
SENATE BILL 5282

State of Washington 55th Legislature 1997 Regular Session

By Senators Long, Hargrove, Schow, Zarelli and Winsley

Read first time 01/21/97. Referred to Committee on Law & Justice.

1 AN ACT Relating to hit and run involving death; amending RCW
2 46.52.020 and 13.40.0357; reenacting and amending RCW 9.94A.320; and
3 prescribing penalties.

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

5 **Sec. 1.** RCW 46.52.020 and 1990 c 210 s 2 are each amended to read
6 as follows:

7 (1) A driver of any vehicle involved in an accident resulting in
8 the injury to or death of any person shall immediately stop such
9 vehicle at the scene of such accident or as close thereto as possible
10 but shall then forthwith return to, and in every event remain at, the
11 scene of such accident until he has fulfilled the requirements of
12 subsection (3) of this section; every such stop shall be made without
13 obstructing traffic more than is necessary.

14 (2) The driver of any vehicle involved in an accident resulting
15 only in damage to a vehicle which is driven or attended by any person
16 or damage to other property shall immediately stop such vehicle at the
17 scene of such accident or as close thereto as possible and shall
18 forthwith return to, and in any event shall remain at, the scene of
19 such accident until he has fulfilled the requirements of subsection (3)

1 of this section; every such stop shall be made without obstructing
2 traffic more than is necessary.

3 (3) Unless otherwise provided in subsection (7) of this section the
4 driver of any vehicle involved in an accident resulting in injury to or
5 death of any person or damage to any vehicle which is driven or
6 attended by any person or damage to other property shall give his name,
7 address, insurance company, insurance policy number, and vehicle
8 license number and shall exhibit his vehicle driver's license to any
9 person struck or injured or the driver or any occupant of, or any
10 person attending, any such vehicle collided with and shall render to
11 any person injured in such accident reasonable assistance, including
12 the carrying or the making of arrangements for the carrying of such
13 person to a physician or hospital for medical treatment if it is
14 apparent that such treatment is necessary or if such carrying is
15 requested by the injured person or on his behalf. Under no
16 circumstances shall the rendering of assistance or other compliance
17 with the provisions of this subsection be evidence of the liability of
18 any driver for such accident.

19 (4) Any driver covered by (~~the provisions of~~) subsection (1) of
20 this section, where the death of a person ensues within three years as
21 a proximate result of injury proximately caused by the driver or where
22 the accident is the proximate cause of an injury to a person, failing
23 to stop or comply with any of the requirements of subsection (3) of
24 this section under said circumstances shall be guilty of a class C
25 felony and, upon conviction, be punished pursuant to chapter 9A.20 RCW
26 (~~9A.20.020: PROVIDED, That this provision shall~~). This subsection
27 does not apply to any person injured or incapacitated by such accident
28 to the extent of being physically incapable of complying herewith.

29 (5) Any driver covered by the provisions of subsection (2) of this
30 section failing to stop or to comply with any of the requirements of
31 subsection (3) of this section under said circumstances shall be guilty
32 of a gross misdemeanor: PROVIDED, That this provision shall not apply
33 to any person injured or incapacitated by such accident to the extent
34 of being physically incapable of complying herewith.

35 (6) The license or permit to drive or any nonresident privilege to
36 drive of any person convicted under this section or any local ordinance
37 consisting of substantially the same language as this section of
38 failure to stop and give information or render aid following an

1 accident with any vehicle driven or attended by any person shall be
2 revoked by the department.

3 (7) If none of the persons specified are in condition to receive
4 the information to which they otherwise would be entitled under
5 subsection (3) of this section, and no police officer is present, the
6 driver of any vehicle involved in such accident after fulfilling all
7 other requirements of subsections (1) and (3) of this section insofar
8 as possible on his part to be performed, shall forthwith report such
9 accident to the nearest office of the duly authorized police authority
10 and submit thereto the information specified in subsection (3) of this
11 section.

