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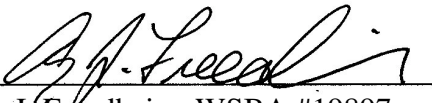
COUNT II

And I, Daniel T. Satterberg, Prosecuting Attorney aforesaid further do accuse RODNEY DEAN JAMES of the crime of **Vehicular Assault**, a crime of the same or similar character as another crime charged herein, which crimes were part of a common scheme or plan and which crimes were so closely connected in respect to time, place and occasion that it would be difficult to separate proof of one charge from proof of the other, committed as follows:

That the defendant RODNEY DEAN JAMES in King County, Washington, on or about December 12, 2009, did drive or operate a vehicle while under the influence of intoxicating liquor or any drugs, as defined by RCW 46.61.502, and caused substantial bodily harm to Wah Wong;

Contrary to RCW 46.61.522(1)(b), and against the peace and dignity of the State of Washington.

DANIEL T. SATTERBERG
Prosecuting Attorney

By: 
Amy J. Freedheim, WSBA #19897
Senior Deputy Prosecuting Attorney

1
2 CAUSE NO. 09-1-07515-4 SEA

3 PROSECUTING ATTORNEY CASE SUMMARY AND REQUEST FOR BAIL AND/OR
4 CONDITIONS OF RELEASE

5 The State incorporates the Certification for Determination of Probable Cause signed by
6 Seattle Police Detective Mark Smithers in incident #09-428011.

7 On Saturday evening, December 12, 2009, the Wong family drove into their driveway in
8 Seattle. As 60yO Salina Wong turned the motor off, her 67yO husband, Wah Wong, and her
9 22yO son, Jason Wong, stood at the truck taking out luggage.

10 The defendant, 50yO Rodney D. James, was driving his Corvette. He was speeding and
11 failed to negotiate the road and lost control of his car. It flew off the road and onto the Wong's
12 driveway and slammed into the rear of the Wong car. Wah and Jason Wong suffered crushing
13 injuries. Jason Wong has had to have his left leg partially amputated and has a serious right foot
14 fracture. Wah Wong suffered several fractures to his face, neck, and leg, a lacerated spleen, and
15 a head injury. Both men face multiple surgeries. Ms. Wong suffered a large head laceration.

16 Responding police contacted the defendant who admitted being the driver. They noted
17 several signs that he was impaired. His passenger seat area had several unopened beer cans.
18 After an evaluation by a Drug Recognition Expert (DRE) officer, a legal blood draw was done
19 two hours after the crash. The results are pending, but a portable breath test (PBT) showed an
20 alcohol level of .16g/100mL. The DRE observed many signs of impairment and even the
21 defendant stated that he knew he was "in trouble" during the Field Sobriety Tests.

22 REQUEST FOR BAIL

23 The State requests that the bail amount be raised to \$250,000 (First Appearance order was
\$150,000). Additional conditions include no use or possession of alcohol, no entering any
business where alcohol is the primary commodity for sale, use of a transdermal alcohol sensing
device, no driving without a valid license, insurance, and proof of an ignition interlock device
(set at .02), no moving violations, and no contact with the Wong family.

The defendant is currently on a suspended sentence for an **reckless driving (amended
from driving under the influence)** that was sentenced on 1/21/09 in King County District Court
#C0707630 before J. Chow, his other known criminal and moving history includes **NVOL**
(7/3/08), **DWLS**(5/9/03), and **speeding** (7/3/08). His currently known out-of-state history
includes a Fresno, CA **VUCSA** (8/2/1990) and a Graterford, PA **Escape-county prison**
(1/28/1981). Graterford is Pennsylvania's largest maximum security prison.



GENERAL OFFENSE # 2009-428011
FILE #

09 - 1 07515 - 4 SEA

CERTIFICATION FOR DETERMINATION OF PROBABLE CAUSE:

ORIGINAL

That **Mark Smithers** is a Detective with the Seattle Police Department and has reviewed the investigation conducted in Seattle Police Department Case number **2009-428011**. There is probable cause to believe that **Rodney Dean James, WM 11/29/1959**, committed the crime of **Vehicular Assault**. This belief is predicated on the following facts and circumstances.

