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HOUSE BILL 2002

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State of Washington

56th Legislature

1999 Regular Session

By Representatives Lovick, Hurst, Cody, Cairnes, O'Brien, Schual-Berke, Edwards, Bush, Kagi, Delvin, Cooper, Schindler, Constantine, Ericksen, Haigh, Wood, Kenney, Keiser, Carrell, Campbell and Rockefeller

Read first time 02/12/1999. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to motor vehicle theft; amending RCW 9A.56.070 and  
2 13.40.0357; reenacting and amending RCW 9.94A.320; and prescribing  
3 penalties.

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

5 **Sec. 1.** RCW 9A.56.070 and 1975 1st ex.s. c 260 s 9A.56.070 are  
6 each amended to read as follows:

7 (1) (~~Every person who shall~~) (a) A person is guilty of taking a  
8 motor vehicle without permission in the first degree if he or she,  
9 without the permission of the owner or person entitled to possession,  
10 intentionally takes or drives away any automobile or motor vehicle,  
11 whether propelled by steam, electricity, or internal combustion engine,  
12 that is the property of another, and he or she:

13 (i) Has two or more prior convictions for taking a motor vehicle  
14 without permission in the first or second degree;

15 (ii) Alters the motor vehicle for the purpose of changing its  
16 appearance or primary identification, including obscuring, removing, or  
17 changing the manufacturer's serial number or the vehicle identification  
18 number plates;

1 (iii) Removes, or participates in the removal of, parts from the  
2 motor vehicle with the intent to sell the parts;

3 (iv) Exports, or attempts to export, the motor vehicle across state  
4 lines or out of the United States for profit;

5 (v) Intends to sell the motor vehicle; or

6 (vi) Is engaged in a conspiracy and the central object of the  
7 conspiratorial agreement is the theft of motor vehicles for sale to  
8 others for profit.

9 (b) Taking a motor vehicle without permission in the first degree  
10 is a class B felony.

11 (2)(a) A person is guilty of taking a motor vehicle without  
12 permission in the second degree if he or she, without the permission of  
13 the owner or person entitled to ((the)) possession ((thereof)),  
14 intentionally takes or drives away any automobile or motor vehicle,  
15 whether propelled by steam, electricity, or internal combustion engine,  
16 that is the property of another, ((shall be deemed guilty of a felony,  
17 and every person)) or he or she voluntarily ((riding)) rides in or upon  
18 ((said)) the automobile or motor vehicle with knowledge of the fact  
19 that ((the same)) it was unlawfully taken ((shall be equally guilty  
20 with the person taking or driving said automobile or motor vehicle and  
21 shall be deemed guilty of taking a motor vehicle without permission)).

22 ((+2)) (b) Taking a motor vehicle without permission in the second  
23 degree is a class C felony.

24 **Sec. 2.** RCW 9.94A.320 and 1998 c 290 s 4, 1998 c 219 s 4, 1998 c  
25 82 s 1, and 1998 c 78 s 1 are each reenacted and amended to read as  
26 follows:

27 TABLE 2

28 CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

29	XV	Aggravated Murder 1 (RCW 10.95.020)
30	XIV	Murder 1 (RCW 9A.32.030)
31		Homicide by abuse (RCW 9A.32.055)
32		Malicious explosion 1 (RCW 70.74.280(1))
33	XIII	Murder 2 (RCW 9A.32.050)
34		Malicious explosion 2 (RCW 70.74.280(2))

1 Malicious placement of an explosive 1 (RCW  
2 70.74.270(1))

3 XII Assault 1 (RCW 9A.36.011)  
4 Assault of a Child 1 (RCW 9A.36.120)  
5 Rape 1 (RCW 9A.44.040)  
6 Rape of a Child 1 (RCW 9A.44.073)  
7 Malicious placement of an imitation device  
8 1 (RCW 70.74.272(1)(a))

