
SUBSTITUTE SENATE BILL 5074

State of Washington

56th Legislature

1999 Regular Session

By Senate Committee on Judiciary (originally sponsored by Senators Roach, Honeyford, T. Sheldon, Johnson and Rasmussen)

Read first time 02/15/1999.

1 AN ACT Relating to crimes related to mail; amending RCW 13.40.0357;
2 reenacting and amending RCW 9.94A.320; adding a new chapter to Title 9A
3 RCW; and prescribing penalties.

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

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

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

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

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

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

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

16 and

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

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

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

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

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

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

11 NEW SECTION. **Sec. 2.** (1) A person commits the crime of
12 obstruction of mails if the person intentionally obstructs or
13 unreasonably delays:

14 (a) The passage of the mail; or

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

16 (2) Obstruction of mails is a gross misdemeanor.

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

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

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

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

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

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

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

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

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

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

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

4 (2) When a person has in his or her possession or control mail of
5 another addressed to two or more different addresses, and the addresses
6 are not the residence or business of the person, he or she is presumed
7 to know that the mail is stolen. This presumption may be rebutted by
8 evidence raising a reasonable inference that the possession of such
9 stolen mail was without knowledge that the mail was stolen.

10 NEW SECTION. **Sec. 6.** (1) A person is guilty of mail theft or
11 receipt of stolen mail in the first degree if he or she knowingly
12 possesses stolen mail addressed to five or more different addresses.

13 (2) Mail theft or receipt of stolen mail in the first degree is a
14 class B felony.

15 NEW SECTION. **Sec. 7.** (1) A person is guilty of mail theft or
16 receipt of stolen mail in the second degree if he or she knowingly
17 possesses stolen mail addressed to four or less different addresses.

18 (2) Mail theft or receipt of stolen mail in the second degree is a
19 class C felony.

20 NEW SECTION. **Sec. 8.** In a prosecution under this chapter, it is
21 a defense that the defendant acted under an honest claim of right in
22 that:

23 (1) The defendant was unaware that the property was that of another
24 person;

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

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

32 NEW SECTION. **Sec. 9.** Sections 1 through 8 of this act constitute
33 a new chapter in Title 9A RCW.

1 IX Assault of a Child 2 (RCW 9A.36.130)
2 Robbery 1 (RCW 9A.56.200)
3 Explosive devices prohibited (RCW
4 70.74.180)
5 Malicious placement of an explosive 2 (RCW
6 70.74.270(2))
7 Over 18 and deliver narcotic from Schedule
8 III, IV, or V or a nonnarcotic, except
9 flunitrazepam, from Schedule I-V to
10 someone under 18 and 3 years junior
11 (RCW 69.50.406)
12 Controlled Substance Homicide (RCW
13 69.50.415)
14 Sexual Exploitation (RCW 9.68A.040)
15 Inciting Criminal Profiteering (RCW
16 9A.82.060(1)(b))
17 Vehicular Homicide, by being under the
18 influence of intoxicating liquor or
19 any drug (RCW 46.61.520)
20 Homicide by Watercraft, by being under the
21 influence of intoxicating liquor or
22 any drug (RCW 88.12.029)

23 VIII Arson 1 (RCW 9A.48.020)
24 Promoting Prostitution 1 (RCW 9A.88.070)
25 Selling for profit (controlled or
26 counterfeit) any controlled substance
27 (RCW 69.50.410)
28 Manufacture, deliver, or possess with
29 intent to deliver heroin or cocaine
30 (RCW 69.50.401(a)(1)(i))
31 Deliver or possess with intent to deliver
32 methamphetamine (RCW
33 69.50.401(a)(1)(ii))
34 Manufacture, deliver, or possess with
35 intent to deliver amphetamine (RCW
36 69.50.401(a)(1)(ii))
37 Possession of ephedrine or pseudoephedrine
38 with intent to manufacture
39 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 Homicide by Watercraft, by the operation of
5 any vessel in a reckless manner (RCW
6 88.12.029)
7 Manslaughter 2 (RCW 9A.32.070)