12 **Sec. 2.** RCW 9.94A.320 and 1996 c 302 s 6, 1996 c 205 s 3, and 1996
13 c 36 s 2 are each reenacted and amended to read as follows:

14 TABLE 2

15 CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

16	XV	Aggravated Murder 1 (RCW 10.95.020)
17	XIV	Murder 1 (RCW 9A.32.030)
18		Homicide by abuse (RCW 9A.32.055)
19	XIII	Murder 2 (RCW 9A.32.050)
20	XII	Assault 1 (RCW 9A.36.011)
21		Assault of a Child 1 (RCW 9A.36.120)
22	XI	Rape 1 (RCW 9A.44.040)
23		Rape of a Child 1 (RCW 9A.44.073)
24	X	Kidnapping 1 (RCW 9A.40.020)
25		Rape 2 (RCW 9A.44.050)
26		Rape of a Child 2 (RCW 9A.44.076)
27		Child Molestation 1 (RCW 9A.44.083)
28		Damaging building, etc., by explosion with
29		threat to human being (RCW
30		70.74.280(1))
31		Over 18 and deliver heroin or narcotic from
32		Schedule I or II to someone under 18
33		(RCW 69.50.406)

1 Leading Organized Crime (RCW
2 9A.82.060(1)(a))

3 IX Assault of a Child 2 (RCW 9A.36.130)
4 Robbery 1 (RCW 9A.56.200)
5 Manslaughter 1 (RCW 9A.32.060)
6 Explosive devices prohibited (RCW
7 70.74.180)
8 Indecent Liberties (with forcible
9 compulsion) (RCW 9A.44.100(1)(a))
10 Endangering life and property by explosives
11 with threat to human being (RCW
12 70.74.270)
13 Over 18 and deliver narcotic from Schedule
14 III, IV, or V or a nonnarcotic from
15 Schedule I-V to someone under 18 and 3
16 years junior (RCW 69.50.406)
17 Controlled Substance Homicide (RCW
18 69.50.415)
19 Sexual Exploitation (RCW 9.68A.040)
20 Inciting Criminal Profiteering (RCW
21 9A.82.060(1)(b))
22 Vehicular Homicide, by being under the
23 influence of intoxicating liquor or
24 any drug (RCW 46.61.520)

25 VIII Arson 1 (RCW 9A.48.020)
26 Promoting Prostitution 1 (RCW 9A.88.070)
27 Selling for profit (controlled or
28 counterfeit) any controlled substance
29 (RCW 69.50.410)
30 Manufacture, deliver, or possess with
31 intent to deliver heroin or cocaine
32 (RCW 69.50.401(a)(1)(i))
33 Manufacture, deliver, or possess with
34 intent to deliver methamphetamine (RCW
35 69.50.401(a)(1)(ii))
36 Possession of ephedrine or pseudoephedrine
37 with intent to manufacture
38 methamphetamine (RCW 69.50.440)

1 Vehicular Homicide, by the operation of any
2 vehicle in a reckless manner (RCW
3 46.61.520)

4 VII Burglary 1 (RCW 9A.52.020)
5 Vehicular Homicide, by disregard for the
6 safety of others (RCW 46.61.520)
7 Introducing Contraband 1 (RCW 9A.76.140)
8 Indecent Liberties (without forcible
9 compulsion) (RCW 9A.44.100(1) (b) and
10 (c))
11 Child Molestation 2 (RCW 9A.44.086)
12 Dealing in depictions of minor engaged in
13 sexually explicit conduct (RCW
14 9.68A.050)
15 Sending, bringing into state depictions of
16 minor engaged in sexually explicit
17 conduct (RCW 9.68A.060)
18 Involving a minor in drug dealing (RCW
19 69.50.401(f))
20 Reckless Endangerment 1 (RCW 9A.36.045)
21 Unlawful Possession of a Firearm in the
22 first degree (RCW 9.41.040(1)(a))
23 Hit and Run -- Death (RCW 46.52.020(4))

24 VI Bribery (RCW 9A.68.010)
25 Manslaughter 2 (RCW 9A.32.070)
26 Rape of a Child 3 (RCW 9A.44.079)
27 Intimidating a Juror/Witness (RCW
28 9A.72.110, 9A.72.130)
29 Damaging building, etc., by explosion with
30 no threat to human being (RCW
31 70.74.280(2))
32 Endangering life and property by explosives
33 with no threat to human being (RCW
34 70.74.270)
35 Incest 1 (RCW 9A.64.020(1))
36 Manufacture, deliver, or possess with
37 intent to deliver narcotics from

