

**SENATE BILL 5167**

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**State of Washington**

**52nd Legislature**

**1991 Regular Session**

**By** Senators Nelson, Rasmussen, Newhouse, Stratton, Roach, Niemi and Talmadge. Read first time January 22, 1991. Referred to Committee on Law & Justice.

1 AN ACT Relating to juvenile justice; amending RCW 13.40.020 and  
2 13.40.0357; adding a new section to chapter 13.40 RCW; creating new  
3 sections; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** In 1977, the juvenile justice act was  
6 enacted to establish a system capable of holding youthful offenders  
7 responsible for their offenses, while recognizing and responding to the  
8 unique needs of juveniles throughout the state. This act is designed  
9 to complement the juvenile justice act by enabling the court's exercise  
10 of jurisdiction to result in a more meaningful intervention in the  
11 troubled life of a juvenile offender.

12 While recognizing the utility of punishment as a consequence of  
13 criminal behavior, the legislature is also aware of the need to address  
14 the underlying motivations behind the act by empowering the court to  
15 order treatment and supervise an offender's progress through longer

1 terms of community supervision. This "punishment plus" approach allows  
2 the juvenile court to fashion a sentence that holds the offender  
3 accountable for his or her crime, but also recognizes the offender's  
4 unique needs, whether they are related to substance abuse, mental  
5 health, or dependency matters. These changes are intended to dovetail  
6 with the legislature's recent efforts to provide additional resources  
7 for at-risk youth.

8 Over the last thirteen years, the legislature has made a number of  
9 modifications to enhance the effectiveness of the juvenile justice act.  
10 However, a comprehensive study has not been conducted during that time  
11 to address the full range and complexity of juvenile issues. The  
12 legislature finds that a commission should be created to conduct an in-  
13 depth study of the juvenile justice system, and the manner in which  
14 this state responds to the problems of juvenile offenders and  
15 uncontrollable, self-destructive youth.

16 **Sec. 2.** RCW 13.40.020 and 1990 1st ex.s. c 12 s 1 are each amended  
17 to read as follows:

18 For the purposes of this chapter:

19 (1) "Serious offender" means a person fifteen years of age or older  
20 who has committed an offense which if committed by an adult would be:

21 (a) A class A felony, or an attempt to commit a class A felony;

22 (b) Manslaughter in the first degree; or

23 (c) Assault in the second degree, extortion in the first degree,  
24 child molestation in the second degree, kidnapping in the second  
25 degree, robbery in the second degree, residential burglary, or burglary  
26 in the second degree, where such offenses include the infliction of  
27 bodily harm upon another or where during the commission of or immediate  
28 withdrawal from such an offense the perpetrator is armed with a deadly  
29 weapon or firearm as defined in RCW 9A.04.110;

1 (2) "Community service" means compulsory service, without  
2 compensation, performed for the benefit of the community by the  
3 offender as punishment for committing an offense;

4 (3) "Community supervision" means an order of disposition by the  
5 court of an adjudicated youth. A community supervision order for a  
6 single offense (~~may~~) shall be for a period of (~~up to two years for~~  
7 ~~a sex offense as defined by RCW 9.94A.030 and up to one year for other~~  
8 ~~offenses~~) twelve months and include one or more of the following:

9 (a) A fine, not to exceed one hundred dollars;

10 (b) Community service not to exceed one hundred fifty hours of  
11 service;

12 (c) Attendance of information classes;

13 (d) Counseling; (~~or~~)

14 (e) Such other services to the extent funds are available for such  
15 services, conditions, or limitations as the court may require which may  
16 not include confinement; or

17 (f) Completion of an inpatient or outpatient alcohol or substance  
18 abuse treatment program, pursuant to section 3 of this act.

