

2 **SB 5459** - S AMD 476  
3 By Senator Roach

4 ADOPTED 02/08/02

5 Strike everything after the enacting clause and insert the  
6 following:

7 NEW SECTION. **Sec. 1.** The definitions in this section apply  
8 throughout this chapter unless the context clearly requires otherwise.

9 (1) "Authorized depository" means a mailbox, post office box, or  
10 rural box used by postal customers to deposit outgoing mail or used by  
11 the postal service to deliver incoming mail.

12 (2) "Letter box" means a receptacle that is used for a specific  
13 address intended or used for the receipt or delivery of mail on a mail  
14 route.

15 (3)(a) "Mail" means a letter, card, parcel, or other material that:

16 (i) Is sent or delivered by means of the postal service;

17 (ii) Has postage affixed by the postal customer or postal service;

18 and

19 (iii) Is placed in an authorized depository or mail receptacle.

20 (b) "Mail" includes articles contained in mail.

21 (4) "Mail receptacle" means a place used by the postal service or  
22 postal customers to place outgoing mail or receive incoming mail.

23 (5) "Postage" means a postal service stamp, permit imprint, meter  
24 strip, or other authorized indication of prepayment for service  
25 provided by the postal service for collection and delivery of mail.

26 (6) "Postal service" means the United States postal service.

27 (7) The phrase "of another" does not include persons with whom the  
28 defendant has a familial, parental, spousal, employment, or other  
29 relationship that would otherwise reasonably allow the defendant to  
30 take, dispose of, or otherwise intercept the person's mail.

31 NEW SECTION. **Sec. 2.** (1) A person commits the crime of  
32 obstruction of mail if the person intentionally obstructs or  
33 unreasonably delays:

34 (a) The passage of the mail; or

35 (b) A carrier or conveyance carrying the mail.

1 (2) Obstruction of mail is a gross misdemeanor.

2 NEW SECTION. **Sec. 3.** (1) A person commits the crime of  
3 destruction of letter boxes if the person knowingly and maliciously:

4 (a) Tears down or destroys a letter box belonging to another; or

5 (b) Breaks open a letter box belonging to another.

6 (2) Destruction of letter boxes is a gross misdemeanor.

7 NEW SECTION. **Sec. 4.** (1) A person commits the crime of  
8 destruction of mail if the person knowingly and maliciously injures,  
9 destroys, or defaces mail of another that has been deposited in an  
10 authorized depository.

11 (2) Destruction of mail is a class C felony.

12 NEW SECTION. **Sec. 5.** (1) A person commits the crime of mail theft  
13 or receipt of stolen mail if the person knowingly:

14 (a) Takes, or by fraud or deception, obtains mail of another from  
15 a mail receptacle, authorized depository, or mail carrier;

16 (b) Secretes, embezzles, or destroys mail of another;

17 (c) Takes, or by fraud or deception, obtains mail of another that  
18 has been left for collection on or adjacent to an authorized depository  
19 or mail receptacle; or

20 (d) Buys, receives, conceals, or unlawfully possesses mail of  
21 another knowing that the mail was taken, obtained, or embezzled as  
22 described in this subsection.

23 (2) Mail theft or receipt of stolen mail is a class C felony.

24 NEW SECTION. **Sec. 6.** In a prosecution under this chapter, it is  
25 a defense that the defendant acted under an honest claim of right in  
26 that:

27 (1) The defendant was unaware that the property was that of another  
28 person;

29 (2) The defendant reasonably believed that the defendant was  
30 entitled to the property involved or had a right to acquire or dispose  
31 of it as the defendant did; or

32 (3) The property involved was that of the defendant's minor child  
33 or spouse, unless the parties were not living together as husband and  
34 wife and were residing in, and intended to continually reside in,  
35 separate abodes at the time of the alleged offense.



