

1 **ESSB 6490** - H AMD TO H AMD (6490-S.E. AMH MORE DEAN 35)
2 By Representative O'Brien **0486 ADOPTED 3-8-02**

3 On page 2, beginning on line 6 of the amendment, strike everything
4 through 9A.56.070(2)- on page 23, line 14, and insert:

5 **Sec. 2.** RCW 9.94A.515 and 2001 2nd sp.s. c 12 s 361, 2001 c 300
6 s 4, 2001 c 217 s 12, and 2001 c 17 s 1 are each reenacted and amended
7 to read as follows:

8 TABLE 2

9 CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

10	XVI	Aggravated Murder 1 (RCW 10.95.020)
11	XV	Homicide by abuse (RCW 9A.32.055)
12		Malicious explosion 1 (RCW 70.74.280(1))
13		Murder 1 (RCW 9A.32.030)
14	XIV	Murder 2 (RCW 9A.32.050)
15	XIII	Malicious explosion 2 (RCW 70.74.280(2))
16		Malicious placement of an explosive 1 (RCW
17		70.74.270(1))
18	XII	Assault 1 (RCW 9A.36.011)
19		Assault of a Child 1 (RCW 9A.36.120)
20		Malicious placement of an imitation device
21		1 (RCW 70.74.272(1)(a))
22		Rape 1 (RCW 9A.44.040)
23		Rape of a Child 1 (RCW 9A.44.073)
24	XI	Manslaughter 1 (RCW 9A.32.060)
25		Rape 2 (RCW 9A.44.050)
26		Rape of a Child 2 (RCW 9A.44.076)
27	X	Child Molestation 1 (RCW 9A.44.083)
28		Indecent Liberties (with forcible
29		compulsion) (RCW 9A.44.100(1)(a))
30		Kidnapping 1 (RCW 9A.40.020)
31		Leading Organized Crime (RCW
32		9A.82.060(1)(a))

1 Malicious explosion 3 (RCW 70.74.280(3))
2 Manufacture of methamphetamine (RCW
3 69.50.401(a)(1)(ii))
4 Over 18 and deliver heroin,
5 methamphetamine, a narcotic from
6 Schedule I or II, or flunitrazepam
7 from Schedule IV to someone under 18
8 (RCW 69.50.406)
9 Sexually Violent Predator Escape (RCW
10 9A.76.115)

11 IX Assault of a Child 2 (RCW 9A.36.130)
12 Controlled Substance Homicide (RCW
13 69.50.415)
14 Explosive devices prohibited (RCW
15 70.74.180)
16 Hit and Run--Death (RCW 46.52.020(4)(a))
17 Homicide by Watercraft, by being under the
18 influence of intoxicating liquor or
19 any drug (RCW 79A.60.050)
20 Inciting Criminal Profiteering (RCW
21 9A.82.060(1)(b))
22 Malicious placement of an explosive 2 (RCW
23 70.74.270(2))
24 Over 18 and deliver narcotic from Schedule
25 III, IV, or V or a nonnarcotic, except
26 flunitrazepam or methamphetamine, from
27 Schedule I-V to someone under 18 and 3
28 years junior (RCW 69.50.406)
29 Robbery 1 (RCW 9A.56.200)
30 Sexual Exploitation (RCW 9.68A.040)
31 Vehicular Homicide, by being under the
32 influence of intoxicating liquor or
33 any drug (RCW 46.61.520)

34 VIII Arson 1 (RCW 9A.48.020)
35 Deliver or possess with intent to deliver
36 m e t h a m p h e t a m i n e (R C W
37 69.50.401(a)(1)(ii))