1 Schedule I or II (except heroin or
2 cocaine) (RCW 69.50.401(a)(1)(i))
3 Intimidating a Judge (RCW 9A.72.160)
4 Bail Jumping with Murder 1 (RCW
5 9A.76.170(2)(a))
6 Theft of a Firearm (RCW 9A.56.300)

7 V Persistent prison misbehavior (RCW
8 9.94.070)
9 Criminal Mistreatment 1 (RCW 9A.42.020)
10 Abandonment of dependent person 1 (RCW
11 9A.42.060)
12 Rape 3 (RCW 9A.44.060)
13 Sexual Misconduct with a Minor 1 (RCW
14 9A.44.093)
15 Child Molestation 3 (RCW 9A.44.089)
16 Kidnapping 2 (RCW 9A.40.030)
17 Extortion 1 (RCW 9A.56.120)
18 Incest 2 (RCW 9A.64.020(2))
19 Perjury 1 (RCW 9A.72.020)
20 Extortionate Extension of Credit (RCW
21 9A.82.020)
22 Advancing money or property for
23 extortionate extension of credit (RCW
24 9A.82.030)
25 Extortionate Means to Collect Extensions of
26 Credit (RCW 9A.82.040)
27 Rendering Criminal Assistance 1 (RCW
28 9A.76.070)
29 Bail Jumping with class A Felony (RCW
30 9A.76.170(2)(b))
31 Sexually Violating Human Remains (RCW
32 9A.44.105)
33 Delivery of imitation controlled substance
34 by person eighteen or over to person
35 under eighteen (RCW 69.52.030(2))
36 Possession of a Stolen Firearm (RCW
37 9A.56.310)

1 IV Residential Burglary (RCW 9A.52.025)
2 Theft of Livestock 1 (RCW 9A.56.080)
3 Robbery 2 (RCW 9A.56.210)
4 Assault 2 (RCW 9A.36.021)
5 Escape 1 (RCW 9A.76.110)
6 Arson 2 (RCW 9A.48.030)
7 Commercial Bribery (RCW 9A.68.060)
8 Bribing a Witness/Bribe Received by Witness
9 (RCW 9A.72.090, 9A.72.100)
10 Malicious Harassment (RCW 9A.36.080)
11 Threats to Bomb (RCW 9.61.160)
12 Willful Failure to Return from Furlough
13 (RCW 72.66.060)
14 Hit and Run -- Injury Accident (RCW
15 46.52.020(4))
16 Hit and Run with Vessel -- Injury Accident
17 (RCW 88.12.155(3))
18 Vehicular Assault (RCW 46.61.522)
19 Manufacture, deliver, or possess with
20 intent to deliver narcotics from
21 Schedule III, IV, or V or nonnarcotics
22 from Schedule I-V (except marijuana or
23 methamphetamines) (RCW 69.50.401(a)(1)
24 (iii) through (v))
25 Influencing Outcome of Sporting Event (RCW
26 9A.82.070)
27 Use of Proceeds of Criminal Profiteering
28 (RCW 9A.82.080 (1) and (2))
29 Knowingly Trafficking in Stolen Property
30 (RCW 9A.82.050(2))
31 III Criminal Mistreatment 2 (RCW 9A.42.030)
32 Abandonment of dependent person 2 (RCW
33 9A.42.070)
34 Extortion 2 (RCW 9A.56.130)
35 Unlawful Imprisonment (RCW 9A.40.040)
36 Assault 3 (RCW 9A.36.031)
37 Assault of a Child 3 (RCW 9A.36.140)
38 Custodial Assault (RCW 9A.36.100)

