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SENATE BILL 5459

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State of Washington                      57th Legislature                      2001 Regular Session

By Senators Roach, Kline, Rasmussen and Winsley

Read first time 01/23/2001. Referred to Committee on Judiciary.

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, employment, or other  
9 relationship that would otherwise reasonably allow the defendant to  
10 take, dispose of, or otherwise intercept the person's mail.

11 NEW SECTION. **Sec. 2.** (1) A person commits the crime of  
12 obstruction of mail 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 mail 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) Mail theft or receipt of stolen mail is a class C felony.

5 NEW SECTION. **Sec. 6.** In a prosecution under this chapter, it is  
6 a defense that the defendant acted under an honest claim of right in  
7 that:

8 (1) The defendant was unaware that the property was that of another  
9 person;

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

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

17 NEW SECTION. **Sec. 7.** Sections 1 through 6 of this act constitute  
18 a new chapter in Title 9A RCW.

19 **Sec. 8.** RCW 9.94A.320 and 2000 c 225 s 5, 2000 c 119 s 17, and  
20 2000 c 66 s 2 are each reenacted and amended to read as follows:

21 TABLE 2

22 CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

23 XVI	Aggravated Murder 1 (RCW 10.95.020)
24 XV	Homicide by abuse (RCW 9A.32.055)
25	Malicious explosion 1 (RCW 70.74.280(1))
26	Murder 1 (RCW 9A.32.030)
27 XIV	Murder 2 (RCW 9A.32.050)
28 XIII	Malicious explosion 2 (RCW 70.74.280(2))
29	Malicious placement of an explosive 1 (RCW
30	70.74.270(1))
31 XII	Assault 1 (RCW 9A.36.011)
32	Assault of a Child 1 (RCW 9A.36.120)

1 Malicious placement of an imitation device  
2 1 (RCW 70.74.272(1)(a))  
3 Rape 1 (RCW 9A.44.040)  
4 Rape of a Child 1 (RCW 9A.44.073)  
5 XI Manslaughter 1 (RCW 9A.32.060)  
6 Rape 2 (RCW 9A.44.050)  
7 Rape of a Child 2 (RCW 9A.44.076)  
8 X Child Molestation 1 (RCW 9A.44.083)  
9 Indecent Liberties (with forcible  
10 compulsion) (RCW 9A.44.100(1)(a))  
11 Kidnapping 1 (RCW 9A.40.020)  
12 Leading Organized Crime (RCW  
13 9A.82.060(1)(a))  
14 Malicious explosion 3 (RCW 70.74.280(3))  
15 Manufacture of methamphetamine (RCW  
16 69.50.401(a)(1)(ii))  
17 Over 18 and deliver heroin,  
18 methamphetamine, a narcotic from  
19 Schedule I or II, or flunitrazepam  
20 from Schedule IV to someone under 18  
21 (RCW 69.50.406)  
22 IX Assault of a Child 2 (RCW 9A.36.130)  
23 Controlled Substance Homicide (RCW  
24 69.50.415)  
25 Explosive devices prohibited (RCW  
26 70.74.180)  
27 Homicide by Watercraft, by being under the  
28 influence of intoxicating liquor or  
29 any drug (RCW 79A.60.050)  
30 Inciting Criminal Profiteering (RCW  
31 9A.82.060(1)(b))  
32 Malicious placement of an explosive 2 (RCW  
33 70.74.270(2))  
34 Over 18 and deliver narcotic from Schedule  
35 III, IV, or V or a nonnarcotic, except  
36 flunitrazepam or methamphetamine, from  
37 Schedule I-V to someone under 18 and 3  
38 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 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, Pseudoephedrine,  
22 or Anhydrous Ammonia with intent to  
23 manufacture methamphetamine (RCW  
24 69.50.440)  
25 Promoting Prostitution 1 (RCW 9A.88.070)  
26 Selling for profit (controlled or  
27 counterfeit) any controlled substance  
28 (RCW 69.50.410)  
29 Theft of Anhydrous Ammonia (RCW 69.55.010)  
30 Vehicular Homicide, by the operation of any  
31 vehicle in a reckless manner (RCW  
32 46.61.520)

33 VII Burglary 1 (RCW 9A.52.020)  
34 Child Molestation 2 (RCW 9A.44.086)  
35 Dealing in depictions of minor engaged in  
36 sexually explicit conduct (RCW  
37 9.68A.050)  
38 Drive-by Shooting (RCW 9A.36.045)

