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DISTRICT COURT OF THE STATE OF WASHINGTON
COUNTY OF CHELAN

STATE OF WASHINGTON,)
CITY OF WENATCHEE,)
Plaintiff,)
v.)
_____,)
Defendant.)
_____)

No.
Order Deferring Prosecution

I. FINDINGS OF FACT

- 1.1 The Petitioner suffers from alcoholism, drug addiction, or mental problems and has agreed to comply with the terms and conditions of the treatment plan prepared pursuant to RCW 10.05, and to pay the costs of diagnosis and treatment;
- 1.2 The Petitioner has stipulated to the admissibility and sufficiency of the facts as contained in the written police report(s);
- 1.3 The Petitioner has agreed and acknowledged that the police reports and any other documents, reports or evidence filed in this case are admissible against the Petitioner in any criminal hearing on the underlying offense or offenses held subsequent to revocation of the order granting deferred prosecution;
- 1.4 The Petitioner has acknowledged and waived the right to a speedy trial, the right to a jury trial, the right to testify and to call witnesses to testify, the right to confront and question witnesses; and the right to present evidence in his or her defense;

1 1.5 The Petitioner's stipulations, admissions, and statements were made
2 knowingly and voluntarily.

3 **II. ORDER**

4 It is hereby Ordered that the Defendant is accepted for deferred prosecution
5 and shall comply with the following conditions:

6
7 2.1 The Defendant shall comply with all of the terms and conditions of the two-
8 year treatment program, a copy of which is attached and incorporated herein
9 by reference. The Defendant shall pay for the costs of treatment and shall not
change treatment agencies without prior approval of the Court.

10
11 2.2 The Defendant shall authorize the treatment agency to communicate freely
12 with the Court and the Probation Office regarding the Defendant's treatment
13 progress. The treatment agency shall submit monthly reports to the Probation
14 Office for the entire treatment period. In the event that the Defendant fails or
15 neglects to comply with any term or condition of the treatment program, the
treatment agency shall immediately submit a written report of such breach to
the Probation Office.

16
17 2.3 The Petitioner will be under the deferred prosecution supervision of the
18 Chelan County District Court Probation Office for five (5) years and will comply
19 with all terms and conditions established by that office to monitor and enforce
20 compliance with this Order and shall pay all costs of supervision through the
Probation Department.

21 2.4 The Defendant shall pay court costs of \$_____, an Alcohol Violators fee of
22 \$_____ pursuant to RCW 46.61.5054, and a public defender recoupment of
23 \$_____, for a total of _____, not including probation fees or restitution.

1 2.5 The Defendant shall immediately notify the Court Clerk as well as the
2 Probation Department, in writing, of all changes in address.

3 2.6 The Defendant shall not operate a motor vehicle upon the public highways
4 without a valid operator's license and proof of liability insurance as established
5 by RCW 46.29.490.

6 2.7 The Defendant will not refuse to submit to a breath, blood, or urine test for
7 alcohol or drug content upon request by law enforcement, the probation
8 department, treatment provider, or the court.

9 2.8 The Defendant will not possess, consume or otherwise acquire any alcohol,
10 non-prescribed drugs, or drug paraphernalia and will not enter any bar, tavern,
11 or alcohol establishment for the entire length of the deferred prosecution
12 period (five years). Such prohibition includes medical marijuana unless
13 otherwise specifically ordered by the court.

14 2.9 The Defendant shall attend a DUI victim impact panel within 60 days of entry
15 of this order.

16 2.10 As directed by the Department of Licensing, the Defendant shall have a
17 functioning ignition interlock installed in any motor vehicle that he or she
18 operates. The Defendant shall provide written verification of the installation to
19 the Probation Department within 30 days of entry of this order deferring
20 prosecution. The Defendant shall comply with all rules and regulations of the
21 Department of Licensing regarding the ignition interlock device and ignition
22 interlock license.

23 2.11 The Defendant shall not commit any criminal law violations, including but not
24 limited to any alcohol or drug-related offenses, during the five-year period of
the deferred prosecution

1 2.12 Restitution shall be paid to the following victims:

2 Name: _____ Amount: \$ _____

3 Address: _____

4 Name: _____ Amount: \$ _____

5 Address: _____

6
7 2.13 Other: _____

8 _____

9 _____

10
11 Date: _____

_____ Judge/Judge Pro Tem

12
13 Presented by: _____

Copy Received: _____

14
15 _____ Attorney for Defendant, WSBA#

_____ Defendant

16
17 Copy received and approved as to form:

18 _____ Deputy Prosecuting Attorney, WSBA#