8 VII Burglary 1 (RCW 9A.52.020)
9 Vehicular Homicide, by disregard for the
10 safety of others (RCW 46.61.520)
11 Homicide by Watercraft, by disregard for
12 the safety of others (RCW 88.12.029)
13 Introducing Contraband 1 (RCW 9A.76.140)
14 Indecent Liberties (without forcible
15 compulsion) (RCW 9A.44.100(1) (b) and
16 (c))
17 Child Molestation 2 (RCW 9A.44.086)
18 Dealing in depictions of minor engaged in
19 sexually explicit conduct (RCW
20 9.68A.050)
21 Sending, bringing into state depictions of
22 minor engaged in sexually explicit
23 conduct (RCW 9.68A.060)
24 Involving a minor in drug dealing (RCW
25 69.50.401(f))
26 Drive-by Shooting (RCW 9A.36.045)
27 Unlawful Possession of a Firearm in the
28 first degree (RCW 9.41.040(1)(a))
29 Malicious placement of an explosive 3 (RCW
30 70.74.270(3))

31 VI Bribery (RCW 9A.68.010)
32 Rape of a Child 3 (RCW 9A.44.079)
33 Intimidating a Juror/Witness (RCW
34 9A.72.110, 9A.72.130)
35 Malicious placement of an imitation device
36 2 (RCW 70.74.272(1)(b))
37 Incest 1 (RCW 9A.64.020(1))

1 Manufacture, deliver, or possess with
2 intent to deliver narcotics from
3 Schedule I or II (except heroin or
4 cocaine) or flunitrazepam from
5 Schedule IV (RCW 69.50.401(a)(1)(i))
6 Intimidating a Judge (RCW 9A.72.160)
7 Bail Jumping with Murder 1 (RCW
8 9A.76.170(2)(a))
9 Theft of a Firearm (RCW 9A.56.300)

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

1 Possession of a Stolen Firearm (RCW
2 9A.56.310)

3 IV Residential Burglary (RCW 9A.52.025)
4 Theft of Livestock 1 (RCW 9A.56.080)
5 Robbery 2 (RCW 9A.56.210)
6 Assault 2 (RCW 9A.36.021)
7 Escape 1 (RCW 9A.76.110)
8 Arson 2 (RCW 9A.48.030)
9 Commercial Bribery (RCW 9A.68.060)
10 Bribing a Witness/Bribe Received by Witness
11 (RCW 9A.72.090, 9A.72.100)
12 Malicious Harassment (RCW 9A.36.080)
13 Threats to Bomb (RCW 9.61.160)
14 Willful Failure to Return from Furlough
15 (RCW 72.66.060)
16 Hit and Run--Injury Accident (RCW
17 46.52.020(4))
18 Hit and Run with Vessel--Injury Accident
19 (RCW 88.12.155(3))
20 Vehicular Assault (RCW 46.61.522)
21 Assault by Watercraft (RCW 88.12.032)
22 Manufacture, deliver, or possess with
23 intent to deliver narcotics from
24 Schedule III, IV, or V or nonnarcotics
25 from Schedule I-V (except marijuana,
26 amphetamine, methamphetamines, or
27 flunitrazepam) (RCW 69.50.401(a)(1)
28 (iii) through (v))
29 Influencing Outcome of Sporting Event (RCW
30 9A.82.070)
31 Use of Proceeds of Criminal Profiteering
32 (RCW 9A.82.080 (1) and (2))
33 Knowingly Trafficking in Stolen Property
34 (RCW 9A.82.050(2))

