
SENATE BILL 5746

State of Washington

61st Legislature

2009 Regular Session

By Senator Hargrove

Read first time 01/30/09. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to sentencing provisions for juveniles adjudicated
2 of certain crimes; amending RCW 13.40.308; and prescribing penalties.

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

4 **Sec. 1.** RCW 13.40.308 and 2007 c 199 s 15 are each amended to read
5 as follows:

6 (1) If a respondent is adjudicated of taking a motor vehicle
7 without permission in the first degree as defined in RCW 9A.56.070, the
8 court shall impose the following minimum sentence, in addition to any
9 restitution the court may order payable to the victim:

10 (a) Juveniles with a prior criminal history score of zero to one-
11 half points shall be sentenced to a standard range sentence that
12 includes no less than (~~five days of home detention~~) three months of
13 community supervision, forty-five hours of community restitution, and
14 a two hundred dollar fine;

15 (b) Juveniles with a prior criminal history score of three-quarters
16 to one and one-half points shall be sentenced to (~~a~~) a standard
17 range sentence that includes six months of community supervision, no
18 less than ten days of detention, ninety hours of community restitution,
19 and a four hundred dollar fine; and

1 (c) Juveniles with a prior criminal history score of two or more
2 points shall be sentenced to no less than fifteen to thirty-six weeks
3 (~~(of confinement, seven days of home detention)~~) commitment to the
4 juvenile rehabilitation administration, four months of parole
5 supervision, ninety hours of community restitution, and a four hundred
6 dollar fine.

7 (2) If a respondent is adjudicated of theft of a motor vehicle as
8 defined under RCW 9A.56.065, or possession of a stolen vehicle as
9 defined under RCW 9A.56.068, the court shall impose the following
10 minimum sentence, in addition to any restitution the court may order
11 payable to the victim:

12 (a) Juveniles with a prior criminal history score of zero to one-
13 half points shall be sentenced to a standard range sentence that
14 includes (~~(either: (i) No less than five days of home detention and~~)
15 no less than three months of community supervision, forty-five hours of
16 community restitution(~~(; or (ii) no home detention and ninety hours of~~
17 ~~community restitution)~~), and a two hundred dollar fine;

18 (b) Juveniles with a prior criminal history score of three-quarters
19 to one and one-half points shall be sentenced to (~~{a}~~) a standard
20 range sentence that includes no less than six months of community
21 supervision, no less than ten days of detention, ninety hours of
22 community restitution, and a four hundred dollar fine; and

23 (c) Juveniles with a prior criminal history score of two or more
24 points shall be sentenced to no less than fifteen to thirty-six weeks
25 (~~(of confinement, seven days of home detention)~~) commitment to the
26 juvenile rehabilitation administration, four months of parole
27 supervision, ninety hours of community restitution, and a four hundred
28 dollar fine.

29 (3) If a respondent is adjudicated of taking a motor vehicle
30 without permission in the second degree as defined in RCW 9A.56.075,
31 the court shall impose a standard range as follows:

32 (a) Juveniles with a prior criminal history score of zero to one-
33 half points shall be sentenced to a standard range sentence that
34 includes (~~(either: (i) No less than one day of home detention, one~~)
35 three months of community supervision(~~(; or (ii) no home detention, one month of~~
36 community restitution(~~(; or (ii) no home detention, one month of~~
37 ~~supervision, and thirty hours of community restitution)~~);

1 (b) Juveniles with a prior criminal history score of three-quarters
2 to one and one-half points shall be sentenced to a standard range
3 sentence that includes no less than one day of detention, (~~two days of~~
4 ~~home detention, two~~) three months of community supervision, thirty
5 hours of community restitution, and a one hundred fifty dollar fine;
6 and

7 (c) Juveniles with a prior criminal history score of two or more
8 points shall be sentenced to no less than three days of detention,
9 (~~seven days of home detention, three~~) six months of community
10 supervision, forty-five hours of community restitution, and a one
11 hundred fifty dollar fine.

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