9 XI Rape 2 (RCW 9A.44.050)  
10 Rape of a Child 2 (RCW 9A.44.076)  
11 Manslaughter 1 (RCW 9A.32.060)

12 X Kidnapping 1 (RCW 9A.40.020)  
13 Child Molestation 1 (RCW 9A.44.083)  
14 Malicious explosion 3 (RCW 70.74.280(3))  
15 Over 18 and deliver heroin, a narcotic from  
16 Schedule I or II, or flunitrazepam  
17 from Schedule IV to someone under 18  
18 (RCW 69.50.406)  
19 Leading Organized Crime (RCW  
20 9A.82.060(1)(a))  
21 Indecent Liberties (with forcible  
22 compulsion) (RCW 9A.44.100(1)(a))  
23 Manufacture of methamphetamine (RCW  
24 69.50.401(a)(1)(ii))

25 IX Assault of a Child 2 (RCW 9A.36.130)  
26 Robbery 1 (RCW 9A.56.200)  
27 Explosive devices prohibited (RCW  
28 70.74.180)  
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, from Schedule I-V to  
34 someone under 18 and 3 years junior  
35 (RCW 69.50.406)  
36 Controlled Substance Homicide (RCW  
37 69.50.415)

1 Sexual Exploitation (RCW 9.68A.040)  
2 Inciting Criminal Profiteering (RCW  
3 9A.82.060(1)(b))  
4 Vehicular Homicide, by being under the  
5 influence of intoxicating liquor or  
6 any drug (RCW 46.61.520)  
7 Homicide by Watercraft, by being under the  
8 influence of intoxicating liquor or  
9 any drug (RCW 88.12.029)

10 VIII Arson 1 (RCW 9A.48.020)  
11 Promoting Prostitution 1 (RCW 9A.88.070)  
12 Selling for profit (controlled or  
13 counterfeit) any controlled substance  
14 (RCW 69.50.410)  
15 Manufacture, deliver, or possess with  
16 intent to deliver heroin or cocaine  
17 (RCW 69.50.401(a)(1)(i))  
18 Deliver or possess with intent to deliver  
19 m e t h a m p h e t a m i n e ( R C W  
20 69.50.401(a)(1)(ii))  
21 Manufacture, deliver, or possess with  
22 intent to deliver amphetamine (RCW  
23 69.50.401(a)(1)(ii))  
24 Possession of ephedrine or pseudoephedrine  
25 with intent to manufacture  
26 methamphetamine (RCW 69.50.440)  
27 Vehicular Homicide, by the operation of any  
28 vehicle in a reckless manner (RCW  
29 46.61.520)  
30 Homicide by Watercraft, by the operation of  
31 any vessel in a reckless manner (RCW  
32 88.12.029)  
33 Manslaughter 2 (RCW 9A.32.070)

1 VII Burglary 1 (RCW 9A.52.020)  
2 Vehicular Homicide, by disregard for the  
3 safety of others (RCW 46.61.520)  
4 Homicide by Watercraft, by disregard for  
5 the safety of others (RCW 88.12.029)  
6 Introducing Contraband 1 (RCW 9A.76.140)  
7 Indecent Liberties (without forcible  
8 compulsion) (RCW 9A.44.100(1) (b) and  
9 (c))  
10 Child Molestation 2 (RCW 9A.44.086)  
11 Dealing in depictions of minor engaged in  
12 sexually explicit conduct (RCW  
13 9.68A.050)  
14 Sending, bringing into state depictions of  
15 minor engaged in sexually explicit  
16 conduct (RCW 9.68A.060)  
17 Involving a minor in drug dealing (RCW  
18 69.50.401(f))  
19 Drive-by Shooting (RCW 9A.36.045)  
20 Unlawful Possession of a Firearm in the  
21 first degree (RCW 9.41.040(1)(a))  
22 Malicious placement of an explosive 3 (RCW  
23 70.74.270(3))  
24 VI Bribery (RCW 9A.68.010)  
25 Rape of a Child 3 (RCW 9A.44.079)  
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 Incest 1 (RCW 9A.64.020(1))  
31 Manufacture, deliver, or possess with  
32 intent to deliver narcotics from  
33 Schedule I or II (except heroin or  
34 cocaine) or flunitrazepam from  
35 Schedule IV (RCW 69.50.401(a)(1)(i))  
36 Intimidating a Judge (RCW 9A.72.160)  
37 Bail Jumping with Murder 1 (RCW  
38 9A.76.170(2)(a))  
39 Theft of a Firearm (RCW 9A.56.300)