1 Unlawful possession of firearm in the
2 second degree (RCW 9.41.040(1)(b))
3 Harassment (RCW 9A.46.020)
4 Promoting Prostitution 2 (RCW 9A.88.080)
5 Willful Failure to Return from Work Release
6 (RCW 72.65.070)
7 Burglary 2 (RCW 9A.52.030)
8 Introducing Contraband 2 (RCW 9A.76.150)
9 Communication with a Minor for Immoral
10 Purposes (RCW 9.68A.090)
11 Patronizing a Juvenile Prostitute (RCW
12 9.68A.100)
13 Escape 2 (RCW 9A.76.120)
14 Perjury 2 (RCW 9A.72.030)
15 Bail Jumping with class B or C Felony (RCW
16 9A.76.170(2)(c))
17 Intimidating a Public Servant (RCW
18 9A.76.180)
19 Tampering with a Witness (RCW 9A.72.120)
20 Manufacture, deliver, or possess with
21 intent to deliver marijuana (RCW
22 69.50.401(a)(1)(iii))
23 Delivery of a material in lieu of a
24 controlled substance (RCW
25 69.50.401(c))
26 Manufacture, distribute, or possess with
27 intent to distribute an imitation
28 controlled substance (RCW
29 69.52.030(1))
30 Recklessly Trafficking in Stolen Property
31 (RCW 9A.82.050(1))
32 Theft of livestock 2 (RCW 9A.56.080)
33 Securities Act violation (RCW 21.20.400)
34 II Unlawful Practice of Law (RCW 2.48.180)
35 Malicious Mischief 1 (RCW 9A.48.070)
36 Possession of Stolen Property 1 (RCW
37 9A.56.150)
38 Theft 1 (RCW 9A.56.030)

1 Trafficking in Insurance Claims (RCW
2 48.30A.015)
3 Unlicensed Practice of a Profession or
4 Business (RCW 18.130.190(7))
5 Health Care False Claims (RCW 48.80.030)
6 Possession of controlled substance that is
7 either heroin or narcotics from
8 Schedule I or II (RCW 69.50.401(d))
9 Possession of phencyclidine (PCP) (RCW
10 69.50.401(d))
11 Create, deliver, or possess a counterfeit
12 controlled substance (RCW
13 69.50.401(b))
14 Computer Trespass 1 (RCW 9A.52.110)
15 Escape from Community Custody (RCW
16 72.09.310)

17 I Theft 2 (RCW 9A.56.040)
18 Possession of Stolen Property 2 (RCW
19 9A.56.160)
20 Forgery (RCW 9A.60.020)
21 Taking Motor Vehicle Without Permission
22 (RCW 9A.56.070)
23 Vehicle Prowl 1 (RCW 9A.52.095)
24 Attempting to Elude a Pursuing Police
25 Vehicle (RCW 46.61.024)
26 Malicious Mischief 2 (RCW 9A.48.080)
27 Reckless Burning 1 (RCW 9A.48.040)
28 Unlawful Issuance of Checks or Drafts (RCW
29 9A.56.060)
30 Unlawful Use of Food Stamps (RCW 9.91.140
31 (2) and (3))
32 False Verification for Welfare (RCW
33 74.08.055)
34 Forged Prescription (RCW 69.41.020)
35 Forged Prescription for a Controlled
36 Substance (RCW 69.50.403)
37 Possess Controlled Substance that is a
38 Narcotic from Schedule III, IV, or V
39 or Non-narcotic from Schedule I-V

1 (except phencyclidine) (RCW
2 69.50.401(d))

3 **Sec. 3.** RCW 13.40.0357 and 1996 c 205 s 6 are each amended to read
4 as follows:

5 **SCHEDULE A**

6 **DESCRIPTION AND OFFENSE CATEGORY**

7 JUVENILE DISPOSITION
8 DISPOSITION CATEGORY FOR ATTEMPT,
9 OFFENSE BAILJUMP, CONSPIRACY,
10 CATEGORY DESCRIPTION (RCW CITATION) OR SOLICITATION
11

12 **Arson and Malicious Mischief**

13 A Arson 1 (9A.48.020) B+
14 B Arson 2 (9A.48.030) C
15 C Reckless Burning 1 (9A.48.040) D
16 D Reckless Burning 2 (9A.48.050) E
17 B Malicious Mischief 1 (9A.48.070) C
18 C Malicious Mischief 2 (9A.48.080) D
19 D Malicious Mischief 3 (<\$50 is
20 E class) (9A.48.090) E
21 E Tampering with Fire Alarm
22 Apparatus (9.40.100) E
23 A Possession of Incendiary Device
24 (9.40.120) B+