1 Homicide by Watercraft, by disregard for  
2 the safety of others (RCW 79A.60.050)  
3 Indecent Liberties (without forcible  
4 compulsion) (RCW 9A.44.100(1) (b) and  
5 (c))  
6 Introducing Contraband 1 (RCW 9A.76.140)  
7 Involving a minor in drug dealing (RCW  
8 69.50.401(f))  
9 Malicious placement of an explosive 3 (RCW  
10 70.74.270(3))  
11 Sending, bringing into state depictions of  
12 minor engaged in sexually explicit  
13 conduct (RCW 9.68A.060)  
14 Unlawful Possession of a Firearm in the  
15 first degree (RCW 9.41.040(1)(a))  
16 Use of a Machine Gun in Commission of a  
17 Felony (RCW 9.41.225)  
18 Vehicular Homicide, by disregard for the  
19 safety of others (RCW 46.61.520)

20 VI Bail Jumping with Murder 1 (RCW  
21 9A.76.170(2)(a))  
22 Bribery (RCW 9A.68.010)  
23 Incest 1 (RCW 9A.64.020(1))  
24 Intimidating a Judge (RCW 9A.72.160)  
25 Intimidating a Juror/Witness (RCW  
26 9A.72.110, 9A.72.130)  
27 Malicious placement of an imitation device  
28 2 (RCW 70.74.272(1)(b))  
29 Manufacture, deliver, or possess with  
30 intent to deliver narcotics from  
31 Schedule I or II (except heroin or  
32 cocaine) or flunitrazepam from  
33 Schedule IV (RCW 69.50.401(a)(1)(i))  
34 Rape of a Child 3 (RCW 9A.44.079)  
35 Theft of a Firearm (RCW 9A.56.300)  
36 Unlawful Storage of Anhydrous Ammonia (RCW  
37 69.55.020)

1 V Abandonment of dependent person 1 (RCW  
2 9A.42.060)  
3 Advancing money or property for  
4 extortionate extension of credit (RCW  
5 9A.82.030)  
6 Bail Jumping with class A Felony (RCW  
7 9A.76.170(2)(b))  
8 Child Molestation 3 (RCW 9A.44.089)  
9 Criminal Mistreatment 1 (RCW 9A.42.020)  
10 Custodial Sexual Misconduct 1 (RCW  
11 9A.44.160)  
12 Delivery of imitation controlled substance  
13 by person eighteen or over to person  
14 under eighteen (RCW 69.52.030(2))  
15 Domestic Violence Court Order Violation  
16 (RCW 10.99.040, 10.99.050, 26.09.300,  
17 26.10.220, 26.26.138, 26.50.110,  
18 26.52.070, or 74.34.145)  
19 Extortion 1 (RCW 9A.56.120)  
20 Extortionate Extension of Credit (RCW  
21 9A.82.020)  
22 Extortionate Means to Collect Extensions of  
23 Credit (RCW 9A.82.040)  
24 Incest 2 (RCW 9A.64.020(2))  
25 Kidnapping 2 (RCW 9A.40.030)  
26 Perjury 1 (RCW 9A.72.020)  
27 Persistent prison misbehavior (RCW  
28 9.94.070)  
29 Possession of a Stolen Firearm (RCW  
30 9A.56.310)  
31 Rape 3 (RCW 9A.44.060)  
32 Rendering Criminal Assistance 1 (RCW  
33 9A.76.070)  
34 Sexual Misconduct with a Minor 1 (RCW  
35 9A.44.093)  
36 Sexually Violating Human Remains (RCW  
37 9A.44.105)  
38 Stalking (RCW 9A.46.110)  
39 IV Arson 2 (RCW 9A.48.030)