19 If the adjudicated youth, after six months of community  
20 supervision, has complied with all conditions of community supervision,  
21 then he or she or the juvenile probation counselor may petition the  
22 court to terminate community supervision;

23 (4) "Confinement" means physical custody by the department of  
24 social and health services in a facility operated by or pursuant to a  
25 contract with the state, or physical custody in a facility operated by  
26 or pursuant to a contract with any county. Confinement of less than  
27 thirty-one days imposed as part of a disposition or modification order  
28 may be served consecutively or intermittently, in the discretion of the  
29 court;

1 (5) "Court", when used without further qualification, means the  
2 juvenile court judge(s) or commissioner(s);

3 (6) "Criminal history" includes all criminal complaints against the  
4 respondent for which, prior to the commission of a current offense:

5 (a) The allegations were found correct by a court. If a respondent  
6 is convicted of two or more charges arising out of the same course of  
7 conduct, only the highest charge from among these shall count as an  
8 offense for the purposes of this chapter; or

9 (b) The criminal complaint was diverted by a prosecutor pursuant to  
10 the provisions of this chapter on agreement of the respondent and after  
11 an advisement to the respondent that the criminal complaint would be  
12 considered as part of the respondent's criminal history;

13 (7) "Department" means the department of social and health  
14 services;

15 (8) "Diversion unit" means any probation counselor who enters into  
16 a diversion agreement with an alleged youthful offender or any other  
17 person or entity with whom the juvenile court administrator has  
18 contracted to arrange and supervise such agreements pursuant to RCW  
19 13.04.040, as now or hereafter amended, or any person or entity  
20 specially funded by the legislature to arrange and supervise diversion  
21 agreements in accordance with the requirements of this chapter;

22 (9) "Institution" means a juvenile facility established pursuant to  
23 chapters 72.05 and 72.16 through 72.20 RCW;

24 (10) "Juvenile," "youth," and "child" mean any individual who is  
25 under the chronological age of eighteen years and who has not been  
26 previously transferred to adult court;

27 (11) "Juvenile offender" means any juvenile who has been found by  
28 the juvenile court to have committed an offense, including a person  
29 eighteen years of age or older over whom jurisdiction has been extended  
30 under RCW 13.40.300;

1 (12) "Manifest injustice" means a disposition that would either  
2 impose an excessive penalty on the juvenile or would impose a serious,  
3 and clear danger to society in light of the purposes of this chapter;

4 (13) "Middle offender" means a person who has committed an offense  
5 and who is neither a minor or first offender nor a serious offender;

6 (14) "Minor or first offender" means a person sixteen years of age  
7 or younger whose current offense(s) and criminal history fall entirely  
8 within one of the following categories:

9 (a) Four misdemeanors;

10 (b) Two misdemeanors and one gross misdemeanor;

11 (c) One misdemeanor and two gross misdemeanors;

12 (d) Three gross misdemeanors;

13 (e) One class C felony except manslaughter in the second degree and  
14 one misdemeanor or gross misdemeanor;

15 (f) One class B felony except: Any felony which constitutes an  
16 attempt to commit a class A felony; manslaughter in the first degree;  
17 assault in the second degree; extortion in the first degree; indecent  
18 liberties; kidnapping in the second degree; robbery in the second  
19 degree; burglary in the second degree; residential burglary; vehicular  
20 homicide; or arson in the second degree.

21 For purposes of this definition, current violations shall be  
22 counted as misdemeanors;

23 (15) "Offense" means an act designated a violation or a crime if  
24 committed by an adult under the law of this state, under any ordinance  
25 of any city or county of this state, under any federal law, or under  
26 the law of another state if the act occurred in that state;

27 (16) "Respondent" means a juvenile who is alleged or proven to have  
28 committed an offense;

29 (17) "Restitution" means financial reimbursement by the offender to  
30 the victim, and shall be limited to easily ascertainable damages for