1 V Persistent prison misbehavior (RCW  
2 9.94.070)  
3 Criminal Mistreatment 1 (RCW 9A.42.020)  
4 Abandonment of dependent person 1 (RCW  
5 9A.42.060)  
6 Rape 3 (RCW 9A.44.060)  
7 Sexual Misconduct with a Minor 1 (RCW  
8 9A.44.093)  
9 Child Molestation 3 (RCW 9A.44.089)  
10 Kidnapping 2 (RCW 9A.40.030)  
11 Extortion 1 (RCW 9A.56.120)  
12 Incest 2 (RCW 9A.64.020(2))  
13 Perjury 1 (RCW 9A.72.020)  
14 Extortionate Extension of Credit (RCW  
15 9A.82.020)  
16 Advancing money or property for  
17 extortionate extension of credit (RCW  
18 9A.82.030)  
19 Extortionate Means to Collect Extensions of  
20 Credit (RCW 9A.82.040)  
21 Rendering Criminal Assistance 1 (RCW  
22 9A.76.070)  
23 Bail Jumping with class A Felony (RCW  
24 9A.76.170(2)(b))  
25 Sexually Violating Human Remains (RCW  
26 9A.44.105)  
27 Delivery of imitation controlled substance  
28 by person eighteen or over to person  
29 under eighteen (RCW 69.52.030(2))  
30 Possession of a Stolen Firearm (RCW  
31 9A.56.310)  
32 Taking Motor Vehicle Without Permission 1  
33 (RCW 9A.56.070(1))

34 IV Residential Burglary (RCW 9A.52.025)  
35 Theft of Livestock 1 (RCW 9A.56.080)  
36 Robbery 2 (RCW 9A.56.210)  
37 Assault 2 (RCW 9A.36.021)  
38 Escape 1 (RCW 9A.76.110)  
39 Arson 2 (RCW 9A.48.030)

1 Commercial Bribery (RCW 9A.68.060)  
2 Bribing a Witness/Bribe Received by Witness  
3 (RCW 9A.72.090, 9A.72.100)  
4 Malicious Harassment (RCW 9A.36.080)  
5 Threats to Bomb (RCW 9.61.160)  
6 Willful Failure to Return from Furlough  
7 (RCW 72.66.060)  
8 Hit and Run--Injury Accident (RCW  
9 46.52.020(4))  
10 Hit and Run with Vessel--Injury Accident  
11 (RCW 88.12.155(3))  
12 Vehicular Assault (RCW 46.61.522)  
13 Assault by Watercraft (RCW 88.12.032)  
14 Manufacture, deliver, or possess with  
15 intent to deliver narcotics from  
16 Schedule III, IV, or V or nonnarcotics  
17 from Schedule I-V (except marijuana,  
18 amphetamine, methamphetamines, or  
19 flunitrazepam) (RCW 69.50.401(a)(1)  
20 (iii) through (v))  
21 Influencing Outcome of Sporting Event (RCW  
22 9A.82.070)  
23 Use of Proceeds of Criminal Profiteering  
24 (RCW 9A.82.080 (1) and (2))  
25 Knowingly Trafficking in Stolen Property  
26 (RCW 9A.82.050(2))  
27 III Criminal Gang Intimidation (RCW 9A.46.120)  
28 Criminal Mistreatment 2 (RCW 9A.42.030)  
29 Abandonment of dependent person 2 (RCW  
30 9A.42.070)  
31 Extortion 2 (RCW 9A.56.130)  
32 Unlawful Imprisonment (RCW 9A.40.040)  
33 Assault 3 (RCW 9A.36.031)  
34 Assault of a Child 3 (RCW 9A.36.140)  
35 Custodial Assault (RCW 9A.36.100)  
36 Unlawful possession of firearm in the  
37 second degree (RCW 9.41.040(1)(b))  
38 Harassment (RCW 9A.46.020)  
39 Promoting Prostitution 2 (RCW 9A.88.080)

