for confinement, classification, and placement in such corrections facilities under the supervision of the Department of Corrections, Division of Prisons, as shall be designated by the Secretary of the Department of Corrections.

And these presence shall be authority for the same. HEREIN FAIL NOT.

WITNESS the Honorable RONALD L. CASTLEBERRY, Judge of the said Superior Court and the seal thereof, this 27 day of April, 2011.

Sonya Kraskl  
CLERK OF THE SUPERIOR COURT

By: [Signature]  
Deputy Clerk

**Field Offender: MONTGOMERY, Steven James (288933)**

Gender: Male	DOB: [REDACTED]	Age: 51	Body Status: Active Field
RLC: HV	Wrap-Around: No	Comm. Concern: No	Location: Lynnwood CCO
SED: 04/01/2015			CC/CCO: Rickey, Staci C (CU68)
	County SO Lvl:	ESR SO Lvl: Level 1 (11/15/2012)	

**Offender Information (Combined)**

Prison Max Expiration Date: 10/26/2014	Last Static Risk Assessment Date: 04/23/2010	DOSA:
Planned Release Date:	Last Offender Need Assessment Date: 04/25/2013	ISRB? No
Earned Release Date: 04/30/2013	RLC Override Reason:	CCB? No
ESR Sex Offender Level: Level 1		SOSSA? No
ESR Sex Offender Level Date: 11/15/2012	Offender Release Plan:	Investigation WEP? No
County Sex Offender Level:	Victim Witness Eligible?	Yes
Registration Required? Yes	County Of First Felony Conviction:	Chelan
ORCS? Unknown	P V L H E S D X T 2 2 2 1 1 2 2 1 1	
DD? Unknown		
SMIO? No		

**Sentence Structure (Field)**

**Cause: AH - 091002481 - Snohomish**

Convicted Name: Steven Montgomery	Date Of Sentence: 01/21/2010	Cause Status: Closed	Offense Category: Unknown
Distinct Supervision Type: CCP	Start Date: 04/01/2013	Scheduled End Date: 04/15/2014	Consecutive Supervision:

**Count: 1 - RCW 9A.44.089 - Child Molestation 3**

Count Start Date: 04/01/2013	Supervision Length: 0Y, 12M, 0D	Length In Days: 365	Count End Date: 04/15/2014	Stat Max: 10/26/2015
Violent Offense? No	DW / FA Enhancement? N	Anticipatory:		

**Cause: AI - 091002481 - Snohomish**

Convicted Name: Steven Montgomery	Date Of Sentence: 01/21/2010	Cause Status: Active	Offense Category: Other
Distinct Supervision Type: MCC	Start Date: 04/01/2013	Scheduled End Date: 04/01/2015	Consecutive Supervision:

**Count: 2 - RCW 9.68A.09M - Misd -Communicating with a Minor**

Count Start Date:	Supervision Length:	Length In Days:	Count End Date:
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APPENDIX 5

04/01/2013 0Y, 24M, 0D 730 04/01/2015 03/31/2016  
 Violent Offense? DW / FA Enhancement? Anticipatory:  
 No N

**Cause: AJ - 101006731 - Snohomish**

Convicted Name: Date Of Sentence: Cause Status: Offense Category:  
 Steven Montgomery 04/27/2011 Active Drugs  
 Distinct Supervision Type: Start Date: Scheduled End Date: Consecutive Supervision:  
 CCP 04/01/2013 04/01/2014

**Count: 1 - RCW 69.50.4013 - Possession of Controlled Substance**

Count Start Date: Supervision Length: Length In Days: Count End Date: Stat Max:  
 04/01/2013 0Y, 12M, 0D 365 04/01/2014 02/24/2017  
 Violent Offense? DW / FA Enhancement? Anticipatory:  
 No N

**Sentence Structure (Inmate)**

**Cause: AH - 091002481 - Snohomish**

State: Convicted Name: Date Of Sentence: Consecutive Cause:  
 Washington Steven Montgomery 01/21/2010  
 Time Start Date: Confinement Length: Earned Release Date:  
 02/02/2010 0Y, 60M, 0D 03/30/2013

**Count: 1 - RCW 9A.44.089 - Child Molestation 3**

Anticipatory: Modifier: Enhancement: Mandatory: Confinement Length: ERT %: ERD: MaxEx: Stat Max: Violent Offense?  
 0Y, 60M, 0D 33.33% 03/30/2013 10/26/2014 10/26/2015 No

Supervision Type: Supervision Length: Consecutive Count: Hold To Stat Max Expiration:  
 CCP 0Y, 12M, 0D

**Cause: AI - 091002481 - Snohomish**

State: Convicted Name: Date Of Sentence: Consecutive Cause:  
 Washington Steven Montgomery 01/21/2010  
 Time Start Date: Confinement Length: Earned Release Date:  
 02/02/2010 0Y, 0M, 14D 02/02/2010

**Count: 2 - RCW 9.68A.09M - Misd -Communicating with a Minor**

Anticipatory: Modifier: Enhancement: Mandatory: Confinement Length: ERT %: ERD: MaxEx: Stat Max: Violent Offense?  
 0Y, 0M, 0D % 02/02/2010 03/31/2016 No

Supervision Type: Supervision Length: Consecutive Count: Hold To Stat Max Expiration:  
 MCC 0Y, 24M, 0D

**Cause: AJ - 101006731 - Snohomish**

State:	Convicted Name:	Date Of Sentence:	Consecutive Cause:						
Washington	Steven Montgomery	04/27/2011							
Time Start Date:	Confinement Length:	Earned Release Date:							
04/27/2011	0Y, 19M, 0D	04/28/2012							
<b>Count: 1 - RCW 69.50.4013 - Possession of Controlled Substance</b>									
Anticipatory:	Modifier:	Enhancement:	Mandatory:	Confinement Length:	ERT %:	ERD:	MaxEx:	Stat Max:	Violent Offense?
				0Y, 19M, 0D	33.33%	04/28/2012	10/23/2012	02/24/2017	No
Supervision Type:	Supervision Length:	Consecutive Count:		Hold To Stat Max Expiration:					
CCP	0Y, 12M, 0D								

**Conditions**

**Cause: AI - 091002481 - Snohomish**

Condition Name	Narrative	Imposing Authority	Effective Date	End Date
Alcohol-Consume		Court Ordered	04/01/2013	
Alcohol-Possession		Court Ordered	04/01/2013	
Breathalyzer		Court Ordered	04/01/2013	
Comply-DOC Instructions		Court Ordered	04/01/2013	
Controlled Substance- Consume		Court Ordered	04/01/2013	
Controlled Substance- Possess		Court Ordered	04/01/2013	
Counseling-As Directed By CCO		Court Ordered	04/01/2013	
Evaluation/Chemical Dependency		Court Ordered	04/01/2013	
HIV Testing		Court Ordered	04/01/2013	
Home Visit	Must Consent To Allow Department Home Visits To Monitor Compliance With Supervision. Home Visits Include Access For Purposes Of Visual Inspection Of All Areas Of The Residence In Which The Offender Lives Or Has Exclusive Or Joint Control/Access.	Court Ordered	04/01/2013	
Location- Bars/Taverns/Lounges		Court Ordered	04/01/2013	
Location-Drug Areas		Court Ordered	04/01/2013	
Maintain Ed/Voc		Court Ordered	04/01/2013	
Maintain Employment		Court Ordered	04/01/2013	
No Association- DrugUser/Seller		Court Ordered	04/01/2013	
No Change Therapist W/O Apprv		Court Ordered	04/01/2013	
No Contact- Victim(S)	C.H. (DOB: 12/11/92)	Court Ordered	04/01/2013	
No Contact-Victim Family		Court Ordered	04/01/2013	

No Drug Paraphernalia		Court Ordered	04/01/2013
No Firearms/Deadly Weapon		Court Ordered	04/01/2013
Obey All Laws		Court Ordered	04/01/2013
Pay LFOs		Court Ordered	04/01/2013
Plethysmograph		Court Ordered	04/01/2013
Polygraph		Court Ordered	04/01/2013
Sex Offender Registration		Court Ordered	04/01/2013
Sex Offender/Living		Court Ordered	04/01/2013
Treatment-Chemical Dependency		Court Ordered	04/01/2013
Treatment-Sex Offender		Court Ordered	04/01/2013
Urinalysis		Court Ordered	04/01/2013
Geographic Boundary	Mr. Montgomery Is Not Allowed At Or Around [REDACTED] 107th PL W Edmonds WA 98020 Without Prior Consent Of Department Of Corrections	DOC Imposed	04/02/2013
No Contact-MInor Child	No Contact With Minor Children Including Your Own Children, Without Prior Permission From DOC And TX Provider And With An Approved Adult Chaperon.	DOC Imposed	04/02/2013
Treatment-Sex Offender	Schedule And Partake In A Sexual Deviance Evaluation With A State Certified SOTP As Directed By CCO	DOC Imposed	04/04/2013

**Cause: AJ - 101006731 - Snohomish**

Condition Name	Narrative	Imposing Authority	Effective Date	End Date
Abide By DOC Conditions		Court Ordered	04/27/2011	
Advise CCO-Change/Address		Court Ordered	04/27/2011	
Advise CCO-Change/Employment		Court Ordered	04/27/2011	
Advise CCO-Prescribed Meds		Court Ordered	04/27/2011	
CCO-Report		Court Ordered	04/27/2011	
Comply-Affirmative Acts		Court Ordered	04/27/2011	
Controlled Substance- Consume		Court Ordered	04/27/2011	
Controlled Substance- Possess		Court Ordered	04/27/2011	
DNA Testing		Court Ordered	04/27/2011	
Maintain Ed/Voc		Court Ordered	04/27/2011	
Maintain Employment		Court Ordered	04/27/2011	
No Firearms/Deadly Weapon		Court Ordered	04/27/2011	
Non-Sex Offender/LIVING		Court Ordered	04/27/2011	
Pay LFOs		Court Ordered	04/27/2011	
Pay Supervision Fees		Court Ordered	04/27/2011	
Report To DOC		Court Ordered	04/27/2011	
Obey All Laws		DOC Imposed	04/27/2011	

**Violations Summary**

Offender Violations		
Violation Group Number	Level of Response	Response Date
1	Stipulated Agreement	08/16/2000
2	Swift and Certain Hearing	04/18/2013
3	Low Level	04/29/2013