1 Assault 2 (RCW 9A.36.021)  
2 Assault by Watercraft (RCW 79A.60.060)  
3 Bribing a Witness/Bribe Received by Witness  
4 (RCW 9A.72.090, 9A.72.100)  
5 Commercial Bribery (RCW 9A.68.060)  
6 Counterfeiting (RCW 9.16.035(4))  
7 Escape 1 (RCW 9A.76.110)  
8 Hit and Run--Injury (RCW 46.52.020(4)(b))  
9 Hit and Run with Vessel--Injury Accident  
10 (RCW 79A.60.200(3))  
11 Indecent Exposure to Person Under Age  
12 Fourteen (subsequent sex offense) (RCW  
13 9A.88.010)  
14 Influencing Outcome of Sporting Event (RCW  
15 9A.82.070)  
16 Knowingly Trafficking in Stolen Property  
17 (RCW 9A.82.050(2))  
18 Malicious Harassment (RCW 9A.36.080)  
19 Manufacture, deliver, or possess with  
20 intent to deliver narcotics from  
21 Schedule III, IV, or V or nonnarcotics  
22 from Schedule I-V (except marijuana,  
23 amphetamine, methamphetamines, or  
24 flunitrazepam) (RCW 69.50.401(a)(1)  
25 (iii) through (v))  
26 Residential Burglary (RCW 9A.52.025)  
27 Robbery 2 (RCW 9A.56.210)  
28 Theft of Livestock 1 (RCW 9A.56.080)  
29 Threats to Bomb (RCW 9.61.160)  
30 Use of Proceeds of Criminal Profiteering  
31 (RCW 9A.82.080 (1) and (2))  
32 Vehicular Assault (RCW 46.61.522)  
33 Willful Failure to Return from Furlough  
34 (RCW 72.66.060)  
35 III Abandonment of dependent person 2 (RCW  
36 9A.42.070)  
37 Assault 3 (RCW 9A.36.031)  
38 Assault of a Child 3 (RCW 9A.36.140)

1 Bail Jumping with class B or C Felony (RCW  
2 9A.76.170(2)(c))  
3 Burglary 2 (RCW 9A.52.030)  
4 Communication with a Minor for Immoral  
5 Purposes (RCW 9.68A.090)  
6 Criminal Gang Intimidation (RCW 9A.46.120)  
7 Criminal Mistreatment 2 (RCW 9A.42.030)  
8 Custodial Assault (RCW 9A.36.100)  
9 Delivery of a material in lieu of a  
10 controlled substance (RCW  
11 69.50.401(c))  
12 Escape 2 (RCW 9A.76.120)  
13 Extortion 2 (RCW 9A.56.130)  
14 Harassment (RCW 9A.46.020)  
15 Intimidating a Public Servant (RCW  
16 9A.76.180)  
17 Introducing Contraband 2 (RCW 9A.76.150)  
18 Maintaining a Dwelling or Place for  
19 Controlled Substances (RCW  
20 69.50.402(a)(6))  
21 Malicious Injury to Railroad Property (RCW  
22 81.60.070)  
23 Manufacture, deliver, or possess with  
24 intent to deliver marijuana (RCW  
25 69.50.401(a)(1)(iii))  
26 Manufacture, distribute, or possess with  
27 intent to distribute an imitation  
28 controlled substance (RCW  
29 69.52.030(1))  
30 Patronizing a Juvenile Prostitute (RCW  
31 9.68A.100)  
32 Perjury 2 (RCW 9A.72.030)  
33 Possession of Incendiary Device (RCW  
34 9.40.120)  
35 Possession of Machine Gun or Short-Barreled  
36 Shotgun or Rifle (RCW 9.41.190)  
37 Promoting Prostitution 2 (RCW 9A.88.080)  
38 Recklessly Trafficking in Stolen Property  
39 (RCW 9A.82.050(1))

1 Securities Act violation (RCW 21.20.400)  
2 Tampering with a Witness (RCW 9A.72.120)  
3 Telephone Harassment (subsequent conviction  
4 or threat of death) (RCW 9.61.230)  
5 Theft of Livestock 2 (RCW 9A.56.080)  
6 Unlawful Imprisonment (RCW 9A.40.040)  
7 Unlawful possession of firearm in the  
8 second degree (RCW 9.41.040(1)(b))  
9 Unlawful Use of Building for Drug Purposes  
10 (RCW 69.53.010)  
11 Willful Failure to Return from Work Release  
12 (RCW 72.65.070)

13 II Computer Trespass 1 (RCW 9A.52.110)  
14 Counterfeiting (RCW 9.16.035(3))  
15 Create, deliver, or possess a counterfeit  
16 controlled substance (RCW  
17 69.50.401(b))  
18 Escape from Community Custody (RCW  
19 72.09.310)  
20 Health Care False Claims (RCW 48.80.030)  
21 Mail Theft or Receipt of Stolen Mail  
22 (section 5 of this act)  
23 Malicious Mischief 1 (RCW 9A.48.070)  
24 Possession of controlled substance that is  
25 either heroin or narcotics from  
26 Schedule I or II or flunitrazepam from  
27 Schedule IV (RCW 69.50.401(d))  
28 Possession of phencyclidine (PCP) (RCW  
29 69.50.401(d))  
30 Possession of Stolen Property 1 (RCW  
31 9A.56.150)  
32 Theft 1 (RCW 9A.56.030)  
33 Theft of Rental, Leased, or Lease-purchased  
34 Property (valued at one thousand five  
35 hundred dollars or more) (RCW  
36 9A.56.096(4))  
37 Trafficking in Insurance Claims (RCW  
38 48.30A.015)  
39 Unlawful Practice of Law (RCW 2.48.180)