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

8 IX Assault of a Child 2 (RCW 9A.36.130)  
9 Controlled Substance Homicide (RCW  
10 69.50.415)  
11 Explosive devices prohibited (RCW  
12 70.74.180)  
13 Hit and Run--Death (RCW 46.52.020(4)(a))  
14 Homicide by Watercraft, by being under the  
15 influence of intoxicating liquor or  
16 any drug (RCW 79A.60.050)  
17 Inciting Criminal Profiteering (RCW  
18 9A.82.060(1)(b))  
19 Malicious placement of an explosive 2 (RCW  
20 70.74.270(2))  
21 Over 18 and deliver narcotic from Schedule  
22 III, IV, or V or a nonnarcotic, except  
23 flunitrazepam or methamphetamine, from  
24 Schedule I-V to someone under 18 and 3  
25 years junior (RCW 69.50.406)  
26 Robbery 1 (RCW 9A.56.200)  
27 Sexual Exploitation (RCW 9.68A.040)  
28 Vehicular Homicide, by being under the  
29 influence of intoxicating liquor or  
30 any drug (RCW 46.61.520)

31 VIII Arson 1 (RCW 9A.48.020)  
32 Deliver or possess with intent to deliver  
33 methamphetamine (RCW  
34 69.50.401(a)(1)(ii))  
35 Homicide by Watercraft, by the operation of  
36 any vessel in a reckless manner (RCW  
37 79A.60.050)  
38 Manslaughter 2 (RCW 9A.32.070)

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

19 VII Burglary 1 (RCW 9A.52.020)  
20 Child Molestation 2 (RCW 9A.44.086)  
21 Dealing in depictions of minor engaged in  
22 sexually explicit conduct (RCW  
23 9.68A.050)  
24 Drive-by Shooting (RCW 9A.36.045)  
25 Homicide by Watercraft, by disregard for  
26 the safety of others (RCW 79A.60.050)  
27 Indecent Liberties (without forcible  
28 compulsion) (RCW 9A.44.100(1) (b) and  
29 (c))  
30 Introducing Contraband 1 (RCW 9A.76.140)  
31 Involving a minor in drug dealing (RCW  
32 69.50.401(f))  
33 Malicious placement of an explosive 3 (RCW  
34 70.74.270(3))  
35 Sending, bringing into state depictions of  
36 minor engaged in sexually explicit  
37 conduct (RCW 9.68A.060)  
38 Unlawful Possession of a Firearm in the  
39 first degree (RCW 9.41.040(1)(a))

1 Use of a Machine Gun in Commission of a  
2 Felony (RCW 9.41.225)  
3 Vehicular Homicide, by disregard for the  
4 safety of others (RCW 46.61.520)

5 VI Bail Jumping with Murder 1 (RCW  
6 9A.76.170(3)(a))  
7 Bribery (RCW 9A.68.010)  
8 Incest 1 (RCW 9A.64.020(1))  
9 Intimidating a Judge (RCW 9A.72.160)  
10 Intimidating a Juror/Witness (RCW  
11 9A.72.110, 9A.72.130)  
12 Malicious placement of an imitation device  
13 2 (RCW 70.74.272(1)(b))  
14 Manufacture, deliver, or possess with  
15 intent to deliver narcotics from  
16 Schedule I or II (except heroin or  
17 cocaine) or flunitrazepam from  
18 Schedule IV (RCW 69.50.401(a)(1)(i))  
19 Rape of a Child 3 (RCW 9A.44.079)  
20 Theft of a Firearm (RCW 9A.56.300)  
21 Unlawful Storage of Anhydrous Ammonia (RCW  
22 69.55.020)

23 V Abandonment of dependent person 1 (RCW  
24 9A.42.060)  
25 Advancing money or property for  
26 extortionate extension of credit (RCW  
27 9A.82.030)  
28 Bail Jumping with class A Felony (RCW  
29 9A.76.170(3)(b))  
30 Child Molestation 3 (RCW 9A.44.089)  
31 Criminal Mistreatment 1 (RCW 9A.42.020)  
32 Custodial Sexual Misconduct 1 (RCW  
33 9A.44.160)  
34 Delivery of imitation controlled substance  
35 by person eighteen or over to person  
36 under eighteen (RCW 69.52.030(2))  
37 Domestic Violence Court Order Violation  
38 (RCW 10.99.040, 10.99.050, 26.09.300,