25 **Assault and Other Crimes**

26 **Involving Physical Harm**

27 A Assault 1 (9A.36.011) B+
28 B+ Assault 2 (9A.36.021) C+
29 C+ Assault 3 (9A.36.031) D+
30 D+ Assault 4 (9A.36.041) E
31 D+ Reckless Endangerment
32 (9A.36.050) E
33 C+ Promoting Suicide Attempt
34 (9A.36.060) D+
35 D+ Coercion (9A.36.070) E
36 C+ Custodial Assault (9A.36.100) D+

1		Burglary and Trespass	
2	B+	Burglary 1 (9A.52.020)	C+
3	B	Burglary 2 (9A.52.030)	C
4	D	Burglary Tools (Possession of)	
5		(9A.52.060)	E
6	D	Criminal Trespass 1 (9A.52.070)	E
7	E	Criminal Trespass 2 (9A.52.080)	E
8	D	Vehicle Prowling (9A.52.100)	E
9		Drugs	
10	E	Possession/Consumption of Alcohol	
11		(66.44.270)	E
12	C	Illegally Obtaining Legend Drug	
13		(69.41.020)	D
14	C+	Sale, Delivery, Possession of Legend	
15		Drug with Intent to Sell	
16		(69.41.030)	D+
17	E	Possession of Legend Drug	
18		(69.41.030)	E
19	B+	Violation of Uniform Controlled	
20		Substances Act - Narcotic or	
21		Methamphetamine Sale	
22		(69.50.401(a)(1)(i) or (ii))	B+
23	C	Violation of Uniform Controlled	
24		Substances Act - Nonnarcotic Sale	
25		(69.50.401(a)(1)(iii))	C
26	E	Possession of Marihuana <40 grams	
27		(69.50.401(e))	E
28	C	Fraudulently Obtaining Controlled	
29		Substance (69.50.403)	C
30	C+	Sale of Controlled Substance	
31		for Profit (69.50.410)	C+
32	E	Unlawful Inhalation (9.47A.020)	E
33	B	Violation of Uniform Controlled	
34		Substances Act - Narcotic or	
35		Methamphetamine	
36		Counterfeit Substances	
37		(69.50.401(b)(1)(i) or (ii))	B

1	C	Violation of Uniform Controlled	
2		Substances Act - Nonnarcotic	
3		Counterfeit Substances	
4		(69.50.401(b)(1) (iii), (iv),	
5		(v))	C
6	C	Violation of Uniform Controlled	
7		Substances Act - Possession of a	
8		Controlled Substance	
9		(69.50.401(d))	C
10	C	Violation of Uniform Controlled	
11		Substances Act - Possession of a	
12		Controlled Substance	
13		(69.50.401(c))	C
14		Firearms and Weapons	
15	E	Carrying Loaded Pistol Without	
16		Permit (9.41.050)	E
17	C	Possession of Firearms by	
18		Minor (<18) (9.41.040(1)(b)((iv))(iii))	C
19	D+	Possession of Dangerous Weapon	
20		(9.41.250)	E
21	D	Intimidating Another Person by use	
22		of Weapon (9.41.270)	E
23		Homicide	
24	A+	Murder 1 (9A.32.030)	A
25	A+	Murder 2 (9A.32.050)	B+
26	B+	Manslaughter 1 (9A.32.060)	C+
27	C+	Manslaughter 2 (9A.32.070)	D+
28	B+	Vehicular Homicide (46.61.520)	C+
29	<u>B+</u>	<u>Hit and Run - Death (46.52.020(4))</u>	<u>C+</u>
30		Kidnapping	
31	A	Kidnap 1 (9A.40.020)	B+
32	B+	Kidnap 2 (9A.40.030)	C+
33	C+	Unlawful Imprisonment	
34		(9A.40.040)	D+

