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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

THE STATE OF WASHINGTON,)
)
) Plaintiff,)
)
) v.)
)
) NATHAN JEREMIE GODWIN,)
)
))
))
))
))
) Defendant.)

No. 11-1-08443-1 SEA
INFORMATION

COUNT I

I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by the authority of the State of Washington, do accuse NATHAN JEREMIE GODWIN of the crime of **Vehicular Homicide**, committed as follows:

That the defendant NATHAN JEREMIE GODWIN in King County, Washington, on or about December 8, 2011, did drive a motor vehicle which proximately caused injury to Bradley Nakatani, a person who died within three years on or about December 8, 2011, as a proximate result of said injury; and that the defendant at said time was operating the vehicle while under the influence of intoxicating liquor, or any drug, as defined in RCW 46.61.502;

Contrary to RCW 46.61.520(1)(a), and against the peace and dignity of the State of Washington.

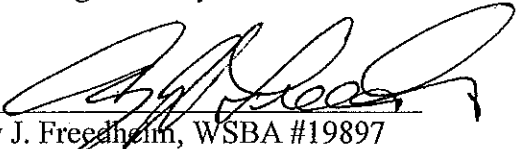
COUNT II

And I, Daniel T. Satterberg, Prosecuting Attorney aforesaid further do accuse NATHAN JEREMIE GODWIN of the crime of **Reckless Driving**, 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:

1 That the defendant NATHAN JEREMIE GODWIN in King County, Washington, on or
2 about December 8, 2011, did drive a motor vehicle with willful and wanton disregard for the
safety of persons and property;

3 Contrary to RCW 46.61.500, and against the peace and dignity of the State of
4 Washington.

5 DANIEL T. SATTERBERG
Prosecuting Attorney

6
7 By: 
8 Amy J. Freedheim, WSBA #19897
Senior Deputy Prosecuting Attorney



KIRKLAND POLICE DEPARTMENT
Investigations Division

11-1-08443-1SEA

CAUSE NO.

CERTIFICATION FOR DETERMINATION OF PROBABLE CAUSE

That Elizabeth Brouelette is a Traffic Sergeant with the City of Kirkland Police Department and has reviewed the investigation conducted in Kirkland Police Department Case Numbers: **2011-50717**. There is probable cause to believe that **Nathan J. Godwin, DOB 12/31/1984**, committed the crime(s) of:

RCW 46.61.520 – Vehicular Homicide

This belief is predicated on the following facts and circumstances:

That in the City of Kirkland, County of King, in the State of Washington, the following did occur:

On Thursday 12/08/11 at just before 0250 hours, Nathan J. Godwin was travelling east bound in the 13100 block of NE 124th St when he collided with a bicyclist that had turned southbound onto Slater Ave NE from NE 124th St. The bicyclist, identified as 36 year old Bradley J. Nakatani, was found deceased at the scene as a result of the collision. Godwin, who was driving a green Ford Excursion identified by its Montana license plate #1814389, stated that Nakatani appeared to be veering into his lane and that he swerved in an attempt to avoid the collision. Godwin stated that he had not consumed any alcoholic beverages tonight, but did admit that when he woke up at 2100 hours, he ingested prescribed Suboxone, which is used to treat his opiate addiction.

After agreeing to perform the voluntary field sobriety tests, Corporal Zablan observed 6/6 clues during the horizontal gaze nystagmus. During the instruction phase of the walk and turn test, Godwin was unable to maintain the starting position and failed to follow directions. Godwin was also unable to complete the one leg stand test. Godwin was practically falling to his left each time and it appeared that he had to place his foot down just to maintain his balance. Godwin then agreed to provide Corporal Zablan with a breath sample and admitted that he had consumed an alcoholic type of beverage that he called "Jeremiah Weed Iced Tea". Godwin said that he drank this iced tea when he took his Suboxone at 2100 hours. At 0334 hours, Godwin's breath sample on PBT #8261 was a .078.

Corporal Zablan believed that Godwin's ability to drive was impaired. Godwin was subsequently taken into custody and transported to the Evergreen Hospital emergency room for a special evidence blood draw. Godwin's blood was drawn at 0403 hours.

