



Open Forum – Questions for DOL & AOC

Wednesday, February 16th, 2022

Zoom Link: <https://wacourts.zoom.us/j/95550229687>

Q & A NOTES

1. Reporting DUI's

Q: "What DUI Codes should the courts use?"

A: "DIAS does have many different codes, but we have created a specific document with the DUI codes. Please note the form does have some 'DO NOT USE' codes that are only used by out-of-state DUI's being reported to Washington. The help document will be shared with the Q&A notes from today's session*."

*See last page of this Q&A for the DUI ACD Code help document.

Q: "Is it possible to have that information [the descriptions of the codes] included in the drop-down menu in DIAS, so that we don't have to cross-reference another document when entering the ACD codes?"

A: "Unfortunately no, the additional information cannot be added to the descriptions of the codes in that drop-down. [DIAS displayed] That list is a violation code table; the 'DO NOT USE' ones cannot be removed from the drop-down because they are reportable charges from the other states' DOLs and the code descriptions are for the national codes. We have to have you look at this document (cheatsheet) every time if you aren't sure which one to use."

Q: "What code should we use when we are amending from a DUI to another charge?"

A: "You would have to select the ACD code of whatever it was [on the DUI] at the time of the original offense, then mark that charge as 'Amended'."

Q: "Would it matter what it was amended to?"

A: "If you are amending a DUI with a 'Refused' test changed to DUI with 'No Test' you would put the ACD code for the Refused on the top, mark it as Amended, then the bottom section would display and allow you to enter the new information related to the new DUI charge there, with the new ACD code."

Q: "Why does racing, 46.61.530, show up on the driving record as 'Speeding Contest'?"

A: "That is the federal requirement for racing, it has been mapped differently because it [that code] is also used outside of WA."

Q: "You mentioned there are 6 reportable charges, what would those charges be?"

A: “The six charges that have to come through DIAS are as follows: DUI, Physical Control, Vehicular Homicide, Vehicular Assault, Minor in Possession, and Negligent Driving 2nd – Vulnerable User.

There are answers that can help you understand what has to be manually reported. [Answer 2237](#) lists all of the Caseload Case Type CD laws that will not automatically go to DOL via the eDisposition process, and [Answer 2267](#) is about the Negligent Driving 2nd – Vulnerable User law, which is the infraction with a \$10,000 fine that you may not see often, so the answer has specific instructions on how to handle those infractions. There might be some updated legislation to this one this year, so the answer might be revised. Watch for the legislative updates in the DMCMA Spring Conference or the 2022 Legislative answer as any changes would be provided there.”

Q: “So, if we have a law that’s not also federal law what happens then?”

A: “We have quite a few of those, Carla has been able to map our laws to the most appropriate federal codes if there is not an exact match.

If there are no similar federal laws, for things that are specific to Washington only, like our truck route violations, codes are created and the descriptions are put into a manual so other states can see what that code means when looking at the records.”

2. Reporting DUI that was Amended to Another Charge

Q: “When eTickets are Amended, from DUI to another charge, how do those get reported?”

A: “It depends, for paper tickets they must be reported through DIAS. Even if it amended to something other than a DUI, it doesn’t get reported automatically because it’s a paper ticket initially [including SECTOR tickets filed manually with the court or transferred from another court manually], it still has to be reported through DIAS.”

“If it is an eticket, other than those amended down to Physical Control, then you must let it go through JIS so it doesn’t duplicated at DOL, or else the person would receive sanctions as if they had two DUIs. “

“If the law it was amended to would normally go through the eDisposition process, then let it go through electronically. You can check and see if it did or didn’t go through by looking at the case docket; if the ‘Disposition sent to DOL’ docket entry doesn’t appear, then you may need to report it manually.”

3. Reporting BAC Readings

Q: “We have a newer Judge who is inquiring about the reporting procedure of BAC levels to DOL. Our judicial assistants have been trained to report the exact BAC level noted on the citation when submitting an abstract. Her question is, why is the exact BAC level required, could it just be recorded as above or below a .15, or does DOL use the exact reading on an

administrative level for another purpose? She just wants to make sure her record is clear during sentencing.”