1 Homicide by Watercraft, by the operation of
2 any vessel in a reckless manner (RCW
3 79A.60.050)
4 Manslaughter 2 (RCW 9A.32.070)
5 Manufacture, deliver, or possess with
6 intent to deliver amphetamine (RCW
7 69.50.401(a)(1)(ii))
8 Manufacture, deliver, or possess with
9 intent to deliver heroin or cocaine
10 (RCW 69.50.401(a)(1)(i))
11 Possession of Ephedrine, Pseudoephedrine,
12 or Anhydrous Ammonia with intent to
13 manufacture methamphetamine (RCW
14 69.50.440)
15 Promoting Prostitution 1 (RCW 9A.88.070)
16 Selling for profit (controlled or
17 counterfeit) any controlled substance
18 (RCW 69.50.410)
19 Theft of Anhydrous Ammonia (RCW 69.55.010)
20 Vehicular Homicide, by the operation of any
21 vehicle in a reckless manner (RCW
22 46.61.520)

23 VII Burglary 1 (RCW 9A.52.020)
24 Child Molestation 2 (RCW 9A.44.086)
25 Dealing in depictions of minor engaged in
26 sexually explicit conduct (RCW
27 9.68A.050)
28 Drive-by Shooting (RCW 9A.36.045)
29 Homicide by Watercraft, by disregard for
30 the safety of others (RCW 79A.60.050)
31 Indecent Liberties (without forcible
32 compulsion) (RCW 9A.44.100(1) (b) and
33 (c))
34 Introducing Contraband 1 (RCW 9A.76.140)
35 Involving a minor in drug dealing (RCW
36 69.50.401(f))
37 Malicious placement of an explosive 3 (RCW
38 70.74.270(3))

1 Sending, bringing into state depictions of
2 minor engaged in sexually explicit
3 conduct (RCW 9.68A.060)
4 Unlawful Possession of a Firearm in the
5 first degree (RCW 9.41.040(1)(a))
6 Use of a Machine Gun in Commission of a
7 Felony (RCW 9.41.225)
8 Vehicular Homicide, by disregard for the
9 safety of others (RCW 46.61.520)

10 VI Bail Jumping with Murder 1 (RCW
11 9A.76.170(3)(a))
12 Bribery (RCW 9A.68.010)
13 Incest 1 (RCW 9A.64.020(1))
14 Intimidating a Judge (RCW 9A.72.160)
15 Intimidating a Juror/Witness (RCW
16 9A.72.110, 9A.72.130)
17 Malicious placement of an imitation device
18 2 (RCW 70.74.272(1)(b))
19 Manufacture, deliver, or possess with
20 intent to deliver narcotics from
21 Schedule I or II (except heroin or
22 cocaine) or flunitrazepam from
23 Schedule IV (RCW 69.50.401(a)(1)(i))
24 Rape of a Child 3 (RCW 9A.44.079)
25 Theft of a Firearm (RCW 9A.56.300)
26 Unlawful Storage of Anhydrous Ammonia (RCW
27 69.55.020)

28 V Abandonment of dependent person 1 (RCW
29 9A.42.060)
30 Advancing money or property for
31 extortionate extension of credit (RCW
32 9A.82.030)
33 Bail Jumping with class A Felony (RCW
34 9A.76.170(3)(b))
35 Child Molestation 3 (RCW 9A.44.089)
36 Criminal Mistreatment 1 (RCW 9A.42.020)
37 Custodial Sexual Misconduct 1 (RCW
38 9A.44.160)

