

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 6071

Chapter 66, Laws of 2000

56th Legislature
2000 Regular Session

HIT AND RUN DRIVERS--PENALTIES

EFFECTIVE DATE: 6/8/00

Passed by the Senate March 6, 2000
YEAS 45 NAYS 0

BRAD OWEN
President of the Senate

Passed by the House March 2, 2000
YEAS 98 NAYS 0

CLYDE BALLARD
**Speaker of the
House of Representatives**

FRANK CHOPP
**Speaker of the
House of Representatives**

Approved March 22, 2000

GARY LOCKE
Governor of the State of Washington

CERTIFICATE

I, Tony M. Cook, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 6071** as passed by the Senate and the House of Representatives on the dates hereon set forth.

TONY M. COOK
Secretary

FILED

March 22, 2000 - 4:13 p.m.

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 6071

AS AMENDED BY THE HOUSE

Passed Legislature - 2000 Regular Session

State of Washington 56th Legislature 2000 Regular Session

By Senate Committee on Judiciary (originally sponsored by Senators Rossi, Johnson, McCaslin, T. Sheldon and Oke)

Read first time 02/04/00.

1 AN ACT Relating to duties of drivers involved in accidents;
2 amending RCW 46.52.020 and 13.40.0357; reenacting and amending RCW
3 9.94A.320; and prescribing penalties.

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

5 **Sec. 1.** RCW 46.52.020 and 1990 c 210 s 2 are each amended to read
6 as follows:

7 (1) A driver of any vehicle involved in an accident resulting in
8 the injury to or death of any person shall immediately stop such
9 vehicle at the scene of such accident or as close thereto as possible
10 but shall then forthwith return to, and in every event remain at, the
11 scene of such accident until he or she has fulfilled the requirements
12 of subsection (3) of this section; every such stop shall be made
13 without obstructing traffic more than is necessary.

14 (2) The driver of any vehicle involved in an accident resulting
15 only in damage to a vehicle which is driven or attended by any person
16 or damage to other property shall immediately stop such vehicle at the
17 scene of such accident or as close thereto as possible and shall
18 forthwith return to, and in any event shall remain at, the scene of
19 such accident until he or she has fulfilled the requirements of

1 subsection (3) of this section; every such stop shall be made without
2 obstructing traffic more than is necessary.

3 (3) Unless otherwise provided in subsection (7) of this section the
4 driver of any vehicle involved in an accident resulting in injury to or
5 death of any person or damage to any vehicle which is driven or
6 attended by any person or damage to other property shall give his or
7 her name, address, insurance company, insurance policy number, and
8 vehicle license number and shall exhibit his or her vehicle driver's
9 license to any person struck or injured or the driver or any occupant
10 of, or any person attending, any such vehicle collided with and shall
11 render to any person injured in such accident reasonable assistance,
12 including the carrying or the making of arrangements for the carrying
13 of such person to a physician or hospital for medical treatment if it
14 is apparent that such treatment is necessary or if such carrying is
15 requested by the injured person or on his or her behalf. Under no
16 circumstances shall the rendering of assistance or other compliance
17 with the provisions of this subsection be evidence of the liability of
18 any driver for such accident.

19 (4)(a) Any driver covered by the provisions of subsection (1) of
20 this section failing to stop or comply with any of the requirements of
21 subsection (3) of this section (~~((under said circumstances shall be))~~) in
22 the case of an accident resulting in death is guilty of a class B
23 felony and, upon conviction, is punishable according to chapter 9A.20
24 RCW.

25 (b) Any driver covered by the provisions of subsection (1) of this
26 section failing to stop or comply with any of the requirements of
27 subsection (3) of this section in the case of an accident resulting in
28 injury is guilty of a class C felony and, upon conviction, ((be
29 punished pursuant to RCW 9A.20.020: PROVIDED, That)) is punishable
30 according to chapter 9A.20 RCW.

31 (c) This (~~((provision))~~) subsection shall not apply to any person
32 injured or incapacitated by such accident to the extent of being
33 physically incapable of complying (~~((herewith))~~) with this section.

34 (5) Any driver covered by the provisions of subsection (2) of this
35 section failing to stop or to comply with any of the requirements of
36 subsection (3) of this section under said circumstances shall be guilty
37 of a gross misdemeanor: PROVIDED, That this provision shall not apply
38 to any person injured or incapacitated by such accident to the extent
39 of being physically incapable of complying herewith.

1 (6) The license or permit to drive or any nonresident privilege to
2 drive of any person convicted under this section or any local ordinance
3 consisting of substantially the same language as this section of
4 failure to stop and give information or render aid following an
5 accident with any vehicle driven or attended by any person shall be
6 revoked by the department.