1 III Criminal Gang Intimidation (RCW 9A.46.120)
2 Criminal Mistreatment 2 (RCW 9A.42.030)
3 Abandonment of dependent person 2 (RCW
4 9A.42.070)
5 Extortion 2 (RCW 9A.56.130)
6 Unlawful Imprisonment (RCW 9A.40.040)
7 Assault 3 (RCW 9A.36.031)
8 Assault of a Child 3 (RCW 9A.36.140)
9 Custodial Assault (RCW 9A.36.100)
10 Unlawful possession of firearm in the
11 second degree (RCW 9.41.040(1)(b))
12 Harassment (RCW 9A.46.020)
13 Promoting Prostitution 2 (RCW 9A.88.080)
14 Willful Failure to Return from Work Release
15 (RCW 72.65.070)
16 Burglary 2 (RCW 9A.52.030)
17 Introducing Contraband 2 (RCW 9A.76.150)
18 Communication with a Minor for Immoral
19 Purposes (RCW 9.68A.090)
20 Patronizing a Juvenile Prostitute (RCW
21 9.68A.100)
22 Escape 2 (RCW 9A.76.120)
23 Perjury 2 (RCW 9A.72.030)
24 Bail Jumping with class B or C Felony (RCW
25 9A.76.170(2)(c))
26 Intimidating a Public Servant (RCW
27 9A.76.180)
28 Tampering with a Witness (RCW 9A.72.120)
29 Manufacture, deliver, or possess with
30 intent to deliver marijuana (RCW
31 69.50.401(a)(1)(iii))
32 Delivery of a material in lieu of a
33 controlled substance (RCW
34 69.50.401(c))
35 Manufacture, distribute, or possess with
36 intent to distribute an imitation
37 controlled substance (RCW
38 69.52.030(1))

1 Recklessly Trafficking in Stolen Property
2 (RCW 9A.82.050(1))
3 Theft of livestock 2 (RCW 9A.56.080)
4 Securities Act violation (RCW 21.20.400)

5 II Mail Theft or Receipt of Stolen Mail 1
6 (section 6 of this act)
7 Unlawful Practice of Law (RCW 2.48.180)
8 Malicious Mischief 1 (RCW 9A.48.070)
9 Possession of Stolen Property 1 (RCW
10 9A.56.150)
11 Theft 1 (RCW 9A.56.030)
12 Class B Felony Theft of Rental, Leased, or
13 Lease-purchased Property (RCW
14 9A.56.096(4))
15 Trafficking in Insurance Claims (RCW
16 48.30A.015)
17 Unlicensed Practice of a Profession or
18 Business (RCW 18.130.190(7))
19 Health Care False Claims (RCW 48.80.030)
20 Possession of controlled substance that is
21 either heroin or narcotics from
22 Schedule I or II or flunitrazepam from
23 Schedule IV (RCW 69.50.401(d))
24 Possession of phencyclidine (PCP) (RCW
25 69.50.401(d))
26 Create, deliver, or possess a counterfeit
27 controlled substance (RCW
28 69.50.401(b))
29 Computer Trespass 1 (RCW 9A.52.110)
30 Escape from Community Custody (RCW
31 72.09.310)

32 I Mail Theft or Receipt of Stolen Mail 2
33 (section 7 of this act)
34 Destruction of Mail (section 4 of this act)
35 Theft 2 (RCW 9A.56.040)
36 Class C Felony Theft of Rental, Leased, or
37 Lease-purchased Property (RCW
38 9A.56.096(4))