1 Delivery of imitation controlled substance
2 by person eighteen or over to person
3 under eighteen (RCW 69.52.030(2))
4 Domestic Violence Court Order Violation
5 (RCW 10.99.040, 10.99.050, 26.09.300,
6 26.10.220, 26.26.138, 26.50.110,
7 26.52.070, or 74.34.145)
8 Extortion 1 (RCW 9A.56.120)
9 Extortionate Extension of Credit (RCW
10 9A.82.020)
11 Extortionate Means to Collect Extensions of
12 Credit (RCW 9A.82.040)
13 Incest 2 (RCW 9A.64.020(2))
14 Kidnapping 2 (RCW 9A.40.030)
15 Perjury 1 (RCW 9A.72.020)
16 Persistent prison misbehavior (RCW
17 9.94.070)
18 Possession of a Stolen Firearm (RCW
19 9A.56.310)
20 Rape 3 (RCW 9A.44.060)
21 Rendering Criminal Assistance 1 (RCW
22 9A.76.070)
23 Sexual Misconduct with a Minor 1 (RCW
24 9A.44.093)
25 Sexually Violating Human Remains (RCW
26 9A.44.105)
27 Stalking (RCW 9A.46.110)
28 Taking Motor Vehicle Without Permission 1
29 (RCW 9A.56.070(1))
30 IV Arson 2 (RCW 9A.48.030)
31 Assault 2 (RCW 9A.36.021)
32 Assault by Watercraft (RCW 79A.60.060)
33 Bribing a Witness/Bribe Received by Witness
34 (RCW 9A.72.090, 9A.72.100)
35 Commercial Bribery (RCW 9A.68.060)
36 Counterfeiting (RCW 9.16.035(4))
37 Escape 1 (RCW 9A.76.110)
38 Hit and Run--Injury (RCW 46.52.020(4)(b))

1 Hit and Run with Vessel--Injury Accident
2 (RCW 79A.60.200(3))
3 Identity Theft 1 (RCW 9.35.020(2)(a))
4 Indecent Exposure to Person Under Age
5 Fourteen (subsequent sex offense) (RCW
6 9A.88.010)
7 Influencing Outcome of Sporting Event (RCW
8 9A.82.070)
9 Knowingly Trafficking in Stolen Property
10 (RCW 9A.82.050(2))
11 Malicious Harassment (RCW 9A.36.080)
12 Manufacture, deliver, or possess with
13 intent to deliver narcotics from
14 Schedule III, IV, or V or nonnarcotics
15 from Schedule I-V (except marijuana,
16 amphetamine, methamphetamines, or
17 flunitrazepam) (RCW 69.50.401(a)(1)
18 (iii) through (v))
19 Residential Burglary (RCW 9A.52.025)
20 Robbery 2 (RCW 9A.56.210)
21 Theft of Livestock 1 (RCW 9A.56.080)
22 Threats to Bomb (RCW 9.61.160)
23 Use of Proceeds of Criminal Profiteering
24 (RCW 9A.82.080 (1) and (2))
25 Vehicular Assault, by being under the
26 influence of intoxicating liquor or
27 any drug, or by the operation or
28 driving of a vehicle in a reckless
29 manner (RCW 46.61.522)
30 Willful Failure to Return from Furlough
31 (RCW 72.66.060)
32 III Abandonment of dependent person 2 (RCW
33 9A.42.070)
34 Assault 3 (RCW 9A.36.031)
35 Assault of a Child 3 (RCW 9A.36.140)
36 Bail Jumping with class B or C Felony (RCW
37 9A.76.170(3)(c))
38 Burglary 2 (RCW 9A.52.030)

1 Communication with a Minor for Immoral
2 Purposes (RCW 9.68A.090)
3 Criminal Gang Intimidation (RCW 9A.46.120)
4 Criminal Mistreatment 2 (RCW 9A.42.030)
5 Custodial Assault (RCW 9A.36.100)
6 Delivery of a material in lieu of a
7 controlled substance (RCW
8 69.50.401(c))
9 Escape 2 (RCW 9A.76.120)
10 Extortion 2 (RCW 9A.56.130)
11 Harassment (RCW 9A.46.020)
12 Intimidating a Public Servant (RCW
13 9A.76.180)
14 Introducing Contraband 2 (RCW 9A.76.150)
15 Maintaining a Dwelling or Place for
16 Controlled Substances (RCW
17 69.50.402(a)(6))
18 Malicious Injury to Railroad Property (RCW
19 81.60.070)
20 Manufacture, deliver, or possess with
21 intent to deliver marijuana (RCW
22 69.50.401(a)(1)(iii))
23 Manufacture, distribute, or possess with
24 intent to distribute an imitation
25 controlled substance (RCW
26 69.52.030(1))
27 Patronizing a Juvenile Prostitute (RCW
28 9.68A.100)
29 Perjury 2 (RCW 9A.72.030)
30 Possession of Incendiary Device (RCW
31 9.40.120)
32 Possession of Machine Gun or Short-Barreled
33 Shotgun or Rifle (RCW 9.41.190)
34 Promoting Prostitution 2 (RCW 9A.88.080)
35 Recklessly Trafficking in Stolen Property
36 (RCW 9A.82.050(1))
37 Securities Act violation (RCW 21.20.400)
38 Tampering with a Witness (RCW 9A.72.120)