A: “The criteria in the state of Washington is different for sentencing, which uses the above or below a .15 to determine what sentence must be imposed, than what DOL needs for reporting.

DOL needs to have the specific type of DUI and the levels, for example is it drug related, THC, BAC, etc. and how much, so we must report the actual level. We cannot just make it a general ‘<’ above or ‘>’ below level, because when reporting nationally they have different law then WA and they have to have the specific BAC to determine what action they may take.”

If the officers do not give you an actual BAC, the system will not give you an option for above or below, it must be exact. You could put a .1 below or above the limit for paperwork (ex. .14 for ‘below .15’). The field does not accept the symbols for < or >, but will take up to three numbers.

For our superior court audience: King county has a specific prosecutor checklist that contain specific information for BAC, THC, and other levels. You may want to ask them for a copy of this checklist as it can help the clerk know what to report in DIAS accurately.”

4. Reporting Probation Violations

Q: “The Judge signed an Order Finding New Violations and granting the City’s Motion to Revoke and impose 30 days jail time. Is this reported as a Probation Violation in DIAS? Does the number of days jail imposed determine if it’s reported to DOL (i.e., DOL sanctions if jail ordered is over a # of days)?”

A: “DOL has nothing to do with jail time, that is only on vehicular homicide and vehicular assault. DOL goes off of the reportable Probation Violations identified in [RCW 46.61.5055](#) mandatory court probation – it has to meet certain conditions. The court can do a 30 day suspension, but it can’t just be based on jail time, it has to meet the conditions of a probation violation under 5055. [Note: If the court found the person in violation of a mandatory condition of probation under RCW 46.61.5055, which is why they imposed the 30 days jail time, it’s likely the probation violation itself is also reportable to DOL, it’s just not the jail time that needs reported.]”

Q: “How do you properly report probation violations on a DUI? (Who reports it, when should it be reported, and what should be reported?)”

A: “Whichever court has the original DUI and finds the person in violation, should be the one that reports the probation violations, not the court with the new charge that creates the violation. Also, when reporting you need to know that violation that gets reported is not the new ticket issuance date, it is the date of the conviction for that charge. Usually probation violations are reported by court staff as the probation department staff would not generally have access to do reporting via DIAS.”

Q: “If the new case is also out of our court, would we report the probation violations and the new conviction?”

A: “Yes, if your court has both the original DUI and the new case that is causing the probation violation for the DUI, you would report both the new conviction and the probation violation.”

Q: "Is there a spot in DIAS that specifically has place to report probation violation?"

Carla displayed DIAS: Screens to Access: Court Submissions Screen – Abstract of Court Record – Report a Probation Violation. Enter the WA DLN to search for the defendant, then click Probation Violation. Add in the details of the violation; offense date date of the original ticket, the violation date is the date of the new conviction. Mark the reason for the violation using the check boxes for the types of violations identified in RCW 46.61.5055; No Valid License, No Insurance, BAC/Thc Above Limit, BAC Refusal, and/or No IID. Note: You can check as many as apply for that new conviction but it will only cause one 30 day suspension on this record, it will not do 30 days for each reason selected. If you forget one and go add a new probation violation to indicate the additional reason, that would result in an additional 30 day suspension; it's one per the number of probation violation submissions, not the number of check-boxes marked."

5. Viewing Dispositions on ADRs

Q: The disposition [on a case] is not appearing on the ADR viewed from JABS, but it does appear on the ADR viewed from DIAS. The JABS ADR has an old DLN but the DIAS ADR has a new DLN. Why is the disposition not showing in JABS?"