1 Possession of Stolen Property 2 (RCW
 2 9A.56.160)
 3 Forgery (RCW 9A.60.020)
 4 Taking Motor Vehicle Without Permission
 5 (RCW 9A.56.070)
 6 Vehicle Prowl 1 (RCW 9A.52.095)
 7 Attempting to Elude a Pursuing Police
 8 Vehicle (RCW 46.61.024)
 9 Malicious Mischief 2 (RCW 9A.48.080)
 10 Reckless Burning 1 (RCW 9A.48.040)
 11 Unlawful Issuance of Checks or Drafts (RCW
 12 9A.56.060)
 13 Unlawful Use of Food Stamps (RCW 9.91.140
 14 (2) and (3))
 15 False Verification for Welfare (RCW
 16 74.08.055)
 17 Forged Prescription (RCW 69.41.020)
 18 Forged Prescription for a Controlled
 19 Substance (RCW 69.50.403)
 20 Possess Controlled Substance that is a
 21 Narcotic from Schedule III, IV, or V
 22 or Non-narcotic from Schedule I-V
 23 (except phencyclidine or
 24 flunitrazepam) (RCW 69.50.401(d))

25 **Sec. 11.** RCW 13.40.0357 and 1998 c 290 s 5 are each amended to
 26 read as follows:

27 **DESCRIPTION AND OFFENSE CATEGORY**

28	JUVENILE	JUVENILE DISPOSITION
29	DISPOSITION	CATEGORY FOR ATTEMPT,
30	OFFENSE	BAILJUMP, CONSPIRACY,
31	CATEGORY	DESCRIPTION (RCW CITATION) OR SOLICITATION
32	

33 **Arson and Malicious Mischief**

34	A	Arson 1 (9A.48.020)	B+
35	B	Arson 2 (9A.48.030)	C
36	C	Reckless Burning 1 (9A.48.040)	D
37	D	Reckless Burning 2 (9A.48.050)	E
38	B	Malicious Mischief 1 (9A.48.070)	C

1	C	Malicious Mischief 2 (9A.48.080)	D
2	D	Malicious Mischief 3 (<\$50 is	
3		E class) (9A.48.090)	E
4	E	Tampering with Fire Alarm	
5		Apparatus (9.40.100)	E
6	A	Possession of Incendiary Device	
7		(9.40.120)	B+
8		Assault and Other Crimes	
9		Involving Physical Harm	
10	A	Assault 1 (9A.36.011)	B+
11	B+	Assault 2 (9A.36.021)	C+
12	C+	Assault 3 (9A.36.031)	D+
13	D+	Assault 4 (9A.36.041)	E
14	B+	Drive-By Shooting	
15		(9A.36.045)	C+
16	D+	Reckless Endangerment	
17		(9A.36.050)	E
18	C+	Promoting Suicide Attempt	
19		(9A.36.060)	D+
20	D+	Coercion (9A.36.070)	E
21	C+	Custodial Assault (9A.36.100)	D+
22		Burglary and Trespass	
23	B+	Burglary 1 (9A.52.020)	C+
24	B	Residential Burglary	
25		(9A.52.025)	C
26	B	Burglary 2 (9A.52.030)	C
27	D	Burglary Tools (Possession of)	
28		(9A.52.060)	E
29	D	Criminal Trespass 1 (9A.52.070)	E
30	E	Criminal Trespass 2 (9A.52.080)	E
31	C	Vehicle Prowling 1 (9A.52.095)	D
32	D	Vehicle Prowling 2 (9A.52.100)	E
33		Drugs	
34	E	Possession/Consumption of Alcohol	
35		(66.44.270)	E
36	C	Illegally Obtaining Legend Drug	
37		(69.41.020)	D