1 Telephone Harassment (subsequent conviction
2 or threat of death) (RCW 9.61.230)
3 Theft of Livestock 2 (RCW 9A.56.080)
4 Unlawful Imprisonment (RCW 9A.40.040)
5 Unlawful possession of firearm in the
6 second degree (RCW 9.41.040(1)(b))
7 Unlawful Use of Building for Drug Purposes
8 (RCW 69.53.010)
9 Vehicular Assault, by the operation or
10 driving of a vehicle with disregard
11 for the safety of others (RCW
12 46.61.522)
13 Willful Failure to Return from Work Release
14 (RCW 72.65.070)

15 II Computer Trespass 1 (RCW 9A.52.110)
16 Counterfeiting (RCW 9.16.035(3))
17 Create, deliver, or possess a counterfeit
18 controlled substance (RCW
19 69.50.401(b))
20 Escape from Community Custody (RCW
21 72.09.310)
22 Health Care False Claims (RCW 48.80.030)
23 Identity Theft 2 (RCW 9.35.020(2)(b))
24 Improperly Obtaining Financial Information
25 (RCW 9.35.010)
26 Malicious Mischief 1 (RCW 9A.48.070)
27 Possession of controlled substance that is
28 either heroin or narcotics from
29 Schedule I or II or flunitrazepam from
30 Schedule IV (RCW 69.50.401(d))
31 Possession of phencyclidine (PCP) (RCW
32 69.50.401(d))
33 Possession of Stolen Property 1 (RCW
34 9A.56.150)
35 Theft 1 (RCW 9A.56.030)
36 Theft of Rental, Leased, or Lease-purchased
37 Property (valued at one thousand five
38 hundred dollars or more) (RCW
39 9A.56.096(4))

1 Trafficking in Insurance Claims (RCW
2 48.30A.015)
3 Unlawful Practice of Law (RCW 2.48.180)
4 Unlicensed Practice of a Profession or
5 Business (RCW 18.130.190(7))
6 I Attempting to Elude a Pursuing Police
7 Vehicle (RCW 46.61.024)
8 False Verification for Welfare (RCW
9 74.08.055)
10 Forged Prescription (RCW 69.41.020)
11 Forged Prescription for a Controlled
12 Substance (RCW 69.50.403)
13 Forgery (RCW 9A.60.020)
14 Malicious Mischief 2 (RCW 9A.48.080)
15 Possess Controlled Substance that is a
16 Narcotic from Schedule III, IV, or V
17 or Non-narcotic from Schedule I-V
18 (except phencyclidine or
19 flunitrazepam) (RCW 69.50.401(d))
20 Possession of Stolen Property 2 (RCW
21 9A.56.160)
22 Reckless Burning 1 (RCW 9A.48.040)
23 Taking Motor Vehicle Without Permission 2
24 (RCW 9A.56.070(2))
25 Theft 2 (RCW 9A.56.040)
26 Theft of Rental, Leased, or Lease-purchased
27 Property (valued at two hundred fifty
28 dollars or more but less than one
29 thousand five hundred dollars) (RCW
30 9A.56.096(4))
31 Unlawful Issuance of Checks or Drafts (RCW
32 9A.56.060)
33 Unlawful Use of Food Stamps (RCW 9.91.140
34 (2) and (3))
35 Vehicle Prowl 1 (RCW 9A.52.095)