**Gain-Loss**

**Cause - 091002481 - Snohomish**

Cause Info					
Convicted Name: Steven Montgomery	Date Of Sentence: 01/21/2010	Schedule End Date: 04/15/2014	Cause Status: CLOSED		
Offense Type: Non-Violent Child Sex	DOSA: No	Intake Complete: Yes	EM Flag: No		
Distinct Supervision Info					
Cause Prefix: AH	Type: CCP	Statutory Max Date: 10/26/2015	Schedule End Date: 04/15/2014		
			Tolling Indicator: No		
Supervision Activities					
Supervision Type	Activity Type	Activity Date	State	Supervising Officer	Field Office
CCP	Termination	04/25/2013	Washington	Rickey, Staci C	Lynnwood CCO
CCP	CC Violation Return	04/22/2013	Washington	Rickey, Staci C	Lynnwood CCO
CCP	CC Violation	04/08/2013	Washington	Rickey, Staci C	Lynnwood CCO
CCP	Intake	04/01/2013	Washington	Rickey, Staci C	Lynnwood CCO

**Cause - 091002481 - Snohomish**

Cause Info					
Convicted Name: Steven Montgomery	Date Of Sentence: 01/21/2010	Schedule End Date: 04/01/2015	Cause Status: ACTIVE-FLD		
Offense Type: Misdemeanor - Sex	DOSA: No	Intake Complete: Yes	EM Flag: No		
Distinct Supervision Info					
Cause Prefix: AI	Type: MCC	Statutory Max Date: 03/31/2016	Schedule End Date: 04/01/2015		
			Tolling Indicator: No		
Supervision Activities					
Supervision Type	Activity Type	Activity Date	State	Supervising Officer	Field Office
MCC	CC Violation Return	04/22/2013	Washington	Rickey, Staci C	Lynnwood CCO
MCC	CC Violation	04/08/2013	Washington	Rickey, Staci C	Lynnwood CCO
MCC	Intake	04/01/2013	Washington	Rickey, Staci C	Lynnwood CCO

**Cause - 101006731 - Snohomish**

Cause Info					
Convicted Name: Steven Montgomery	Date Of Sentence: 04/27/2011	Schedule End Date: 04/01/2014	Cause Status: ACTIVE-FLD		
Offense Type: Drug Violations	DOSA: No	Intake Complete: Yes	EM Flag: No		
Distinct Supervision Info					
Cause Prefix: AJ	Type: CCP	Statutory Max Date: 02/24/2017	Schedule End Date: 04/01/2014		
			Tolling Indicator: No		
Supervision Activities					
Supervision Type	Activity Type	Activity Date	State	Supervising Officer	Field Office
CCP	CC Violation Return	04/22/2013	Washington	Rickey, Staci C	Lynnwood CCO

CCP	CC-Violation	04/08/2013	Washington	Rickey, Staci C	Lynnwood-CCO
CCP	Intake	04/01/2013	Washington	Rickey, Staci C	Lynnwood CCO

**External / Internal Movements**

Movement Date/Time	From Location	To Location	Movement Type	Movement Reason	Created By			
04/22/2013 08:30:42	Snohomish Co Violator Facility	Lynnwood CCO	Release From Prison	CCI/CCP Offender	Mcdonald, Rene M			
04/08/2013 07:54:44	Snohomish	Snohomish Co Violator Facility	Admission To Prison	CCP Violator	Mcdonald, Rene M			
04/01/2013 08:33:23	MCC-TRU	Snohomish	Release From Prison	CCI Transfer	Hays, Joan E			
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-TRU	04/26/2012	C3141	Wood, Drew W	70047619	12/18/2012			Hays, Joan E
MCC-TRU	04/26/2012	C3141	Hathaway, Michael S	70047619	07/23/2012			Hays, Joan E
MCC-TRU	04/26/2012	C3141	Heineman, Aaron J	70047627	07/23/2012			Hays, Joan E
04/26/2012 04:50:35	Snohomish	MCC-TRU				Temporary Absence From Prison	Medical Completed	Smith, Vicki J
04/26/2012 04:07:53	MCC-TRU	Snohomish				Temporary Absence From Prison	Medical Needs	Robinson, Lindsey L
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-TRU	04/19/2012	C3141	Stickney, Allen B	70047627	07/23/2012			Smith, Vicki J
MCC-TRU	04/19/2012	C3141	Heineman, Aaron J	70047627	07/23/2012			Smith, Vicki J
MCC-TRU	04/19/2012	C3141	Hathaway, Michael S	70047627	04/20/2012			Smith, Vicki J
MCC-TRU	04/19/2012	C3141	Heineman, Aaron J	70047627	07/23/2012			Robinson, Lindsey L
04/19/2012 11:50:14	MCC-WSR	MCC-TRU				Transfer Between Prisons	Medical Completed	Robinson, Lindsey L
04/19/2012 11:36:07	MCC-WSR	MCC-TRU				Transfer Between Prisons	Medical Completed	Chu, Leslie K
04/19/2012 10:09:02	Snohomish	MCC-WSR				Temporary Absence From Prison	Medical Completed	Chu, Leslie K
04/19/2012 06:32:37	MCC-WSR	Snohomish				Temporary Absence From Prison	Medical Needs	Chu, Leslie K
Facility	Bed	Bed ID	Assigned	Position	Counselor	Segregation	Segregation	Created By

Name	Assignment	Counselor	ID	Assignment	Placement	Narrative		
MCC-WSR	04/18/2012	H010A	Heineman, Aaron J	70047627	07/23/2012		Chu, Leslie K	
04/17/2012 07:30:36	MCC-TRU	MCC-WSR		Transfer Between Prisons		Medical Needs	Chu, Leslie K	
04/17/2012 07:20:44	MCC-TRU	MCC-WSR		Transfer Between Prisons		Medical Needs	Robinson, Lindsey L	
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-TRU	03/27/2012	C3141	Hathaway, Michael S	70047627	01/11/2012			Robinson, Lindsey L
03/27/2012 09:33:32	Snohomish	MCC-TRU		Temporary Absence From Prison		Medical Completed		Robinson, Lindsey L
03/27/2012 08:40:02	MCC-TRU	Snohomish		Temporary Absence From Prison		Medical Needs		Robinson, Lindsey L
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-TRU	02/22/2012	C3141	Hathaway, Michael S	70047627	01/11/2012			Robinson, Lindsey L
02/22/2012 11:24:10	Snohomish	MCC-TRU		Temporary Absence From Prison		Medical Completed		Robinson, Lindsey L
02/22/2012 08:20:27	MCC-TRU	Snohomish		Temporary Absence From Prison		Medical Needs		Robinson, Lindsey L
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-TRU	01/11/2012	C3141	Hathaway, Michael S	70047627	01/11/2012			Robinson, Lindsey L
MCC-TRU	01/11/2012	C3141	Hathaway, Michael S	70047627	01/11/2012			Robinson, Lindsey L
01/11/2012 03:03:28	MCC-WSR	MCC-TRU		Transfer Between Prisons		Medical Completed		Steffins, Wendi A
01/11/2012 03:00:17	MCC-WSR	MCC-TRU		Transfer Between Prisons		Medical Completed		Whittlesey, Timothy D
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-WSR	01/11/2012	H012A	Hathaway, Michael S	70047627	01/11/2012			Whittlesey, Timothy D
MCC-WSR	01/11/2012	H012A	Hathaway, Michael S	70047627	01/11/2012			Whittlesey, Timothy D
MCC-WSR	01/10/2012	H010A	Kopoian, Catherine M	70046791	01/10/2012			Whittlesey, Timothy D
MCC-WSR	01/10/2012	H010A	Kopolan, Catherine M	70046791	01/10/2012			Harmon, Irvin E

01/10/2012 03:15:12	Snohomish	MCC-WSR		Temporary Absence From Prison		Medical Completed		Whittlesey, Timothy D
01/10/2012 10:49:33	MCC-WSR	Snohomish		Temporary Absence From Prison		Medical Needs		Whittlesey, Timothy D
01/09/2012 03:13:40	MCC-TRU	MCC-WSR		Transfer Between Prisons		Medical Needs		Whittlesey, Timothy D
01/09/2012 03:04:57	MCC-TRU	MCC-WSR		Transfer Between Prisons		Medical Needs		Steffins, Wendi A
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-TRU	09/08/2011	C3141	Hathaway, Michael S	70047627	09/08/2011			Steffins, Wendi A
MCC-TRU	09/08/2011	C3141	Hathaway, Michael S	70047627	09/08/2011			Steffins, Wendi A
09/07/2011 03:08:39	MCC-WSR	MCC-TRU		Transfer Between Prisons		Medical Completed		Robinson, Lindsey L
09/07/2011 03:05:31	MCC-WSR	MCC-TRU		Transfer Between Prisons		Medical Completed		Robinson, Lindsey L
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-WSR	09/06/2011	H009A	Hathaway, Michael S	70047627	09/08/2011			Chu, Leslie K
09/06/2011 09:20:47	MCC-TRU	MCC-WSR		Transfer Between Prisons		Medical Needs		Chu, Leslie K
09/06/2011 09:15:14	MCC-TRU	MCC-WSR		Transfer Between Prisons		Medical Needs		Robinson, Lindsey L
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-TRU	06/15/2011	C3141	Hathaway, Michael S	70047627	05/20/2011			Robinson, Lindsey L
06/15/2011 12:45:00	Snohomish	MCC-TRU		Temporary Absence From Prison		Medical Completed		Edwards, Michelle C
06/15/2011 10:32:36	MCC-TRU	Snohomish		Temporary Absence From Prison		Medical Needs		Edwards, Michelle C
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-TRU	06/01/2011	C3141	Hathaway, Michael S	70047627	05/20/2011			Edwards, Michelle C
MCC-TRU	05/20/2011	C4011	Hathaway, Michael S	70047627	05/20/2011			Robinson, Lindsey L
MCC-TRU	05/20/2011	C4011	Busby, Janet L	70047622	12/14/2010			Smith, Vicki J
MCC-TRU	04/27/2011	D4131	Busby, Janet L	70047622	12/14/2010			Smith, Vicki J
04/27/2011				Temporary Absence				Lorkowski,