1 injury to or loss of property, actual expenses incurred for medical  
2 treatment for physical injury to persons, lost wages resulting from  
3 physical injury, and costs of the victim's counseling reasonably  
4 related to the offense if the offense is a sex offense. Restitution  
5 shall not include reimbursement for damages for mental anguish, pain  
6 and suffering, or other intangible losses. Nothing in this chapter  
7 shall limit or replace civil remedies or defenses available to the  
8 victim or offender;

9 (18) "Secretary" means the secretary of the department of social  
10 and health services;

11 (19) "Services" mean services which provide alternatives to  
12 incarceration for those juveniles who have pleaded or been adjudicated  
13 guilty of an offense or have signed a diversion agreement pursuant to  
14 this chapter;

15 (20) "Sex offense" means an offense defined as a sex offense in RCW  
16 9.94A.030;

17 (21) "Sexual motivation" means that one of the purposes for which  
18 the respondent committed the offense was for the purpose of his or her  
19 sexual gratification;

20 (22) "Foster care" means temporary physical care in a foster family  
21 home or group care facility as defined in RCW 74.15.020 and licensed by  
22 the department, or other legally authorized care;

23 (23) "Violation" means an act or omission, which if committed by an  
24 adult, must be proven beyond a reasonable doubt, and is punishable by  
25 sanctions which do not include incarceration.

26 NEW SECTION. **Sec. 3.** A new section is added to chapter 13.40 RCW  
27 to read as follows:

28 Upon entry by the court of written findings that an offense was  
29 committed in relation to the juvenile offender's alcohol or substance

1 abuse problem, the court may order as a condition of community  
 2 supervision that the respondent enter an available inpatient or  
 3 outpatient alcohol or substance abuse treatment program.

4 Participation in an inpatient program shall not exceed sixty days  
 5 in any single period of community supervision. Inpatient substance  
 6 abuse treatment shall not be considered "confinement" prohibited by RCW  
 7 13.40.020(3)(e).

8 **Sec. 4.** RCW 13.40.0357 and 1989 c 407 s 7 are each amended to read  
 9 as follows:

10 **SCHEDULE A**

11 **DESCRIPTION AND OFFENSE CATEGORY**

12 **JUVENILE**

13	<b>JUVENILE</b>		<b>DISPOSITION</b>
14	<b>DISPOSITION</b>		<b>CATEGORY FOR ATTEMPT</b>
15	<b>OFFENSE</b>		<b>BAILJUMP, CONSPIRACY,</b>
16	<b>CATEGORY</b>	<b>DESCRIPTION (RCW CITATION)</b>	<b>OR SOLICITATION</b>

17 .....

18 **Arson and Malicious Mischief**

19	A	Arson 1 (9A.48.020)	B+
20	B	Arson 2 (9A.48.030)	C
21	C	Reckless Burning 1 (9A.48.040)	D
22	D	Reckless Burning 2 (9A.48.050)	E
23	B	Malicious Mischief 1 (9A.48.070)	C
24	C	Malicious Mischief 2 (9A.48.080)	D
25	D	Malicious Mischief 3 (<\$50 is	
26		E class) (9A.48.090)	E
27	E	Tampering with Fire Alarm	

1		Apparatus (9.40.100)	E
2	A	Possession of Incendiary Device	
3		(9.40.120)	B+
4		<b>Assault and Other Crimes</b>	
5		<b>Involving Physical Harm</b>	
6	A	Assault 1 (9A.36.011)	B+
7	B+	Assault 2 (9A.36.021)	C+
8	C+	Assault 3 (9A.36.031)	D+
9	D+	Assault 4 (9A.36.041)	E
10	D+	Reckless Endangerment	
11		(9A.36.050)	E
12	C+	Promoting Suicide Attempt	
13		(9A.36.060)	D+
14	D+	Coercion (9A.36.070)	E
15	C+	Custodial Assault (9A.36.100)	D+
16		<b>Burglary and Trespass</b>	
17	B+	Burglary 1 (9A.52.020)	C+
18	B	Burglary 2 (9A.52.030)	C
19	D	Burglary Tools (Possession of)	
20		(9A.52.060)	E
21	D	Criminal Trespass 1 (9A.52.070)	E
22	E	Criminal Trespass 2 (9A.52.080)	E
23	D	Vehicle Prowling (9A.52.100)	E
24		<b>Drugs</b>	
25	E	Possession/Consumption of Alcohol	
26		(66.44.270)	E

