

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,)
)
) Plaintiff,) No.
)
 v.) **JUDGMENT AND SENTENCE**
) **FELONY (FJS)**
)
)
)
) Defendant,)
 _____)

I. HEARING

I.1 The defendant, the defendant's lawyer, _____, and the deputy prosecuting attorney were present at the sentencing hearing conducted today. Others present were: _____

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 _____ by plea/ jury verdict/ bench trial of:

Count No.: _____ Crime: _____

RCW _____ Crime Code: _____

Date of Crime: _____ Incident No. _____

Count No.: _____ Crime: _____

RCW _____ Crime Code: _____

Date of Crime: _____ Incident No. _____

Count No.: _____ Crime: _____

RCW _____ Crime Code: _____

Date of Crime: _____ Incident No. _____

Count No.: _____ Crime: _____

RCW _____ Crime Code: _____

Date of Crime: _____ Incident No. _____

[] Additional current offenses are attached in **Appendix A**

SPECIAL VERDICT or FINDING(S):

- (a) While armed with a **firearm** in count(s) _____ RCW 9.94A.533(3).
- (b) While armed with a **deadly weapon** other than a firearm in count(s) _____ RCW 9.94A.533(4).
- (c) With a **sexual motivation** in count(s) _____ RCW 9.94A.835.
- (d) A V.U.C.S.A offense committed in a **protected zone** in count(s) _____ RCW 69.50.435.
- (e) **Vehicular homicide** Violent traffic offense DUI Reckless Disregard.
- (f) **Vehicular homicide** by DUI with _____ prior conviction(s) for offense(s) defined in RCW 46.61.5055, RCW 9.94A.533(7).
- (g) **Non-parental kidnapping** or unlawful imprisonment with a minor victim. RCW 9A.44.128, .130.
- (h) **Domestic violence** as defined in RCW 10.99.020 was pled and proved for count(s) _____.
- (i) Current offenses **encompassing the same criminal conduct** in this cause are count(s) _____ RCW 9.94A.589(1)(a).
- (j) **Aggravating circumstances** as to count(s) _____ : _____

2.2 OTHER CURRENT CONVICTION(S): Other current convictions listed under different cause numbers used in calculating the offender score are (list offense and cause number): _____

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

- Criminal history is attached in **Appendix B**.
- One point added for offense(s) committed while under community placement for count(s) _____

2.4 SENTENCING DATA:

Sentencing Data	Offender Score	Seriousness Level	Standard Range	Enhancement	Total Standard Range	Maximum Term
Count						
Count						
Count						
Count						

Additional current offense sentencing data is attached in **Appendix C**.

2.5 EXCEPTIONAL SENTENCE

- Findings of Fact and Conclusions of Law as to sentence above the standard range:
Finding of Fact: The jury found or the defendant stipulated to aggravating circumstances as to Count(s) _____.
Conclusion of Law: These aggravating circumstances constitute substantial and compelling reasons that justify a sentence above the standard range for Count(s) _____. The court would impose the same sentence on the basis of any one of the aggravating circumstances.

An exceptional sentence above the standard range is imposed pursuant to RCW 9.94A.535(2) (including free crimes or the stipulation of the defendant). Findings of Fact and Conclusions of Law are attached in Appendix D.

An exceptional sentence below the standard range is imposed. Findings of Fact and Conclusions of Law are attached in Appendix D.

The State did did not recommend a similar sentence (RCW 9.94A.480(4)).

III. JUDGMENT

IT IS ADJUDGED that defendant is guilty of the current offenses set forth in Section 2.1 above and **Appendix A**.

The Court **DISMISSES** Count(s) _____.

IV. ORDER

IT IS ORDERED that the defendant serve the sentence and abide by the other terms set forth below.

[] This offense is a felony firearm offense (defined in RCW 9.41.010). Having considered relevant factors, including criminal history, propensity for violence endangering persons, and any prior NGI findings, the Court requires that the defendant register as a firearm offender, in compliance with 2013 Laws, Chapter 183, section 4. The details of the registration requirements are included in the attached Appendix L.

4.1 RESTITUTION, VICTIM ASSESSMENT, AND DNA FEE:

- [] Defendant shall pay restitution to the Clerk of this Court as set forth in attached Appendix E.
[] Defendant shall not pay restitution because the Court finds that extraordinary circumstances exist, and the court, pursuant to RCW 9.94A.753(5), sets forth those circumstances in attached Appendix E.
[] Restitution to be determined at future restitution hearing on (Date) _____ at _____ m.
[] Date to be set.
[] Defendant waives right to be present at future restitution hearing(s).
[] Restitution is not ordered.

Defendant shall pay Victim Penalty Assessment in the amount of \$500 (RCW 7.68.035 - mandatory).
Defendant shall pay DNA collection fee in the amount of \$100 (RCW 43.43.7541 - mandatory).

4.2 OTHER FINANCIAL OBLIGATIONS: Having considered the defendant's present and likely future financial resources, the Court concludes that the defendant has the present or likely future ability to pay the financial obligations imposed. The Court waives financial obligation(s) that are checked below because the defendant lacks the present and future ability to pay them. Defendant shall pay the following to the Clerk of this Court:

- (a) [] \$ _____, Court costs (RCW 9.94A.030, RCW 10.01.160); [] Court costs are waived;
(b) [] \$ _____, Recoupment for attorney's fees to King County Public Defense Programs (RCW 9.94A.030); [] Recoupment is waived;
(c) [] \$ _____, Fine ; [] \$1,000, Fine for VUCSA [] \$2,000, Fine for subsequent VUCSA (RCW 69.50.430); [] VUCSA fine waived;
(d) [] \$ _____, King County Interlocal Drug Fund (RCW 9.94A.030); [] Drug Fund payment is waived;
(e) [] \$ _____, \$100 State Crime Laboratory Fee (RCW 43.43.690); [] Laboratory fee waived;
(f) [] \$ _____, Incarceration costs (RCW 9.94A.760(2)); [] Incarceration costs waived;
(g) [] \$ _____, Other costs for: _____.

4.3 PAYMENT SCHEDULE: The TOTAL FINANCIAL OBLIGATION set in this order is \$ _____. Restitution may be added in the future. The payments shall be made to the King County Superior Court Clerk according to the rules of the Clerk and the following terms: [] Not less than \$ _____ per month; [] On a schedule established by the defendant's Community Corrections Officer or Department of Judicial Administration (DJA) Collections Officer. Financial obligations shall bear interest pursuant to RCW 10.82.090. The Defendant shall remain under the Court's jurisdiction to assure payment of financial obligations: for crimes committed before 7/1/2000, for up to ten years from the date of sentence or release from total confinement, whichever is later; for crimes committed on or after 7/1/2000, until the obligation is completely satisfied. Pursuant to RCW 9.94A.7602, if the defendant is more than 30 days past due in payments, a notice of payroll deduction may be issued without further notice to the offender. Pursuant to RCW 9.94A.760(7)(b), the defendant shall report as directed by DJA and provide financial information as requested. [] Court Clerk's trust fees are waived. [] Interest is waived except with respect to restitution.