

RCW 9.94A.517 Table 3—Drug offense sentencing grid.

(1)

TABLE 3

DRUG OFFENSE SENTENCING GRID

Seriousness Level	Offender Score 0 to 2	Offender Score 3 to 5	Offender Score 6 to 9 or more
III	51 to 68 months	68+ to 100 months	100+ to 120 months
II	12+ to 20 months	20+ to 60 months	60+ to 120 months
I	0 to 6 months	6+ to 18 months	12+ to 24 months

References to months represent the standard sentence ranges. 12+ equals one year and one day.

(2) The court may utilize any other sanctions or alternatives as authorized by law, including but not limited to the special drug offender sentencing alternative under RCW 9.94A.660 or drug court under chapter 2.30 RCW.

(3) Nothing in this section creates an entitlement for a criminal defendant to any specific sanction, alternative, sentence option, or substance abuse treatment. [2015 c 291 s 9; (2015 c 291 s 8 expired July 1, 2018); (2013 2nd sp.s. c 14 s 1 expired July 1, 2018); 2002 c 290 s 8.]

Effective date—2015 c 291 s 9: "Section 9 of this act takes effect July 1, 2018." [2015 c 291 s 16.]

Expiration date—2015 c 291 s 8: "Section 8 of this act expires July 1, 2018." [2015 c 291 s 15.]

Conflict with federal requirements—2015 c 291: See note following RCW 2.30.010.

Application—Recalculation of earned release date—2013 2nd sp.s. c 14: "Pursuant to RCW 9.94A.729, the department shall recalculate the earned release date for any offender currently serving a term in a facility or institution either operated by the state or utilized under contract. The earned release date shall be recalculated whether the offender is currently incarcerated or is sentenced after July 1, 2013, and regardless of the offender's date of offense. For offenders whose offense was committed prior to July 1, 2013, the recalculation shall not extend a term of incarceration beyond that to which an offender is currently subject." [2013 2nd sp.s. c 14 s 4.]

Declaration—2013 2nd sp.s. c 14 s 4: "The legislature declares that section 4 of this act does not create any liberty interest. The department is authorized to take the time reasonably necessary to complete the recalculations of section 4 of this act after July 1, 2013." [2013 2nd sp.s. c 14 s 6.]

Compilation of sentencing information—Report—2013 2nd sp.s. c 14: "(1)(a) The department must, in consultation with the caseload forecast council, compile the following information in summary form for the two years prior to and after July 1, 2013: For offenders sentenced under RCW 9.94A.517 for a seriousness level I offense where

the offender score is three to five: (A) The total number of sentences and the average length of sentence imposed, sorted by sentences served in state versus local correctional facilities; (B) the number of current and prior felony convictions for each offender; (C) the estimated cost or cost savings, total and per offender, to the state and local governments from the change to the maximum sentence pursuant to RCW 9.94A.517(1); and (D) the number of offenders who were sentenced to community custody, the number of violations committed on community custody, and any sanctions imposed for such violations.

(b) The department must submit a report with its findings to the office of financial management and the appropriate fiscal and policy committees of the house of representatives and the senate by January 1, 2015, and January 1, 2018.

(2) For purposes of this section, "department" means the department of corrections." [2013 2nd sp.s. c 14 s 5.]

Effective date—2013 2nd sp.s. c 14: "This act is necessary for the immediate preservation of the public peace, health, or safety, or support of the state government and its existing public institutions, and takes effect July 1, 2013." [2013 2nd sp.s. c 14 s 9.]

Applicability—2013 2nd sp.s. c 14 s 1: "Section 1 of this act applies to sentences imposed on or after July 1, 2013, regardless of the date of offense." [2013 2nd sp.s. c 14 s 7.]

Expiration date—2013 2nd sp.s. c 14 ss 1 and 5: "Sections 1 and 5 of this act expire July 1, 2018." [2013 2nd sp.s. c 14 s 10.]

Intent—2002 c 290: "It is the intent of the legislature to increase the use of effective substance abuse treatment for defendants and offenders in Washington in order to make frugal use of state and local resources, thus reducing recidivism and increasing the likelihood that defendants and offenders will become productive and law-abiding persons. The legislature recognizes that substance abuse treatment can be effective if it is well planned and involves adequate monitoring, and that substance abuse and addiction is a public safety and public health issue that must be more effectively addressed if recidivism is to be reduced. The legislature intends that sentences for drug offenses accurately reflect the adverse impact of substance abuse and addiction on public safety, that the public must have protection from violent offenders, and further intends that such sentences be based on policies that are supported by research and public policy goals established by the legislature." [2002 c 290 s 1.]

Effective date—2002 c 290 ss 7-11 and 14-23: See note following RCW 9.94A.515.