1	C	Illegally Obtaining Legend Drug	
2		(69.41.020)	D
3	C+	Sale, Delivery, Possession of Legend	
4		Drug with Intent to Sell	
5		(69.41.030)	D+
6	E	Possession of Legend Drug	
7		(69.41.030)	E
8	B+	Violation of Uniform Controlled	
9		Substances Act - Narcotic Sale	
10		(69.50.401(a)(1)(i))	B+
11	C	Violation of Uniform Controlled	
12		Substances Act - Nonnarcotic Sale	
13		(69.50.401(a)(1)(ii))	C
14	E	Possession of Marihuana <40 grams	
15		(69.50.401(e))	E
16	C	Fraudulently Obtaining Controlled	
17		Substance (69.50.403)	C
18	C+	Sale of Controlled Substance	
19		for Profit (69.50.410)	C+
20	E	<del>((Glue Sniffing (9.47A.050))</del>	
21		<u>Unlawful Inhalation (9.47A.020)</u>	E
22	B	Violation of Uniform Controlled	
23		Substances Act - Narcotic	
24		Counterfeit Substances	
25		(69.50.401(b)(1)(i))	B
26	C	Violation of Uniform Controlled	
27		Substances Act - Nonnarcotic	
28		Counterfeit Substances	
29		(69.50.401(b)(1) (ii), (iii), (iv))	C
30	C	Violation of Uniform Controlled	

1		Substances Act - Possession of a	
2		Controlled Substance	
3		(69.50.401(d))	C
4	C	Violation of Uniform Controlled	
5		Substances Act - Possession of a	
6		Controlled Substance	
7		(69.50.401(c))	C
8		<b>Firearms and Weapons</b>	
9		<del>((C+ ————— Committing Crime when Armed</del>	
10		<del>(9.41.025) ————— D+))</del>	
11	E	Carrying Loaded Pistol Without	
12		Permit (9.41.050)	E
13	E	Use of Firearms by Minor (<14)	
14		(9.41.240)	E
15	D+	Possession of Dangerous Weapon	
16		(9.41.250)	E
17	D	Intimidating Another Person by use	
18		of Weapon (9.41.270)	E
19		<b>Homicide</b>	
20	A+	Murder 1 (9A.32.030)	A
21	A+	Murder 2 (9A.32.050)	B+
22	B+	Manslaughter 1 (9A.32.060)	C+
23	C+	Manslaughter 2 (9A.32.070)	D+
24	B+	Vehicular Homicide (46.61.520)	C+
25		<b>Kidnapping</b>	
26	A	Kidnap 1 (9A.40.020)	B+
27	B+	Kidnap 2 (9A.40.030)	C+

1 C+ Unlawful Imprisonment  
2 (9A.40.040) D+  
3 ((~~D~~ ————— ~~Custodial Interference~~  
4 ~~(9A.40.050)~~ ————— ~~E~~))

5 **Obstructing Governmental Operation**

6 E Obstructing a Public Servant  
7 (9A.76.020) E  
8 E Resisting Arrest (9A.76.040) E  
9 B Introducing Contraband 1  
10 (9A.76.140) C  
11 C Introducing Contraband 2  
12 (9A.76.150) D  
13 E Introducing Contraband 3  
14 (9A.76.160) E  
15 B+ Intimidating a Public Servant  
16 (9A.76.180) C+  
17 B+ Intimidating a Witness  
18 (9A.72.110) C+  
19 ((~~E~~ ————— ~~Criminal Contempt~~  
20 ~~(9.23.010)~~ ————— ~~E~~))

