

STATE OF WASHINGTON  
COUNTY

COURT

STATE OF WASHINGTON,

Plaintiff,

v.

Defendant.

NO.

SEARCH WARRANT FOR EVIDENCE OF  
A CRIME, TO WIT:

- VEHICULAR HOMICIDE, RCW 46.61.520
- VEHICULAR ASSAULT, RCW 46.61.522
- DRIVING WHILE UNDER THE INFLUENCE, RCW 46.61.502
- DRIVER UNDER TWENTY-ONE CONSUMING ALCOHOL OR MARIJUANA, RCW 46.61.503
- PHYSICAL CONTROL OF VEHICLE WHILE UNDER THE INFLUENCE, RCW 46.61.504
- \_\_\_\_\_

TO ANY PEACE OFFICER IN THE STATE OF WASHINGTON:

WHEREAS, upon the sworn complaint heretofore made and filed and/or the testimonial evidence given in the above-entitled Court and incorporated herein by this reference, it appears to the undersigned Judge of the above-entitled Court that there is probable cause to believe that, evidence of intoxicating liquor, marijuana, or any drug as defined by RCW 46.61.540, in violation of the laws of the State of Washington, evidence of the crime(s) of:

- Vehicular Homicide, RCW 46.61.520
  - Reckless Manner
  - Under the Influence of Liquor or Drugs
  - Disregard for the Safety of Others

- Vehicular Assault, RCW 46.61.522
  - Reckless Manner       Under the Influence of Liquor or Drugs
  - Disregard for the Safety of Others
- Driving While under the Influence, RCW 46.61.502
- Physical Control of Vehicle While under the Influence, RCW 46.61.504
- Driver under Twenty-one Consuming Alcohol or Marijuana, RCW 46.61.503
- \_\_\_\_\_

is concealed in, about or upon the person of \_\_\_\_\_, who is currently in the custody of the law enforcement officer serving this warrant and located within the County of \_\_\_\_\_.

NOW, THEREFORE, in the name of the State of Washington, you are hereby commanded with the necessary and proper assistance of a person trained and qualified to draw blood pursuant to RCW 46.61.506(5), to extract a sample of blood, consisting of one or more vials, from the person of \_\_\_\_\_, who is in the custody of \_\_\_\_\_ . The sample shall be extracted within \_\_\_\_\_ hours of the issuance of this search warrant. You are further commanded to ensure the safe keeping of the same and to make a return of said warrant within three (3) days; with a particular statement of all the articles seized and the name and title of the person who extracted the sample of blood.

The blood samples seized shall be submitted to the custody of the Washington State Toxicology Laboratory for appropriate forensic testing as determined by the Washington State Toxicology Laboratory to determine whether any intoxicating liquor, marijuana, or any drug as defined in RCW 46.61.540 can be detected and/or quantified.

A copy of said warrant shall be served upon the person from whom the blood is to be extracted and upon the person who extracted the sample of blood together with a receipt for the blood that was extracted.

GIVEN UNDER MY HAND this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_.

\_\_\_\_\_  
JUDGE

\_\_\_\_\_  
Printed or Typed Name of Judge

This warrant was issued by the above judge, pursuant to the procedures authorized by  
RCW 10.79.035, CrR 2.3 and CrRLJ 2.3 on \_\_\_\_\_, 20 \_\_, at \_\_\_\_\_ (time).

<p>_____ Printed Name of Peace Officer, Agency, and Personnel Number</p>	<p>_____ Signature of Peace Officer Authorized to Affix Judge's Signature to Warrant</p>
--	--

**Distribution if warrant obtained in person**—Original (Court Clerk); 1 copy (Prosecutor); 1 copy (Officer).  
**Distribution if warrant obtained telephonically**—If search warrant was obtained telephonically, this complaint must be read in its entirety to the judge. The judge *should* place the officer under oath prior to the reading. Original (Prosecutor); 1 copy (Officer).  
**Distribution if warrant obtained by e-mail**—If search warrant was obtained by e-mail, this entire complaint must be sent to the judge for the judge to read. A printout of all e-mails related to this warrant must be distributed with the warrant. Original (Prosecutor); 1 copy (Officer).

STATE OF WASHINGTON  
COUNTY

COURT

STATE OF WASHINGTON,

Plaintiff,

v.

\_\_\_\_\_ ,

Defendant.

NO.

DECLARATION IN SUPPORT OF SEARCH  
WARRANT FOR EVIDENCE OF A CRIME,  
TO WIT:

- VEHICULAR HOMICIDE, RCW 46.61.520
- VEHICULAR ASSAULT, RCW 46.61.522
- DRIVING WHILE UNDER THE INFLUENCE, RCW 46.61.502
- DRIVER UNDER TWENTY-ONE CONSUMING ALCOHOL OR MARIJUANA, RCW 46.61.503
- PHYSICAL CONTROL OF VEHICLE WHILE UNDER THE INFLUENCE, RCW 46.61.504
- \_\_\_\_\_

I, \_\_\_\_\_, declare under the penalty of perjury under the laws of the State of Washington, that the following is true and correct:

I am a duly appointed, qualified, and acting law enforcement officer for the:

- Washington State Patrol
- \_\_\_\_\_ County Sheriff's Department.
- \_\_\_\_\_ Police Department.