Godwin admitted that just a couple of hours prior to the accident he had consumed two glasses of champagne, one hard liquor drink called an "Adios Motherfucker" (AMF) which according to him was comprised of five different hard liquors along with beer, smoked a "blunt" which according to him was a Swisher Sweet cigar with marijuana inside of it along with his prescription medication of Suboxone and Lexapro. He advised that the Suboxone was an opiate suppressant and the Lexapro was an anti-depressant. He advised that he took the Suboxone around midnight and he took the Lexapro earlier in the day.

Godwin also admitted he was speeding approximately 60 MPH in the posted 35 MPH zone, when he was going through the intersection of NE 124th and Slater Ave NE. He admitted he thought he hit a bicyclist and continued driving until his passenger told him to turn around and go back. Godwin did so and observed that there was a bicyclist lying in the middle of the street appearing as if "he was asleep.". Victim Nakatani died of severe trauma at the scene.

ORIGINAL



KIRKLAND POLICE DEPARTMENT
Investigations Division

Godwin admitted that his consumption of alcoholic beverages, marijuana and prescription medications affected and contributed to the traffic collision and death of the bicyclist.

On 12/08/2011, I reviewed this case and prepared it for filing. I am forwarding this case to the King Co. Prosecutor's Office for filing of the charges. 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. Signed and dated by me Friday, December 09, 2011, at Kirkland, Washington.

E. Brouelette #322

Sgt. Elizabeth Brouelette #322 Kirkland/King/WA

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

4 The State incorporates the Certification for Determination of Probable Cause signed by
5 Kirkland Police Sgt. Elizabeth Brouelette in incident #11-50717.

6 On Thursday, December 8, 2011, at approximately 2:40 in the morning, 36yO Bradley
7 Nakatami, left his office to ride his bicycle home. Mr. Nakatami was wearing pants and top with
8 reflective material and was wearing blinking lights on his helmet and bike. A block from his
9 home in Kirkland, he was struck by a vehicle speeding over 60mph. He was killed immediately.

10 The vehicle, driven by the defendant, 26yO Nathan Godwin continued another block
11 before the passenger woke up and told him that he needed to return if he hit someone. The
12 defendant did return and waited for the police.

13 The defendant was contacted by the police who noted several signs that he was impaired,
14 despite his initial denial that he consumed alcohol. He did poorly on the Field Sobriety Tests and
15 showed 6/6 clues on the Horizontal Gaze Nystagmus. A legal blood draw was done within two
16 hours of the crash and the results are pending testing with the Toxicology Laboratory.

17 According to the passenger in the defendant's car, the defendant was supposed to be the
18 designated driver and not drinking. The defendant later admitted that he not only drank several
19 mixed drinks, but smoked marijuana Wednesday evening and had taken a prescription drug at
20 midnight. The drug cautions against use with alcohol and alcohol used with marijuana is greatly
21 impairing.

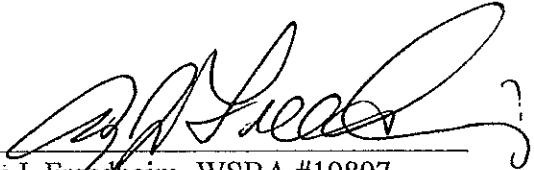
22 The defendant told Court Services that he has no substance abuse problem and is under a
23 doctor's care for substance abuse.

24 REQUEST FOR BAIL

The State requests that bail remain at the amount set at First Appearance, \$500,000.
Additional conditions include no use or possession of alcohol or non-prescribed drugs, CCAP
basic, no driving any motor vehicle, no entering any business where alcohol is the primary
commodity for sale, and no contact with family of Bradley Nakatani.

The defendant is a convicted felon (VUCSA (7/29/2005)) with over a dozen traffic FTAs.
His moving violations include **speeding** (7/6/11, 8/28/10), **disobeying road signal** (12/3/08),
failure to stop at signal (9/16/07), and a reckless driving amended to **reckless endangerment**
(6/16/04). He bailed out on the First Appearance amount on 12/9/11.

Signed this 12 day of December, 2011.