1	C+	Sale, Delivery, Possession of Legend	
2		Drug with Intent to Sell	
3		(69.41.030)	D+
4	E	Possession of Legend Drug	
5		(69.41.030)	E
6	B+	Violation of Uniform Controlled	
7		Substances Act - Narcotic,	
8		Methamphetamine, or Flunitrazepam	
9		Sale (69.50.401(a)(1) (i) or (ii))	B+
10	C	Violation of Uniform Controlled	
11		Substances Act - Nonnarcotic Sale	
12		(69.50.401(a)(1)(iii))	C
13	E	Possession of Marihuana <40 grams	
14		(69.50.401(e))	E
15	C	Fraudulently Obtaining Controlled	
16		Substance (69.50.403)	C
17	C+	Sale of Controlled Substance	
18		for Profit (69.50.410)	C+
19	E	Unlawful Inhalation (9.47A.020)	E
20	B	Violation of Uniform Controlled	
21		Substances Act - Narcotic,	
22		Methamphetamine, or Flunitrazepam	
23		Counterfeit Substances	
24		(69.50.401(b)(1) (i) or (ii))	B
25	C	Violation of Uniform Controlled	
26		Substances Act - Nonnarcotic	
27		Counterfeit Substances	
28		(69.50.401(b)(1) (iii), (iv), (v))	C
29	C	Violation of Uniform Controlled	
30		Substances Act - Possession of a	
31		Controlled Substance	
32		(69.50.401(d))	C
33	C	Violation of Uniform Controlled	
34		Substances Act - Possession of a	
35		Controlled Substance	
36		(69.50.401(c))	C
37		Firearms and Weapons	
38	B	Theft of Firearm (9A.56.300)	C

1	B	Possession of Stolen Firearm	
2		(9A.56.310)	C
3	E	Carrying Loaded Pistol Without	
4		Permit (9.41.050)	E
5	C	Possession of Firearms by Minor (<18)	
6		(9.41.040(1)(b)(iii))	C
7	D+	Possession of Dangerous Weapon	
8		(9.41.250)	E
9	D	Intimidating Another Person by use	
10		of Weapon (9.41.270)	E
11		Homicide	
12	A+	Murder 1 (9A.32.030)	A
13	A+	Murder 2 (9A.32.050)	B+
14	B+	Manslaughter 1 (9A.32.060)	C+
15	C+	Manslaughter 2 (9A.32.070)	D+
16	B+	Vehicular Homicide (46.61.520)	C+
17		Kidnapping	
18	A	Kidnap 1 (9A.40.020)	B+
19	B+	Kidnap 2 (9A.40.030)	C+
20	C+	Unlawful Imprisonment	
21		(9A.40.040)	D+
22		Obstructing Governmental Operation	
23	D	Obstructing a Law Enforcement	
24		Officer (9A.76.020)	E
25	E	Resisting Arrest (9A.76.040)	E
26	B	Introducing Contraband 1	
27		(9A.76.140)	C
28	C	Introducing Contraband 2	
29		(9A.76.150)	D
30	E	Introducing Contraband 3	
31		(9A.76.160)	E
32	B+	Intimidating a Public Servant	
33		(9A.76.180)	C+
34	B+	Intimidating a Witness	
35		(9A.72.110)	C+
36		Public Disturbance	
37	C+	Riot with Weapon (9A.84.010)	D+

1	D+	Riot Without Weapon	
2		(9A.84.010)	E
3	E	Failure to Disperse (9A.84.020)	E
4	E	Disorderly Conduct (9A.84.030)	E
5		Sex Crimes	
6	A	Rape 1 (9A.44.040)	B+
7	A-	Rape 2 (9A.44.050)	B+
8	C+	Rape 3 (9A.44.060)	D+
9	A-	Rape of a Child 1 (9A.44.073)	B+
10	B+	Rape of a Child 2 (9A.44.076)	C+
11	B	Incest 1 (9A.64.020(1))	C
12	C	Incest 2 (9A.64.020(2))	D
13	D+	Indecent Exposure	
14		(Victim <14) (9A.88.010)	E
15	E	Indecent Exposure	
16		(Victim 14 or over) (9A.88.010)	E
17	B+	Promoting Prostitution 1	
18		(9A.88.070)	C+
19	C+	Promoting Prostitution 2	
20		(9A.88.080)	D+
21	E	O & A (Prostitution) (9A.88.030)	E
22	B+	Indecent Liberties (9A.44.100)	C+
23	A-	Child Molestation 1 (9A.44.083)	B+
24	B	Child Molestation 2 (9A.44.086)	C+
25		Theft, Robbery, Extortion, and Forgery	
26	B	Theft 1 (9A.56.030)	C
27	C	Theft 2 (9A.56.040)	D
28	D	Theft 3 (9A.56.050)	E
29	B	Theft of Livestock (9A.56.080)	C
30	C	Forgery (9A.60.020)	D
31	A	Robbery 1 (9A.56.200)	B+
32	B+	Robbery 2 (9A.56.210)	C+
33	B+	Extortion 1 (9A.56.120)	C+
34	C+	Extortion 2 (9A.56.130)	D+
35	<u>C</u>	<u>Mail Theft or Receipt of Stolen</u>	
36		<u>Mail 1 (section 6 of this act)</u>	<u>D</u>
37	<u>D</u>	<u>Mail Theft or Receipt of Stolen</u>	
38		<u>Mail 2 (section 7 of this act)</u>	<u>E</u>