36 **Sec. 3.** RCW 13.40.0357 and 2001 c 217 s 13 are each amended to
37 read as follows:

DESCRIPTION AND OFFENSE CATEGORY

1			
2	JUVENILE		JUVENILE DISPOSITION
3	DISPOSITION		CATEGORY FOR ATTEMPT,
4	OFFENSE		BAILJUMP, CONSPIRACY,
5	CATEGORY	DESCRIPTION (RCW CITATION)	OR SOLICITATION
6		

Arson and Malicious Mischief

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

Assault and Other Crimes

Involving Physical Harm

22	A	Assault 1 (9A.36.011)	B+
23	B+	Assault 2 (9A.36.021)	C+
24	C+	Assault 3 (9A.36.031)	D+
25	D+	Assault 4 (9A.36.041)	E
26	B+	Drive-By Shooting	
27		(9A.36.045)	C+
28	D+	Reckless Endangerment	
29		(9A.36.050)	E
30	C+	Promoting Suicide Attempt	
31		(9A.36.060)	D+
32	D+	Coercion (9A.36.070)	E
33	C+	Custodial Assault (9A.36.100)	D+

Burglary and Trespass

35	B+	Burglary 1 (9A.52.020)	C+
36	B	Residential Burglary	
37		(9A.52.025)	C
38	B	Burglary 2 (9A.52.030)	C

1	D	Burglary Tools (Possession of)	
2		(9A.52.060)	E
3	D	Criminal Trespass 1 (9A.52.070)	E
4	E	Criminal Trespass 2 (9A.52.080)	E
5	C	Vehicle Prowling 1 (9A.52.095)	D
6	D	Vehicle Prowling 2 (9A.52.100)	E
7		Drugs	
8	E	Possession/Consumption of Alcohol	
9		(66.44.270)	E
10	C	Illegally Obtaining Legend Drug	
11		(69.41.020)	D
12	C+	Sale, Delivery, Possession of Legend	
13		Drug with Intent to Sell	
14		(69.41.030)	D+
15	E	Possession of Legend Drug	
16		(69.41.030)	E
17	B+	Violation of Uniform Controlled	
18		Substances Act - Narcotic,	
19		Methamphetamine, or Flunitrazepam	
20		Sale (69.50.401(a)(1) (i) or (ii))	B+
21	C	Violation of Uniform Controlled	
22		Substances Act - Nonnarcotic Sale	
23		(69.50.401(a)(1)(iii))	C
24	E	Possession of Marihuana <40 grams	
25		(69.50.401(e))	E
26	C	Fraudulently Obtaining Controlled	
27		Substance (69.50.403)	C
28	C+	Sale of Controlled Substance	
29		for Profit (69.50.410)	C+
30	E	Unlawful Inhalation (9.47A.020)	E
31	B	Violation of Uniform Controlled	
32		Substances Act - Narcotic,	
33		Methamphetamine, or Flunitrazepam	
34		Counterfeit Substances	
35		(69.50.401(b)(1) (i) or (ii))	B
36	C	Violation of Uniform Controlled	
37		Substances Act - Nonnarcotic	

1		Counterfeit Substances	
2		(69.50.401(b)(1) (iii), (iv), (v))	C
3	C	Violation of Uniform Controlled	
4		Substances Act - Possession of a	
5		Controlled Substance	
6		(69.50.401(d))	C
7	C	Violation of Uniform Controlled	
8		Substances Act - Possession of a	
9		Controlled Substance	
10		(69.50.401(c))	C
11		Firearms and Weapons	
12	B	Theft of Firearm (9A.56.300)	C
13	B	Possession of Stolen Firearm	
14		(9A.56.310)	C
15	E	Carrying Loaded Pistol Without	
16		Permit (9.41.050)	E
17	C	Possession of Firearms by Minor (<18)	
18		(9.41.040(1)(b)(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		Kidnapping	
30	A	Kidnap 1 (9A.40.020)	B+
31	B+	Kidnap 2 (9A.40.030)	C+
32	C+	Unlawful Imprisonment	
33		(9A.40.040)	D+
34		Obstructing Governmental Operation	
35	D	Obstructing a Law Enforcement	
36		Officer (9A.76.020)	E
37	E	Resisting Arrest (9A.76.040)	E