1                   26.10.220,    26.26.138,    26.50.110,  
2                   26.52.070, or 74.34.145)  
3                   Extortion 1 (RCW 9A.56.120)  
4                   Extortionate Extension of Credit (RCW  
5                   9A.82.020)  
6                   Extortionate Means to Collect Extensions of  
7                   Credit (RCW 9A.82.040)  
8                   Incest 2 (RCW 9A.64.020(2))  
9                   Kidnapping 2 (RCW 9A.40.030)  
10                  Perjury 1 (RCW 9A.72.020)  
11                  Persistent prison misbehavior (RCW  
12                  9.94.070)  
13                  Possession of a Stolen Firearm (RCW  
14                  9A.56.310)  
15                  Rape 3 (RCW 9A.44.060)  
16                  Rendering Criminal Assistance 1 (RCW  
17                  9A.76.070)  
18                  Sexual Misconduct with a Minor 1 (RCW  
19                  9A.44.093)  
20                  Sexually Violating Human Remains (RCW  
21                  9A.44.105)  
22                  Stalking (RCW 9A.46.110)  
  
23                  IV           Arson 2 (RCW 9A.48.030)  
24                                Assault 2 (RCW 9A.36.021)  
25                                Assault by Watercraft (RCW 79A.60.060)  
26                                Bribing a Witness/Bribe Received by Witness  
27                                (RCW 9A.72.090, 9A.72.100)  
28                                Commercial Bribery (RCW 9A.68.060)  
29                                Counterfeiting (RCW 9.16.035(4))  
30                                Escape 1 (RCW 9A.76.110)  
31                                Hit and Run--Injury (RCW 46.52.020(4)(b))  
32                                Hit and Run with Vessel--Injury Accident  
33                                (RCW 79A.60.200(3))  
34                                Identity Theft 1 (RCW 9.35.020(2)(a))  
35                                Indecent Exposure to Person Under Age  
36                                Fourteen (subsequent sex offense) (RCW  
37                                9A.88.010)  
38                                Influencing Outcome of Sporting Event (RCW  
39                                9A.82.070)

1            Knowingly Trafficking in Stolen Property  
2                            (RCW 9A.82.050(2))  
3            Malicious Harassment (RCW 9A.36.080)  
4            Manufacture, deliver, or possess with  
5                            intent to deliver narcotics from  
6                            Schedule III, IV, or V or nonnarcotics  
7                            from Schedule I-V (except marijuana,  
8                            amphetamine, methamphetamines, or  
9                            flunitrazepam) (RCW 69.50.401(a)(1)  
10                            (iii) through (v))  
11            Residential Burglary (RCW 9A.52.025)  
12            Robbery 2 (RCW 9A.56.210)  
13            Theft of Livestock 1 (RCW 9A.56.080)  
14            Threats to Bomb (RCW 9.61.160)  
15            Use of Proceeds of Criminal Profiteering  
16                            (RCW 9A.82.080 (1) and (2))  
17            Vehicular Assault, by being under the  
18                            influence of intoxicating liquor or  
19                            any drug, or by the operation or  
20                            driving of a vehicle in a reckless  
21                            manner (RCW 46.61.522)  
22            Willful Failure to Return from Furlough  
23                            (RCW 72.66.060)  
  
24    III            Abandonment of dependent person 2 (RCW  
25                            9A.42.070)  
26            Assault 3 (RCW 9A.36.031)  
27            Assault of a Child 3 (RCW 9A.36.140)  
28            Bail Jumping with class B or C Felony (RCW  
29                            9A.76.170(3)(c))  
30            Burglary 2 (RCW 9A.52.030)  
31            Communication with a Minor for Immoral  
32                            Purposes (RCW 9.68A.090)  
33            Criminal Gang Intimidation (RCW 9A.46.120)  
34            Criminal Mistreatment 2 (RCW 9A.42.030)  
35            Custodial Assault (RCW 9A.36.100)  
36            Delivery of a material in lieu of a  
37                            controlled substance (RCW  
38                            69.50.401(c))  
39            Escape 2 (RCW 9A.76.120)