1		Obstructing Governmental Operation	
2	E	Obstructing a	
3		Law Enforcement Officer	
4		(9A.76.020)	E
5	E	Resisting Arrest (9A.76.040)	E
6	B	Introducing Contraband 1	
7		(9A.76.140)	C
8	C	Introducing Contraband 2	
9		(9A.76.150)	D
10	E	Introducing Contraband 3	
11		(9A.76.160)	E
12	B+	Intimidating a Public Servant	
13		(9A.76.180)	C+
14	B+	Intimidating a Witness	
15		(9A.72.110)	C+
16		Public Disturbance	
17	C+	Riot with Weapon (9A.84.010)	D+
18	D+	Riot Without Weapon	
19		(9A.84.010)	E
20	E	Failure to Disperse (9A.84.020)	E
21	E	Disorderly Conduct (9A.84.030)	E
22		Sex Crimes	
23	A	Rape 1 (9A.44.040)	B+
24	A-	Rape 2 (9A.44.050)	B+
25	C+	Rape 3 (9A.44.060)	D+
26	A-	Rape of a Child 1 (9A.44.073)	B+
27	B	Rape of a Child 2 (9A.44.076)	C+
28	B	Incest 1 (9A.64.020(1))	C
29	C	Incest 2 (9A.64.020(2))	D
30	D+	Indecent Exposure	
31		(Victim <14) (9A.88.010)	E
32	E	Indecent Exposure	
33		(Victim 14 or over) (9A.88.010)	E
34	B+	Promoting Prostitution 1	
35		(9A.88.070)	C+
36	C+	Promoting Prostitution 2	
37		(9A.88.080)	D+
38	E	O & A (Prostitution) (9A.88.030)	E

1	B+	Indecent Liberties (9A.44.100)	C+
2	B+	Child Molestation 1 (9A.44.083)	C+
3	C+	Child Molestation 2 (9A.44.086)	C
4		Theft, Robbery, Extortion, and Forgery	
5	B	Theft 1 (9A.56.030)	C
6	C	Theft 2 (9A.56.040)	D
7	D	Theft 3 (9A.56.050)	E
8	B	Theft of Livestock (9A.56.080)	C
9	C	Forgery (9A.60.020)	D
10	A	Robbery 1 (9A.56.200)	B+
11	B+	Robbery 2 (9A.56.210)	C+
12	B+	Extortion 1 (9A.56.120)	C+
13	C+	Extortion 2 (9A.56.130)	D+
14	B	Possession of Stolen Property 1	
15		(9A.56.150)	C
16	C	Possession of Stolen Property 2	
17		(9A.56.160)	D
18	D	Possession of Stolen Property 3	
19		(9A.56.170)	E
20	C	Taking Motor Vehicle Without	
21		Owner's Permission (9A.56.070)	D
22		Motor Vehicle Related Crimes	
23	E	Driving Without a License	
24		(46.20.021)	E
25	C	Hit and Run - Injury	
26		(46.52.020(4))	D
27	D	Hit and Run - Attended	
28		(46.52.020(5))	E
29	E	Hit and Run - Unattended	
30		(46.52.010)	E
31	C	Vehicular Assault (46.61.522)	D
32	C	Attempting to Elude Pursuing	
33		Police Vehicle (46.61.024)	D
34	E	Reckless Driving (46.61.500)	E
35	D	Driving While Under the Influence	
36		(46.61.502 and 46.61.504)	E
37	D	Vehicle Prowling (9A.52.100)	E

1	C	Taking Motor Vehicle Without	
2		Owner's Permission (9A.56.070)	D
3		Other	
4	B	Bomb Threat (9.61.160)	C
5	C	Escape 1 (9A.76.110)	C
6	C	Escape 2 (9A.76.120)	C
7	D	Escape 3 (9A.76.130)	E
8	E	Obscene, Harassing, Etc.,	
9		Phone Calls (9.61.230)	E
10	A	Other Offense Equivalent to an	
11		Adult Class A Felony	B+
12	B	Other Offense Equivalent to an	
13		Adult Class B Felony	C
14	C	Other Offense Equivalent to an	
15		Adult Class C Felony	D
16	D	Other Offense Equivalent to an	
17		Adult Gross Misdemeanor	E
18	E	Other Offense Equivalent to an	
19		Adult Misdemeanor	E
20	V	Violation of Order of Restitution,	
21		Community Supervision, or	
22		Confinement (13.40.200)	V