04:04:24	Snohomish	MCC-TRU		From Prison		Return From Court		Theresa M
04/27/2011 02:00:23	MCC-TRU	Snohomish		Temporary Absence From Prison		Court Order		Lorkowski, Theresa M
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-TRU	04/22/2011	D4131	Busby, Janet L	70047622	12/14/2010			Lorkowski, Theresa M
04/22/2011 11:36:00	Snohomish	MCC-TRU		Temporary Absence From Prison		Court Order		Edwards, Michelle C
04/22/2011 08:45:00	MCC-TRU	Snohomish		Temporary Absence From Prison		Court Order		Edwards, Michelle C
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-TRU	03/24/2011	D4131	Busby, Janet L	70047622	12/14/2010			Edwards, Michelle C
03/24/2011 12:25:00	Snohomish	MCC-TRU		Temporary Absence From Prison		Medical Completed		Edwards, Michelle C
03/24/2011 08:15:57	MCC-TRU	Snohomish		Temporary Absence From Prison		Medical Needs		Edwards, Michelle C
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-TRU	03/08/2011	D4131	Busby, Janet L	70047622	12/14/2010			Edwards, Michelle C
03/08/2011 02:34:07	Snohomish	MCC-TRU		Temporary Absence From Prison		Medical Completed		Blais, Rachel N
03/08/2011 11:10:14	MCC-TRU	Snohomish		Temporary Absence From Prison		Medical Needs		Blais, Rachel N
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-TRU	03/04/2011	D4131	Busby, Janet L	70047622	12/14/2010			Blais, Rachel N
03/04/2011 02:15:34	Snohomish	MCC-TRU		Temporary Absence From Prison		Medical Completed		Blais, Rachel N
03/04/2011 11:48:03	MCC-TRU	Snohomish		Temporary Absence From Prison		Medical Needs		Blais, Rachel N
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-TRU	02/25/2011	D4131	Busby, Janet L	70047622	12/14/2010			Blais, Rachel N
02/25/2011 11:13:58	Snohomish	MCC-TRU		Temporary Absence From Prison		Medical Completed		Blais, Rachel N
02/25/2011 08:47:35	MCC-TRU	Snohomish		Temporary Absence From Prison		Medical Needs		Blais, Rachel N
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By

MCC-TRU	01/21/2011	D4131	Busby, Janet L	70047622	12/14/2010			Blais, Rachel N
01/21/2011 11:50:00	Snohomish	MCC-TRU		Temporary Absence From Prison		Return From Court		Lorkowski, Theresa M
01/21/2011 08:30:13	MCC-TRU	Snohomish		Temporary Absence From Prison		Court Order		Lorkowski, Theresa M
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-TRU	12/07/2010	D4131	Busby, Janet L	70047622	12/14/2010			Smith, Vicki J
MCC-TRU	12/07/2010	D4131	Flick, Jeffrey E	70047625	12/13/2010			Lorkowski, Theresa M
12/07/2010 05:41:32	Snohomish	MCC-TRU		Temporary Absence From Prison		Medical Completed		Smith, Vicki J
12/07/2010 03:37:08	MCC-TRU	Snohomish		Temporary Absence From Prison		Medical Needs		Lorkowski, Theresa M
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-TRU	11/18/2010	D4131	Flick, Jeffrey E	70047625	12/13/2010			Lorkowski, Theresa M
11/18/2010 04:10:40	Snohomish	MCC-TRU		Temporary Absence From Prison		Return From Court		Lorkowski, Theresa M
11/18/2010 01:26:11	MCC-TRU	Snohomish		Temporary Absence From Prison		Court Order		Lorkowski, Theresa M
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-TRU	10/01/2010	D4131	Flick, Jeffrey E	70047625	12/13/2010			Lorkowski, Theresa M
10/01/2010 10:56:38	Snohomish	MCC-TRU		Temporary Absence From Prison		Return From Court		Lorkowski, Theresa M
10/01/2010 09:15:19	MCC-TRU	Snohomish		Temporary Absence From Prison		Court Order		Lorkowski, Theresa M
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-TRU	09/20/2010	D4131	Flick, Jeffrey E	70047625	12/13/2010			Smith, Vicki J
MCC-TRU	09/20/2010	D4131	Busby, Janet L	70047625	12/08/2010			Smith, Vicki J
MCC-TRU	09/20/2010	D4131	Anderson, Lisa L	70047625	10/06/2010			Smith, Vicki J
MCC-TRU	09/20/2010	D4131	Williams, Mary J	70047625	10/06/2010			Smith, Vicki J
MCC-TRU	09/20/2010	D4131	Sager, Steven M	70047625	09/20/2010			Smith, Vicki J
			Flick,					Lorkowski,

MCC-TRU	09/20/2010	D4131	Jeffrey E	70047625	12/13/2010			Theresa M
MCC-WSR	09/20/2010	H013A	Flick, Jeffrey E	70047625	12/13/2010			Lorkowski, Theresa M
09/18/2010 03:24:20	MCC-WSR	MCC-TRU		Transfer Between Prisons		Medical Completed		Lorkowski, Theresa M
09/18/2010 03:14:45	MCC-WSR	MCC-TRU		Transfer Between Prisons		Medical Completed		Lorkowski, Theresa M
09/17/2010 06:38:12	MCC-TRU	MCC-WSR		Transfer Between Prisons		Medical Needs		Lorkowski, Theresa M
09/17/2010 06:37:13	MCC-TRU	MCC-WSR		Transfer Between Prisons		Medical Needs		Lorkowski, Theresa M
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-TRU	09/17/2010	D4131	Sager, Steven M	70047625	09/08/2010			Lorkowski, Theresa M
09/17/2010 06:36:44	Snohomish	MCC-TRU		Temporary Absence From Prison		Hospital Watch		Lorkowski, Theresa M
09/15/2010 12:30:20	MCC-TRU	Snohomish		Temporary Absence From Prison		Hospital Watch		Lorkowski, Theresa M
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-TRU	09/10/2010	D4131	Sager, Steven M	70047625	09/08/2010			Lorkowski, Theresa M
09/10/2010 11:40:52	Snohomish	MCC-TRU		Temporary Absence From Prison		Return From Court		Lorkowski, Theresa M
09/10/2010 09:03:31	MCC-TRU	Snohomish		Temporary Absence From Prison		Court Order		Lorkowski, Theresa M
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-TRU	09/09/2010	D4131	Sager, Steven M	70047625	09/08/2010			Lorkowski, Theresa M
MCC-TRU	09/08/2010	D4132	Sager, Steven M	70047625	09/08/2010			Lorkowski, Theresa M
MCC-TRU	09/08/2010	D4132	Sager, Steven M	70047625	09/08/2010			Smith, Vicki J
09/08/2010 10:10:16	WCC-RC	MCC-TRU		Transfer Between Prisons		Court Order		Lorkowski, Theresa M
09/08/2010 06:45:51	WCC-RC	MCC-TRU		Transfer Between Prisons		Court Order		Ricker, Eugene K
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
WCC-RC	08/11/2010	4A13L	Sager, Steven M	70047625	09/08/2010			Ricker, Eugene K
WCC-RC	08/10/2010	4A01F	Sager, Steven M	70047625	09/08/2010			Waldecker, Robert R

08/10/2010 02:46:29	Snohomish	WCC-RC		Temporary Absence From Prison		Return From Court		Brunetti, Melanie S
07/20/2010 06:07:07	WCC-RC	Snohomish		Temporary Absence From Prison		Court Order		Ricker, Eugene K
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
WCC-RC	07/19/2010	4B06L	Sager, Steven M	70047625	09/08/2010			Ricker, Eugene K
WCC-RC	07/17/2010	4A05F	Sager, Steven M	70047625	09/08/2010			Brewer, Jacquelyn Y
07/17/2010 10:37:36	WCC- Hospital	WCC-RC		Transfer Between Prisons		Medical Completed		Brewer, Jacquelyn Y
07/17/2010 10:36:56	WCC- Hospital	WCC-RC		Transfer Between Prisons		Medical Completed		Brewer, Jacquelyn Y
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
WCC- Hospital	07/16/2010	HA04L	Sager, Steven M	70047625	09/08/2010			Brewer, Jacquelyn Y
07/16/2010 01:24:10	WCC-RC	WCC-Hospital		Transfer Between Prisons		Medical Needs		Ricker, Eugene K
07/16/2010 01:23:41	WCC-RC	WCC-Hospital		Transfer Between Prisons		Medical Needs		Ricker, Eugene K
07/16/2010 12:04:20	Thurston	WCC-RC		Temporary Absence From Prison		Medical Completed		Ricker, Eugene K
07/14/2010 03:03:22	WCC-RC	Thurston		Temporary Absence From Prison		Medical Needs		Goodwin, James W
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
WCC-RC	07/14/2010	4D02L	Sager, Steven M	70047625	09/08/2010			Goodwin, James W
07/14/2010 11:25:18	WSP-MSC	WCC-RC		Transfer Between Prisons		Court Order		Loushin, Holly L
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
WSP-MSC	07/14/2010	6F082L	Sager, Steven M	70047625	09/08/2010			Lyons, Susan M
07/14/2010 05:30:57	WSP-MSC	WCC-RC		Transfer Between Prisons		Court Order		Lyons, Susan M
07/13/2010 03:52:28	CRCC	WSP-MSC		Transfer Between Prisons		Court Order		Lyons, Susan M
07/13/2010 02:25:48	CRCC	WCC-RC		Transfer Between Prisons		Court Order		Vince, Greta E
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
			Finkbeiner,					Vince,

CRCC	06/29/2010	HA114L	Kay C	71020163	06/17/2010			Greta E
CRCC	06/17/2010	HA113U	Finkbelner, Kay C	71020163	06/17/2010			Vince, Greta E
CRCC	06/17/2010	HA113U	Finkbelner, Kay C	71020163	06/17/2010			Leisinger, Sandra L
CRCC	06/17/2010	HA012U	Finkbelner, Kay C	71020163	06/17/2010			Leisinger, Sandra L
06/16/2010 03:48:22	MCC-TRU	CRCC		Transfer Between Prisons		Program Change		Leigh, Lori A
06/16/2010 09:47:32	MCC-TRU	CRCC		Transfer Between Prisons		Program Change		Lorkowski, Theresa M
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-TRU	05/28/2010	C5042	Cowles, Daniel S	70047619	04/05/2010			Lorkowski, Theresa M
05/28/2010 04:08:46	Snohomish	MCC-TRU		Temporary Absence From Prison		Return From Court		Lorkowski, Theresa M
05/28/2010 01:18:55	MCC-TRU	Snohomish		Temporary Absence From Prison		Court Order		Lorkowski, Theresa M
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
MCC-TRU	04/05/2010	C5042	Cowles, Daniel S	70047619	04/05/2010			Lorkowski, Theresa M
MCC-TRU	04/05/2010	C5042	Cowles, Daniel S	70047619	04/05/2010			Lorkowski, Theresa M
04/05/2010 09:15:00	WCC-RC	MCC-TRU		Transfer Between Prisons		Initial Classification		Lorkowski, Theresa M
04/05/2010 12:14:22	WCC-RC	MCC-TRU		Transfer Between Prisons		Initial Classification		Johnson, Thomas C
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
WCC-RC	02/17/2010	6C11U	Stigall, Richard M	Z5F9	02/16/2010			Johnson, Thomas C
WCC-RC	02/02/2010	1C07U	Stigall, Richard M	Z5F9	02/16/2010			Johnson, Thomas C
WCC-RC	02/02/2010	1C07U	Stigall, Richard M	Z5F9	02/16/2010			System, Obts
02/02/2010 02:07:11	Snohomish	WCC-RC		Admission To Prison		Initial Classification		Kegg, Lisa L
02/20/2000 08:00:00	CRCC	Snohomish		Release From Prison		Normal Release		System, Obts
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
CRCC	12/09/1999	CE20	(Vacant)	70048750	12/02/1999			System, Obts