7 (7) If none of the persons specified are in condition to receive
8 the information to which they otherwise would be entitled under
9 subsection (3) of this section, and no police officer is present, the
10 driver of any vehicle involved in such accident after fulfilling all
11 other requirements of subsections (1) and (3) of this section insofar
12 as possible on his or her part to be performed, shall forthwith report
13 such accident to the nearest office of the duly authorized police
14 authority and submit thereto the information specified in subsection
15 (3) of this section.

16 **Sec. 2.** RCW 9.94A.320 and 1999 c 352 s 3, 1999 c 322 s 5, and 1999
17 c 45 s 4 are each reenacted and amended to read as follows:

18 TABLE 2

19 CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

| | | |
|----|------|--|
| 20 | XVI | Aggravated Murder 1 (RCW 10.95.020) |
| 21 | XV | Homicide by abuse (RCW 9A.32.055) |
| 22 | | Malicious explosion 1 (RCW 70.74.280(1)) |
| 23 | | Murder 1 (RCW 9A.32.030) |
| 24 | XIV | Murder 2 (RCW 9A.32.050) |
| 25 | XIII | Malicious explosion 2 (RCW 70.74.280(2)) |
| 26 | | Malicious placement of an explosive 1 (RCW |
| 27 | | 70.74.270(1)) |
| 28 | XII | Assault 1 (RCW 9A.36.011) |
| 29 | | Assault of a Child 1 (RCW 9A.36.120) |
| 30 | | Malicious placement of an imitation device |
| 31 | | 1 (RCW 70.74.272(1)(a)) |
| 32 | | Rape 1 (RCW 9A.44.040) |
| 33 | | Rape of a Child 1 (RCW 9A.44.073) |

1 XI Manslaughter 1 (RCW 9A.32.060)
2 Rape 2 (RCW 9A.44.050)
3 Rape of a Child 2 (RCW 9A.44.076)
4 X Child Molestation 1 (RCW 9A.44.083)
5 Indecent Liberties (with forcible
6 compulsion) (RCW 9A.44.100(1)(a))
7 Kidnapping 1 (RCW 9A.40.020)
8 Leading Organized Crime (RCW
9 9A.82.060(1)(a))
10 Malicious explosion 3 (RCW 70.74.280(3))
11 Manufacture of methamphetamine (RCW
12 69.50.401(a)(1)(ii))
13 Over 18 and deliver heroin,
14 methamphetamine, a narcotic from
15 Schedule I or II, or flunitrazepam
16 from Schedule IV to someone under 18
17 (RCW 69.50.406)
18 IX Assault of a Child 2 (RCW 9A.36.130)
19 Controlled Substance Homicide (RCW
20 69.50.415)
21 Explosive devices prohibited (RCW
22 70.74.180)
23 Homicide by Watercraft, by being under the
24 influence of intoxicating liquor or
25 any drug (RCW ((88-12-029))
26 79A.60.050)
27 Inciting Criminal Profiteering (RCW
28 9A.82.060(1)(b))
29 Malicious placement of an explosive 2 (RCW
30 70.74.270(2))
31 Over 18 and deliver narcotic from Schedule
32 III, IV, or V or a nonnarcotic, except
33 flunitrazepam or methamphetamine, from
34 Schedule I-V to someone under 18 and 3
35 years junior (RCW 69.50.406)

1 Robbery 1 (RCW 9A.56.200)
2 Sexual Exploitation (RCW 9.68A.040)
3 Vehicular Homicide, by being under the
4 influence of intoxicating liquor or
5 any drug (RCW 46.61.520)

6 VIII Arson 1 (RCW 9A.48.020)
7 Deliver or possess with intent to deliver
8 methamphetamine (RCW
9 69.50.401(a)(1)(ii))
10 Hit and Run--Death (RCW 46.52.020(4)(a))
11 Homicide by Watercraft, by the operation of
12 any vessel in a reckless manner (RCW
13 ((~~88.12.029~~)) 79A.60.050)
14 Manslaughter 2 (RCW 9A.32.070)
15 Manufacture, deliver, or possess with
16 intent to deliver amphetamine (RCW
17 69.50.401(a)(1)(ii))
18 Manufacture, deliver, or possess with
19 intent to deliver heroin or cocaine
20 (RCW 69.50.401(a)(1)(i))
21 Possession of ephedrine or pseudoephedrine
22 with intent to manufacture
23 methamphetamine (RCW 69.50.440)
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 Vehicular Homicide, by the operation of any
29 vehicle in a reckless manner (RCW
30 46.61.520)