23 Escape 1 and 2 and Attempted Escape 1 and 2 are classed as C offenses
24 and the standard range is established as follows:

25 1st escape or attempted escape during 12-month period - 4 weeks
26 confinement

27 2nd escape or attempted escape during 12-month period - 8 weeks
28 confinement

29 3rd and subsequent escape or attempted escape during 12-month
30 period - 12 weeks confinement

31 If the court finds that a respondent has violated terms of an order,
32 it may impose a penalty of up to 30 days of confinement.

33 **SCHEDULE B**
34 **PRIOR OFFENSE INCREASE FACTOR**

1 For use with all CURRENT OFFENSES occurring on or after July 1,
 2 1989.

3 **TIME SPAN**

4	OFFENSE	0-12	13-24	25 Months
5	CATEGORY	Months	Months	or More
6			
7	A+	.9	.9	.9
8	A	.9	.8	.6
9	A-	.9	.8	.5
10	B+	.9	.7	.4
11	B	.9	.6	.3
12	C+	.6	.3	.2
13	C	.5	.2	.2
14	D+	.3	.2	.1
15	D	.2	.1	.1
16	E	.1	.1	.1

17 Prior history - Any offense in which a diversion agreement or counsel
 18 and release form was signed, or any offense which has been adjudicated
 19 by court to be correct prior to the commission of the current
 20 offense(s).

21 **SCHEDULE C**

22 **CURRENT OFFENSE POINTS**

23 For use with all CURRENT OFFENSES occurring on or after July 1,
 24 1989.

25 **AGE**

26	OFFENSE	12 &					
27	CATEGORY	Under	13	14	15	16	17
28						
29	A+	STANDARD RANGE 180-224 WEEKS					
30	A	250	300	350	375	375	375
31	A-	150	150	150	200	200	200
32	B+	110	110	120	130	140	150
33	B	45	45	50	50	57	57
34	C+	44	44	49	49	55	55
35	C	40	40	45	45	50	50

1	D+	16	18	20	22	24	26
2	D	14	16	18	20	22	24
3	E	4	4	4	6	8	10

JUVENILE SENTENCING STANDARDS
SCHEDULE D-1

This schedule may only be used for minor/first offenders. After the determination is made that a youth is a minor/first offender, the court has the discretion to select sentencing option A, B, or C.

MINOR/FIRST OFFENDER

OPTION A
STANDARD RANGE

		Community		
		Community	Service	
	Points	Supervision	Hours	Fine
16	1-9	0-3 months	and/or 0-8	and/or 0-\$10
17	10-19	0-3 months	and/or 0-8	and/or 0-\$10
18	20-29	0-3 months	and/or 0-16	and/or 0-\$10
19	30-39	0-3 months	and/or 8-24	and/or 0-\$25
20	40-49	3-6 months	and/or 16-32	and/or 0-\$25
21	50-59	3-6 months	and/or 24-40	and/or 0-\$25
22	60-69	6-9 months	and/or 32-48	and/or 0-\$50
23	70-79	6-9 months	and/or 40-56	and/or 0-\$50
24	80-89	9-12 months	and/or 48-64	and/or 10-\$100
25	90-109	9-12 months	and/or 56-72	and/or 10-\$100

OR

OPTION B
STATUTORY OPTION

- 29 0-12 Months Community Supervision
- 30 0-150 Hours Community Service
- 31 0-100 Fine
- 32 Posting of a Probation Bond

1 A term of community supervision with a maximum of 150 hours, \$100.00
2 fine, and 12 months supervision.

3 OR

4 OPTION C

5 MANIFEST INJUSTICE

6 When a term of community supervision would effectuate a manifest
7 injustice, another disposition may be imposed. When a judge imposes a
8 sentence of confinement exceeding 30 days, the court shall sentence the
9 juvenile to a maximum term and the provisions of RCW 13.40.030(2) shall
10 be used to determine the range.