1 Willful Failure to Return from Work Release  
2 (RCW 72.65.070)  
3 Burglary 2 (RCW 9A.52.030)  
4 Introducing Contraband 2 (RCW 9A.76.150)  
5 Communication with a Minor for Immoral  
6 Purposes (RCW 9.68A.090)  
7 Patronizing a Juvenile Prostitute (RCW  
8 9.68A.100)  
9 Escape 2 (RCW 9A.76.120)  
10 Perjury 2 (RCW 9A.72.030)  
11 Bail Jumping with class B or C Felony (RCW  
12 9A.76.170(2)(c))  
13 Intimidating a Public Servant (RCW  
14 9A.76.180)  
15 Tampering with a Witness (RCW 9A.72.120)  
16 Manufacture, deliver, or possess with  
17 intent to deliver marijuana (RCW  
18 69.50.401(a)(1)(iii))  
19 Delivery of a material in lieu of a  
20 controlled substance (RCW  
21 69.50.401(c))  
22 Manufacture, distribute, or possess with  
23 intent to distribute an imitation  
24 controlled substance (RCW  
25 69.52.030(1))  
26 Recklessly Trafficking in Stolen Property  
27 (RCW 9A.82.050(1))  
28 Theft of livestock 2 (RCW 9A.56.080)  
29 Securities Act violation (RCW 21.20.400)  
30 II Unlawful Practice of Law (RCW 2.48.180)  
31 Malicious Mischief 1 (RCW 9A.48.070)  
32 Possession of Stolen Property 1 (RCW  
33 9A.56.150)  
34 Theft 1 (RCW 9A.56.030)  
35 Class B Felony Theft of Rental, Leased, or  
36 Lease-purchased Property (RCW  
37 9A.56.096(4))  
38 Trafficking in Insurance Claims (RCW  
39 48.30A.015)

1 Unlicensed Practice of a Profession or  
2 Business (RCW 18.130.190(7))  
3 Health Care False Claims (RCW 48.80.030)  
4 Possession of controlled substance that is  
5 either heroin or narcotics from  
6 Schedule I or II or flunitrazepam from  
7 Schedule IV (RCW 69.50.401(d))  
8 Possession of phencyclidine (PCP) (RCW  
9 69.50.401(d))  
10 Create, deliver, or possess a counterfeit  
11 controlled substance (RCW  
12 69.50.401(b))  
13 Computer Trespass 1 (RCW 9A.52.110)  
14 Escape from Community Custody (RCW  
15 72.09.310)

16 I Theft 2 (RCW 9A.56.040)  
17 Class C Felony Theft of Rental, Leased, or  
18 Lease-purchased Property (RCW  
19 9A.56.096(4))  
20 Possession of Stolen Property 2 (RCW  
21 9A.56.160)  
22 Forgery (RCW 9A.60.020)  
23 Taking Motor Vehicle Without Permission 2  
24 (RCW 9A.56.070(2))  
25 Vehicle Prowl 1 (RCW 9A.52.095)  
26 Attempting to Elude a Pursuing Police  
27 Vehicle (RCW 46.61.024)  
28 Malicious Mischief 2 (RCW 9A.48.080)  
29 Reckless Burning 1 (RCW 9A.48.040)  
30 Unlawful Issuance of Checks or Drafts (RCW  
31 9A.56.060)  
32 Unlawful Use of Food Stamps (RCW 9.91.140  
33 (2) and (3))  
34 False Verification for Welfare (RCW  
35 74.08.055)  
36 Forged Prescription (RCW 69.41.020)  
37 Forged Prescription for a Controlled  
38 Substance (RCW 69.50.403)