21 **Public Disturbance**

22 C+ Riot with Weapon (9A.84.010) D+  
23 D+ Riot Without Weapon  
24 (9A.84.010) E  
25 E Failure to Disperse (9A.84.020) E  
26 E Disorderly Conduct (9A.84.030) E

27 **Sex Crimes**

1	A	Rape 1 (9A.44.040)	B+
2	A-	Rape 2 (9A.44.050)	B+
3	C+	Rape 3 (9A.44.060)	D+
4	A-	Rape of a Child 1 (9A.44.073)	B+
5	B	Rape of a Child 2 (9A.44.076)	C+
6	B	Incest 1 (9A.64.020(1))	C
7	C	Incest 2 (9A.64.020(2))	D
8	D+	(( <del>Public Indecency</del> ))	
9		<u>Indecent Exposure</u>	
10		(Victim <14) (9A.88.010)	E
11	E	(( <del>Public Indecency</del> ))	
12		<u>Indecent Exposure</u>	
13		(Victim 14 or over) (9A.88.010)	E
14	B+	Promoting Prostitution 1	
15		(9A.88.070)	C+
16	C+	Promoting Prostitution 2	
17		(9A.88.080)	D+
18	E	O & A (Prostitution) (9A.88.030)	E
19	B+	Indecent Liberties (9A.44.100)	C+
20	B+	Child Molestation 1 (9A.44.083)	C+
21	C+	Child Molestation 2 (9A.44.086)	C
22		<b>Theft, Robbery, Extortion, and Forgery</b>	
23	B	Theft 1 (9A.56.030)	C
24	C	Theft 2 (9A.56.040)	D
25	D	Theft 3 (9A.56.050)	E
26	B	Theft of Livestock (9A.56.080)	C
27	C	Forgery (( <del>9A.56.020</del> )) <u>(9A.60.020)</u>	D
28	A	Robbery 1 (9A.56.200)	B+
29	B+	Robbery 2 (9A.56.210)	C+

1	B+	Extortion 1 (9A.56.120)	C+
2	C+	Extortion 2 (9A.56.130)	D+
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		<b>Motor Vehicle Related Crimes</b>	
12	E	Driving Without a License	
13		(46.20.021)	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	Vehicle 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		(46.61.515)	E
26	B+	Negligent Homicide by Motor	
27		Vehicle (46.61.520)	C+
28	D	Vehicle Prowling (9A.52.100)	E
29	C	Taking Motor Vehicle Without	

1		Owner's Permission (9A.56.070)	D
2		<b>Other</b>	
3	B	Bomb Threat (9.61.160)	C
4	C	Escape 1 (9A.76.110)	C
5	C	Escape 2 (9A.76.120)	C
6	D	Escape 3 (9A.76.130)	E
7	C	Failure to Appear in Court	
8		(10.19.130)	D
9	E	Tampering with Fire Alarm	
10		Apparatus (9.40.100)	E
11	E	Obscene, Harassing, Etc.,	
12		Phone Calls (9.61.230)	E
13	A	Other Offense Equivalent to an	
14		Adult Class A Felony	B+
15	B	Other Offense Equivalent to an	
16		Adult Class B Felony	C
17	C	Other Offense Equivalent to an	
18		Adult Class C Felony	D
19	D	Other Offense Equivalent to an	
20		Adult Gross Misdemeanor	E
21	E	Other Offense Equivalent to an	
22		Adult Misdemeanor	E
23	V	Violation of Order of Restitution,	
24		Community Supervision, or	
25		Confinement <sup>2</sup> (13.40.200)	V

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

1 1st escape or attempted escape during 12-month period - 4 weeks  
 2 confinement  
 3 2nd escape or attempted escape during 12-month period - 8 weeks  
 4 confinement  
 5 3rd and subsequent escape or attempted escape during 12-month  
 6 period - 12 weeks confinement