11 JUVENILE SENTENCING STANDARDS

12 SCHEDULE D-2

13 This schedule may only be used for middle offenders. After the
14 determination is made that a youth is a middle offender, the court has
15 the discretion to select sentencing option A, B, or C.

16 MIDDLE OFFENDER

17 OPTION A

18 STANDARD RANGE

19			Community		
20		Community	Service		Confinement
21	Points	Supervision	Hours	Fine	Days Weeks
22				
23	1-9	0-3 months	and/or 0-8	and/or 0-\$10	and/or 0
24	10-19	0-3 months	and/or 0-8	and/or 0-\$10	and/or 0
25	20-29	0-3 months	and/or 0-16	and/or 0-\$10	and/or 0
26	30-39	0-3 months	and/or 8-24	and/or 0-\$25	and/or 2-4
27	40-49	3-6 months	and/or 16-32	and/or 0-\$25	and/or 2-4
28	50-59	3-6 months	and/or 24-40	and/or 0-\$25	and/or 5-10
29	60-69	6-9 months	and/or 32-48	and/or 0-\$50	and/or 5-10
30	70-79	6-9 months	and/or 40-56	and/or 0-\$50	and/or 10-20
31	80-89	9-12 months	and/or 48-64	and/or 0-\$100	and/or 10-20
32	90-109	9-12 months	and/or 56-72	and/or 0-\$100	and/or 15-30
33	110-129				8-12
34	130-149				13-16
35	150-199				21-28
36	200-249				30-40
37	250-299				52-65

1
2

300-374
375+

80-100
103-129

3 Middle offenders with 110 points or more do not have to be committed.
4 They may be assigned community supervision under option B.
5 All A+ offenses 180-224 weeks

6 **OR**

7 **OPTION B**
8 **STATUTORY OPTION**

- 9 0-12 Months Community Supervision
- 10 0-150 Hours Community Service
- 11 0-100 Fine
- 12 Posting of a Probation Bond

13 If the offender has less than 110 points, the court may impose a
14 determinate disposition of community supervision and/or up to 30 days
15 confinement; in which case, if confinement has been imposed, the court
16 shall state either aggravating or mitigating factors as set forth in
17 RCW 13.40.150.

18 If the middle offender has 110 points or more, the court may impose
19 a disposition under option A and may suspend the disposition on the
20 condition that the offender serve up to thirty days of confinement and
21 follow all conditions of community supervision. If the offender fails
22 to comply with the terms of community supervision, the court may impose
23 sanctions pursuant to RCW 13.40.200 or may revoke the suspended
24 disposition and order execution of the disposition. If the court
25 imposes confinement for offenders with 110 points or more, the court
26 shall state either aggravating or mitigating factors set forth in RCW
27 13.40.150.

28 **OR**

29 **OPTION C**
30 **MANIFEST INJUSTICE**

31 If the court determines that a disposition under A or B would
32 effectuate a manifest injustice, the court shall sentence the juvenile
33 to a maximum term and the provisions of RCW 13.40.030(2) shall be used
34 to determine the range.

1 **JUVENILE SENTENCING STANDARDS**

2 **SCHEDULE D-3**

3 This schedule may only be used for serious offenders. After the
4 determination is made that a youth is a serious offender, the court has
5 the discretion to select sentencing option A or B.

6 **SERIOUS OFFENDER**

7 **OPTION A**

8 **STANDARD RANGE**

9 Points Institution Time

10

11 0-129 8-12 weeks

12 130-149 13-16 weeks

13 150-199 21-28 weeks

14 200-249 30-40 weeks

15 250-299 52-65 weeks

16 300-374 80-100 weeks

17 375+ 103-129 weeks

18 All A+ Offenses 180-224 weeks

19 **OR**

20 **OPTION B**

21 **MANIFEST INJUSTICE**

22 A disposition outside the standard range shall be determined and shall
23 be comprised of confinement or community supervision including posting
24 a probation bond or a combination thereof. When a judge finds a
25 manifest injustice and imposes a sentence of confinement exceeding 30
26 days, the court shall sentence the juvenile to a maximum term, and the
27 provisions of RCW 13.40.030(2) shall be used to determine the range.

--- END ---