1	B	Introducing Contraband 1	
2		(9A.76.140)	C
3	C	Introducing Contraband 2	
4		(9A.76.150)	D
5	E	Introducing Contraband 3	
6		(9A.76.160)	E
7	B+	Intimidating a Public Servant	
8		(9A.76.180)	C+
9	B+	Intimidating a Witness	
10		(9A.72.110)	C+
11		Public Disturbance	
12	C+	Riot with Weapon (9A.84.010)	D+
13	D+	Riot Without Weapon	
14		(9A.84.010)	E
15	E	Failure to Disperse (9A.84.020)	E
16	E	Disorderly Conduct (9A.84.030)	E
17		Sex Crimes	
18	A	Rape 1 (9A.44.040)	B+
19	A-	Rape 2 (9A.44.050)	B+
20	C+	Rape 3 (9A.44.060)	D+
21	A-	Rape of a Child 1 (9A.44.073)	B+
22	B+	Rape of a Child 2 (9A.44.076)	C+
23	B	Incest 1 (9A.64.020(1))	C
24	C	Incest 2 (9A.64.020(2))	D
25	D+	Indecent Exposure	
26		(Victim <14) (9A.88.010)	E
27	E	Indecent Exposure	
28		(Victim 14 or over) (9A.88.010)	E
29	B+	Promoting Prostitution 1	
30		(9A.88.070)	C+
31	C+	Promoting Prostitution 2	
32		(9A.88.080)	D+
33	E	O & A (Prostitution) (9A.88.030)	E
34	B+	Indecent Liberties (9A.44.100)	C+
35	A-	Child Molestation 1 (9A.44.083)	B+
36	B	Child Molestation 2 (9A.44.086)	C+

1		Theft, Robbery, Extortion, and Forgery	
2	B	Theft 1 (9A.56.030)	C
3	C	Theft 2 (9A.56.040)	D
4	D	Theft 3 (9A.56.050)	E
5	B	Theft of Livestock (9A.56.080)	C
6	C	Forgery (9A.60.020)	D
7	A	Robbery 1 (9A.56.200)	B+
8	B+	Robbery 2 (9A.56.210)	C+
9	B+	Extortion 1 (9A.56.120)	C+
10	C+	Extortion 2 (9A.56.130)	D+
11	C	Identity Theft 1 (9.35.020(2)(a))	D
12	D	Identity Theft 2 (9.35.020(2)(b))	E
13	D	Improperly Obtaining Financial	
14		Information (((9.35.010)))	
15		<u>(9.35.010)</u>	E
16	B	Possession of Stolen Property 1	
17		(9A.56.150)	C
18	C	Possession of Stolen Property 2	
19		(9A.56.160)	D
20	D	Possession of Stolen Property 3	
21		(9A.56.170)	E
22	C	Taking Motor Vehicle Without	
23		((Owner's)) Permission <u>1 and 2</u>	
24		(9A.56.070 <u>(1) and (2)</u>)	D
25		Motor Vehicle Related Crimes	
26	E	Driving Without a License	
27		(46.20.005)	E
28	B+	Hit and Run - Death	
29		(46.52.020(4)(a))	C+
30	C	Hit and Run - Injury	
31		(46.52.020(4)(b))	D
32	D	Hit and Run-Attended	
33		(46.52.020(5))	E
34	E	Hit and Run-Unattended	
35		(46.52.010)	E
36	C	Vehicular Assault (46.61.522)	D
37	C	Attempting to Elude Pursuing	
38		Police Vehicle (46.61.024)	D
39	E	Reckless Driving (46.61.500)	E