CRCC	12/02/1999	CH02U	(Vacant)	70048750	12/02/1999			System, Obts
12/02/1999 03:02:00	WCC-RC	CRCC		Transfer Between Prisons		Return From Court		System, Obts
12/02/1999 05:55:00	WCC-RC	CRCC		Transfer Between Prisons		Return From Court		System, Obts
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
			(Vacant)	70048750	12/02/1999			System, Obts
WCC-RC	11/22/1999	3D09L	(Vacant)	70045087	11/22/1999			System, Obts
WCC-RC	11/22/1999	3D09L	(Vacant)	70045087	11/22/1999			System, Obts
11/22/1999 04:00:00	Snohomish	WCC-RC		Temporary Absence From Prison		Return From Court		System, Obts
11/16/1999 05:30:00	WCC-RC	Snohomish		Temporary Absence From Prison		Court Order		System, Obts
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
WCC-RC	11/10/1999	5C02U	(Vacant)	70045071	11/09/1999			System, Obts
WCC-RC	11/09/1999	5C02F	(Vacant)	70045071	11/09/1999			System, Obts
WCC-RC	11/09/1999	5C02F	(Vacant)	70045071	11/09/1999			System, Obts
11/09/1999 01:59:00	WSP-Main	WCC-RC		Transfer Between Prisons		Court Order		System, Obts
11/09/1999 05:30:00	WSP-Main	WCC-RC		Transfer Between Prisons		Court Order		System, Obts
11/08/1999 04:00:00	CRCC	WSP-Main		Transfer Between Prisons		Court Order		System, Obts
11/08/1999 01:39:00	CRCC	WCC-RC		Transfer Between Prisons		Court Order		System, Obts
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
CRCC	10/11/1999	CH18	(Vacant)	70048750	09/02/1999			System, Obts
CRCC	09/02/1999	CH16U	(Vacant)	70048750	09/02/1999			System, Obts
09/02/1999 07:00:00	WCC-RC	CRCC		Transfer Between Prisons		Return From Court		System, Obts
09/02/1999 06:00:00	WCC-RC	CRCC		Transfer Between Prisons		Return From Court		System, Obts
Facility	Bed		Assigned	Position	Counselor	Segregation	Segregation	

Name	Assignment	Bed ID	Counselor	ID	Assignment	Placement	Narrative	Created By
			(Vacant)	70048750	09/02/1999			System, Obts
WCC-RC	08/31/1999	3G04L	(Vacant)	70045180	08/31/1999			System, Obts
WCC-RC	08/31/1999	3G04L	(Vacant)	70045180	08/31/1999			System, Obts
08/31/1999 01:30:00	Snohomish	WCC-RC			Temporary Absence From Prison	Return From Court		System, Obts
07/27/1999 06:00:00	WCC-RC	Snohomish			Temporary Absence From Prison	Court Order		System, Obts
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
WCC-RC	07/23/1999	4B01L	(Vacant)	70045302	07/21/1999			System, Obts
WCC-RC	07/21/1999	4G12F	(Vacant)	70045302	07/21/1999			System, Obts
WCC-RC	07/21/1999	4G12F	(Vacant)	70045302	07/21/1999			System, Obts
07/21/1999 02:45:00	WSP-Main	WCC-RC			Transfer Between Prisons	Court Order		System, Obts
07/21/1999 05:30:00	WSP-Main	WCC-RC			Transfer Between Prisons	Court Order		System, Obts
07/20/1999 02:57:00	CRCC	WSP-Main			Transfer Between Prisons	Court Order		System, Obts
07/20/1999 12:37:00	CRCC	WCC-RC			Transfer Between Prisons	Court Order		System, Obts
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
WSP-Main	07/20/1999	1A13N	(Vacant)	70046066	07/20/1999			System, Obts
WSP-Main	07/20/1999	1A13N	(Vacant)	70046066	07/20/1999			System, Obts
CRCC	07/13/1999	CE17U	(Vacant)	70048750	06/30/1999			System, Obts
CRCC	07/13/1999	CH20	(Vacant)	70048750	06/30/1999			System, Obts
CRCC	07/07/1999	SEG05A	(Vacant)	70048750	06/30/1999			System, Obts
CRCC	06/30/1999	CH09	(Vacant)	70048750	06/30/1999			System, Obts
06/30/1999 07:40:00	WCC-RC	CRCC			Transfer Between Prisons	Initial Classification		System, Obts
06/30/1999 05:32:00	WCC-RC	CRCC			Transfer Between Prisons	Initial Classification		System, Obts

Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
			(Vacant)	70048750	06/30/1999			System, Obts
WCC-RC	06/11/1999	5C11L	(Vacant)	70045071	06/11/1999			System, Obts
WCC-RC	06/11/1999	5C11L	(Vacant)	70045071	06/11/1999			System, Obts
WCC-RC	06/04/1999	1A01U	(Vacant)	70045087	04/16/1999			System, Obts
06/04/1999 12:35:00	King	WCC-RC				Temporary Absence From Prison	Return From Court	System, Obts
05/07/1999 06:00:00	WCC-RC	King				Temporary Absence From Prison	Court Order	System, Obts
04/16/1999 11:05:00	King	WCC-RC				Admission To Prison	Initial Classification	System, Obts
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
WCC-RC	04/16/1999	1A03L	(Vacant)	70045087	04/16/1999			System, Obts
WCC-RC	04/16/1999	1A03L	(Vacant)	70045087	04/16/1999			System, Obts
06/04/1990 03:21:00	Reynolds Work Release	King				Release From Prison	Normal Release	System, Obts
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
Reynolds Work Release	05/02/1990	617	(Vacant)	1701	05/02/1990			System, Obts
Reynolds Work Release	05/02/1990	617	(Vacant)	1701	05/02/1990			System, Obts
05/02/1990 01:24:00	WCC-TC	Reynolds Work Release				Transfer Between Prisons	Accepted In Work Release	System, Obts
05/02/1990 10:35:00	WCC-TC	Reynolds Work Release				Transfer Between Prisons	Medical Completed	System, Obts
03/19/1990 09:01:00	WCC-RC	WCC-TC				Transfer Between Prisons	Medical Needs	System, Obts
03/19/1990 09:00:00	WCC-RC	WCC-TC				Transfer Between Prisons	Medical Needs	System, Obts
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
WCC-TC	03/19/1990	PG11L	(Vacant)	70045125	03/19/1990			System, Obts

WCC-TC	03/19/1990	PG11L	(Vacant)	70045125	03/19/1990					System, Obts
WCC-RC	03/14/1990	2C04U	(Vacant)	70045088	03/14/1990					System, Obts
WCC-RC	03/14/1990	2C04U	(Vacant)	70045088	03/14/1990					System, Obts
03/14/1990 11:50:00	Reynolds Work Release	WCC-RC		Transfer Between Prisons		Medical Needs				System, Obts
03/14/1990 11:25:00	Reynolds Work Release	WCC-TC		Transfer Between Prisons		Medical Needs				System, Obts
03/14/1990 11:18:00	King	Reynolds Work Release		Temporary Absence From Prison		Custody Demotion				System, Obts
03/01/1990 01:22:00	Reynolds Work Release	King		Temporary Absence From Prison		Custody Demotion				System, Obts
12/12/1989 10:46:00	TPR (Closed)	Reynolds Work Release		Transfer Between Prisons		Accepted In Work Release				System, Obts
12/12/1989 09:14:00	TPR (Closed)	Reynolds Work Release		Transfer Between Prisons		Accepted In Work Release				System, Obts
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative			Created By
Reynolds Work Release	12/12/1989	319	(Vacant)	70088957	12/12/1989					System, Obts
Reynolds Work Release	12/12/1989	319	(Vacant)	70088957	12/12/1989					System, Obts
TPR (Closed)	09/21/1989	2173	(Vacant)	0113	09/21/1989					System, Obts
TPR (Closed)	09/21/1989	2173	(Vacant)	0113	09/21/1989					System, Obts
09/20/1989 11:49:00	WCC-RC	TPR (Closed)		Transfer Between Prisons		Custody Promotion				System, Obts
09/20/1989 10:40:00	WCC-RC	TPR (Closed)		Transfer Between Prisons		Custody Promotion				System, Obts
09/18/1989 12:05:00	OCC	WCC-RC		Transfer Between Prisons		Custody Promotion				System, Obts
09/18/1989 06:36:00	OCC	TPR (Closed)		Transfer Between Prisons		Custody Promotion				System, Obts
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative			Created By
WCC-RC	09/18/1989	1E04U	(Vacant)	70045348	09/18/1989					System, Obts
WCC-RC	09/18/1989	1E04U	(Vacant)	70045348	09/18/1989					System,

									Obts
OCC	06/22/1989	CD09L	(Vacant)	70048372	03/20/1989				System, Obts
OCC	05/23/1989	CD18L	(Vacant)	70048372	03/20/1989				System, Obts
05/07/1989 06:52:00	Whatcom	OCC		Temporary Absence From Prison		DNR/Fire Crew			System, Obts
05/04/1989 06:55:00	OCC	Whatcom		Temporary Absence From Prison		DNR/Fire Crew			System, Obts
03/20/1989 09:13:00	WCC-RC	OCC		Transfer Between Prisons		Program Change			System, Obts
03/20/1989 05:35:00	WCC-RC	OCC		Transfer Between Prisons		Initial Classification			System, Obts
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By	
			(Vacant)	70048372	03/20/1989				System, Obts
WCC-RC	03/14/1989	3G02U	(Vacant)	70045089	03/07/1989				System, Obts
WCC-RC	03/07/1989	3B06L	(Vacant)	70045089	03/07/1989				System, Obts
WCC-RC	03/07/1989	3B06L	(Vacant)	70045089	03/07/1989				System, Obts
03/07/1989 10:25:00	Pierce County Courthouse	WCC-RC		Transfer Between Prisons		Return From Court			System, Obts
03/01/1989 11:00:00	WCC-RC	Pierce		Temporary Absence From Prison		Court Order			System, Obts
02/27/1989 11:48:00	OCC	WCC-RC		Transfer Between Prisons		Court Order			System, Obts
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By	
WCC-RC	02/27/1989	2H04L	(Vacant)	70045180	02/27/1989				System, Obts
WCC-RC	02/27/1989	2H04L	(Vacant)	70045180	02/27/1989				System, Obts
02/27/1989 07:41:00	OCC	Pierce		Temporary Absence From Prison		Program Change			System, Obts
12/19/1988 11:17:00	WCC-RC	OCC		Transfer Between Prisons		Program Change			System, Obts
12/19/1988 05:30:00	WCC-RC	OCC		Transfer Between Prisons		Initial Classification			System, Obts
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By	
									System,