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

9 **SCHEDULE B**

10 **PRIOR OFFENSE INCREASE FACTOR**

11 For use with all CURRENT OFFENSES occurring on or after July 1,  
 12 1989.

13 **TIME SPAN**

14	OFFENSE	0-12	13-24	25 Months
15	CATEGORY	Months	Months	or More
16	.....			
17	A+	.9	.9	.9
18	A	.9	.8	.6
19	A-	.9	.8	.5
20	B+	.9	.7	.4
21	B	.9	.6	.3
22	C+	.6	.3	.2
23	C	.5	.2	.2

1	D+	.3	.2	.1
2	D	.2	.1	.1
3	E	.1	.1	.1

4 Prior history - Any offense in which a diversion agreement or counsel  
5 and release form was signed, or any offense which has been adjudicated  
6 by court to be correct prior to the commission of the current  
7 offense(s).

8 **SCHEDULE C**

9 **CURRENT OFFENSE POINTS**

10 For use with all CURRENT OFFENSES occurring on or after July 1,  
11 1989.

12 **AGE**

13 OFFENSE	12 &						
14 CATEGORY	Under	13	14	15	16	17	
15 .....							
16 A+	STANDARD	RANGE	180-224	WEEKS			
17 A	250	300	350	375	375	375	
18 A-	150	150	150	200	200	200	
19 B+	110	110	120	130	140	150	
20 B	45	45	50	50	57	57	
21 C+	44	44	49	49	55	55	
22 C	40	40	45	45	50	50	
23 D+	16	18	20	22	24	26	

1	D	14	16	18	20	22	24
2	E	4	4	4	6	8	10

3 **JUVENILE SENTENCING STANDARDS**

4 **SCHEDULE D-1**

5 This schedule may only be used for minor/first offenders. After the  
6 determination is made that a youth is a minor/first offender, the court  
7 has the discretion to select sentencing option A, B, or C.

8 **MINOR/FIRST OFFENDER**

9 **OPTION A**

10 **STANDARD RANGE**

11		<b>Community</b>	<b>Community</b>	<b>Service</b>	
12		<b>Supervision</b>	<b>Hours</b>	<b>Fine</b>	
13	<b>Points</b>				
14	1-9	(( <del>0-3</del> )) <u>12</u> months	and/or 0-8	and/or 0-\$10	
15	10-19	(( <del>0-3</del> )) <u>12</u> months	and/or 0-8	and/or 0-\$10	
16	20-29	(( <del>0-3</del> )) <u>12</u> months	and/or 0-16	and/or 0-\$10	
17	30-39	(( <del>0-3</del> )) <u>12</u> months	and/or 8-24	and/or 0-\$25	
18	40-49	(( <del>3-6</del> )) <u>12</u> months	and/or 16-32	and/or 0-\$25	
19	50-59	(( <del>3-6</del> )) <u>12</u> months	and/or 24-40	and/or 0-\$25	
20	60-69	(( <del>6-9</del> )) <u>12</u> months	and/or 32-48	and/or 0-\$50	
21	70-79	(( <del>6-9</del> )) <u>12</u> months	and/or 40-55	and/or 0-\$50	
22	80-89	(( <del>9-</del> ))12 months	and/or 48-64	and/or 10-\$100	
23	90-109	(( <del>9-</del> ))12 months	and/or 56-72	and/or 10-\$100	

1

OR

2

**OPTION B**

3

**STATUTORY OPTION**

4 0-12 Months Community Supervision

5 0-150 Hours Community Service

6 0-100 Fine

7 A term of community supervision with a maximum of 150 hours, \$100.00  
8 fine, and 12 months supervision.

9

OR

10

**OPTION C**

11

**MANIFEST INJUSTICE**

12 When a term of community supervision would effectuate a manifest  
13 injustice, another disposition may be imposed. When a judge imposes a  
14 sentence of confinement exceeding 30 days, the court shall sentence the  
15 juvenile to a maximum term and the provisions of RCW (~~(13.40.030(5))~~)  
16 13.40.030(2), as now or hereafter amended, shall be used to determine  
17 the range.