1 Possess Controlled Substance that is a  
 2 Narcotic from Schedule III, IV, or V  
 3 or Non-narcotic from Schedule I-V  
 4 (except phencyclidine or  
 5 flunitrazepam) (RCW 69.50.401(d))

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

8 **DESCRIPTION AND OFFENSE CATEGORY**

9	JUVENILE	JUVENILE DISPOSITION
10	DISPOSITION	CATEGORY FOR ATTEMPT,
11	OFFENSE	BAILJUMP, CONSPIRACY,
12	CATEGORY	DESCRIPTION (RCW CITATION)
13		OR SOLICITATION
	.....	

14 **Arson and Malicious Mischief**

15	A	Arson 1 (9A.48.020)	B+
16	B	Arson 2 (9A.48.030)	C
17	C	Reckless Burning 1 (9A.48.040)	D
18	D	Reckless Burning 2 (9A.48.050)	E
19	B	Malicious Mischief 1 (9A.48.070)	C
20	C	Malicious Mischief 2 (9A.48.080)	D
21	D	Malicious Mischief 3 (<\$50 is	
22		E class) (9A.48.090)	E
23	E	Tampering with Fire Alarm	
24		Apparatus (9.40.100)	E
25	A	Possession of Incendiary Device	
26		(9.40.120)	B+

27 **Assault and Other Crimes**

28 **Involving Physical Harm**

29	A	Assault 1 (9A.36.011)	B+
30	B+	Assault 2 (9A.36.021)	C+
31	C+	Assault 3 (9A.36.031)	D+
32	D+	Assault 4 (9A.36.041)	E
33	B+	Drive-By Shooting	
34		(9A.36.045)	C+
35	D+	Reckless Endangerment	
36		(9A.36.050)	E

1	C+	Promoting Suicide Attempt	
2		(9A.36.060)	D+
3	D+	Coercion (9A.36.070)	E
4	C+	Custodial Assault (9A.36.100)	D+
5		<b>Burglary and Trespass</b>	
6	B+	Burglary 1 (9A.52.020)	C+
7	B	Residential Burglary	
8		(9A.52.025)	C
9	B	Burglary 2 (9A.52.030)	C
10	D	Burglary Tools (Possession of)	
11		(9A.52.060)	E
12	D	Criminal Trespass 1 (9A.52.070)	E
13	E	Criminal Trespass 2 (9A.52.080)	E
14	C	Vehicle Prowling 1 (9A.52.095)	D
15	D	Vehicle Prowling 2 (9A.52.100)	E
16		<b>Drugs</b>	
17	E	Possession/Consumption of Alcohol	
18		(66.44.270)	E
19	C	Illegally Obtaining Legend Drug	
20		(69.41.020)	D
21	C+	Sale, Delivery, Possession of Legend	
22		Drug with Intent to Sell	
23		(69.41.030)	D+
24	E	Possession of Legend Drug	
25		(69.41.030)	E
26	B+	Violation of Uniform Controlled	
27		Substances Act - Narcotic,	
28		Methamphetamine, or Flunitrazepam	
29		Sale (69.50.401(a)(1) (i) or (ii))	B+
30	C	Violation of Uniform Controlled	
31		Substances Act - Nonnarcotic Sale	
32		(69.50.401(a)(1)(iii))	C
33	E	Possession of Marihuana <40 grams	
34		(69.50.401(e))	E
35	C	Fraudulently Obtaining Controlled	
36		Substance (69.50.403)	C
37	C+	Sale of Controlled Substance	
38		for Profit (69.50.410)	C+

