**Kitsap County District Court**

**State of Washington**

|  |  |
| --- | --- |
| State Of Washington,  Plaintiff,  v.       ,  Defendant. | **No.**  **Stipulation Or Submittal Of Facts**  DUI – No Test  BAC Results –  BAC Refused  Passenger(s) Under Age 16 –  THC – No Test  THC Results – |

1. **Submit The Case (CrRLJ 6.1.2(b))**. I am the Defendant in this case. I wish to submit the case on the record. I understand that this means that the judge will read the police report and other materials and, based upon that evidence, the judge will decide if I am guilty or not guilty of the crime(s) of –

|  |  |  |
| --- | --- | --- |
| Count | Crime | RCW/Ordinance (with subsection) |
| 1. |  |  |
| 2. |  |  |
| 3. |  |  |
| 4. |  |  |
| 5. |  |  |

Count(s)       is/are alleged to be committed against an intimate partner.

Count(s)       is/are alleged to be committed against a family or household member.

Count(s)       is alleged to be committed with sexual motivation.

2. **Maximum Penalty**. The crime(s) with which I am charged carries/carry a maximum sentence and fine of –

**364 Days In Jail And $5,000 Fine**. Count(s)

**90 Days In Jail And $1,000 Fine**. Count(s)

**Other** –

3. **Judge Can Give Up To The Maximum Sentence**. I understand that the judge can impose any sentence up to the maximum, no matter what the prosecution or defense recommends.

4. **Give Up Constitutional Rights**. I understand that, by this process, I am giving up the constitutional right to a jury trial, the right to hear and question witnesses, the right to call witnesses in my own behalf, and the right to testify or not to testify.

5. **No Threats**. No one has threatened harm of any kind to me, or to any other person, to cause me to enter this statement.

6. **No Promises**. No person has made promises of any kind to cause me to enter this statement except for the recommendations by the prosecution in section 7.

7. **Prosecution Recommendation**. If I am convicted, the prosecution will make the following recommendations to the judge –

|  |  |  |  |
| --- | --- | --- | --- |
| Count | Jail Days Imposed | Jail Days Suspended\* | Jail Days To Serve |
| 1. |  |  |  |
| 2. |  |  |  |
| 3. |  |  |  |
| 4. |  |  |  |
| 5. |  |  |  |

**\*Suspension Length**. Unless no jail days are suspended, this portion of the defendant’s jail sentence will be suspended for 5 years for DUI or physical control offenses, 5 years for domestic violence offenses, and for 2 years for all other offenses.

**Concurrent/Consecutive**. All counts shall run **concurrently** with each other and with other sentences the defendant is currently serving, if any, except as follows –      .

**No Further Charges/Enhancements**. Where jurisdiction is exclusive to Kitsap County, the prosecution agrees to file no further charges or sentence enhancements arising out of the incident charged herein.

**Service Of Jail**.

**Jail**. Incarceration must be served in a county jail.

**Alternatives**. No objection to jail alternatives if defendant is eligible.

**DUI Electronic Home Monitoring**. RCW 46.61.5055 –

60 days;  90 days;  120 days ; 150 days;        days.

**Motion To Revoke**. The prosecution agrees to not file a motion to revoke, or to withdraw a previously filed and pending motion to revoke, in the following cases, based upon the conduct in this matter –  Kitsap District;  Bainbridge Island;  Port Orchard;  Poulsbo cause number(s)      .

**Sentence Conditions To Be Monitored By Probation Services**. Defendant shall contact Probation Services in room 106 of the Kitsap County Courthouse immediately following the sentencing hearing if defendant is not in custody or within 3 days upon defendant being released from custody. Defendant will be monitored for compliance by Probation Services for the following sentence conditions. Defendant shall –

**Obey The Law**. Have no new criminal law violations. This includes defendant shall abide by all protection orders and/or no contact orders currently in effect until the order(s) expire.

**Substance Use Disorder Treatment**. Obtain a substance use disorder evaluation from a Washington state-certified agency and fully comply with all treatment recommendations.

**DUI Victim Impact Panel**. Complete a Washington state DUI victim impact panel.

**Defensive Driving Course**. Complete a defensive driving course.

**Domestic Violence Intimate Partner Treatment**. Obtain a domestic violence intimate partner evaluation from a state-certified agency and fully comply with all treatment recommendations.

**Domestic Violence Parenting Class**. Complete a domestic violence parenting class that is a minimum 24 hours in length which includes education on the effects of domestic violence on children.