On 12/12/2009 at about 1903 hours, victims Wah and Jason Wong were unloading luggage from the trunk of their car (vehicle #2), in the driveway at their residence located at 1721 S Colombian Wy. Victim Salina Wong was seated in the driver's seat of vehicle #2, turning the car off and removing the keys from the ignition. At this same time, suspect Rodney James was driving his 1998 Chevrolet Corvette (vehicle #1) eastbound in the 1700 block of S Colombian Wy. Suspect James later would state that he had been eastbound on S Snoqualmie St, at the stop sign at S Colombian Wy, and then "punched it". As suspect James was eastbound in the 1700 block of S Colombian Wy, he lost control of vehicle #1. Vehicle #1 began yawing or rotating clockwise to the right. This yaw continued to get worse as vehicle #1 left the right side of the roadway and slid across an area of gravel, across the sidewalk, and then into the driveway of 1721 S Colombian Wy. Vehicle #1 struck Wah and Jason Wong before striking the back end of vehicles #2 and #3. This impact knocked vehicle #2 forward over 7-feet where it then hit the house. Vehicle #3 was knocked 1.25 feet forward.

The impact injured Jason Wong's lower left leg severe enough to require that doctors amputated it below the knee. Jason's right foot was fractured and had ligament damage as well. Wah Wong's lower left leg was fractured, he had facial and neck fractures, a spleen laceration, and a laceration to his scalp. Salina Wong, who was seated in vehicle #2 at the time of this collision, suffered a laceration behind her left ear that required 8 stitches, bruising to her hip area, and various pain throughout her body.

Officer Jenkins arrived at the scene and observed suspect James standing next to vehicle #1. Suspect James told Officer Jenkins that he was driving vehicle #1 eastbound on S Snoqualmie St, turned right onto S Colombian Wy, accelerated, the accelerator stuck, and he lost control. Officer Jenkins observed unopened cans of beer inside vehicle #1.

Officer J. Stone arrived at the scene and contacted suspect James who was standing next to vehicle #1. Suspect James had difficulty remembering his correct phone number and correct address as Officer Stone attempted to gather this information. Officer Stone asked him how this collision occurred. Suspect James stated that he was eastbound on S Snoqualmie St, looked left and right, and the "punched it". Suspect James advised Officer Stone that he thought he was going 25 mph when he "punched it". Officer Stone observed unopened cans of beer inside vehicle #1.

Officer B. Caille arrived at the scene. Officer Caille advised suspect James of his Miranda rights. Officer Caille questioned suspect James about how this collision occurred. Suspect James advised that he was eastbound on S Snoqualmie St, turned right onto S Colombian Wy, accelerated into the turn, the throttle stuck, he applied brakes, the car spun around, he saw the pedestrians, and then his vehicle collided into the rear of a parked car. (Det. Smithers depressed the accelerator and brake pedals with his hand, during the scene investigation, and the pedals moved freely. No defect was observed with the pedals.)

Officer E. Michl arrived at the scene to screen suspect James for impairment or intoxication. Officer Michl is a certified Drug Recognition Expert. Officer Michl detected an odor of alcohol on Jame's breath. Suspect James had difficulty performing and remembering some of the Field Sobriety Tests. Suspect James provided a breath test into Officer Michl's PBT at the scene. The PBT result of this breath test was 0.16 BAC. Officer Michl placed suspect James under arrest obtained a blood draw at HMC. Suspect James' blood was analyzed at the Washington State Toxicology Laboratory. The result of the preliminary blood analysis was not ready yet, as of 12/15/2009 at 1015 hrs.



SEATTLE
POLICE
DEPARTMENT

CONTINUATION SHEET

GENERAL OFFENSE # 2009-428011
FILE #

Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing is true and correct to the best of my knowledge and belief. Signed and dated by me this 15TH day of DECEMBER 2009, at Seattle, Washington.

[Handwritten Signature] 4826

[Handwritten mark]

AGENCY: Seattle PD	WASPD0000	CASE NUMBER 2009-428011	FILE NUMBER 09-103	PCN NUMBER	SUPERFORM
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ARREST INFORMATION		
DATE & TIME OF VIOLATION 12/12/2009 7:03 PM	CRIMINAL TRAFFIC CITATION ATTACHED? <input type="checkbox"/> YES <input type="checkbox"/> NO	ACCOMPLICES
DATE OF ARREST/TIME 12/15/2009 12:37 PM	ARREST LOCATION 1721 S COLOMBIAN WY SEATTLE, WA 98108	

SUSPECT INFORMATION		
NAME (LAST, FIRST, MIDDLE/INR. SR. 1st 2nd) JAMES, RODNEY DEAN	DOB 11/29/1959	ALIAS, NICKNAMES
ARMED/DANGEROUS <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	IDENTITY IN DOUBT? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	CITIZENSHIP

PHYSICAL DETAILS						
SEX M	HEIGHT 511	WEIGHT 175	SKIN TONE MED	RACE W	EYE BLU	HAIR
						SCARS, MARKS, TATTOOS, DEFORMITIES