1           Unlicensed Practice of a Profession or  
2           Business (RCW 18.130.190(7))  
3       I       Attempting to Elude a Pursuing Police  
4           Vehicle (RCW 46.61.024)  
5           Destruction of Mail (section 4 of this act)  
6           False Verification for Welfare (RCW  
7           74.08.055)  
8           Forged Prescription (RCW 69.41.020)  
9           Forged Prescription for a Controlled  
10          Substance (RCW 69.50.403)  
11          Forgery (RCW 9A.60.020)  
12          Malicious Mischief 2 (RCW 9A.48.080)  
13          Possess Controlled Substance that is a  
14          Narcotic from Schedule III, IV, or V  
15          or Non-narcotic from Schedule I-V  
16          (except phencyclidine or  
17          flunitrazepam) (RCW 69.50.401(d))  
18          Possession of Stolen Property 2 (RCW  
19          9A.56.160)  
20          Reckless Burning 1 (RCW 9A.48.040)  
21          Taking Motor Vehicle Without Permission  
22          (RCW 9A.56.070)  
23          Theft 2 (RCW 9A.56.040)  
24          Theft of Rental, Leased, or Lease-purchased  
25          Property (valued at two hundred fifty  
26          dollars or more but less than one  
27          thousand five hundred dollars) (RCW  
28          9A.56.096(4))  
29          Unlawful Issuance of Checks or Drafts (RCW  
30          9A.56.060)  
31          Unlawful Use of Food Stamps (RCW 9.91.140  
32          (2) and (3))  
33          Vehicle Prowl 1 (RCW 9A.52.095)

34       **Sec. 9.** RCW 13.40.0357 and 2000 c 66 s 3 are each amended to read  
35 as follows:

**DESCRIPTION AND OFFENSE CATEGORY**

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	JUVENILE	JUVENILE DISPOSITION
	DISPOSITION	CATEGORY FOR ATTEMPT,
	OFFENSE	BAILJUMP, CONSPIRACY,
	CATEGORY	DESCRIPTION (RCW CITATION)
		OR SOLICITATION

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**Arson and Malicious Mischief**

A	Arson 1 (9A.48.020)	B+
B	Arson 2 (9A.48.030)	C
C	Reckless Burning 1 (9A.48.040)	D
D	Reckless Burning 2 (9A.48.050)	E
B	Malicious Mischief 1 (9A.48.070)	C
C	Malicious Mischief 2 (9A.48.080)	D
D	Malicious Mischief 3 (<\$50 is	
	E class) (9A.48.090)	E
E	Tampering with Fire Alarm	
	Apparatus (9.40.100)	E
A	Possession of Incendiary Device	
	(9.40.120)	B+

**Assault and Other Crimes**

**Involving Physical Harm**

A	Assault 1 (9A.36.011)	B+
B+	Assault 2 (9A.36.021)	C+
C+	Assault 3 (9A.36.031)	D+
D+	Assault 4 (9A.36.041)	E
B+	Drive-By Shooting	
	(9A.36.045)	C+
D+	Reckless Endangerment	
	(9A.36.050)	E
C+	Promoting Suicide Attempt	
	(9A.36.060)	D+
D+	Coercion (9A.36.070)	E
C+	Custodial Assault (9A.36.100)	D+

**Burglary and Trespass**

B+	Burglary 1 (9A.52.020)	C+
B	Residential Burglary	
	(9A.52.025)	C
B	Burglary 2 (9A.52.030)	C