31 VII Burglary 1 (RCW 9A.52.020)
32 Child Molestation 2 (RCW 9A.44.086)
33 Dealing in depictions of minor engaged in
34 sexually explicit conduct (RCW
35 9.68A.050)
36 Drive-by Shooting (RCW 9A.36.045)

1 Homicide by Watercraft, by disregard for
2 the safety of others (RCW
3 ((88.12.029)) 79A.60.050)
4 Indecent Liberties (without forcible
5 compulsion) (RCW 9A.44.100(1) (b) and
6 (c))
7 Introducing Contraband 1 (RCW 9A.76.140)
8 Involving a minor in drug dealing (RCW
9 69.50.401(f))
10 Malicious placement of an explosive 3 (RCW
11 70.74.270(3))
12 Sending, bringing into state depictions of
13 minor engaged in sexually explicit
14 conduct (RCW 9.68A.060)
15 Unlawful Possession of a Firearm in the
16 first degree (RCW 9.41.040(1)(a))
17 Use of a Machine Gun in Commission of a
18 Felony (RCW 9.41.225)
19 Vehicular Homicide, by disregard for the
20 safety of others (RCW 46.61.520)
21 VI Bail Jumping with Murder 1 (RCW
22 9A.76.170(2)(a))
23 Bribery (RCW 9A.68.010)
24 Incest 1 (RCW 9A.64.020(1))
25 Intimidating a Judge (RCW 9A.72.160)
26 Intimidating a Juror/Witness (RCW
27 9A.72.110, 9A.72.130)
28 Malicious placement of an imitation device
29 2 (RCW 70.74.272(1)(b))
30 Manufacture, deliver, or possess with
31 intent to deliver narcotics from
32 Schedule I or II (except heroin or
33 cocaine) or flunitrazepam from
34 Schedule IV (RCW 69.50.401(a)(1)(i))
35 Rape of a Child 3 (RCW 9A.44.079)
36 Theft of a Firearm (RCW 9A.56.300)
37 V Abandonment of dependent person 1 (RCW
38 9A.42.060)

1 Advancing money or property for
2 extortionate extension of credit (RCW
3 9A.82.030)
4 Bail Jumping with class A Felony (RCW
5 9A.76.170(2)(b))
6 Child Molestation 3 (RCW 9A.44.089)
7 Criminal Mistreatment 1 (RCW 9A.42.020)
8 Custodial Sexual Misconduct 1 (RCW
9 9A.44.160)
10 Delivery of imitation controlled substance
11 by person eighteen or over to person
12 under eighteen (RCW 69.52.030(2))
13 Extortion 1 (RCW 9A.56.120)
14 Extortionate Extension of Credit (RCW
15 9A.82.020)
16 Extortionate Means to Collect Extensions of
17 Credit (RCW 9A.82.040)
18 Incest 2 (RCW 9A.64.020(2))
19 Kidnapping 2 (RCW 9A.40.030)
20 On and after July 1, 2000: No-Contact
21 Order Violation: Domestic Violence
22 Pretrial Condition (RCW 10.99.040(4)
23 (b) and (c))
24 On and after July 1, 2000: No-Contact
25 Order Violation: Domestic Violence
26 Sentence Condition (RCW 10.99.050(2))
27 On and after July 1, 2000: Protection
28 Order Violation: Domestic Violence
29 Civil Action (RCW 26.50.110 (4) and
30 (5))
31 On and after July 1, 2000: Stalking (RCW
32 9A.46.110)
33 Perjury 1 (RCW 9A.72.020)
34 Persistent prison misbehavior (RCW
35 9.94.070)
36 Possession of a Stolen Firearm (RCW
37 9A.56.310)
38 Rape 3 (RCW 9A.44.060)

1 Rendering Criminal Assistance 1 (RCW
2 9A.76.070)
3 Sexual Misconduct with a Minor 1 (RCW
4 9A.44.093)
5 Sexually Violating Human Remains (RCW
6 9A.44.105)