1	D	Driving While Under the Influence	
2		(46.61.502 and 46.61.504)	E
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 **JUVENILE SENTENCING STANDARDS**

34 This schedule must be used for juvenile offenders. The court may
35 select sentencing option A, B, or C.

OPTION A
JUVENILE OFFENDER SENTENCING GRID
STANDARD RANGE

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	A+	180 WEEKS TO AGE 21 YEARS				
	A	103 WEEKS TO 129 WEEKS				
	A-	15-36 WEEKS	52-65 WEEKS	80-100 WEEKS	103-129 WEEKS	
		EXCEPT 30-40 WEEKS FOR 15-17 YEAR OLDS				
Current Offense Category	B+	15-36 WEEKS	52-65 WEEKS	80-100 WEEKS	103-129 WEEKS	
	B	LOCAL SANCTIONS (LS)	15-36 WEEKS	52-65 WEEKS		
	C+	LS	15-36 WEEKS			
	C	LS	15-36 WEEKS			
		Local Sanctions: 0 to 30 Days				
	D+	LS	0 to 12 Months Community Supervision 0 to 150 Hours Community Service			
	D	LS	\$0 to \$500 Fine			
	E	LS				
		0	1	2	3	4 or more
		PRIOR ADJUDICATIONS				

36 NOTE: References in the grid to days or weeks mean periods of
37 confinement.
38 (1) The vertical axis of the grid is the current offense category.
39 The current offense category is determined by the offense of
40 adjudication.
41 (2) The horizontal axis of the grid is the number of prior
42 adjudications included in the juvenile's criminal history. Each prior
43 felony adjudication shall count as one point. Each prior violation,

1 misdemeanor, and gross misdemeanor adjudication shall count as 1/4
2 point. Fractional points shall be rounded down.

3 (3) The standard range disposition for each offense is determined
4 by the intersection of the column defined by the prior adjudications
5 and the row defined by the current offense category.

6 (4) RCW 13.40.180 applies if the offender is being sentenced for
7 more than one offense.

8 (5) A current offense that is a violation is equivalent to an
9 offense category of E. However, a disposition for a violation shall
10 not include confinement.

11 **OR**

12 **OPTION B**

13 **CHEMICAL DEPENDENCY DISPOSITION ALTERNATIVE**

14 If the juvenile offender is subject to a standard range disposition
15 of local sanctions or 15 to 36 weeks of confinement and has not
16 committed an A- or B+ offense, the court may impose a disposition under
17 RCW 13.40.160(4) and 13.40.165.

18 **OR**

19 **OPTION C**

20 **MANIFEST INJUSTICE**

1 If the court determines that a disposition under option A or B would
2 effectuate a manifest injustice, the court shall impose a disposition
3 outside the standard range under RCW 13.40.160(2).

4 NEW SECTION. **Sec. 4.** The sentencing guidelines commission shall
5 study the impact of the sentencing changes in this act upon the
6 incidence of the crime of taking a motor vehicle without permission.
7 By December 2004, the commission shall submit a report to the governor
8 and the legislature. The report shall address:

9 (1) Whether the creation of the crime of taking a motor vehicle
10 without permission in the first degree and the increased penalties for
11 that new crime have resulted in a reduction in the number of
12 convictions for taking a motor vehicle without permission in the first
13 or second degree; and

14 (2) Whether there are other actions, either civil or criminal,
15 that could have the effect of further decreasing the incidence of these
16 crimes, including but not limited to: the revocation of driving
17 privileges, double scoring of prior convictions, or increasing
18 penalties for juveniles.-

EFFECT: Strikes the license revocation, double scoring, and
enhanced juvenile penalties of the striking amendment, and retains
the seriousness level V ranking for taking a motor vehicle without
permission in the first degree. Adds a Sentencing Guidelines
Commission study of the impact of the act and whether additional
sanctions or penalties are needed to reduce the incidence of the
crime of taking a motor vehicle without permission.