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

1		Counterfeit Substances	
2		(69.50.401(b)(1) (iii), (iv), (v))	C
3	C	Violation of Uniform Controlled	
4		Substances Act - Possession of a	
5		Controlled Substance	
6		(69.50.401(d))	C
7	C	Violation of Uniform Controlled	
8		Substances Act - Possession of a	
9		Controlled Substance	
10		(69.50.401(c))	C
11		<b>Firearms and Weapons</b>	
12	B	Theft of Firearm (9A.56.300)	C
13	B	Possession of Stolen Firearm	
14		(9A.56.310)	C
15	E	Carrying Loaded Pistol Without	
16		Permit (9.41.050)	E
17	C	Possession of Firearms by Minor (<18)	
18		(9.41.040(1)(b)(iii))	C
19	D+	Possession of Dangerous Weapon	
20		(9.41.250)	E
21	D	Intimidating Another Person by use	
22		of Weapon (9.41.270)	E
23		<b>Homicide</b>	
24	A+	Murder 1 (9A.32.030)	A
25	A+	Murder 2 (9A.32.050)	B+
26	B+	Manslaughter 1 (9A.32.060)	C+
27	C+	Manslaughter 2 (9A.32.070)	D+
28	B+	Vehicular Homicide (46.61.520)	C+
29		<b>Kidnapping</b>	
30	A	Kidnap 1 (9A.40.020)	B+
31	B+	Kidnap 2 (9A.40.030)	C+
32	C+	Unlawful Imprisonment	
33		(9A.40.040)	D+
34		<b>Obstructing Governmental Operation</b>	
35	D	Obstructing a Law Enforcement	
36		Officer (9A.76.020)	E
37	E	Resisting Arrest (9A.76.040)	E

1	B	Introducing Contraband 1	
2		(9A.76.140)	C
3	C	Introducing Contraband 2	
4		(9A.76.150)	D
5	E	Introducing Contraband 3	
6		(9A.76.160)	E
7	B+	Intimidating a Public Servant	
8		(9A.76.180)	C+
9	B+	Intimidating a Witness	
10		(9A.72.110)	C+
11		<b>Public Disturbance</b>	
12	C+	Riot with Weapon (9A.84.010)	D+
13	D+	Riot Without Weapon	
14		(9A.84.010)	E
15	E	Failure to Disperse (9A.84.020)	E
16	E	Disorderly Conduct (9A.84.030)	E
17		<b>Sex Crimes</b>	
18	A	Rape 1 (9A.44.040)	B+
19	A-	Rape 2 (9A.44.050)	B+
20	C+	Rape 3 (9A.44.060)	D+
21	A-	Rape of a Child 1 (9A.44.073)	B+
22	B+	Rape of a Child 2 (9A.44.076)	C+
23	B	Incest 1 (9A.64.020(1))	C
24	C	Incest 2 (9A.64.020(2))	D
25	D+	Indecent Exposure	
26		(Victim <14) (9A.88.010)	E
27	E	Indecent Exposure	
28		(Victim 14 or over) (9A.88.010)	E
29	B+	Promoting Prostitution 1	
30		(9A.88.070)	C+
31	C+	Promoting Prostitution 2	
32		(9A.88.080)	D+
33	E	O & A (Prostitution) (9A.88.030)	E
34	B+	Indecent Liberties (9A.44.100)	C+
35	A-	Child Molestation 1 (9A.44.083)	B+
36	B	Child Molestation 2 (9A.44.086)	C+

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

1	D	Driving While Under the Influence	
2		(46.61.502 and 46.61.504)	E
3		<b>Other</b>	
4	B	Bomb Threat (9.61.160)	C
5	C	Escape 1 (9A.76.110)	C
6	C	Escape 2 (9A.76.120)	C
7	D	Escape 3 (9A.76.130)	E
8	E	Obscene, Harassing, Etc.,	
9		Phone Calls (9.61.230)	E
10	A	Other Offense Equivalent to an	
11		Adult Class A Felony	B+
12	B	Other Offense Equivalent to an	
13		Adult Class B Felony	C
14	C	Other Offense Equivalent to an	
15		Adult Class C Felony	D
16	D	Other Offense Equivalent to an	
17		Adult Gross Misdemeanor	E
18	E	Other Offense Equivalent to an	
19		Adult Misdemeanor	E
20	V	Violation of Order of Restitution,	
21		Community Supervision, or	
22		Confinement (13.40.200)	V

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

25 1st escape or attempted escape during 12-month period - 4 weeks  
26 confinement

27 2nd escape or attempted escape during 12-month period - 8 weeks  
28 confinement

29 3rd and subsequent escape or attempted escape during 12-month  
30 period - 12 weeks confinement

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

33 **JUVENILE SENTENCING STANDARDS**

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

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

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Current Offense Category	0	1	2	3	4 or more
A+	180 WEEKS TO AGE 21 YEARS				
A	103 WEEKS TO 129 WEEKS				
A-	15-36 WEEKS	52-65 WEEKS	80-100 WEEKS	103-129 WEEKS	
	EXCEPT 30-40 WEEKS FOR 15-17 YEAR OLDS				
B+	15-36 WEEKS		52-65 WEEKS	80-100 WEEKS	103-129 WEEKS
B	LOCAL SANCTIONS (LS)		15-36 WEEKS		52-65 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

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(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).

**--- END ---**