7 IV Arson 2 (RCW 9A.48.030)
8 Assault 2 (RCW 9A.36.021)
9 Assault by Watercraft (RCW ((~~88.12.032~~))
10 79A.60.060)
11 Bribing a Witness/Bribe Received by Witness
12 (RCW 9A.72.090, 9A.72.100)
13 Commercial Bribery (RCW 9A.68.060)
14 Counterfeiting (RCW 9.16.035(4))
15 Escape 1 (RCW 9A.76.110)
16 Hit and Run--Injury ((~~Accident~~)) (RCW
17 46.52.020(4)(b))
18 Hit and Run with Vessel--Injury Accident
19 (RCW ((~~88.12.155~~)) 79A.60.200(3))
20 Indecent Exposure to Person Under Age
21 Fourteen (subsequent sex offense) (RCW
22 9A.88.010)
23 Influencing Outcome of Sporting Event (RCW
24 9A.82.070)
25 Knowingly Trafficking in Stolen Property
26 (RCW 9A.82.050(2))
27 Malicious Harassment (RCW 9A.36.080)
28 Manufacture, deliver, or possess with
29 intent to deliver narcotics from
30 Schedule III, IV, or V or nonnarcotics
31 from Schedule I-V (except marijuana,
32 amphetamine, methamphetamines, or
33 flunitrazepam) (RCW 69.50.401(a)(1)
34 (iii) through (v))
35 Residential Burglary (RCW 9A.52.025)
36 Robbery 2 (RCW 9A.56.210)
37 Theft of Livestock 1 (RCW 9A.56.080)
38 Threats to Bomb (RCW 9.61.160)

1 Use of Proceeds of Criminal Profiteering
2 (RCW 9A.82.080 (1) and (2))
3 Vehicular Assault (RCW 46.61.522)
4 Willful Failure to Return from Furlough
5 (RCW 72.66.060)

6 III Abandonment of dependent person 2 (RCW
7 9A.42.070)
8 Assault 3 (RCW 9A.36.031)
9 Assault of a Child 3 (RCW 9A.36.140)
10 Bail Jumping with class B or C Felony (RCW
11 9A.76.170(2)(c))
12 Burglary 2 (RCW 9A.52.030)
13 Communication with a Minor for Immoral
14 Purposes (RCW 9.68A.090)
15 Criminal Gang Intimidation (RCW 9A.46.120)
16 Criminal Mistreatment 2 (RCW 9A.42.030)
17 Custodial Assault (RCW 9A.36.100)
18 Delivery of a material in lieu of a
19 controlled substance (RCW
20 69.50.401(c))
21 Escape 2 (RCW 9A.76.120)
22 Extortion 2 (RCW 9A.56.130)
23 Harassment (RCW 9A.46.020)
24 Intimidating a Public Servant (RCW
25 9A.76.180)
26 Introducing Contraband 2 (RCW 9A.76.150)
27 Maintaining a Dwelling or Place for
28 Controlled Substances (RCW
29 69.50.402(a)(6))
30 Malicious Injury to Railroad Property (RCW
31 81.60.070)
32 Manufacture, deliver, or possess with
33 intent to deliver marijuana (RCW
34 69.50.401(a)(1)(iii))
35 Manufacture, distribute, or possess with
36 intent to distribute an imitation
37 controlled substance (RCW
38 69.52.030(1))

1 Patronizing a Juvenile Prostitute (RCW
2 9.68A.100)
3 Perjury 2 (RCW 9A.72.030)
4 Possession of Incendiary Device (RCW
5 9.40.120)
6 Possession of Machine Gun or Short-Barreled
7 Shotgun or Rifle (RCW 9.41.190)
8 Promoting Prostitution 2 (RCW 9A.88.080)
9 Recklessly Trafficking in Stolen Property
10 (RCW 9A.82.050(1))
11 Securities Act violation (RCW 21.20.400)
12 Tampering with a Witness (RCW 9A.72.120)
13 Telephone Harassment (subsequent conviction
14 or threat of death) (RCW 9.61.230)
15 Theft of Livestock 2 (RCW 9A.56.080)
16 Unlawful Imprisonment (RCW 9A.40.040)
17 Unlawful possession of firearm in the
18 second degree (RCW 9.41.040(1)(b))
19 Unlawful Use of Building for Drug Purposes
20 (RCW 69.53.010)
21 Willful Failure to Return from Work Release
22 (RCW 72.65.070)

23 II Computer Trespass 1 (RCW 9A.52.110)
24 Counterfeiting (RCW 9.16.035(3))
25 Create, deliver, or possess a counterfeit
26 controlled substance (RCW
27 69.50.401(b))
28 Escape from Community Custody (RCW
29 72.09.310)
30 Health Care False Claims (RCW 48.80.030)
31 Malicious Mischief 1 (RCW 9A.48.070)
32 Possession of controlled substance that is
33 either heroin or narcotics from
34 Schedule I or II or flunitrazepam from
35 Schedule IV (RCW 69.50.401(d))
36 Possession of phencyclidine (PCP) (RCW
37 69.50.401(d))
38 Possession of Stolen Property 1 (RCW
39 9A.56.150)