Amy J. Freedheim, WSBA #19897

AGENCY: Kirkland PD	WA0170800	CASE NUMBER 2011-50717	FILE NUMBER	PCN NUMBER 201508827	SUPERFORM
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ARREST INFORMATION		
DATE & TIME OF VIOLATION 12/8/2011 2:50 AM	CRIMINAL TRAFFIC CITATION ATTACHED? <input type="checkbox"/> YES <input type="checkbox"/> NO	ACCOMPLICES
DATE OF ARREST/TIME 12/8/2011 3:35 AM	ARREST LOCATION 13200 NE 124th ST Kirkland, WA 98034	

SUSPECT INFORMATION		
NAME (LAST, FIRST, MIDDLE/JR, SR, 1st, 2nd) GODWIN, NATHAN JEREMIE	DOB 12/31/1984	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 160	SKIN TONE MED	RACE W	EYE BRO	HAIR BRO	SCARS, MARKS, TATTOOS, DEFORMITIES

IDENTIFICATION DETAILS							
CCN 1815479	PRIOR BA # 205041553	AFIS # 00773419	FBI #	STATE ID #	DRIVER'S LICENSE #	STATE WA	SSN
RESIDENCE LAST KNOWN ADDRESS 10915 160th CT NE Redmond, WA 98052				EMPLOYMENT / SCHOOL EMPLOYER, SCHOOL (ADDRESS, SHOP/UNION NUMBER)			
RESIDENCE PHONE 2065718455				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	I - VEHIC HOMICIDE INV	RCW / ORD # 0909	COURT / CAUSE # /	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 # Zablan, Lapaki 344	TRANSPORTING OFFICER / SERIAL #	SUPERVISOR SIGNATURE / SERIAL #
SUPERFORM COMPLETED BY (SIGNATURE/SERIAL #) Zablan, Lapaki		CONTACT PERSON FOR ADDITIONAL INFORMATION (NAME/SERIAL#/PHONE)

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) 11-1-08443-1SEA		
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"/>
E N T R Y	CCN _____ WAC _____ NCIC _____	DOE _____ TOE _____ OP _____	C L E A R A N C E DOC _____ TOC _____ OP _____	

PROBABLE CAUSE INFORMATION	
STATEMENT OF PROBABLE CAUSE: NON-VUCSA	
CONCISELY SET FORTH FACTS SHOWING PROBABLE CAUSE FOR EACH ELEMENT OF THE OFFENSE AND THAT THE SUSPECT COMMITTED THE OFFENSE. IF NOT PROVIDED, THE SUSPECT WILL BE AUTOMATICALLY RELEASED. INDICATE ANY WEAPONS INVOLVED. (DRUG CRIME CERTIFICATE BELOW.)	

ON (date) 12/8/2011 AT (time) 2:50 AM, WITHIN THE (city/unincorporated area of county) City of Kirkland,
COUNTY OF KING, STATE OF WASHINGTON, THE FOLLOWING DID OCCUR:

That in the City of Kirkland, County of King, in the State of Washington, the following did occur:

On Thursday 12/08/11 at just before 0250 hours, Nathan J. Godwin was travelling east bound in the 13200 block of NE 124th St when he collided with a bicyclist that had turned east bound onto NE 124th St from north bound Slater Ave NE. The bicyclist, identified as 36 year old Bradley J. Nakatani, was found deceased at the scene as a result of the collision. Godwin, who was driving a green Ford Excursion identified by its Montana license plate #1814389, stated that Nakatani appeared to be veering into his lane and that he swerved in an attempt to avoid the collision. Godwin stated that he had not consumed any alcoholic beverages tonight, but did admit that when he woke up at 2100 hours, he ingested his suboxone, which is used to treat his opiate addiction.

