

# DEFERRED PROSECUTION

Deferred Prosecution will dismiss your case, save your license, and you won't go to Jail.

## YOUR LICENSE

### With a Breath/Blood Test

- If you provided a breath/blood test, you can save your license from suspension with the deferred prosecution
- To save your license you must submit an intent to seek deferred prosecution to the DOL within 60 days of your initial arrest



LAW FIRM OF  
David N. Jolly, P.S.

## YOUR LICENSE

### Breath/Blood Test Refusal

- If you refused the breath/blood test, you must request a DOL hearing and win the hearing to save your license
- To request a DOL hearing you must submit the Driver's Hearing Request and \$375 within 20 days of your arrest

Unique to Washington, Deferred Prosecution allows you to have your DUI dismissed on the condition that you complete a 2 year alcohol/drug treatment program. The program is divided into 3 phases:

- Approximately 3 months long (3+/week);
- Approximately 6 months long (once/week);
- Approximately 15 months long (once/month).

Participants must also complete 2 AA meetings per week for 2 years

Participants cannot consume any alcohol or non-prescribed drugs for 5 years

### PROS

- DUI dismissed (in 5 yrs)
- No loss of license
- No SR 22 insurance
- No jail

### CONS

- 2 years of alcohol | drug treatment
- Considered a "prior" DUI
- Ignition Interlock Device
- Costly unless good insurance

**You may only do one (1) Deferred Prosecution in a lifetime!**

**You must install an Ignition Interlock Device for at least 1 Year**

## COURT RULES

In all courts, the Deferred Prosecution must be approved by the Probation Department prior to entry. In Snohomish County the Petitioner (person doing the DP), must complete 36 hours of treatment before Probation will approve the DP. In Island County, Probation will personally meet with the Petitioner prior to approval. In all Cities and Counties, you will be on active probation for 1 year.

## DP TIPS

- Start the program early
- Do not miss meetings
- Take the program seriously
- Do not drink alcohol
- Go to a good treatment agency