1 Theft 1 (RCW 9A.56.030)
2 Theft of Rental, Leased, or Lease-purchased
3 Property (valued at one thousand five
4 hundred dollars or more) (RCW
5 9A.56.096(4))
6 Trafficking in Insurance Claims (RCW
7 48.30A.015)
8 Unlawful Practice of Law (RCW 2.48.180)
9 Unlicensed Practice of a Profession or
10 Business (RCW 18.130.190(7))
11 I Attempting to Elude a Pursuing Police
12 Vehicle (RCW 46.61.024)
13 False Verification for Welfare (RCW
14 74.08.055)
15 Forged Prescription (RCW 69.41.020)
16 Forged Prescription for a Controlled
17 Substance (RCW 69.50.403)
18 Forgery (RCW 9A.60.020)
19 Malicious Mischief 2 (RCW 9A.48.080)
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 Possession of Stolen Property 2 (RCW
26 9A.56.160)
27 Reckless Burning 1 (RCW 9A.48.040)
28 Taking Motor Vehicle Without Permission
29 (RCW 9A.56.070)
30 Theft 2 (RCW 9A.56.040)
31 Theft of Rental, Leased, or Lease-purchased
32 Property (valued at two hundred fifty
33 dollars or more but less than one
34 thousand five hundred dollars) (RCW
35 9A.56.096(4))
36 Unlawful Issuance of Checks or Drafts (RCW
37 9A.56.060)
38 Unlawful Use of Food Stamps (RCW 9.91.140
39 (2) and (3))

2 **Sec. 3.** RCW 13.40.0357 and 1998 c 290 s 5 are each amended to read
3 as follows:

4 **DESCRIPTION AND OFFENSE CATEGORY**

| | | | |
|---|--------------------|-----------------------------------|------------------------------|
| 5 | <i>JUVENILE</i> | | <i>JUVENILE DISPOSITION</i> |
| 6 | <i>DISPOSITION</i> | | <i>CATEGORY FOR ATTEMPT,</i> |
| 7 | <i>OFFENSE</i> | | <i>BAILJUMP, CONSPIRACY,</i> |
| 8 | <i>CATEGORY</i> | <i>DESCRIPTION (RCW CITATION)</i> | <i>OR SOLICITATION</i> |
| 9 | | | |

10 ***Arson and Malicious Mischief***

| | | | |
|----|----------|--|-----------|
| 11 | <i>A</i> | <i>Arson 1 (9A.48.020)</i> | <i>B+</i> |
| 12 | <i>B</i> | <i>Arson 2 (9A.48.030)</i> | <i>C</i> |
| 13 | <i>C</i> | <i>Reckless Burning 1 (9A.48.040)</i> | <i>D</i> |
| 14 | <i>D</i> | <i>Reckless Burning 2 (9A.48.050)</i> | <i>E</i> |
| 15 | <i>B</i> | <i>Malicious Mischief 1 (9A.48.070)</i> | <i>C</i> |
| 16 | <i>C</i> | <i>Malicious Mischief 2 (9A.48.080)</i> | <i>D</i> |
| 17 | <i>D</i> | <i>Malicious Mischief 3 (<\$50 is</i> | |
| 18 | | <i>E class) (9A.48.090)</i> | <i>E</i> |
| 19 | <i>E</i> | <i>Tampering with Fire Alarm</i> | |
| 20 | | <i>Apparatus (9.40.100)</i> | <i>E</i> |
| 21 | <i>A</i> | <i>Possession of Incendiary Device</i> | |
| 22 | | <i>(9.40.120)</i> | <i>B+</i> |

23 ***Assault and Other Crimes***

24 ***Involving Physical Harm***

| | | | |
|----|-----------|--------------------------------------|-----------|
| 25 | <i>A</i> | <i>Assault 1 (9A.36.011)</i> | <i>B+</i> |
| 26 | <i>B+</i> | <i>Assault 2 (9A.36.021)</i> | <i>C+</i> |
| 27 | <i>C+</i> | <i>Assault 3 (9A.36.031)</i> | <i>D+</i> |
| 28 | <i>D+</i> | <i>Assault 4 (9A.36.041)</i> | <i>E</i> |
| 29 | <i>B+</i> | <i>Drive-By Shooting</i> | |
| 30 | | <i>(9A.36.045)</i> | <i>C+</i> |
| 31 | <i>D+</i> | <i>Reckless Endangerment</i> | |
| 32 | | <i>(9A.36.050)</i> | <i>E</i> |
| 33 | <i>C+</i> | <i>Promoting Suicide Attempt</i> | |
| 34 | | <i>(9A.36.060)</i> | <i>D+</i> |
| 35 | <i>D+</i> | <i>Coercion (9A.36.070)</i> | <i>E</i> |
| 36 | <i>C+</i> | <i>Custodial Assault (9A.36.100)</i> | <i>D+</i> |