1	E	Unlawful Inhalation (9.47A.020)	E
2	B	Violation of Uniform Controlled	
3		Substances Act - Narcotic,	
4		Methamphetamine, or Flunitrazepam	
5		Counterfeit Substances	
6		(69.50.401(b)(1) (i) or (ii))	B
7	C	Violation of Uniform Controlled	
8		Substances Act - Nonnarcotic	
9		Counterfeit Substances	
10		(69.50.401(b)(1) (iii), (iv), (v))	C
11	C	Violation of Uniform Controlled	
12		Substances Act - Possession of a	
13		Controlled Substance	
14		(69.50.401(d))	C
15	C	Violation of Uniform Controlled	
16		Substances Act - Possession of a	
17		Controlled Substance	
18		(69.50.401(c))	C
19		<b>Firearms and Weapons</b>	
20	B	Theft of Firearm (9A.56.300)	C
21	B	Possession of Stolen Firearm	
22		(9A.56.310)	C
23	E	Carrying Loaded Pistol Without	
24		Permit (9.41.050)	E
25	C	Possession of Firearms by Minor (<18)	
26		(9.41.040(1)(b)(iii))	C
27	D+	Possession of Dangerous Weapon	
28		(9.41.250)	E
29	D	Intimidating Another Person by use	
30		of Weapon (9.41.270)	E
31		<b>Homicide</b>	
32	A+	Murder 1 (9A.32.030)	A
33	A+	Murder 2 (9A.32.050)	B+
34	B+	Manslaughter 1 (9A.32.060)	C+
35	C+	Manslaughter 2 (9A.32.070)	D+
36	B+	Vehicular Homicide (46.61.520)	C+

1		<b>Kidnapping</b>	
2	A	Kidnap 1 (9A.40.020)	B+
3	B+	Kidnap 2 (9A.40.030)	C+
4	C+	Unlawful Imprisonment	
5		(9A.40.040)	D+
6		<b>Obstructing Governmental Operation</b>	
7	D	Obstructing a Law Enforcement	
8		Officer (9A.76.020)	E
9	E	Resisting Arrest (9A.76.040)	E
10	B	Introducing Contraband 1	
11		(9A.76.140)	C
12	C	Introducing Contraband 2	
13		(9A.76.150)	D
14	E	Introducing Contraband 3	
15		(9A.76.160)	E
16	B+	Intimidating a Public Servant	
17		(9A.76.180)	C+
18	B+	Intimidating a Witness	
19		(9A.72.110)	C+
20		<b>Public Disturbance</b>	
21	C+	Riot with Weapon (9A.84.010)	D+
22	D+	Riot Without Weapon	
23		(9A.84.010)	E
24	E	Failure to Disperse (9A.84.020)	E
25	E	Disorderly Conduct (9A.84.030)	E
26		<b>Sex Crimes</b>	
27	A	Rape 1 (9A.44.040)	B+
28	A-	Rape 2 (9A.44.050)	B+
29	C+	Rape 3 (9A.44.060)	D+
30	A-	Rape of a Child 1 (9A.44.073)	B+
31	B+	Rape of a Child 2 (9A.44.076)	C+
32	B	Incest 1 (9A.64.020(1))	C
33	C	Incest 2 (9A.64.020(2))	D
34	D+	Indecent Exposure	
35		(Victim <14) (9A.88.010)	E
36	E	Indecent Exposure	
37		(Victim 14 or over) (9A.88.010)	E
38	B+	Promoting Prostitution 1	