I am charged with responsibility for the investigation of criminal activity occurring within \_\_\_\_\_, and have probable cause to believe, and do, in fact, believe, that evidence of the crime(s) of:

- Vehicular Homicide, RCW 46.61.520
  - Reckless Manner       Under the Influence of Liquor or Drugs
  - Disregard for the Safety of Others
- Vehicular Assault, RCW 46.61.522
  - Reckless Manner       Under the Influence of Liquor or Drugs
  - Disregard for the Safety of Others
- Driving While under the Influence, RCW 46.61.502
- Physical Control of Vehicle While under the Influence, RCW 46.61.504
- Driver under Twenty-one Consuming Alcohol or Marijuana, RCW 46.61.503
- \_\_\_\_\_

is concealed in, about or upon the person of \_\_\_\_\_, who is currently located within the County of \_\_\_\_\_, my belief being based upon information acquired through personal interviews with witnesses and other law enforcement officers, review of reports and personal observations, said information being as further described herein—

I have served as a law enforcement officer for \_\_\_\_\_ years. My training and experience regarding investigations of the above crime(s) includes the following:

- Basic Law Enforcement Academy at the Washington Criminal Justice Training Commission
- Washington State Patrol Basic Academy
- Standardized Field Sobriety Testing and/or SFST Refresher Training
- Drug Recognition Expert School
- Collision Reconstruction Training
- Advanced Roadside Impaired Driving Enforcement Training

Additional training and experience:

---



---



---

The facts supporting the initial contact with \_\_\_\_\_ are as follows:

The facts supporting my belief that \_\_\_\_\_ is under the influence of intoxicating liquor, marijuana, or any drug and/or is affected by intoxicating liquor, marijuana, or any drug are as follows:

---

---

---

The suspect, \_\_\_\_\_ :

- is being treated at a medical facility. Treatment, to date, includes:
  - the administration of one or more drugs
  - the administration of intravenous fluids
  - the transfusion of blood
- submitted to a breath test on an instrument approved by the State Toxicologist but the breath alcohol concentration reading of \_\_\_\_\_ is not consistent with the suspect's level of impairment suggesting that the suspect is also under the influence of a drug.

A sample of \_\_\_\_\_'s blood, if extracted within a reasonable period of time after he/she last operated, or was in physical control of, a motor vehicle, may be tested to determine his/her current blood alcohol level and to detect the presence and/or level of marijuana, or any drug as defined by RCW 46.61.540. This search warrant is being requested \_\_\_\_\_ minutes \_\_\_\_\_ hours after \_\_\_\_\_

- ceased driving a motor vehicle,  was found in physical control of a motor vehicle or
- ceased operating a \_\_\_\_\_.

Therefore, I request authority to cause a sample of blood, consisting of one or more vials, to be extracted from the person of \_\_\_\_\_ by a person qualified to withdraw

blood and I request authority to submit that blood sample to be analyzed to determine the blood alcohol level and to detect the presence and/or level of marijuana, or any drug as defined by RCW 46.61.540.

**[CHECK IF SUBMITTING BY ELECTRONIC DEVICE] This declaration was submitted to the issuing judge or magistrate using an electronic device that is owned, issued, or maintained by the below-identified criminal justice agency.**

I certify (or declare) under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge, information and belief.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at  
\_\_\_\_\_ Washington.

Law Enforcement Officer's Signature \_\_\_\_\_

Law Enforcement Officer's Full Name \_\_\_\_\_

Agency Badge/Serial or Personnel Number \_\_\_\_\_

Agency Name \_\_\_\_\_

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
JUDGE

**Distribution if warrant obtained in person**—Original (Court Clerk); 1 copy (Prosecutor), 1 copy (Officer).

**Distribution if warrant obtained telephonically**—If search warrant was obtained telephonically, this complaint must be read in its entirety to the judge. The judge *should* place the officer under oath prior to the reading. Original (Prosecutor); 1 copy (Officer).

**Distribution if warrant obtained by e-mail**—If search warrant was obtained by e-mail, this entire complaint must be sent to the judge for the judge to read. A printout of all e-mails related to this warrant must be distributed with the warrant. Original (Prosecutor); 1 copy (Officer).

STATE OF WASHINGTON  
COUNTY

COURT

STATE OF WASHINGTON,

Plaintiff,

v.

\_\_\_\_\_

Defendant.

NO.

RECEIPT FOR PROPERTY TAKEN

The following property was taken from the person of \_\_\_\_\_  
pursuant to a Search Warrant having the same cause number:

A sample of blood consisting of \_\_\_\_\_ vials.

Acknowledged by Person from whom blood was extracted: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Acknowledged by Person who extracted the blood: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

The property may be tested for evidence of the above named crime to include but not be limited to, the blood alcohol level, the presence and/or level of marijuana, or any drug as defined by RCW 46.61.540.

**Distribution**—Original Receipt left with the person from whom the blood was drawn or left with medical staff if person is unavailable; 1 copy (Court Clerk); 1 copy (Prosecutor); 1 copy (Officer); 1 copy (person who extracted the blood).



STATE OF WASHINGTON  
COUNTY

COURT

STATE OF WASHINGTON,

Plaintiff,

v.

\_\_\_\_\_

Defendant.

NO.

RETURN OF SEARCH WARRANT

A sample of blood consisting of \_\_\_\_\_ vials was extracted from the person of \_\_\_\_\_ in the County of \_\_\_\_\_ on \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_ (time) by \_\_\_\_\_, who is employed by \_\_\_\_\_ as a

- technician trained in withdrawing blood
- nursing assistant as defined in chapter 18.88A RCW
- physician assistant as defined in chapter 18.71A RCW
- health care assistant as defined in chapter 18.135 RCW
- first responder as defined in chapter 18.73
- emergency medical technician as defined in chapter 18.73 RCW
- physician
- licensed practical nurse
- registered nurse

Acknowledged by Person from whom blood was extracted: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Acknowledged by Person who extracted the blood: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

**Distribution**—Original filed with Court Clerk within 3 days of service of warrant; 1 copy (Prosecutor), 1 copy (Officer).