| | | | |
|----|----|---|----|
| 1 | | Burglary and Trespass | |
| 2 | B+ | <i>Burglary 1 (9A.52.020)</i> | C+ |
| 3 | B | <i>Residential Burglary</i> | |
| 4 | | <i>(9A.52.025)</i> | C |
| 5 | B | <i>Burglary 2 (9A.52.030)</i> | C |
| 6 | D | <i>Burglary Tools (Possession of)</i> | |
| 7 | | <i>(9A.52.060)</i> | E |
| 8 | D | <i>Criminal Trespass 1 (9A.52.070)</i> | E |
| 9 | E | <i>Criminal Trespass 2 (9A.52.080)</i> | E |
| 10 | C | <i>Vehicle Prowling 1 (9A.52.095)</i> | D |
| 11 | D | <i>Vehicle Prowling 2 (9A.52.100)</i> | E |
| 12 | | Drugs | |
| 13 | E | <i>Possession/Consumption of Alcohol</i> | |
| 14 | | <i>(66.44.270)</i> | E |
| 15 | C | <i>Illegally Obtaining Legend Drug</i> | |
| 16 | | <i>(69.41.020)</i> | D |
| 17 | C+ | <i>Sale, Delivery, Possession of Legend</i> | |
| 18 | | <i>Drug with Intent to Sell</i> | |
| 19 | | <i>(69.41.030)</i> | D+ |
| 20 | E | <i>Possession of Legend Drug</i> | |
| 21 | | <i>(69.41.030)</i> | E |
| 22 | B+ | <i>Violation of Uniform Controlled</i> | |
| 23 | | <i>Substances Act - Narcotic,</i> | |
| 24 | | <i>Methamphetamine, or Flunitrazepam</i> | |
| 25 | | <i>Sale (69.50.401(a)(1) (i) or (ii))</i> | B+ |
| 26 | C | <i>Violation of Uniform Controlled</i> | |
| 27 | | <i>Substances Act - Nonnarcotic Sale</i> | |
| 28 | | <i>(69.50.401(a)(1)(iii))</i> | C |
| 29 | E | <i>Possession of Marihuana <40 grams</i> | |
| 30 | | <i>(69.50.401(e))</i> | E |
| 31 | C | <i>Fraudulently Obtaining Controlled</i> | |
| 32 | | <i>Substance (69.50.403)</i> | C |
| 33 | C+ | <i>Sale of Controlled Substance</i> | |
| 34 | | <i>for Profit (69.50.410)</i> | C+ |
| 35 | E | <i>Unlawful Inhalation (9.47A.020)</i> | E |
| 36 | B | <i>Violation of Uniform Controlled</i> | |
| 37 | | <i>Substances Act - Narcotic,</i> | |
| 38 | | <i>Methamphetamine, or Flunitrazepam</i> | |

| | | | |
|----|-----------|---|-----------|
| 1 | | Counterfeit Substances | |
| 2 | | (69.50.401(b)(1) (i) or (ii)) | B |
| 3 | C | Violation of Uniform Controlled | |
| 4 | | Substances Act - Nonnarcotic | |
| 5 | | Counterfeit Substances | |
| 6 | | (69.50.401(b)(1) (iii), (iv), (v)) | C |
| 7 | C | Violation of Uniform Controlled | |
| 8 | | Substances Act - Possession of a | |
| 9 | | Controlled Substance | |
| 10 | | (69.50.401(d)) | C |
| 11 | C | Violation of Uniform Controlled | |
| 12 | | Substances Act - Possession of a | |
| 13 | | Controlled Substance | |
| 14 | | (69.50.401(c)) | C |
| 15 | | Firearms and Weapons | |
| 16 | B | Theft of Firearm (9A.56.300) | C |
| 17 | B | Possession of Stolen Firearm | |
| 18 | | (9A.56.310) | C |
| 19 | E | Carrying Loaded Pistol Without | |
| 20 | | Permit (9.41.050) | E |
| 21 | C | Possession of Firearms by Minor (<18) | |
| 22 | | (9.41.040(1)(b)(iii)) | C |
| 23 | D+ | Possession of Dangerous Weapon | |
| 24 | | (9.41.250) | E |
| 25 | D | Intimidating Another Person by use | |
| 26 | | of Weapon (9.41.270) | E |
| 27 | | Homicide | |
| 28 | A+ | Murder 1 (9A.32.030) | A |
| 29 | A+ | Murder 2 (9A.32.050) | B+ |
| 30 | B+ | Manslaughter 1 (9A.32.060) | C+ |
| 31 | C+ | Manslaughter 2 (9A.32.070) | D+ |
| 32 | B+ | Vehicular Homicide (46.61.520) | C+ |
| 33 | | Kidnapping | |
| 34 | A | Kidnap 1 (9A.40.020) | B+ |
| 35 | B+ | Kidnap 2 (9A.40.030) | C+ |
| 36 | C+ | Unlawful Imprisonment | |
| 37 | | (9A.40.040) | D+ |