1		(9A.88.070)	C+
2	C+	Promoting Prostitution 2	
3		(9A.88.080)	D+
4	E	O & A (Prostitution) (9A.88.030)	E
5	B+	Indecent Liberties (9A.44.100)	C+
6	A-	Child Molestation 1 (9A.44.083)	B+
7	B	Child Molestation 2 (9A.44.086)	C+
8		<b>Theft, Robbery, Extortion, and Forgery</b>	
9	B	Theft 1 (9A.56.030)	C
10	C	Theft 2 (9A.56.040)	D
11	D	Theft 3 (9A.56.050)	E
12	B	Theft of Livestock (9A.56.080)	C
13	C	Forgery (9A.60.020)	D
14	A	Robbery 1 (9A.56.200)	B+
15	B+	Robbery 2 (9A.56.210)	C+
16	B+	Extortion 1 (9A.56.120)	C+
17	C+	Extortion 2 (9A.56.130)	D+
18	B	Possession of Stolen Property 1	
19		(9A.56.150)	C
20	C	Possession of Stolen Property 2	
21		(9A.56.160)	D
22	D	Possession of Stolen Property 3	
23		(9A.56.170)	E
24	<u>B+</u>	<u>Taking Motor Vehicle Without</u>	
25		<u>Permission 1 (9A.56.070(1))</u>	<u>C+</u>
26	C	Taking Motor Vehicle Without	
27		((Owner's) Permission <u>2</u>	
28		(9A.56.070(2))	D
29		<b>Motor Vehicle Related Crimes</b>	
30	E	Driving Without a License	
31		(46.20.005)	E
32	C	Hit and Run - Injury	
33		(46.52.020(4))	D
34	D	Hit and Run-Attended	
35		(46.52.020(5))	E
36	E	Hit and Run-Unattended	
37		(46.52.010)	E
38	C	Vehicular Assault (46.61.522)	D

1	C	Attempting to Elude Pursuing	
2		Police Vehicle (46.61.024)	D
3	E	Reckless Driving (46.61.500)	E
4	D	Driving While Under the Influence	
5		(46.61.502 and 46.61.504)	E
6		<b>Other</b>	
7	B	Bomb Threat (9.61.160)	C
8	C	Escape 1 (9A.76.110)	C
9	C	Escape 2 (9A.76.120)	C
10	D	Escape 3 (9A.76.130)	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 (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:

28 1st escape or attempted escape during 12-month period - 4 weeks  
29 confinement

30 2nd escape or attempted escape during 12-month period - 8 weeks  
31 confinement

32 3rd and subsequent escape or attempted escape during 12-month  
33 period - 12 weeks confinement

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

**JUVENILE SENTENCING STANDARDS**

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

**OPTION A  
JUVENILE OFFENDER SENTENCING GRID  
STANDARD RANGE**

A+	180 WEEKS TO AGE 21 YEARS					
A	103 WEEKS TO 129 WEEKS					
A-	15-36	52-65	80-100	103-129		
	WEEKS	WEEKS	WEEKS	WEEKS		
	EXCEPT					
	30-40					
	WEEKS FOR					
	15-17					
	YEAR OLDS					
Current Offense Category	B+	15-36	52-65	80-100	103-129	
		WEEKS	WEEKS	WEEKS	WEEKS	
B	LOCAL		52-65			
	SANCTIONS (LS)	15-36	WEEKS	WEEKS		
C+	LS					
		15-36 WEEKS				
C	LS				15-36 WEEKS	
		Local Sanctions:				
		0 to 30 Days				
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				

NOTE: References in the grid to days or weeks mean periods of confinement.

1 (1) The vertical axis of the grid is the current offense category.  
2 The current offense category is determined by the offense of  
3 adjudication.

4 (2) The horizontal axis of the grid is the number of prior  
5 adjudications included in the juvenile's criminal history. Each prior  
6 felony adjudication shall count as one point. Each prior violation,  
7 misdemeanor, and gross misdemeanor adjudication shall count as 1/4  
8 point. Fractional points shall be rounded down.

9 (3) The standard range disposition for each offense is determined  
10 by the intersection of the column defined by the prior adjudications  
11 and the row defined by the current offense category.

12 (4) RCW 13.40.180 applies if the offender is being sentenced for  
13 more than one offense.

14 (5) A current offense that is a violation is equivalent to an  
15 offense category of E. However, a disposition for a violation shall  
16 not include confinement.

17 **OR**

18 **OPTION B**

19 **CHEMICAL DEPENDENCY DISPOSITION ALTERNATIVE**

20 If the juvenile offender is subject to a standard range  
21 disposition of local sanctions or 15 to 36 weeks of confinement and has  
22 not committed an A- or B+ offense, the court may impose a disposition  
23 under RCW 13.40.160(5) and 13.40.165.

24 **OR**

25 **OPTION C**

26 **MANIFEST INJUSTICE**

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

**--- END ---**