After agreeing to perform the voluntary field sobriety tests, I observed that Godwin's eyes were of normal size and there was no resting nystagmus in either eye. However distinct nystagmus was obviously present in both eyes at maximum deviation for a period of not less than four seconds. I also observed the onset of nystagmus in both eyes at 45 degrees for a period of not less than four seconds. During the instruction phase of the walk and turn test, Godwin was unable to maintain the starting position and I had to remind him a few times to not begin the test until I told him to. Godwin also performed the turn incorrectly, picking up both feet to turn clockwise. Godwin was also unable to complete the one leg stand test. I observed that Godwin had to put his right foot down on counts "1000-6", "1000-13", and "1000-18". Godwin was practically falling to his left each time and it appeared that he had to place his foot down just to maintain his balance. Godwin then agreed to provide me with a breath sample and finally admitted that he had consumed an alcoholic type of beverage that he called "Jeremiah Weed Iced Tea". Godwin said that he drank this iced tea when he took his suboxone at 2100 hours. At 0334 hours, Godwin's breath sample on PBT #8261 was a .078.

Based on my training and over eight years of experience, I believe that Godwin's ability to drive was impaired. Godwin was subsequently taken into custody and transported to the Evergreen Hospital emergency room for a special evidence blood draw. It should be noted that I was unable to detect the odor of alcoholic beverages on Godwin, until I had secured him in the back seat of my patrol car. At 0359 hours, I read Godwin the special evidence warning and stood by as Godwin's blood was drawn at 0403 hours. Godwin was then booked into custody for Vehicular Homicide.

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.		REQUEST 72-HR RUSH FILE? <input type="checkbox"/> YES <input type="checkbox"/> NO
		ANTICIPATED FILING DATE
DATE AND PLACE 12/8/2011 Kirkland	SIGNATURE / AGENCY lzablan@kirklandwa.gov / WA0170800	
This printout is from the King County Booking and Referral System (BARS), where the above officer signed and transmitted this eSuperform as permitted by GR 30 and LCrRLJ 2.6.		

DRUG CRIME INFORMATION

DRUG CRIME CERTIFICATE

Part I: ON (date) _____ THE SUSPECT (suspect's name) _____
 DELIVERED POSSESSED WITH INTENT TO DELIVER/MANUFACTURE POSSESSED WHAT THE UNDERSIGNED OFFICER (officer's name) _____ BASED ON TRAINING AND EXPERIENCE, BELIEVES TO BE (approximate quantity and type of controlled substance) _____ . APPROXIMATE STREET VALUE OF THE CONTROLLED SUBSTANCE IS (value of drugs) _____ .

Part II: FACTS INDICATING THE SUSPECT DELIVERED POSSESSED WITH INTENT TO DELIVER/MANUFACTURE POSSESSED THE CONTROLLED SUBSTANCE:

ON (date) _____ AT (time) _____, WITHIN THE (city/unincorporated area of county) _____
COUNTY OF KING, STATE OF WASHINGTON, THE FOLLOWING DID OCCUR:

MY SOURCE OF INFORMATION ABOUT THIS CRIME (e.g., myself, other person with firsthand knowledge)

OTHER FACTS

I CERTIFY (OR DECLARE) UNDER PENALTY OF PERJURY UNDER THE LAWS OF THE STATE OF WASHINGTON THAT THE FOREGOING IS TRUE AND CORRECT.		REQUEST 72-HR RUSH FILE? <input type="checkbox"/> YES <input type="checkbox"/> NO
		ANTICIPATED FILING DATE
DATE AND PLACE	SIGNATURE / AGENCY	
ZONE DETAILS SODA ZONE <input type="checkbox"/> YES <input type="checkbox"/> NO DRUG FREE ZONE? EXACT LOCATION IS REQUIRED. <input type="checkbox"/> YES <input type="checkbox"/> NO		LAB WORK LAB WORK REQUESTED? (DATE / TYPE)

OBJECT TO RELEASE INFORMATION

LAW ENFORCEMENT OBJECT TO RELEASE? YES NO

IF YES, EXPLAIN WHY SAFETY OF INDIVIDUAL OR PUBLIC WILL BE THREATENED IF SUSPECT IS RELEASED ON BAIL OR RECOGNIZANCE (CONSIDER HISTORY OF VIOLENCE, MENTAL ILLNESS, DRUG DEPENDENCY, DRUG DEALING, DOCUMENTED GANG MEMBER, FAILURE TO APPEAR, LACK OF TIES TO COMMUNITY). INCLUDE FARR GUIDELINES. DESCRIBE TYPE OF WEAPON. BE SPECIFIC.