1	D	<u>Destruction of Mail (section 4</u>	
2		<u>of this act)</u>	<u>E</u>
3	B	Possession of Stolen Property 1	
4		(9A.56.150)	C
5	C	Possession of Stolen Property 2	
6		(9A.56.160)	D
7	D	Possession of Stolen Property 3	
8		(9A.56.170)	E
9	C	Taking Motor Vehicle Without	
10		Owner's Permission (9A.56.070)	D
11		Motor Vehicle Related Crimes	
12	E	Driving Without a License	
13		(46.20.005)	E
14	C	Hit and Run - Injury	
15		(46.52.020(4))	D
16	D	Hit and Run-Attended	
17		(46.52.020(5))	E
18	E	Hit and Run-Unattended	
19		(46.52.010)	E
20	C	Vehicular Assault (46.61.522)	D
21	C	Attempting to Elude Pursuing	
22		Police Vehicle (46.61.024)	D
23	E	Reckless Driving (46.61.500)	E
24	D	Driving While Under the Influence	
25		(46.61.502 and 46.61.504)	E
26		Other	
27	B	Bomb Threat (9.61.160)	C
28	C	Escape 1 (9A.76.110)	C
29	C	Escape 2 (9A.76.120)	C
30	D	Escape 3 (9A.76.130)	E
31	E	Obscene, Harassing, Etc.,	
32		Phone Calls (9.61.230)	E
33	A	Other Offense Equivalent to an	
34		Adult Class A Felony	B+
35	B	Other Offense Equivalent to an	
36		Adult Class B Felony	C
37	C	Other Offense Equivalent to an	
38		Adult Class C Felony	D

1	D	Other Offense Equivalent to an	
2		Adult Gross Misdemeanor	E
3	E	Other Offense Equivalent to an	
4		Adult Misdemeanor	E
5	V	Violation of Order of Restitution,	
6		Community Supervision, or	
7		Confinement {13.40.200}	V

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

10 1st escape or attempted escape during 12-month period - 4 weeks
11 confinement

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

14 3rd and subsequent escape or attempted escape during 12-month
15 period - 12 weeks confinement

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

18 **JUVENILE SENTENCING STANDARDS**

19 This schedule must be used for juvenile offenders. The court may
20 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 EXCEPT 30-40 WEEKS FOR 15-17 YEAR OLDS	52-65 WEEKS	80-100 WEEKS	103-129 WEEKS	
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	103-129 WEEKS	
	C+	LS	15-36 WEEKS	52-65 WEEKS	103-129 WEEKS	
	C	LS	Local Sanctions: 0 to 30 Days	15-36 WEEKS	103-129 WEEKS	
	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
15 disposition of local sanctions or 15 to 36 weeks of confinement and has
16 not committed an A- or B+ offense, the court may impose a disposition
17 under RCW 13.40.160(5) and 13.40.165.

18 **OR**

19 **OPTION C**

20 **MANIFEST INJUSTICE**

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

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