JUVENILE SENTENCING STANDARDS

SCHEDULE D-2

This schedule may only be used for middle offenders. After the determination is made that a youth is a middle offender, the court has the discretion to select sentencing option A, B, or C.

MIDDLE OFFENDER

OPTION A

STANDARD RANGE

Community

Points	Community Supervision	Service Hours	Fine	Confinement Days	Confinement Weeks
1-9	((0-3)) <u>12</u> months	and/or 0-8	and/or 0-\$10	and/or 0	
10-19	((0-3)) <u>12</u> months	and/or 0-8	and/or 0-\$10	and/or 0	
20-29	((0-3)) <u>12</u> months	and/or 0-16	and/or 0-\$10	and/or 0	
30-39	((0-3)) <u>12</u> months	and/or 8-24	and/or 0-\$25	and/or 2-4	
40-49	((3-6)) <u>12</u> months	and/or 16-32	and/or 0-\$25	and/or 2-4	
50-59	((3-6)) <u>12</u> months	and/or 24-40	and/or 0-\$25	and/or 5-10	
60-69	((6-9)) <u>12</u> months	and/or 32-48	and/or 0-\$50	and/or 5-10	
70-79	((6-9)) <u>12</u> months	and/or 40-56	and/or 0-\$50	and/or 10-20	
80-89	((9-)) 12 months	and/or 48-64	and/or 0-\$100	and/or 10-20	
90-109	((9-)) 12 months	and/or 56-72	and/or 0-\$100	and/or 15-30	
110-129				8-12	
130-149				13-16	
150-199				21-28	
200-249				30-40	

1	250-299	52-65
2	300-374	80-100
3	375+	103-129

4 Middle offenders with more than 110 points do not have to be committed.  
5 They may be assigned community supervision under option B.  
6 All A+ offenses 180-224 weeks

7 OR

8

9 **OPTION B**

10 **STATUTORY OPTION**

- 11 0-12 Months Community Supervision
- 12 0-150 Hours Community Service
- 13 0-100 Fine

14 The court may impose a determinate disposition of community supervision  
15 and/or up to 30 days confinement; in which case, if confinement has  
16 been imposed, the court shall state either aggravating or mitigating  
17 factors as set forth in RCW 13.40.150, as now or hereafter amended.

18 OR

19

20 **OPTION C**

21 **MANIFEST INJUSTICE**

22 If the court determines that a disposition under A or B would  
23 effectuate a manifest injustice, the court shall sentence the juvenile  
24 to a maximum term and the provisions of RCW (~~13.40.030(5)~~)

1 13.40.030(2), as now or hereafter amended, shall be used to determine  
2 range.

3 **JUVENILE SENTENCING STANDARDS**

4 **SCHEDULE D-3**

5 This schedule may only be used for serious offenders. After the  
6 determination is made that a youth is a serious offender, the court has  
7 the discretion to select sentencing option A or B.

8 **SERIOUS OFFENDER**

9 **OPTION A**

10 **STANDARD RANGE**

11	<b>Points</b>	<b>Institution Time</b>
12	0-129	8-12 weeks
13	130-149	13-16 weeks
14	150-199	21-28 weeks
15	200-249	30-40 weeks
16	250-299	52-65 weeks
17	300-374	80-100 weeks
18	375+	103-129 weeks
19	All A+	
20	Offenses	180-224 weeks

21 OR

22



1           The governor shall appoint a chair from among the members of the  
2 task force. The department of social and health services shall fund  
3 the task force in an amount sufficient to meet its mission. The task  
4 force shall be staffed, to the extent possible, by staff available from  
5 the membership of the task force.