SENATE BILL 6236

State of Washington52nd Legislature1992 Regular SessionBy Senators Owen and von Reichbauer

Read first time 01/22/92. Referred to Committee on Law & Justice.

1 AN ACT Relating to crimes against senior citizens; amending RCW 2 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 1991 c 32 s 2 are each amended to read 5 as follows:

6	(1) TABLE 1												
7	Sentencing Grid												
8	SERIOUSNESS												
9	SCORE OFFENDER SCORE										9		
10		0	1	2	3	4	5	б	7	8	or more		
11													
12	XV	Life	Sente	ence wi	thout	Parole	e/Deat	h Pena	lty				
13													

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	17 _Y 3m	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	7убт	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	Х	5y	5убт	бу	бубт	7y	7убт	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	3у	Зубт	4y	4убт	5y	5убт	7y6m	8убт	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	2убт	3у	Зубт	4y	4убт	бубт	7y6m	8убт	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	2убт	3у	Зубт	4y	5убт	бубт	7убт	8y6m		
30		15-	21-	26-	31-	36-	41-	57-	67-	77-	87-		
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1 2		20	27	34	41	48	54	75	89	10)2	116
3	VI	13m	18m	2y	2y6m	3y	Зубm	4убm	5y6m	63	76m	7убт
4		12+-	15-	21-	26-	31-	36-	46-	57-	6'	7 —	77-
5 6		14	20	27	34	41	48	61	75	89)	102
7	V	9m	13m	15m	18m	2y2m	3y2m	4y	5y	63	7	7y
8		6-	12+-	13-	15-	22-	33-	41-	51-	62	2-	72-
9		12	14	17	20	29	43	54	68	82	2	96
С												
1	IV	бm	9m	13m	15m	18m	2y2m	3y2m	4y2m	53	/2m	6y2m
2		3-	6–	12+-	13-	15-	22-	33-	43-	53	3 -	63-
3 4		9	12	14	17	20	29	43	57	70)	84
5	III	2m	5m	8m	11m	14m	20m	2y2m	3y2m	43	72m	5y
5		1-	3–	4-	9–	12+-	17-	22-	33-	43	3 –	51-
7		3	8	12	12	16	22	29	43	57		68
3	II		4m	6m	8m	13m	16m	20m	2y2m	3y2m	4y	2m
)		0-90	2-	3-	4-	12+-	14-	17-	22-	33-	43	_
-		Days	6	9	12	14	18	22	29	43	57	
3	I			3m	4m	5m	8m	13m	16m	20m	2y	2m
ł		0-60	0-90	2-	2-	3-	4-	12+-	14-	17-	22	_
5		Days	Days	5	6	8	12	14	18	22	29	
6 7	NOTE :	Numb	ers in	the fi	rst ho	rizont	al row	of eac	ch seri	ousne	ss c	ateg

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.

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1 (2) For persons convicted of the anticipatory offenses of criminal 2 attempt, solicitation, or conspiracy under chapter 9A.28 RCW, the 3 presumptive sentence is determined by locating the sentencing grid 4 sentence range defined by the appropriate offender score and the 5 seriousness level of the completed crime, and multiplying the range by 6 75 percent.

7 (3) The following additional times shall be added to the presumptive sentence if the offender or an accomplice was armed with a 8 9 deadly weapon as defined in this chapter and the offender is being 10 sentenced for one of the crimes listed in this subsection. If the offender or an accomplice was armed with a deadly weapon and the 11 offender is being sentenced for an anticipatory offense under chapter 12 9A.28 RCW to commit one of the crimes listed in this subsection, the 13 14 following times shall be added to the presumptive range determined 15 under subsection (2) of this section:

16 (a) 24 months for Rape 1 (RCW 9A.44.040), Robbery 1 (RCW
 17 9A.56.200), or Kidnapping 1 (RCW 9A.40.020)

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

(c) 12 months for Assault 2 (RCW 9A.36.020 or 9A.36.021), Escape
 1 (RCW 9A.76.110), Kidnapping 2 (RCW 9A.40.030), Burglary
 2 of a building other than a dwelling (RCW 9A.52.030), Theft
 of Livestock 1 or 2 (RCW 9A.56.080), or any drug offense.

The following additional times shall be added to the 23 (4) 24 presumptive sentence if the offender or an accomplice committed the offense while in a county jail or state correctional facility as that 25 term is defined in this chapter and the offender is being sentenced for 26 one of the crimes listed in this subsection. If the offender or an 27 accomplice committed one of the crimes listed in this subsection while 28 29 in a county jail or state correctional facility as that term is defined in this chapter, and the offender is being sentenced for 30 an SB 6236 p. 4 of 5

1 anticipatory offense under chapter 9A.28 RCW to commit one of the 2 crimes listed in this subsection, the following times shall be added to 3 the presumptive sentence range determined under subsection (2) of this 4 section:

5 (a) Eighteen months for offenses committed under RCW
6 69.50.401(a)(1)(i) or 69.50.410;

7 (b) Fifteen months for offenses committed under RCW
8 69.50.401(a)(1)(ii), (iii), and (iv);

9 (c) Twelve months for offenses committed under RCW 69.50.401(d). 10 For the purposes of this subsection, all of the real property of a 11 state correctional facility or county jail shall be deemed to be part 12 of that facility or county jail.

13 (5) <u>The following additional times shall be added to the</u> 14 <u>presumptive sentence if the offender or an accomplice committed the</u> 15 <u>offense against a victim who was age sixty-five or older:</u>

16 <u>(a) 24 months for a class A felony or any felony equivalent to a</u> 17 <u>class A felony;</u>

18 (b) 18 months for a class B felony or any felony equivalent to a 19 class B felony;

20 (c) 12 months for a class C felony or any felony equivalent to a
 21 class C felony.

22 <u>(6)</u> An additional twenty-four months shall be added to the 23 presumptive sentence for any ranked offense involving a violation of 24 chapter 69.50 RCW if the offense was also a violation of RCW 69.50.435.

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