

_____ Court of Washington
County of _____

Plaintiff
vs.

Defendant
DOB: _____

No.
Judgment and Sentence for:
1) Driving Under the Influence
(RCW 46.61.502)
 Physical Control (RCW 46.61.504)
2) Reckless Driving (RCW 46.61.500)
 Negligent Driving – 1st Degree (RCW
46.61.5249)
3) _____
(DUIJS)
Clerk's Action Required: 8, 9, 10

1. **The defendant is adjudged guilty based upon a guilty plea, jury verdict, or bench trial.** The court verified the defendant's criminal history and driving record and made findings as follows (*check all that apply*):

- (*number*) ____ Passenger(s) under age 16 (**GY**), BAC _____, No Test,
 Refusal, Drug related, THC _____;
 CDL Vehicle Information:
 Hazmat vehicle, Commercial vehicle, 16 Passenger vehicle; and

Therefore, the defendant is **sentenced** as follows:

Sentence is suspended for a period of ____ months/years on the following conditions:

Count 1) ____ days of jail and suspends ____ days; and a fine of \$ _____ with
\$ _____ suspended

Count 2) ____ days of jail and suspends ____ days; and a fine of \$ _____ with
\$ _____ suspended

Count 3) ____ days of jail and suspends ____ days; and a fine of \$ _____ with
\$ _____ suspended

Jail: Serve a total of _____ days in jail with credit for _____ days served, **and** serve a total of _____ days of electronic home monitoring with credit for _____ days served.

Other alternative means of confinement: _____.

Jail sentences are concurrent/consecutive with all other commitments _____

2. The defendant is indigent, as defined in RCW 10.101.010(3)(a)-(c).

Defendant shall pay to the clerk of this court:

<input type="checkbox"/> fine	\$ _____	<input type="checkbox"/> alcohol violator fee (DUC)	\$ <u>250.00</u>
<input type="checkbox"/> assessments	\$ _____	<input type="checkbox"/> criminal conviction fee	\$ <u>43.00</u>
<input type="checkbox"/> costs	\$ _____	<input type="checkbox"/> criminal traffic fee	\$ <u>102.50</u>
<input type="checkbox"/> bench warrant fee	\$ _____	<input type="checkbox"/> probation/monitoring fee	\$ _____
<input type="checkbox"/> jail recoupment fee	\$ _____	<input type="checkbox"/> booking fee	\$ _____
<input type="checkbox"/> other _____	\$ _____	<input type="checkbox"/> public defender recoupment	\$ _____
		<input type="checkbox"/> Passenger under age 16 fine	\$ _____

restitution of \$ _____ (set by separate order)

restitution to be left open for _____ days.

restitution emergency response (RCW 38.52.430) \$ _____

Total: \$ _____

3. **Financial obligations are due and payable immediately unless the court has set a payment schedule.**

Pay total financial obligations to the court at \$ _____ per month starting on _____.

Pay schedule set by separate order.

\$ _____ of this total is converted to _____ hours of community restitution (service) which must be completed by _____. **Proof of completion shall be provided to the court/probation department.**

4. **Mandatory Conditions of Sentence - DUI/Physical Control**

(a) The defendant shall not drive a motor vehicle without a valid license.

(b) The defendant shall not drive a motor vehicle without proof of liability insurance or other financial responsibility.

(c) The defendant shall not drive or be in physical control of a motor vehicle with an alcohol concentration of .08 or more or a THC concentration of 5.00 nanograms per milliliter of whole blood or higher, within 2 hours after driving.

(d) The defendant shall submit to a breath or blood alcohol test upon the reasonable request of a law enforcement officer.

(e) The defendant shall not drive a motor vehicle without a functioning ignition interlock device as required by the Department of Licensing. For each violation of the above mandatory conditions, the court shall order your confinement for a minimum of 30 days, which may not be suspended or deferred. For each incident involving a violation, the court shall suspend your license for 30 days.

(f) No criminal violations of law or alcohol-related infractions.

(g) Comply with the rules and requirements of the Department of Licensing regarding the installation and use of a functioning ignition interlock device.

(h) Comply with the requirement to install an ignition interlock device for an additional period as follows:

12 additional months for each passenger under the age of 16 for BAC less than 0.15, drug-related, no test, or THC. RCW 46.61.5055(6).

Total additional months: _____

OR

18 additional months for each passenger under the age of 16 for BAC greater or equal to 0.15, or refusal. RCW 46.61.5055(6).

Total additional months: _____

This period is in addition to any other ignition interlock device requirements imposed by the court or the Department of Licensing.

(i) The court has ordered the defendant to refrain from consuming any alcohol. The defendant must comply with alcohol monitoring as authorized by law.