| | | | |
|----|----|--|----|
| 1 | | Obstructing Governmental Operation | |
| 2 | D | <i>Obstructing a Law Enforcement Officer (9A.76.020)</i> | E |
| 3 | | | |
| 4 | E | <i>Resisting Arrest (9A.76.040)</i> | E |
| 5 | B | <i>Introducing Contraband 1 (9A.76.140)</i> | C |
| 6 | | | |
| 7 | C | <i>Introducing Contraband 2 (9A.76.150)</i> | D |
| 8 | | | |
| 9 | E | <i>Introducing Contraband 3 (9A.76.160)</i> | E |
| 10 | | | |
| 11 | B+ | <i>Intimidating a Public Servant (9A.76.180)</i> | C+ |
| 12 | | | |
| 13 | B+ | <i>Intimidating a Witness (9A.72.110)</i> | C+ |
| 14 | | | |
| 15 | | Public Disturbance | |
| 16 | C+ | <i>Riot with Weapon (9A.84.010)</i> | D+ |
| 17 | D+ | <i>Riot Without Weapon (9A.84.010)</i> | E |
| 18 | | | |
| 19 | E | <i>Failure to Disperse (9A.84.020)</i> | E |
| 20 | E | <i>Disorderly Conduct (9A.84.030)</i> | E |
| 21 | | Sex Crimes | |
| 22 | A | <i>Rape 1 (9A.44.040)</i> | B+ |
| 23 | A- | <i>Rape 2 (9A.44.050)</i> | B+ |
| 24 | C+ | <i>Rape 3 (9A.44.060)</i> | D+ |
| 25 | A- | <i>Rape of a Child 1 (9A.44.073)</i> | B+ |
| 26 | B+ | <i>Rape of a Child 2 (9A.44.076)</i> | C+ |
| 27 | B | <i>Incest 1 (9A.64.020(1))</i> | C |
| 28 | C | <i>Incest 2 (9A.64.020(2))</i> | D |
| 29 | D+ | <i>Indecent Exposure (Victim <14) (9A.88.010)</i> | E |
| 30 | | | |
| 31 | E | <i>Indecent Exposure (Victim 14 or over) (9A.88.010)</i> | E |
| 32 | | | |
| 33 | B+ | <i>Promoting Prostitution 1 (9A.88.070)</i> | C+ |
| 34 | | | |
| 35 | C+ | <i>Promoting Prostitution 2 (9A.88.080)</i> | D+ |
| 36 | | | |
| 37 | E | <i>O & A (Prostitution) (9A.88.030)</i> | E |
| 38 | B+ | <i>Indecent Liberties (9A.44.100)</i> | C+ |

| | | | |
|----|-----------|--|-----------|
| 1 | A- | <i>Child Molestation 1 (9A.44.083)</i> | B+ |
| 2 | B | <i>Child Molestation 2 (9A.44.086)</i> | C+ |
| 3 | | <i>Theft, Robbery, Extortion, and Forgery</i> | |
| 4 | B | <i>Theft 1 (9A.56.030)</i> | C |
| 5 | C | <i>Theft 2 (9A.56.040)</i> | D |
| 6 | D | <i>Theft 3 (9A.56.050)</i> | E |
| 7 | B | <i>Theft of Livestock (9A.56.080)</i> | C |
| 8 | C | <i>Forgery (9A.60.020)</i> | D |
| 9 | A | <i>Robbery 1 (9A.56.200)</i> | B+ |
| 10 | B+ | <i>Robbery 2 (9A.56.210)</i> | C+ |
| 11 | B+ | <i>Extortion 1 (9A.56.120)</i> | C+ |
| 12 | C+ | <i>Extortion 2 (9A.56.130)</i> | D+ |
| 13 | B | <i>Possession of Stolen Property 1</i> | |
| 14 | | <i>(9A.56.150)</i> | C |
| 15 | C | <i>Possession of Stolen Property 2</i> | |
| 16 | | <i>(9A.56.160)</i> | D |
| 17 | D | <i>Possession of Stolen Property 3</i> | |
| 18 | | <i>(9A.56.170)</i> | E |
| 19 | C | <i>Taking Motor Vehicle Without</i> | |
| 20 | | <i>Owner's Permission (9A.56.070)</i> | D |
| 21 | | <i>Motor Vehicle Related Crimes</i> | |
| 22 | E | <i>Driving Without a License</i> | |
| 23 | | <i>(46.20.005)</i> | E |
| 24 | <u>B+</u> | <u><i>Hit and Run - Death</i></u> | |
| 25 | | <u><i>(46.52.020(4)(a))</i></u> | <u>C+</u> |
| 26 | C | <i>Hit and Run - Injury</i> | |
| 27 | | <i>(46.52.020(4)(b))</i> | D |
| 28 | D | <i>Hit and Run-Attended</i> | |
| 29 | | <i>(46.52.020(5))</i> | E |
| 30 | E | <i>Hit and Run-Unattended</i> | |
| 31 | | <i>(46.52.010)</i> | E |
| 32 | C | <i>Vehicular Assault (46.61.522)</i> | D |
| 33 | C | <i>Attempting to Elude Pursuing</i> | |
| 34 | | <i>Police Vehicle (46.61.024)</i> | D |
| 35 | E | <i>Reckless Driving (46.61.500)</i> | E |
| 36 | D | <i>Driving While Under the Influence</i> | |
| 37 | | <i>(46.61.502 and 46.61.504)</i> | E |