11/21/1988 01:00:00	Snohomish	WCC-RC	(Vacant)	70048372	12/19/1988			Obts
				Temporary Absence From Prison		Return From Court		System, Obts
11/09/1988 05:45:00		WCC-RC	Chelan			Temporary Absence From Prison	Court Order	System, Obts
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
WCC-RC	10/31/1988	3D10U	(Vacant)	70045087	10/31/1988			System, Obts
10/31/1988 02:15:00	Snohomish	WCC-RC		Admission To Prison		Initial Classification		System, Obts
Facility Name	Bed Assignment	Bed ID	Assigned Counselor	Position ID	Counselor Assignment	Segregation Placement	Segregation Narrative	Created By
WCC-RC	10/31/1988	3D10U	(Vacant)	70045087	10/31/1988			System, Obts



Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered  
Condition Name:  
101521112, Submit to a search of your person residence vehicle and possessions whenever requested by CCO Effective Date: 2/2/2010  
Narrative:

Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered  
Condition Name:  
100872997, Maintain Educational Effective Date: 2/2/2010  
Narrative:

Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered  
Condition Name:  
100872996, Report to and be available for contact with assigned community corrections officer as directed Effective Date: 2/2/2010  
Narrative:

Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered  
Condition Name:  
100872992, No direct or indirect contact with victim family members Effective Date: 2/2/2010  
Narrative:

Cause Prefix: AH      Cause No: 091002481      County: Snohomish      Imposing Authority: Court Ordered  
Condition Name:  
100872991, Do not have direct or indirect contact with any victim      Effective Date: 2/2/2010  
Narrative: CH 12/11/92

Cause Prefix: AH      Cause No: 091002481      County: Snohomish      Imposing Authority: Court Ordered  
Condition Name:  
101521111, Register with sheriffs office in the county of residence as required      Effective Date: 2/2/2010  
Narrative:

Cause Prefix: AH      Cause No: 091002481      County: Snohomish      Imposing Authority: Court Ordered  
Condition Name:  
101521110, Submit to polygraph examination as directed      Effective Date: 2/2/2010  
Narrative:

Cause Prefix: AH      Cause No: 091002481      County: Snohomish      Imposing Authority: Court Ordered  
Condition Name:  
101521109, Obey all municipal County State Tribal and Federal laws      Effective Date: 2/2/2010  
Narrative:

Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

101521108, Do not wear or display any clothing related to gang paraphernalia

Effective Date: 2/2/2010

Narrative:

Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

101521107, Do not associate with drug users or sellers except in context of C.D. treatment program

Effective Date: 2/2/2010

Narrative:

Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

101521106, Do not enter drug areas as defined by court or CCO

Effective Date: 2/2/2010

Narrative:

Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

101521105, Do not enter bars taverns/lounges

Effective Date: 2/2/2010

Narrative:

Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

101521104, Submit to HIV testing and pre/post test counseling as directed

Effective Date: 2/2/2010

Narrative:

Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

101521103, Enter into and successfully participate in a counseling program as directed

Effective Date: 2/2/2010

Narrative: Substance abuse treatment.

Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

101521102, Submit to breathalyzer testing as directed

Effective Date: 2/2/2010

Narrative:

Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

101521101, Do not use/possess/purchase/consume alcohol

Effective Date: 2/2/2010

Narrative:

Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

101521100, Do not consume alcohol

Effective Date: 2/2/2010

Narrative:

Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

101521034, Pay all court ordered legal financial obligations and/or restitution as directed by CCO

Effective Date: 2/2/2010

Narrative:

Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

101521033, Submit to DNA blood draw and testing as directed

Effective Date: 2/2/2010

Narrative:

Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

100873005, Shall reside at a location and under living arrangement as approved by CCO

Effective Date: 2/2/2010

Narrative:

Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered  
Condition Name:  
100873004, Do not purchase own have in your possession or under your control any Effective Date: 2/2/2010  
firearm or deadly weapon

Narrative:

Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered  
Condition Name:  
100873003, Perform affirmative acts as ordered by court and/or Department of Effective Date: 2/2/2010  
Corrections

Narrative:

Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered  
Condition Name:  
100873002, Pay cost of supervision fees to Department of Corrections as directed by Effective Date: 2/2/2010  
CCO

Narrative:

Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered  
Condition Name:  
100873001, Do not use/possess/consume any controlled substances without a lawfully Effective Date: 2/2/2010  
issued prescription

Narrative:

Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

100873000, Notify CCO upon receipt of a prescription for controlled substances

Effective Date: 2/2/2010

Narrative:

Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

100872999, Do not consume controlled substance except pursuant to lawfully issued prescriptions

Effective Date: 2/2/2010

Narrative:

Cause Prefix: AH Cause No: 091002481 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

100872998, Maintain lawful employment & provide proof of employment to DOC staff as directed

Effective Date: 2/2/2010

Narrative:

Cause Prefix: AI Cause No: 091002481 County: Snohomish Imposing Authority: DOC Imposed

Condition Name:

102225424, Remain within or outside of geographical boundaries as specified

Effective Date: 4/2/2013

Narrative: Mr. Montgomery is not allowed at or around [REDACTED] 107th PL W Edmonds WA 98020 without prior consent of Department of Corrections

Cause Prefix: AI Cause No: 091002481 County: Snohomish Imposing Authority: DOC Imposed

Condition Name:

102225639, Have no contact with minors

Effective Date: 4/2/2013

Narrative: No contact with minor children except biological son, without prior approval from CCO.

Cause Prefix: AJ Cause No: 101006731 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

101747685, Pay all court ordered legal financial obligations and/or restitution as directed by CCO

Effective Date: 4/27/2011

Narrative:

Cause Prefix: AJ Cause No: 101006731 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

101747684, Submit to DNA blood draw and testing as directed

Effective Date: 4/27/2011

Narrative:

Cause Prefix: AJ Cause No: 101006731 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

101496852, Obtain permission from CCO before changing residence

Effective Date: 4/27/2011

Narrative:

Cause Prefix: AJ Cause No: 101006731 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

101496851, Do not purchase own have in your possession or under your control any firearm or deadly weapon

Effective Date: 4/27/2011

Narrative:

Cause Prefix: AJ Cause No: 101006731 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

101496850, Perform affirmative acts as ordered by court and/or Department of Corrections

Effective Date: 4/27/2011

Narrative:

Cause Prefix: AJ Cause No: 101006731 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

101496849, Pay cost of supervision fees to Department of Corrections as directed by CCO

Effective Date: 4/27/2011

Narrative:

Cause Prefix: AJ Cause No: 101006731 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

101496848, Do not use/possess/consume any controlled substances without a lawfully issued prescription

Effective Date: 4/27/2011

Narrative:

Cause Prefix: AJ Cause No: 101006731 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

101496847, Notify CCO upon receipt of a prescription for controlled substances

Effective Date: 4/27/2011

Narrative:

Cause Prefix: AJ Cause No: 101006731 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

101496846, Do not consume controlled substance except pursuant to lawfully issued prescriptions

Effective Date: 4/27/2011

Narrative:

Cause Prefix: AJ Cause No: 101006731 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

101496845, Maintain lawful employment & provide proof of employment to DOC staff as directed

Effective Date: 4/27/2011

Narrative:

Cause Prefix: AJ Cause No: 101006731 County: Snohomish Imposing Authority: Court Ordered

Condition Name:

101496844, Maintain Educational

Effective Date: 4/27/2011

Narrative:

Cause Prefix: AJ Cause No: 101006731 County: Snohomish Imposing Authority: Court Ordered

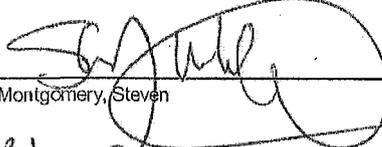
Condition Name:

101496843, Report to and be available for contact with assigned community corrections officer as directed Effective Date: 4/27/2011

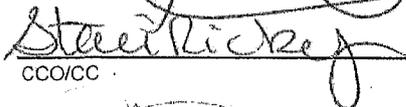
Narrative:

**Lifetime Conditions:**

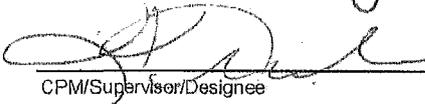
I have read or have had read to me the foregoing conditions and sentence requirements which are applicable in my case. Each of these conditions/requirements has been explained to me and I hereby agree to comply with them.