1 Extortion 2 (RCW 9A.56.130)  
2 Harassment (RCW 9A.46.020)  
3 Intimidating a Public Servant (RCW  
4 9A.76.180)  
5 Introducing Contraband 2 (RCW 9A.76.150)  
6 Maintaining a Dwelling or Place for  
7 Controlled Substances (RCW  
8 69.50.402(a)(6))  
9 Malicious Injury to Railroad Property (RCW  
10 81.60.070)  
11 Manufacture, deliver, or possess with  
12 intent to deliver marijuana (RCW  
13 69.50.401(a)(1)(iii))  
14 Manufacture, distribute, or possess with  
15 intent to distribute an imitation  
16 controlled substance (RCW  
17 69.52.030(1))  
18 Patronizing a Juvenile Prostitute (RCW  
19 9.68A.100)  
20 Perjury 2 (RCW 9A.72.030)  
21 Possession of Incendiary Device (RCW  
22 9.40.120)  
23 Possession of Machine Gun or Short-Barreled  
24 Shotgun or Rifle (RCW 9.41.190)  
25 Promoting Prostitution 2 (RCW 9A.88.080)  
26 Recklessly Trafficking in Stolen Property  
27 (RCW 9A.82.050(1))  
28 Securities Act violation (RCW 21.20.400)  
29 Tampering with a Witness (RCW 9A.72.120)  
30 Telephone Harassment (subsequent conviction  
31 or threat of death) (RCW 9.61.230)  
32 Theft of Livestock 2 (RCW 9A.56.080)  
33 Unlawful Imprisonment (RCW 9A.40.040)  
34 Unlawful possession of firearm in the  
35 second degree (RCW 9.41.040(1)(b))  
36 Unlawful Use of Building for Drug Purposes  
37 (RCW 69.53.010)  
38 Vehicular Assault, by the operation or  
39 driving of a vehicle with disregard

1                   for the safety of others (RCW  
2                   46.61.522)  
3           Willful Failure to Return from Work Release  
4                   (RCW 72.65.070)

5    II           Computer Trespass 1 (RCW 9A.52.110)  
6                   Counterfeiting (RCW 9.16.035(3))  
7                   Create, deliver, or possess a counterfeit  
8                   controlled substance (RCW  
9                   69.50.401(b))

10           Escape from Community Custody (RCW  
11                   72.09.310)

12           Health Care False Claims (RCW 48.80.030)

13           Identity Theft 2 (RCW 9.35.020(2)(b))

14           Improperly Obtaining Financial Information  
15                   (RCW 9.35.010)

16           Mail Theft or Receipt of Stolen Mail  
17                   (section 5 of this act)

18           Malicious Mischief 1 (RCW 9A.48.070)

19           Possession of controlled substance that is  
20                   either heroin or narcotics from  
21                   Schedule I or II or flunitrazepam from  
22                   Schedule IV (RCW 69.50.401(d))

23           Possession of phencyclidine (PCP) (RCW  
24                   69.50.401(d))

25           Possession of Stolen Property 1 (RCW  
26                   9A.56.150)

27           Theft 1 (RCW 9A.56.030)

28           Theft of Rental, Leased, or Lease-purchased  
29                   Property (valued at one thousand five  
30                   hundred dollars or more) (RCW  
31                   9A.56.096(4))