The defendant shall pay the cost of monitoring.

The cost of monitoring shall be paid by _____.
RCW 46.61.5055(5).

5. Conditions of Sentence – Reckless Driving/Negligent Driving – 1st Degree

(a) The defendant shall not drive a motor vehicle without a valid license and proof of liability insurance or other financial responsibility.

The defendant shall not drive or be in physical control of a motor vehicle with an alcohol concentration of .08 or more or a THC concentration of 5.00 nanograms per milliliter of whole blood or higher, within 2 hours after driving.

(b) The defendant shall submit to a breath or blood alcohol test upon the reasonable request of a law enforcement officer.

(c) No criminal violations of law or alcohol related infractions.

(d) Comply with mandatory ignition interlock device requirements as imposed by the Department of Licensing.

6. Additional Conditions of Sentence – 24/7 Sobriety Program/Discretionary Ignition Interlock

24/7 Sobriety Program is available. For 6 months _____ days/months:

comply with the 24/7 Sobriety Program. RCW 46.61.5055(1)-(3).

do not drive any motor vehicle unless it is equipped with an ignition interlock device. (This **does not** authorize you to drive without a valid license).

Comply with discretionary ignition interlock device requirements.
RCW 46.20.720(1)(e).

For a period of _____ years or for _____ months drive only a motor vehicle equipped with a functioning ignition interlock device, which is in addition to any ignition interlock device restriction imposed by DOL.

Unless otherwise stated, the alcohol set point for any ignition interlock requirement imposed under this order shall be .020 _____.

Employer exemption: When the defendant provides an Employer Exemption declaration to the Department of Licensing, this order shall not apply to vehicles owned, leased, or rented by defendant's employer or to those vehicles whose care and/or maintenance is the temporary responsibility of the employer and driven at the direction of the defendant's employer as a requirement of employment during working hours. **Except that**, the employer exemption does not apply when the employer's vehicle is assigned exclusively to the defendant and used solely to commute to and from employment.

7. Additional Conditions of Sentence

- Probation for _____ months. Supervised probation for _____ months with the probation department and abide by all rules and regulations of the probation department. Pay a pre-sentence fee and a monthly probation fee as set by the probation department.
- Obtain a substance use disorder evaluation expanded alcohol assessment from a Washington State approved agency and file a copy of the evaluation/assessment within _____ days. Begin any recommended/appropriate substance use disorder treatment or education within _____ days and file proof of timely enrollment and completion.
- Begin the following within _____ days, complete within _____ days, and file proof of timely enrollment and completion:
 - DUI victim's panel alcohol/drug information school 1-year substance use disorder treatment 2-year substance use disorder treatment
- Substance use disorder treatment for a period of _____ driver improvement school other _____.
- Use no alcoholic beverages or non-prescribed controlled drugs.
- Attend Alcoholics Anonymous Narcotics Anonymous other self-help program (_____) meetings _____ times a week for _____ months or as recommended by treatment provider.
- Other: _____.

8. Department of Licensing Notice – DUI, Physical Control, Reckless Driving, Negligent Driving 1st.

Department of Licensing Notice – Defendant under age 21 only.

Count _____ is:

- (a) a violation of ch. 69.41 RCW [Legend drug], ch. 69.50 RCW [VUCSA], or ch. 69.52 RCW [Imitation drugs], and the defendant was under 21 years of age at the time of the offense; **OR**
- (b) a violation under RCW 9.41.040 (unlawful possession of firearm), and the defendant was under the age of 18 at the time of the offense; **OR**
- (c) a violation under ch. 66.44 RCW [Alcohol] and the defendant was under the age of 18 at the time of the offense, **AND** the court finds that the defendant previously committed an offense while armed with a firearm, an unlawful possession of a firearm offense, or an offense in violation of ch. 66.44 RCW, ch. 69.41 RCW, ch. 69.50 RCW, or ch. 69.52 RCW.

Clerk's Action –The clerk shall forward an Abstract of Court Record (ACR) to the DOL, which must suspend/revoke the Defendant's driver's license.

9. **Review hearing scheduled for** *(purpose)*: _____
On: *(date)* _____ at _____ a.m./p.m.
At: _____ Court, Room/Department: _____
Address: _____

10. Bail or Bond is exonerated forfeited.

11. **I have read the rights, conditions, and warnings.**

Dated: _____

Judge/Commissioner/Pro Tem

Print Name: _____

Defendant's Signature

Defendant's Mailing Address:

Street Address or PO Box *City* *State* *Zip*

Telephone No.: _____

Attorney for the Defendant

Prosecuting Attorney

Print Name: _____

Print Name: _____

WSBA No. _____

WSBA No. _____

Written Waiver of Counsel is filed.