  
Montgomery, Steven DOC No. 288933

4/2/13  
Date

  
CCO/CC

4/2/13  
Date

  
CPM/Supervisor/Designee

4/2/13  
Date

# Snohomish County Incident Report

## Edmonds Police Department

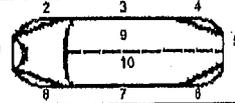
Case Number  
**13-1279**

Incident Classification 1 <b>PAROLE/PROBATION VIO</b>		<input type="checkbox"/> Attempted	Offense Code	Incident Classification 2 <b>AOA-OTHER</b>		<input type="checkbox"/> Attempted	Offense Code
Incident Classification 3		<input type="checkbox"/> Attempted	Offense Code	Type of Report			
Address/Location of Incident <b>107 PL W, Edmonds, WA 98020</b>				Premise Type/Name <b>Two/More Story House</b>		Code <b>02</b>	
Officer Assault/Safety	Responding To	Type of Assignment		<input type="checkbox"/> Force <input type="checkbox"/> No Force	Reporting Area <b>ECU</b>	Beat <b>E1</b>	
Occurred on or From (Date/Time/DOW) <b>04/08/2013 10:20 Monday</b>			Occurred To (Date/Time/DOW)		Reported On (Date/Time/DOW) <b>04/08/2013 10:20 Monday</b>		
No. <b>C-1</b>	Non-Disc. <input type="checkbox"/>	Name (Last, First, Middle) <b>RICKEY, STACI</b>			Race <b>U</b>	Ethnicity <b>Unknown</b>	Sex <b>F</b>
DOB/Age	Height <b>0'00"</b>	Weight	Hair <b>Unknown</b>	Eyes <b>Unknown</b>	Residential Status <b>Unknown</b>		
Street Address <b>18710 33 AVE W, Lynnwood, WA 98037</b>				Residence Phone		Business Phone <b>(425) 672-1011</b>	
Social Security No.	Driver's License	State	Employer/School <b>DEPARTMENT OF CORRECTIONS 18710 33 AVE W, Lynnwood, WA</b>				
Occupation <b>CCO-2</b>	Hate/Bias Code		Type Injury				
No. <b>B-1</b>	Non-Disc. <input type="checkbox"/>	Name (Last, First, Middle) <b>DEPARTMENT OF CORRECTIONS</b>			Race	Ethnicity	Sex
Street Address <b>18710 33 AVE W, Lynnwood, WA 98037</b>				Residence Phone		Business Phone <b>(425) 771-6833</b>	
No. <b>O-1</b>	Non-Disc. <input type="checkbox"/>	Name (Last, First, Middle) <b>MONTGOMERY, PENNY CORA</b>			Race <b>W</b>	Ethnicity	Sex <b>F</b>
DOB/Age <b>43</b>	Height <b>5'05"</b>	Weight <b>135</b>	Hair <b>Brown</b>	Eyes <b>Brown</b>	Residential Status		
Street Address <b>107 PL W, Edmonds, WA 98020</b>				Residence Phone		Business Phone	
Social Security No.	Driver's License	State <b>WWA</b>	Employer/School				
No. <b>A-1</b>	Name (Last, First, Middle) <b>MONTGOMERY, STEVEN JAMES</b>				Race <b>W</b>	Ethnicity <b>Non-Hispanic</b>	Sex <b>M</b>
DOB/Age <b>51</b>	Height <b>6'01"</b>	Weight <b>240</b>	Hair <b>RED-Red</b>	Eyes <b>BLU-Blue</b>	Residential Status		
Street Address <b>Lynnwood, WA 98036</b>				Residence Phone <b>x.CELL</b>		Business Phone	
Social Security No.	Driver's License	State <b>WA</b>	Other ID <b>: FBI-</b>				
Jail ID No.	Booked Where <b>Snohomish County</b>	Location of Arrest <b>107 PL W, Edmonds, WA 98020</b>			Arrestee Armed With		
Level <b>M</b>	Charge <b>PAROLE/PROBATION VIO Parole and probation</b>			Citation #	Warrant # <b>09-1-00248</b>	Agency <b>DOC</b>	

Officer Name/Number <b>Sutton, Ross #1522</b>		Unit <b>1E1</b>	Approved By Number <b>1107</b>	Date <b>4/8/13</b>			
<input checked="" type="checkbox"/> Arr/A <input type="checkbox"/> Arr/J <input type="checkbox"/> Insuff/Closed	<input type="checkbox"/> Unfounded <input type="checkbox"/> Exc/A <input type="checkbox"/> Exc/J <input type="checkbox"/> Closed/Other	<input type="checkbox"/> PA <input type="checkbox"/> ADMIN	<input checked="" type="checkbox"/> DDC <input type="checkbox"/> CPS <input type="checkbox"/> DSHS	<input type="checkbox"/> HD <input type="checkbox"/> JUV <input type="checkbox"/> MH	<input type="checkbox"/> TRAF <input type="checkbox"/> DET <input type="checkbox"/> PAT	<input type="checkbox"/> PROACT <input type="checkbox"/> Court <input type="checkbox"/> Other	Logged
Entered RMS		<input type="checkbox"/> Entered WAC/INCIC		<input type="checkbox"/> Entered WAC/INCIC			

APPENDIX 7

**Snohomish County Incident Report  
Edmonds Police Department**

Incident Classification 1 <b>PAROLE/PROBATION VIO</b>						Case Number <b>13-1279</b>	
Veh. No. <b>V-1</b>	Status <b>Suspect</b>	License No. [REDACTED]		License State <b>WA</b>	License Year	License Type <b>Disabled Person</b>	
VIN/HIN [REDACTED]	Year <b>2000</b>	Make <b>Lincoln</b>	Model <b>NAVIGATOR</b>		Body Style <b>SUV</b>		
Color <b>Blue Blue</b>		Special Features/Description				Value \$	
ORI	Case No.	Registered Owner Name <b>MONTGOMERY, STEVEN JAMES</b>				Residence Phone [REDACTED] <b>CELL</b>	
Registered Owner's Address <b>[REDACTED] Lynnwood, WA 98036</b>			Vehicle Disposition <input checked="" type="checkbox"/> Left At Scene <input type="checkbox"/> Driven Away		Accepts Liability for Impound/Storage <input type="checkbox"/> Towed		
Locked	Keys in Vehicle	Delinquent Payment	Victim Consent?	Drivable	Estimated Damage \$	Damage <input type="checkbox"/> Window <input type="checkbox"/> Interior <input type="checkbox"/> Top <input type="checkbox"/> Undercarriage	Shade In Damaged Area 
Tow Company		Towed To		Hold Requested By			
Release Info Date/Time	Release No.	Releasing Authority		Owner Notified Date/Time		Operator's Name	

Synopsis: Arrest of adult male for violation of DOC Community Custody Conditions

On or about 04/06/2013, I learned that the Department of Corrections (DOC) had put an active detainer in place for A-1/Steven Montgomery in the event that he violated one of his community custody conditions by being on the property at [REDACTED] 107 Pl. W., his previous residence, and where his wife O-1/Penny Montgomery and children still reside. I am familiar with Montgomery from previous contacts and was also aware that he was just recently released from prison.

On 04/08/2013 at approximately 1020 hours, I was dispatched to the area of the Montgomery residence on an anonymous third party report that Montgomery and his vehicle were seen at the listed residence. I arrived in the area, in a fully marked patrol car and uniform, at approximately 1030 hours and saw Montgomery's vehicle, [REDACTED], parked in front of the driveway of [REDACTED] 107 Pl. SW. I then saw Montgomery standing in the driveway of the residence. I stopped my car in front of the residence, exited the car and called to Montgomery. I directed Montgomery to walk toward me and place his hands on the hood of my car. Montgomery was cooperative and did as I directed. I took control of Montgomery's hands and placed him in handcuffs, as I was advising him that he was under arrest for violation of community custody release conditions. I advised Montgomery of his right to an attorney and that he did not have to make any statements or answer any questions.

Montgomery immediately told me that he had permission from his CCO (Community Corrections Officer) to be at the residence between 6:00 am and 10:00 pm. I explained to him that was not the understanding I had. I searched Montgomery incident to arrest and secured him in the rear seat of my patrol car. During the search, I removed all of Montgomery's personal items from his pockets and he requested everything, except his cellular phone, be left with his wife Penny. I turned the property over to Penny in the front yard of the residence. Penny also told me that she was fine with Steven being there and she was on the phone trying to reach his attorney.

I called C-1/Officer Staci Rickey with DOC and she confirmed the status of the arrest and detain order. Rickey advised me that she did not give Steven Montgomery permission to return to the

Officer Name/Number <b>Sutton, Ross #1522</b>	Unit <b>1E1</b>	Approved By Number	Date
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INCIDENT REPORT

**Snohomish County Incident Report  
Edmonds Police Department**

Page 3

Incident Classification <b>PAROLE/PROBATION VIO</b>	Case Number <b>13-1279</b>
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residence and he was in violation of his conditions by being at the residence. Rickey requested that Montgomery be booked at Snohomish County Jail on the violation. Steven Montgomery provided the Lynnwood address listed in the persons section of this report as his current address.

I transported Montgomery to the Snohomish County Jail where he was booked without incident. A copy of the DOC arrest and detain order for Montgomery is attached to this report. A Superform was not required for this booking.

END OF REPORT

Officer Name/Number <b>Sutton, Ross #1522</b>	Unit <b>1E1</b>	Approved By Number	Date
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**INCIDENT REPORT**

The Honorable  
Hearing Date:  
Hearing Time:  
Hearing Location:

STATE OF WASHINGTON  
SNOHOMISH COUNTY SUPERIOR COURT

STATE OF WASHINGTON,

NO. 09-1-00248-1

Plaintiff,

DECLARATION OF  
STACI RICKEY

v.

STEVEN MONTGOMERY,

Defendant.

I, STACI RICKEY, make the following declaration:

1. I am a Community Corrections Officer (CCO) for the Department of Corrections (DOC) in Lynwood, Washington. I have knowledge of the facts stated herein and am competent to testify.

2. I am one of the officers who are supervising Steven Montgomery, DOC No. 288933, during his probation term under Snohomish County Cause No. 09-1-00248-1.

3. When I began supervising Mr. Montgomery, I imposed the condition that he was to have no contact with minors without permission, with the exception of his biological son. A few days later, I was informed by the Child Protective Services (CPS) and the Edmonds Police Department that CPS had investigated the family in the past. As a result, I modified the condition to remove the exemption for his biological son. Shortly thereafter, CPS notified me

1 that it had an open investigation regarding possible removal of the children from the home. I  
2 also received information from a confidential source indicating that Mr. Montgomery may  
3 have sexually abused his step-daughter, who is now his adopted daughter. I also have  
4 personally witnessed that he appears to have an unhealthy fixation on his step-daughter.  
5

6 4. I do not feel comfortable modifying the current no-contact condition until Mr.  
7 Montgomery receives sex offender treatment and a therapist subsequently communicates to me  
8 that it is safe for Mr. Montgomery to have contact with his children without permission.

9 I declare under the penalty of perjury of the laws of the State of Washington that the  
10 foregoing is true and correct to the best of my knowledge.

11 EXECUTED this 17 day of May 2013, at Lynwood, Washington.  
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14 STACI RICKEY  
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**Field Offender: MONTGOMERY, Steven James (288933)**

Gender: Male	DOB: [REDACTED]	Age: 52	Body Status: Active Field
RLC: HV	Wrap-Around: No	Comm. Concern: No	Location: Lynnwood CCO
SED: 04/04/2015			CC/CCO: Rink, Gary E (GE82)
County SO Lvl:		ESR SO Lvl: Level 1 (11/15/2012)	

**Details**

Date & Time Created: 02/04/2014 10:39 AM  
 Offender Location At Occurrence: Not Unique  
 Date & Time Of Occurrence: 02/04/2014  
 DOC No.: 288933  
 Offender Name: Montgomery Steven James  
 Author Name: Rink Gary  
 Events: Office Offender ( OP )

**Text**

p reported with his wife. he continues to ask for contact with his daughter. i reminded p that i need to have a conversation with her counselor. he states his daughter should not be forced to make a decision about her counselor talking to us. p blames DOC for keeping him away from his daughter. i directed p to obtain a cd evaluation. he is choosing to go outside of DOC to do so. i instructed p to have an appt by nrd. p submitted ua and on-site test results were negative. nrd 2/18/14.