32           Trafficking in Insurance Claims (RCW  
33                   48.30A.015)

34           Unlawful Practice of Law (RCW 2.48.180)

35           Unlicensed Practice of a Profession or  
36                   Business (RCW 18.130.190(7))

37    I           Attempting to Elude a Pursuing Police  
38                   Vehicle (RCW 46.61.024)

1           Destruction of Mail (section 4 of this act)  
2           False Verification for Welfare (RCW  
3           74.08.055)  
4           Forged Prescription (RCW 69.41.020)  
5           Forged Prescription for a Controlled  
6           Substance (RCW 69.50.403)  
7           Forgery (RCW 9A.60.020)  
8           Malicious Mischief 2 (RCW 9A.48.080)  
9           Possess Controlled Substance that is a  
10           Narcotic from Schedule III, IV, or V  
11           or Non-narcotic from Schedule I-V  
12           (except phencyclidine or  
13           flunitrazepam) (RCW 69.50.401(d))  
14           Possession of Stolen Property 2 (RCW  
15           9A.56.160)  
16           Reckless Burning 1 (RCW 9A.48.040)  
17           Taking Motor Vehicle Without Permission  
18           (RCW 9A.56.070)  
19           Theft 2 (RCW 9A.56.040)  
20           Theft of Rental, Leased, or Lease-purchased  
21           Property (valued at two hundred fifty  
22           dollars or more but less than one  
23           thousand five hundred dollars) (RCW  
24           9A.56.096(4))  
25           Unlawful Issuance of Checks or Drafts (RCW  
26           9A.56.060)  
27           Unlawful Use of Food Stamps (RCW 9.91.140  
28           (2) and (3))  
29           Vehicle Prowl 1 (RCW 9A.52.095)

30           **Sec. 9.** RCW 13.40.0357 and 2001 c 217 s 13 are each amended to  
31 read as follows:

**DESCRIPTION AND OFFENSE CATEGORY**

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	JUVENILE	JUVENILE DISPOSITION
	DISPOSITION	CATEGORY FOR ATTEMPT,
	OFFENSE	BAILJUMP, CONSPIRACY,
	CATEGORY	OR SOLICITATION

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**Arson and Malicious Mischief**

	A	Arson 1 (9A.48.020)	B+
	B	Arson 2 (9A.48.030)	C
	C	Reckless Burning 1 (9A.48.040)	D
	D	Reckless Burning 2 (9A.48.050)	E
	B	Malicious Mischief 1 (9A.48.070)	C
	C	Malicious Mischief 2 (9A.48.080)	D
	D	Malicious Mischief 3 (<\$50 is	
		E class) (9A.48.090)	E
	E	Tampering with Fire Alarm	
		Apparatus (9.40.100)	E
	A	Possession of Incendiary Device	
		(9.40.120)	B+

**Assault and Other Crimes**

**Involving Physical Harm**

	A	Assault 1 (9A.36.011)	B+
	B+	Assault 2 (9A.36.021)	C+
	C+	Assault 3 (9A.36.031)	D+
	D+	Assault 4 (9A.36.041)	E
	B+	Drive-By Shooting	
		(9A.36.045)	C+
	D+	Reckless Endangerment	
		(9A.36.050)	E
	C+	Promoting Suicide Attempt	
		(9A.36.060)	D+
	D+	Coercion (9A.36.070)	E
	C+	Custodial Assault (9A.36.100)	D+

**Burglary and Trespass**

	B+	Burglary 1 (9A.52.020)	C+
	B	Residential Burglary	
		(9A.52.025)	C
	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		<b>Drugs</b>	
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		<b>Firearms and Weapons</b>	
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		<b>Homicide</b>	
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		<b>Kidnapping</b>	
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		<b>Obstructing Governmental Operation</b>	
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		<b>Public Disturbance</b>	
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		<b>Sex Crimes</b>	
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		<b>Theft, Robbery, Extortion, and Forgery</b>	
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 ( <del>((9.35.010))</del> ) (9.35.010)	E
15	<u>C</u>	<u>Mail Theft or Receipt of Stolen</u>	
16		<u>Mail (section 5 of this act)</u>	<u>D</u>
17	<u>D</u>	<u>Destruction of Mail (section 4</u>	
18		<u>of this act)</u>	<u>E</u>
19	B	Possession of Stolen Property 1	
20		(9A.56.150)	C
21	C	Possession of Stolen Property 2	
22		(9A.56.160)	D
23	D	Possession of Stolen Property 3	
24		(9A.56.170)	E
25	C	Taking Motor Vehicle Without	
26		Owner's Permission (9A.56.070)	D
27		<b>Motor Vehicle Related Crimes</b>	
28	E	Driving Without a License	
29		(46.20.005)	E
30	B+	Hit and Run - Death	
31		(46.52.020(4)(a))	C+
32	C	Hit and Run - Injury	
33		(46.52.020(4)(b))	D
34	D	Hit and Run-Attended	
35		(46.52.020(5))	E
36	E	Hit and Run-Unattended	
37		(46.52.010)	E
38	C	Vehicular Assault (46.61.522)	D