A: "There are two things happening in this matter. First, there are both a new and an old driving record at DOL that are not connected. When you see this scenario, you need send the records to Carla and Ryan to be merged. The other issue is that the Old is with a true name in JIS, and the New is on an AKA record. The ADR tab will only look up true name in JABS, so when you are on the case and do the ADR tab, you will only see the Old name record at DOL. JABS is working as designed, so you need to make sure the True Name record has the Current DLN on it so the ADR tab will give you the most current information. If you need to look up an ADR for a DLN on an AKA name, you can use the ADR Search on the Person Search page in JABS. Most importantly, though, if you see these types of problems with multiple records, please report them to Carla and Ryal at DOL immediately."

Q: "Neither the JABS ADR nor the DIAS ADR are showing the citation and disposition. The eTicket has out of state DLN, but it was not entered into JIS when the eTicket was processed. Why is the disposition not showing on either ADR?"

A: "This is similar in that if the disposition is not showing up in DOL's ADR, you need to contact Carla and Ryan to look into it. However this one has another piece to it. If the eticket has an out of state DLN, you must put that info in JIS on the record so when the disposition is sent to DOL, they are notified to report it [or FTAs/Adjudications] to that state's DOL; if you leave it blank or put in a WA Built record to make the JABS ADR tab work, then DOL does not know to notify the other state about the case.

Lastly, when researching this issue, we realized why JIS was not updated even though the eTicket had the out-of-state license information on it, and it is a very easy error to make so please share with your staff that enter eTickets. When processing eTickets, after you do the DOL search and comparison screen, then do the JIS person search and select [put an X next to] an existing person record, you need to hit <F4> to get the comparison screen to decide what

needs updated in JIS, or the person record will not be updated. If you simply hit <Enter> you are selecting to continue with the JIS person record as is and no changes from the eTicket or DOL are pushed into the JIS record.

When you do have items that need to be reviewed by DOL, like the multiple DLN records or dispositions not showing on the ADRs, email both Carla and Ryan and remember that they will need the following information for research: Name, DOB, DLN(s) if known, and then Ticket Number. DOL cannot look records up by Ticket Number so minimum of Name and DOB are vital for them to locate the person in their system.”

It has come to our attention that some courts are using the wrong description when reporting DUI/Physical Controls to DOL using the new DIAS System.

When you are reporting a DUI under 46.61.502, Physical Control under 46.61.504 or any state, county, or city ordinance you **must** follow the directions below. After entering the RCW, when selecting a description from the drop-down menu in DIAS do not use A04, A08, A10 or A11.

1. **Do not use** A04, A08, A10 or A11 – these are only used by DOL for out of state conviction, on the drop down list so out of state courts can submit convictions as well
2. A12 for refusals only
 - a. no check box in conditions for refusal required anymore
3. A20 for all alcohol/drugs related Deferred Prosecutions
 - a. no conditions are required
4. A21 for all alcohol only DUI/PC
 - a. Either “no test” or “BAC” is required
5. A22 for all drugs or THC related only DUI/PC
 - a. Either “drugs related” or “THC level” is required
6. A23 for both alcohol and drug related DUI/PC
 - a. Must select either “no test” or “BAC” **AND** either “drugs related” or “THC level”

Select RCW or Statute

Select an RCW from the list below.
You can search by typing in the "filter" area above the list.

Page 1 of 5
46.61.502

RCW/Statute	Description	Commence	Cease
46.61.502	A04 - DUI with BAC \geq .04		
46.61.502	A08 - DUI with BAC \geq .08		
46.61.502	A10 - DUI with BAC \geq .10		
46.61.502	A11 - DUI with BAC \geq ...		
46.61.502	A12 - Refused test		
46.61.502	A20 - DUI of alcohol or drugs		
46.61.502	A21 - DUI of alcohol		
46.61.502	A22 - DUI of drugs		
46.61.502	A23 - DUI of alcohol and drugs		

Cancel

DUI	No Test *	BAC *
	<i>Required</i> ▼	<i>Required</i>
	Drug Related *	THC *
	<i>Required</i> ▼	<i>Required</i>

If you have any questions regarding this or any other reporting requirements, please contact Ryan Grimes and Carla Weaver

Thanks Carla and Ryan