Date & Time Created: 01/21/2014 11:23 AM  
 Offender Location At Occurrence: Not Unique  
 Date & Time Of Occurrence: 01/21/2014  
 DOC No.: 288933  
 Offender Name: Montgomery Steven James  
 Author Name: Rink Gary  
 Events: Office Offender ( OP )

p reported as instructed. p became agitated when I explained to him that DOC must ascertain risk concerning his request for contact with his daughter and son. his daughter is currently in counseling and I have requested to speak to her counselor. p is not willing to sign a release of information. p asked not to discuss this issue anymore as he claims DOC is responsible for breaking up his family. p submitted UA. the test line for methamphetamine was faint so the sample will be sent in for confirmation purposes. nrd 2/4.

Date & Time Created: 01/07/2014 11:16 AM  
 Offender Location At Occurrence: Not Unique  
 Date & Time Of Occurrence: 01/07/2014  
 DOC No.: 288933  
 Offender Name: Montgomery Steven James  
 Author Name: Favard Saurel  
 Events: Case Staffing ( JS ) ,  
 Testing For Drugs ( TD ) ,  
 Swift And Certain ( SW ) ,  
 Office Offender ( OP )

CCO Rink staffed the case with me this date. P violated his DOC's conditions of supervision by using methamphetamine on or about 1-7-14. DOC has jurisdiction until 4-4-15. Approved arrest for low level violation. P will be booked into SCJ and will be released on 1-9-14.

Date & Time Created: 12/03/2013 11:10 AM  
 Offender Location At Occurrence: Not Unique  
 Date & Time Of Occurrence: 12/03/2013  
 DOC No.: 288933  
 Offender Name: Montgomery Steven James  
 Author Name: Favard Saurel  
 Events: Testing For Drugs ( TD ) ,  
 Swift And Certain ( SW ) ,  
 Office Offender ( OP ) ,  
 Office Collateral ( OC ) ,  
 Case Staffing ( JS )

Staffed case with CCO Rink this date. P using methamphetamine on or about 12-3-13. Approved arrest for 3 days hold. No evidence to suggest aggravating factors.

**APPENDIX 9**

Date & Time Created: 10/28/2013 11:59 AM  
 Offender Location At Occurrence: Not Unique  
 Date & Time Of Occurrence: 10/28/2013  
 DOC No.: 288933  
 Offender Name: Montgomery Steven James  
 Author Name: Rink Gary

second msg for Dr. Allmon to call me back about Mr. Montgomery's status in treatment, and questions about the chaperone agreement he attached on his last progress report.

Events: Telephone Collateral ( TC )

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Date & Time Created: 07/30/2013 09:29 AM  
Offender Location At Occurrence: Not Unique  
Date & Time Of Occurrence: 07/30/2013  
DOC No. : 288933  
Offender Name: Montgomery Steven James  
Author Name: Rink Gary  
Events: Telephone Collateral ( TC )

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Dr. Allmon returned my call, 206-323-0330. He informed me he did a brief assessment on p. P denies his offense, and claims he has no sexual deviancy issues. Dr. Allmon facilitates a group for sex offenders who deny their offenses. However, p does not acknowledge having any issues related to sexual deviancy, so group is not likely going to be helpful.

**Field Offender: MONTGOMERY, Steven James (288933)**

Gender: Male	DOB: [REDACTED]	Age: 52	Body Status: Active Field
RLC: HV	Wrap-Around: No	Comm. Concern: No	Location: Lynnwood CCO
SED: 04/04/2015			CC/CCO: Rink, Gary E (GE82)
County SO Lvl:		ESR SO Lvl: Level 1 (11/15/2012)	

**Details**

Date & Time Created: 08/07/2013 09:57 AM  
Offender Location At Occurrence: Not Unique  
Date & Time Of Occurrence: 08/07/2013  
DOC No.: 288933  
Offender Name: Montgomery Steven James  
Author Name: Rink Gary  
Events: Telephone Collateral ( TC )

**Text**

I contacted [REDACTED]'s therapist [REDACTED] concerning p request to see his daughter. We spoke at length about p desire to see [REDACTED]. She vocalizes a desire to see him, but becomes emotionally dysregulated when the possibility presents itself. [REDACTED]'s primary doctor referred her to [REDACTED] after [REDACTED] became increasingly more depressed. Shortly before p released from prison, [REDACTED] became more depressed and suicidal. One possible reason for this, according to [REDACTED] was some shame associated with her father being a RSO and offending against her babysitter. Due to [REDACTED]'s emotional vulnerability, therapist is not in support of p seeing his daughter at this time. Due to p denial of offense, p is viewed as not being amenable to sex offender treatment. Given these factors I am not supporting p request to see his daughter.

**APPENDIX 10**



STATE OF WASHINGTON  
DEPARTMENT OF CORRECTIONS

**DOC-REPORT OF ALLEGED VIOLATION**

**REPORT TO:** DOC Hearing Unit  
**OFFENDER NAME:** MONTGOMERY, Steven J.  
Montgomery, Steven  
Montgomery, Steven J  
**AKA:** Montgomery, Steve James  
Montgomery, Steven James

**DATE:** 4/8/2013  
**DOC NUMBER:** 288933  
**FOS NUMBER:**

**DOB:** [REDACTED]

**CRIME:** Cause: AH  
Child Molestation 3  
Cause: AI  
Misd -Communicating with a Minor  
Cause: AJ  
Possession of Controlled Substance

**COUNTY CAUSE #:** Snohomish 09-1-00248-1 (AH)  
Snohomish 09-1-00248-1 (AI)  
Snohomish 101006731 (AJ)

**SENTENCE:** Cause AH: 12 months Community Custody  
Prison  
Cause AI: 24 months Misdemeanor  
Community Custody

**DATE OF SENTENCE:** AH: 1/21/2010  
AI: 1/21/2010  
AJ: 4/27/2011

**LAST KNOWN ADDRESS:** [REDACTED]  
Lynnwood, WA 98036

**TERMINATION DATE:** AH: 4/1/2014  
AI: 3/31/2016  
AJ: 4/1/2014

**MAILING ADDRESS:** [REDACTED] 107TH PLACE WEST  
Edmonds, WA 98020

**Status:** Field  
**Classification:** HV

**APPENDIX 11**

**ALLEGATIONS:**

**The above named offender has violated conditions of supervision by:**

**Allegation 1:** Entering onto the property located at [REDACTED] 107<sup>th</sup> PL W Edmonds, WA 98020 in Snohomish County, on or around April 8, 2013.

**SUPPORTING EVIDENCE:**

**Allegation 1:** At Sentencing, the Court ordered Steven J. Montgomery to serve 24 months community custody upon release from prison. On April 2, 2013, Mr. Montgomery participated in the intake process signing the form acknowledging the geographic boundaries as specified: Mr. Montgomery is not allowed at or around [REDACTED] 107<sup>th</sup> PL W Edmonds, WA 98020 without prior consent from Department of Corrections. On April 4, 2013 the conditions were reviewed with him again.

On April 8, 2013, I received a telephone call from Officer Ross Sutton of Edmonds Police Department reporting that Mr. Montgomery was currently at the above residence. Mr. Montgomery was arrested on a DOC detainer and booked into the Snohomish County Jail.

**WITNESS(ES):**

Community Corrections Officer Staci Rickey and Edmonds Police Officer Ross Sutton and /or Police Report.

**ADJUSTMENT AND SUPERVISION SUMMARY:**

Mr. Montgomery's adjustment to supervision has been strained, as is evident in his failure to stay away from the above residence after being told clearly and firmly he is prohibited. The decision was made to aggravate this violation process. Mr. Montgomery's behavior of entering into a prohibited area which is in proximity of minors and victim aged children presented possible harm or threat of harm to potential victims. In addition to Mr. Montgomery has not yet entered sexual deviancy treatment. Therefore I am asking that the following recommendation is made:

**RECOMMENDATION/JUSTIFICATION:**

I respectfully recommend that a sanction of 30 days confinement be imposed.

I certify or declare under penalty of perjury of the laws of the state of Washington that the foregoing statements are true and correct to the best of my knowledge and belief.

Submitted By:

Approved By

Staci Rickey      4/10/13  
Date

R Kendo      4/10/13  
Date

Staci Rickey  
Community Corrections Officer  
Lynnwood CCO  
18710 33Rd Avenue West Ms:Tb-28  
Lynnwood WA 98037  
Telephone: (425) 672-1011

Richard Kendo  
Community Corrections Supervisor

SCR / SCR / 4/8/2013

Distribution:	COMMUNITY	<b>ORIGINAL:</b> Hearing Officer/File (via Discovery Packet)
	CUSTODY	<b>COPY:</b> Offender (via Discovery Packet), Field File.
	DOSA 1	<b>ORIGINAL:</b> Hearing Officer / File, (via Discovery Packet)
		<b>COPY:</b> Offender (via Discovery Packet), Court (by Hearings Unit following DOC hearing), Must be forwarded within 72 hours of Hearing.



# HEARING AND DECISION SUMMARY REPORT

Release from DOC Custody/Confinement:  Yes  No (See Confinement Order DOC 09-238)

Offender Name (Last, First) <i>Montgomery, Steven</i>	DOC # <i>288933</i>	RLC <i>HV</i>	Date of Birth [REDACTED]
Cause Number(s) <i>AH = 091002481      A3 = 101006731</i> <i>AI = 091002481 (MIS)</i>			

Offender Status  CCI  CCP  CCJ  CCM  CPA  DOSA  W/R  FOS  
 Misdemeanor/Gross Misdemeanor

Date of Hearing *4-18-13* Location of Hearing *SNO CO SAIL*  
 CCO Name *John Carter*  
 Other Participants *P = Penny Montgomery, spouse*  
*CCO Steve Mickey*

Waived Appearance  Yes  No  
 Competency Concern  Yes  No  
 Waived 24 Hour Notice  Yes  No  
 Interpreter/Staff Assistant  Yes  No  
 Jurisdiction Confirmed  Yes  No  
 Appeal Form Provided  Yes  No

Preliminary Matters: \_\_\_\_\_

ALLEGATIONS	PLEA	FINDING Guilty/Not Guilty Probable Cause Found
<i>Being at unapproved unapproved res ~ 4/8/13.</i>	<i>↔</i>	<i>↔</i>

APPENDIX *12*

**EVIDENCE RELIED UPON (LIST):**

J&S     Notice of Allegation, Hearing, Rights and Waiver form     Report of Alleged Violations  
 Conditions, Requirements, and Instructions form     Chronological Reports     CCO Testimony  
 Offender Testimony     Negotiated Sanction     Other (listed below):  
*① CCO gave him perm to be at subject address 6am-10pm to help spouse w/ child care. On 4/4/13, P signed new conditions banning him from being at Edmonds address. On 4/18/13, P called to get perm to be at res (CCO had indicated CCO just left voice mail for her. If that were not there, he could be there). Never reached*



CCO = 30  
CCO/C = 30  
\*TS = CFTS, Release.