1	C	Attempting to Elude Pursuing	
2		Police Vehicle (46.61.024)	D
3	E	Reckless Driving (46.61.500)	E
4	D	Driving While Under the Influence	
5		(46.61.502 and 46.61.504)	E
6		<b>Other</b>	
7	B	Bomb Threat (9.61.160)	C
8	C	Escape 1 (9A.76.110)	C
9	C	Escape 2 (9A.76.120)	C
10	D	Escape 3 (9A.76.130)	E
11	E	Obscene, Harassing, Etc.,	
12		Phone Calls (9.61.230)	E
13	A	Other Offense Equivalent to an	
14		Adult Class A Felony	B+
15	B	Other Offense Equivalent to an	
16		Adult Class B Felony	C
17	C	Other Offense Equivalent to an	
18		Adult Class C Felony	D
19	D	Other Offense Equivalent to an	
20		Adult Gross Misdemeanor	E
21	E	Other Offense Equivalent to an	
22		Adult Misdemeanor	E
23	V	Violation of Order of Restitution,	
24		Community Supervision, or	
25		Confinement (13.40.200)	V

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

28 1st escape or attempted escape during 12-month period - 4 weeks  
29 confinement

30 2nd escape or attempted escape during 12-month period - 8 weeks  
31 confinement

32 3rd and subsequent escape or attempted escape during 12-month  
33 period - 12 weeks confinement

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

**JUVENILE SENTENCING STANDARDS**

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

**OPTION A  
JUVENILE OFFENDER SENTENCING GRID  
STANDARD RANGE**

	A+		180 WEEKS TO AGE 21 YEARS				
	A		103 WEEKS TO 129 WEEKS				
	A-		15-36	52-65	80-100	103-129	
			WEEKS	WEEKS	WEEKS	WEEKS	
			EXCEPT				
			30-40				
			WEEKS FOR				
			15-17				
			YEAR OLDS				
Current	B+		15-36	52-65	80-100	103-129	
Offense			WEEKS	WEEKS	WEEKS	WEEKS	
Category			_____				
	B		LOCAL			52-65	
			SANCTIONS (LS)	15-36	WEEKS	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				

NOTE: References in the grid to days or weeks mean periods of confinement.

1 (1) The vertical axis of the grid is the current offense category.  
2 The current offense category is determined by the offense of  
3 adjudication.

4 (2) The horizontal axis of the grid is the number of prior  
5 adjudications included in the juvenile's criminal history. Each prior  
6 felony adjudication shall count as one point. Each prior violation,  
7 misdemeanor, and gross misdemeanor adjudication shall count as 1/4  
8 point. Fractional points shall be rounded down.

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

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

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

17 OR

18 OPTION B

19 CHEMICAL DEPENDENCY DISPOSITION ALTERNATIVE

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

24 OR

25 OPTION C

26 MANIFEST INJUSTICE

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

30 **SB 5459** - S AMD 476  
31 By Senator Roach

32 ADOPTED 02/08/02

33 On page 1, line 1 of the title, after "mail;" strike the remainder  
34 of the title and insert "amending RCW 13.40.0357; reenacting and

1 amending RCW 9.94A.515; adding a new chapter to Title 9A RCW; and  
2 prescribing penalties."

--- END ---