SENATE BILL 5789

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State of Washington   54th Legislature   1995 Regular Session

By Senators Schow, Hochstatter, Roach, Palmer, Finkbeiner, Sellar, Oke, Moyer, McDonald, Strannigan, Johnson, Hale, Morton, West and Cantu

Read first time 02/07/95. Referred to Committee on Law & Justice.

1   AN ACT Relating to adult offenders with child accomplices; amending
2 RCW 9.94A.310; and prescribing penalties.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4   **Sec. 1.** RCW 9.94A.310 and 1994 sp.s. c 7 s 512 are each amended to
5 read as follows:

6 (1)   TABLE 1

7   Sentencing Grid

8   SERIOUSNESS
9 SCORE   OFFENDER SCORE
10   9 or
11   0   1   2   3   4   5   6   7   8   more
12 ───
13 XV   Life Sentence without Parole/Death Penalty
14 ───

Line											
1	XIV	23y4m	24y4m	25y4m	26y4m	27y4m	28y4m	30y4m	32y10m	36y	40y
2		240-	250-	261-	271-	281-	291-	312-	338-	370-	411-
3		320	333	347	361	374	388	416	450	493	548
4											
5	XIII	12y	13y	14y	15y	16y	17y	19y	21y	25y	29y
6		123-	134-	144-	154-	165-	175-	195-	216-	257-	298-
7		164	178	192	205	219	233	260	288	342	397
8											
9	XII	9y	9y11m	10y9m	11y8m	12y6m	13y5m	15y9m	17y3m	20y3m	23y3m
10		93-	102-	111-	120-	129-	138-	162-	178-	209-	240-
11		123	136	147	160	171	184	216	236	277	318
12											
13	XI	7y6m	8y4m	9y2m	9y11m	10y9m	11y7m	14y2m	15y5m	17y11m	20y5m
14		78-	86-	95-	102-	111-	120-	146-	159-	185-	210-
15		102	114	125	136	147	158	194	211	245	280
16											
17	X	5y	5y6m	6y	6y6m	7y	7y6m	9y6m	10y6m	12y6m	14y6m
18		51-	57-	62-	67-	72-	77-	98-	108-	129-	149-
19		68	75	82	89	96	102	130	144	171	198
20											
21	IX	3y	3y6m	4y	4y6m	5y	5y6m	7y6m	8y6m	10y6m	12y6m
22		31-	36-	41-	46-	51-	57-	77-	87-	108-	129-
23		41	48	54	61	68	75	102	116	144	171
24											
25	VIII	2y	2y6m	3y	3y6m	4y	4y6m	6y6m	7y6m	8y6m	10y6m
26		21-	26-	31-	36-	41-	46-	67-	77-	87-	108-
27		27	34	41	48	54	61	89	102	116	144
28											
29	VII	18m	2y	2y6m	3y	3y6m	4y	5y6m	6y6m	7y6m	8y6m
30		15-	21-	26-	31-	36-	41-	57-	67-	77-	87-
31		20	27	34	41	48	54	75	89	102	116
32											
33	VI	13m	18m	2y	2y6m	3y	3y6m	4y6m	5y6m	6y6m	7y6m
34		12+-	15-	21-	26-	31-	36-	46-	57-	67-	77-
35		14	20	27	34	41	48	61	75	89	102
36											
37	V	9m	13m	15m	18m	2y2m	3y2m	4y	5y	6y	7y
38		6-	12+-	13-	15-	22-	33-	41-	51-	62-	72-
39		12	14	17	20	29	43	54	68	82	96

IV	6m	9m	13m	15m	18m	2y2m	3y2m	4y2m	5y2m	6y2m
	3-	6-	12+-	13-	15-	22-	33-	43-	53-	63-
	9	12	14	17	20	29	43	57	70	84

III	2m	5m	8m	11m	14m	20m	2y2m	3y2m	4y2m	5y
	1-	3-	4-	9-	12+-	17-	22-	33-	43-	51-
	3	8	12	12	16	22	29	43	57	68

II		4m	6m	8m	13m	16m	20m	2y2m	3y2m	4y2m
	0-90	2-	3-	4-	12+-	14-	17-	22-	33-	43-
	Days	6	9	12	14	18	22	29	43	57

I			3m	4m	5m	8m	13m	16m	20m	2y2m
	0-60	0-90	2-	2-	3-	4-	12+-	14-	17-	22-
	Days	Days	5	6	8	12	14	18	22	29

NOTE: Numbers in the first horizontal row of each seriousness category represent sentencing midpoints in years(y) and months(m). Numbers in the second and third rows represent presumptive sentencing ranges in months, or in days if so designated. 12+ equals one year and one day.

(2) For persons convicted of the anticipatory offenses of criminal attempt, solicitation, or conspiracy under chapter 9A.28 RCW, the presumptive sentence is determined by locating the sentencing grid sentence range defined by the appropriate offender score and the seriousness level of the completed crime, and multiplying the range by 75 percent.

(3) The following additional times shall be added to the presumptive sentence if the offender or an accomplice was armed with a deadly weapon as defined in this chapter and the offender is being sentenced for one of the crimes listed in this subsection. If the offender or an accomplice was armed with a deadly weapon and the offender is being sentenced for an anticipatory offense under chapter 9A.28 RCW to commit one of the crimes listed in this subsection, the following times shall be added to the presumptive range determined under subsection (2) of this section:

(a) 24 months for Rape 1 (RCW 9A.44.040), Robbery 1 (RCW 9A.56.200), or Kidnapping 1 (RCW 9A.40.020);

1   (b) 18 months for Burglary 1 (RCW 9A.52.020);

2   (c) 12 months for any violent offense except as provided in (a)
3 and (b) of this subsection, Escape 1 (RCW 9A.76.110), Burglary 2 of a
4 building other than a dwelling (RCW 9A.52.030), Theft of Livestock 1 or
5 2 (RCW 9A.56.080), or any drug offense.

6   (4) The following additional times shall be added to the
7 presumptive sentence if the offender or an accomplice committed the
8 offense while in a county jail or state correctional facility as that
9 term is defined in this chapter and the offender is being sentenced for
10 one of the crimes listed in this subsection. If the offender or an
11 accomplice committed one of the crimes listed in this subsection while
12 in a county jail or state correctional facility as that term is defined
13 in this chapter, and the offender is being sentenced for an
14 anticipatory offense under chapter 9A.28 RCW to commit one of the
15 crimes listed in this subsection, the following times shall be added to
16 the presumptive sentence range determined under subsection (2) of this
17 section:

18   (a) Eighteen months for offenses committed under RCW
19 69.50.401(a)(1)(i) or 69.50.410;

20   (b) Fifteen months for offenses committed under RCW
21 69.50.401(a)(1)(ii), (iii), and (iv);

22   (c) Twelve months for offenses committed under RCW 69.50.401(d).

23   For the purposes of this subsection, all of the real property of
24 a state correctional facility or county jail shall be deemed to be part
25 of that facility or county jail.

26   (5) An additional twenty-four months shall be added to the
27 presumptive sentence for any ranked offense involving a violation of
28 chapter 69.50 RCW if the offense was also a violation of RCW 69.50.435.

29   (6) An additional twelve months shall be added to the presumptive
30 sentence for any ranked offense committed by an adult involving an
31 accomplice or principal convicted or adjudicated under the same set of
32 facts who is a minor.

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