| | | | |
|----|----------|---|-----------|
| 1 | | Other | |
| 2 | B | Bomb Threat (9.61.160) | C |
| 3 | C | Escape 1 (9A.76.110) | C |
| 4 | C | Escape 2 (9A.76.120) | C |
| 5 | D | Escape 3 (9A.76.130) | E |
| 6 | E | Obscene, Harassing, Etc., | |
| 7 | | Phone Calls (9.61.230) | E |
| 8 | A | Other Offense Equivalent to an | |
| 9 | | Adult Class A Felony | B+ |
| 10 | B | Other Offense Equivalent to an | |
| 11 | | Adult Class B Felony | C |
| 12 | C | Other Offense Equivalent to an | |
| 13 | | Adult Class C Felony | D |
| 14 | D | Other Offense Equivalent to an | |
| 15 | | Adult Gross Misdemeanor | E |
| 16 | E | Other Offense Equivalent to an | |
| 17 | | Adult Misdemeanor | E |
| 18 | V | Violation of Order of Restitution, | |
| 19 | | Community Supervision, or | |
| 20 | | Confinement (13.40.200) | V |

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

23 1st escape or attempted escape during 12-month period - 4 weeks
 24 confinement

25 2nd escape or attempted escape during 12-month period - 8 weeks
 26 confinement

27 3rd and subsequent escape or attempted escape during 12-month
 28 period - 12 weeks confinement

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

31 **JUVENILE SENTENCING STANDARDS**

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

OPTION A
JUVENILE OFFENDER SENTENCING GRID
STANDARD RANGE

1
2
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|---------------------------------|----------------------------------|----------------------------|---|-----------------|------------------|
| | | <hr/> | | | |
| A+ | 180 WEEKS TO AGE 21 YEARS | | | | |
| | | <hr/> | | | |
| A | 103 WEEKS TO 129 WEEKS | | | | |
| | | <hr/> | | | |
| A- | 15-36 | /52-65 | /80-100 | /103-129 | |
| | WEEKS | /WEEKS | /WEEKS | /WEEKS | |
| | EXCEPT | / | / | / | |
| | 30-40 | / | / | / | |
| | WEEKS FOR | / | / | / | |
| | 15-17 | / | / | / | |
| | YEAR OLDS | / | / | / | |
| | | <hr/> | | | |
| Current Offense Category | B+ | 15-36 | /52-65 | /80-100 | /103-129 |
| | | WEEKS | /WEEKS | /WEEKS | /WEEKS |
| | | <hr/> | | | |
| | B | LOCAL | / | /52-65 | |
| | | SANCTIONS (LS) | /15-36 | WEEKS | /WEEKS |
| | | <hr/> | | | |
| | C+ | LS | / | /15-36 | |
| | | <hr/> | | | |
| | C | LS | /15-36 WEEKS | | |
| | | Local Sanctions: | / | | |
| | | 0 to 30 Days | <hr/> | | |
| | D+ | LS | 0 to 12 Months Community Supervision | | |
| | | | 0 to 150 Hours Community Service | | |
| | D | LS | \$0 to \$500 Fine | | |
| | E | LS | <hr/> | | |
| | | 0 | 1 | 2 | 3 |
| | | | | | 4 or more |
| | | <hr/> | | | |
| | | 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(~~(+5)~~) (4) 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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