**Domestic Violence Victim Impact Panel**. Complete a domestic violence victim impact panel.

**Anger Management Course**. Complete an anger management course.

**Mental Health Treatment**. Obtain a mental health evaluation from a state-certified agency and fully comply with all treatment recommendations.

**Psychosexual Treatment**. Obtain a psychosexual evaluation from a state-certified agency and fully comply with all treatment recommendations.

**Firearm Safety Course**. Complete a firearm safety course.

**Sex Buyer Course**. Complete a sex buyer course.

**Gambling Treatment**. Obtain a gambling assessment and fully comply with all treatment recommendations.

**Other Sentence Conditions**. Defendant shall –

**Alcohol Prohibited**. Not possess or consume any beverage containing alcohol.

**Cannabis Prohibited**. Not possess or consume cannabis.

**Controlled Substances Prohibited**. Not possess or consume controlled substances unless prescribed by a physician.

**Contact Prohibited**. Not initiate contact, approach or communicate by any means whatsoever with the following –      .

**Animals Prohibited And Forfeited**. Not possess, own or care for any animals. The defendant agrees to forfeit all seized animals.

**Other Sentence Agreements And Recommendations**.

**Joint Agreement**. The prosecution recommendations are a joint agreement between the defendant and the prosecution. This contract constitutes the entirety of any agreement between the prosecution and the defendant in the above captioned cause, and supersedes any prior agreement, oral or written. The parties specifically contemplate and agree that failure to abide by this agree-ment, including but not limited to any additional motions, by either party, that pertain to sentencing or to the judgment and sentence in this case but are not contained in this agreement, constitutes a material breach of this agreement.

**Forfeit Seized Property**. The defendant agrees to forfeit all seized property, if any, associated with this case number.

**Dangerous Animal Declaration**.       (animal name) is a potentially dangerous animal. The animal should be declared dangerous by the judge pursuant to Kitsap County Code 7.12.020(b).

**Legal Financial Obligations**. Defendant shall pay the following –

**Probation Assessment**.  $600;  $240 ($10/month). RCW 10.64.120.

**DUI And Physical Control;**.  $990.50;  $1,245.50;  $1,670.50;   
 $2,095.50;  $2,945.50 (Note – these amounts include the fine, criminal conviction fee and Title 46 criminal justice penalty listed below).

**Emergency Responder Restitution**. The defendant agrees to pay (maximum $2,500 for a particular incident). RCW 38.52.430 –

$      WSP;  $      KCSO;  $      BIPD;  $      BPD;  $      POPD;  $      PPD;   
 $600.00 Fire District No. Choose an item..

**Restitution**. Defendant agrees to pay restitution to       (name) as determined by a separate order. RCW 9.95.210.

**Domestic Violence Penalty Assessment**. $      ($115 per DV count). RCW 10.99.080.

**Domestic Violence Court Order Violation**. $      ($30.75 per DV count). RCW 7.105.450.

**Fine**. $     .

**Criminal Conviction Fee**. $43 (per case). RCW 3.62.085.

**Title 46 Criminal Justice Penalty**. $       ($102.50 per Title 46 count). RCW 46.64.055.

**Crime Laboratory Analysis Fee**. $100. RCW 43.43.690.

**DNA Fee**. $100 (unless the state previously collected DNA as a result of a prior conviction). RCW 43.43.7541.

**Animal Cruelty Civil Penalty**. $1,000. RCW 16.52.200.

**Animal Cruelty Animal Care Costs**. $     . RCW 16.52.200.

**Indecent Exposure Assessment**. $50. RCW 9A.88.120.

**Prostitution Assessment**. $50. RCW 9A.88.120.

**Prostitution Patronizing Assessment**. $      (no prior = $1,500;   
1 prior = $2,500; 2 or more priors = $5,000). RCW 9A.88.120.

**Prostitution Permitting Assessment**. $      (no prior = $1,500;   
1 prior = $2,500; 2 or more priors = $5,000). RCW 9A.88.120.

**Wildlife Penalty Assessment**. $     . RCW 77.15.420.

**Wildlife Penalty Assessment – Unlawfully Hunting Wild Birds**. $1,000. RCW 77.15.400.

Dated – Click or tap to enter a date.

*/s/ Signed Electronically*

      (defendant)

Signed by counsel for the defendant after receiving permission from the defendant.

|  |  |
| --- | --- |
| */s/ Signed Electronically*  Prosecuting Authority        (name)        (WSBA No.) | */s/ Signed Electronically*  Defendant’s Lawyer        (name)        (WSBA No.) |

[Note – By typing your name, you intend to sign electronically and agree your electronic signature is the same as a handwritten signature for the purpose of validity, enforceability, and admissibility.]