IDENTIFICATION DETAILS							
CCN 1853792	PRIOR BA # 209043440	AFIS # 00833303	FBI # 392643W6	STATE ID # CA07381909	DRIVER'S LICENSE # [REDACTED]	STATE	SSN [REDACTED]
RESIDENCE				EMPLOYMENT / SCHOOL			
LAST KNOWN ADDRESS 3501 14 AV S UNIT: 309 SEATTLE, WA 98144				EMPLOYER, SCHOOL (ADDRESS, SHOP/UNION NUMBER)			
RESIDENCE PHONE				BUSINESS PHONE		OCCUPATION	
EMERGENCY CONTACT							
PERSON TO BE CONTACTED IN CASE OF EMERGENCY			RELATIONSHIP	Address			PHONE

CHARGE INFORMATION			
OFFENSE <input type="checkbox"/> DV <input type="checkbox"/> FUGITIVE F - VEHICULAR ASSAULT	RCW / ORD# 46.61.522	COURT / CAUSE # SUPERIOR /	CITATION #
OFFENSE <input type="checkbox"/> DV <input type="checkbox"/> FUGITIVE F - VEHICULAR ASSAULT	RCW / ORD# 46.61.522	COURT / CAUSE # SUPERIOR /	CITATION #
OFFENSE <input type="checkbox"/> DV <input type="checkbox"/> FUGITIVE	RCW / ORD#	COURT / CAUSE #	CITATION #

WARRANT / OTHER				
WARRANT DATE	WARRANT NUMBER	OFFENSE	AMOUNT OF BAIL	WARRANT TYPE
ORIGINATING POLICE AGENCY		ISSUING AGENCY	WARRANT RELEASED TO (SERIAL # / UNIT / DATE / TIME)	

PROPERTY INFORMATION		
LIST VALUABLE ITEMS OR PROPERTY LEFT FOR ARRESTEE AT JAIL		
LIST VALUABLE ITEMS OR PROPERTY ENTERED INTO EVIDENCE (SIMPLE DESCRIPTION, IDENTIFYING MARKS, SERIAL #)		
LIST ITEMS ENTERED INTO SAFEKEEPING		
TOTAL CASH OF ARRESTEE \$0.00	WAS CASH TAKEN INTO EVIDENCE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO AMOUNT: \$0.00	SIGNATURE OF JAIL STAFF RECEIVING ITEMS / SERIAL #

OFFICER INFORMATION		
ARRESTING OFFICER / SERIAL # Smithers, Mark G 4826	TRANSPORTING OFFICER / SERIAL #	SUPERVISOR SIGNATURE / SERIAL #
SUPERFORM COMPLETED BY (SIGNATURE/SERIAL #) Smithers, Mark		CONTACT PERSON FOR ADDITIONAL INFORMATION (NAME/SERIAL#/PHONE) SMITHERS, M 4826 2066848931

COURT FILE		
SUPERIOR COURT FILING INFO <input type="checkbox"/> IN CUSTODY <input type="checkbox"/> AT LARGE <input type="checkbox"/> OUT ON BOND	COURT CAUSE (STAMP OR WRITE) 09-1-07515-4 SEA	
COURT/DIST CT NO	DIST CT BOND \$	SUP CT. DATE

EXTRADITE																											
PERSON APPROVING EXTRADITION	SEAKING-LOCAL ONLY WACIC-STATE WIDE <input type="checkbox"/>	NCIC-WILL EXTRADITE FROM ID & OR ONLY <input type="checkbox"/>	NCIC-WILL EXTRADITE FROM OR, ID, MT, WY, CA, NV, UT, CO, AZ, NM, HI, AK <input type="checkbox"/>																								
NCIC-WILL EXTRADITE FROM FROM ALL 50 STATES <input type="checkbox"/>	<table border="0"> <tr> <td>C</td> <td>DOC</td> <td>_____</td> </tr> <tr> <td>L</td> <td>TOC</td> <td>_____</td> </tr> <tr> <td>E</td> <td>OP</td> <td>_____</td> </tr> <tr> <td>A</td> <td></td> <td></td> </tr> <tr> <td>R</td> <td></td> <td></td> </tr> <tr> <td>A</td> <td></td> <td></td> </tr> <tr> <td>N</td> <td></td> <td></td> </tr> <tr> <td>C</td> <td></td> <td></td> </tr> </table>			C	DOC	_____	L	TOC	_____	E	OP	_____	A			R			A			N			C		
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