

**PROCEDURE TO REQUEST DEFERRED PROSECUTION
ALCOHOL / DRUG / MENTAL HEALTH**

1. File a Petition for Deferred Prosecution with the Court 21 days before the trial date.
 2. If the Petition alleges an alcoholism or drug addiction problem, arrange to have the defendant/petitioner assessed by a state certified alcohol/drug treatment program.
 - The assessor must be provided copies of the police report, the defendant's case history (DCH) and abstract of driving record from the Department of Licensing.
 - A list of state certified chemical dependency treatment providers is available in the Court Services office at 614 Division Street, Room 106, Port Orchard.
 3. If the Petition alleges a mental health problem, arrange for an assessment by an approved mental health center. If alcohol or drug usage was involved in the underlying offense, then the defendant shall comply with (2) above and complete a mental health evaluation.
 4. Contact District Court Compliance Monitoring at 360-337-7109, and arrange to submit the petition, *proof of insurance and written assessment for review.
 - Compliance Monitoring will provide assistance to the defendant and defense attorney and answer questions regarding supervision expectations.
 5. The costs for deferred prosecution include the following:
 - \$150 – Administrative fee (paid before entry into deferred prosecution)
 - \$750 - Monitoring Fees
 - \$125 - BAC Fee for Title 46 (traffic) violations
 - TBD – Restitution fees if applicable
 - TBD – Emergency response cost
 6. A signed commitment to treatment is required before the court will sign the Deferred Prosecution Order. The defendant is expected to be in treatment on or before the day the Deferred Prosecution Order is presented to the judge for signature.
 7. Abstain from alcohol or any non-prescribed drugs for entire 5 year deferred prosecution.
 8. DUI victim's panel should be completed before entry in deferred prosecution. A list of times and locations of these panels is available in the Court Services office at the address listed above.
- * Should you continue to drive, you must be licensed and submit proof of insurance at the time of the entry of the deferred prosecution and each 6 months thereafter.