# HEARING AND DECISION SUMMARY REPORT

## SUMMARY OF FACTS PRESENTED/ REASONS FOR FINDINGS:

Adjustment, CCO: P is struggling with depression obligations.

\* Care Plan = ~~CCO~~ coping skills, other  
P to release to <sup>last</sup> approved address

P = Level 1. Will stay in Lynnwood. Not employed. Degrees by trade. H.S., vocational and college work (Electronic Tech).

P has two kids.

P's mum also lives w/ wife. Family is supportive. Crime victim was 16 yo female, P was in 40s. <sup>Meth and</sup> Cocaine. Currently in WA.

No also is ~~in~~ <sup>part</sup>

## SANCTIONS AND REASONS FOR SANCTION:

Please release from confinement on the  
DOC hold Monday, 04/22/13, CFTS 4/18/13

**\*\*Obey all Facility Rules** 1st hearing, plead guilty, struggling with  
**\*\*Report in Person to CCO Within one Business Day of Release** responsibility of some obligation  
about family dwelling somewhat

Offender Name (Last, First):

Montgomery, Steven

DOC #

288133

Offender Signature

Date

4/18/13

Hearing Officer Signature

Hearing Officer Name (Print)

N. CHANG

The contents of this document may be eligible for public disclosure. Social Security Numbers are considered confidential information and will be redacted in the event of such a request. This form is governed by Executive Order 00-03, RCW 42.56, and RCW 40.14.

Distribution: Original - Hearing File, Copy - Offender, Field File, Receiving/detaining Facility



**CONFINEMENT ORDER**  
OAA OFFENDER  YES  NO

**DOC SANCTION TIME IS INELIGIBLE FOR GOOD TIME, BUT IS ELIGIBLE FOR CREDIT FOR TIME SERVED**

In the matter of:

NAME Montgomery, Steven  
CAUSE NUMBER(S) AH: 091002481, AL: 091002481, AZ: 101006731  
DOC NUMBER 288933 DOB [REDACTED]

On 4/18/13, a hearing was conducted in accordance with WAC 137-104. The above captioned offender was found guilty of violating the conditions or requirements of community custody. Pursuant to RCW 9.94A, the undersigned Hearing Officer finds that it is in the public interest to sanction the offender to a term of confinement as follows:

**TOTAL CONFINEMENT**

The offender is serving a term of community custody for a sex offense committed on or after 6/6/96, and before 7/1/00, and having completed the maximum (CCM) term of total confinement, is therefore sanctioned to a term of confinement in a local correctional facility/jail as follows:

LOCATION \_\_\_\_\_ START DATE \_\_\_\_\_ END DATE \_\_\_\_\_

The offender (CC) is sanctioned to a term of confinement in a county jail or equivalent correctional facility as stated below or, if confinement in such a facility is not available, the offender may be confined in a state correctional facility as follows:

LOCATION DOC County START DATE 4/18/13 END DATE Monday, 4/22/13

**PARTIAL CONFINEMENT**

The offender is sanctioned to a term of partial confinement as follows:

LOCATION \_\_\_\_\_ START DATE \_\_\_\_\_ END DATE \_\_\_\_\_

Home detention with electronic monitoring, work crew, or a combination thereof to be arranged and managed through the supervising Community Corrections Officer as follows:

Home Detention with Monitoring START DATE \_\_\_\_\_ TOTAL DAYS \_\_\_\_\_  
 Work Crew START DATE \_\_\_\_\_ TOTAL DAYS \_\_\_\_\_

**\* During this term of confinement you are required to follow all rules and regulations of the facility. Failure to do so will be a violation of this order and may result in additional sanctions.**

Ordered this 18<sup>th</sup> day of Apr, 2013

Signed [Signature]  
HEARING OFFICER, DEPARTMENT OF CORRECTIONS

**APPENDIX 13**

Distribution: ORIGINAL - Detaining Agency/Facility via CCO COPY - CCO, Offender, Heari...



1 **II. ORDER**

2 1. Pursuant to CrR 7.8(c)(2), the defendant's Motion for Relief from Judgment is  
3 transferred to the Court of Appeals for consideration as a personal restraint petition.

4 2. The Court finds that Mr. Montgomery is on community. RCW 9A.44.501 (2) applies

5 3. The clerk of this court shall transmit copies of the following to the Court of

CB  
retractable

6 Appeals:

- 7 a. This order;
- 8 b. The defendant's initial Motion to Modify Misdemeanor J&S (sub 116), and  
9 accompanying Declarations of [defense counsel] Mark Mestel (sub 117 & 118);
- 10 c. The defendant's renewed Motion to Vacate Conditions (sub 121) and  
11 accompanying Declaration of counsel Mark Mestel (sub 122);
- 12 d. The Dep't of Corrections Hearing Report (sub 125);
- 13 e. The amicus brief of the Dep't of Corrections, filed by Ass't Attorney General  
14 Ronda Larson, together with all attachments thereto (sub 126);
- 15 f. The State's Response to Motion to Change/Vacate, filed by counsel Charles  
16 Blackman from the Snohomish County Prosecutor's Office (sub 127);
- 17 g. Defendant's Memorandum In Support of Motion, and Motion to Strike (sub  
18 \_\_\_); and
- 19 f. The Dep't of Corrections Response to Motion to Strike (sub \_\_\_).

20 Entered this 23<sup>rd</sup> day of May, 2013.

21 \_\_\_\_\_  
JUDGE ELLEN J. FAIR

22 Presented by:

22 Approved as to form:

23 Charles F. Blackman  
24 CHARLES F. BLACKMAN, #19354  
Deputy Prosecuting Attorney

23 Mark D. Mestel  
24 MARK D. MESTEL, #8350  
Attorney for Defendant

25 Order Transferring Motion  
26 For Relief from Judgment Page 2

26 Ronda D. Larson  
Ronda D. Larson #31833, Ass't A.G.  
Attorney for Amicus Dep't of Corrections

Snohomish County  
Prosecuting Attorney - Criminal Division  
3000 Rockefeller Ave., M/S 504  
Everett, Washington 98201-4046  
(425) 388-3333 Fax: (425) 388-7172

The Honorable  
Hearing Date:  
Hearing Time:  
Hearing Location:

STATE OF WASHINGTON  
SNOHOMISH COUNTY SUPERIOR COURT

STATE OF WASHINGTON,  
  
Plaintiff,  
  
v.  
  
STEVEN MONTGOMERY,  
  
Defendant.

NO. 09-1-00248-1

DECLARATION OF RONDA  
LARSON

I, RONDA LARSON, make the following declaration:

1. I am an assistant attorney general (AAG) for the Washington Attorney General's Office (AGO) at the Corrections Division in Olympia, Washington. I have knowledge of the facts stated herein and am competent to testify.

2. I am familiar with the Offender Management Network Information (OMNI) software used by the Department of Corrections (DOC) and am authorized by the DOC to retrieve information from OMNI. Among other things, OMNI tracks information regarding an offender's location and custody.

3. I printed out a correct copy of the OMNI Legal Face Sheet for Steven Montgomery, DOC No. 288933, to be used as an exhibit.

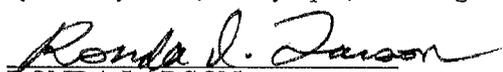
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**APPENDIX 15**

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

EXECUTED this 16<sup>th</sup> day of May 2013, at Olympia, Washington.

  
RONDA LARSON

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The Honorable  
Hearing Date:  
Hearing Time:  
Hearing Location:

STATE OF WASHINGTON  
SNOHOMISH COUNTY SUPERIOR COURT

STATE OF WASHINGTON,  
  
Plaintiff,  
  
v.  
  
STEVEN MONTGOMERY,  
  
Defendant.

NO. 09-1-00248-1

DECLARATION OF  
GARY RINK

I, GARY RINK, make the following declaration:

1. I am a Community Corrections Officer (CCO) for the Department of Corrections (DOC) in Lynwood, Washington. I have knowledge of the facts stated herein and am competent to testify.
2. I am one of the officers who are supervising Steven Montgomery, DOC No. 288933, during his probation term under Snohomish County Cause No. 09-1-00248-1.
3. The DOC maintains an offender field file for each offender on supervision. This file contains information on an offender's sentence structure and documents relevant to his supervision. As a CCO, I am a custodian of records kept by DOC in the ordinary course of business.

APPENDIX 16



The Honorable  
Hearing Date:  
Hearing Time:  
Hearing Location:

STATE OF WASHINGTON  
SNOHOMISH COUNTY SUPERIOR COURT

STATE OF WASHINGTON,

NO. 09-1-00248-1

Plaintiff,

DECLARATION OF TRUDY  
SAFADAGO

v.

STEVEN MONTGOMERY,

Defendant.

I, TRUDY SAFADAGO, make the following declaration:

1. I am a Correctional Records Supervisor (CRS) for the Department of Corrections (DOC) at the Northwest Region Records Unit in Everett, Washington. I have knowledge of the facts stated herein and am competent to testify.

2. The DOC maintains a central file for each offender on supervision. This file contains information on an offender's sentence structure and documents relevant to his supervision. As a CRS, I am a custodian of records kept by DOC in the ordinary course of business.

3. When an offender is received into the custody of DOC, a certified copy of his judgment and sentence becomes an official record in his DOC central file.

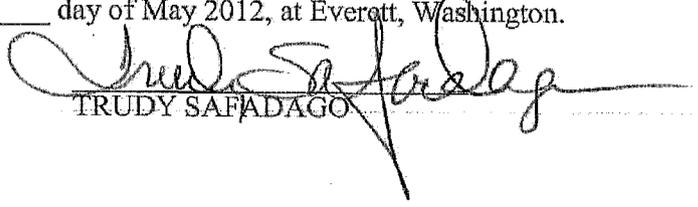
**APPENDIX 17**

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4. Upon request of the Attorney General's Office, I provided correct copies of several documents from the central file of offender Steven Montgomery, DOC No. 288933, to be used as exhibits. These include the felony and nonfelony judgments and sentences for Snohomish County Cause No. 09-1-00248-1 and the judgment and sentence for Snohomish County Cause No. 09-1-00248-1.

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

EXECUTED this 16<sup>th</sup> day of May 2012, at Everett, Washington.

  
TRUDY SAFADAGO