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HOUSE BILL 1666

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State of Washington                      59th Legislature                      2005 Regular Session

By Representatives Shabro, Lovick, Roach, Ahern, Chase, McCune and Schindler

Read first time 02/01/2005.      Referred to Committee on Criminal Justice & Corrections.

1            AN ACT Relating to increasing penalties for manufacturing  
2 methamphetamine; amending RCW 69.50.401, 69.50.406, 69.50.415,  
3 9.94A.518, 9.94A.533, 9.94A.610, and 13.40.0357; and prescribing  
4 penalties.

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

6            **Sec. 1.** RCW 69.50.401 and 2003 c 53 s 331 are each amended to read  
7 as follows:

8            (1) Except as authorized by this chapter, it is unlawful for any  
9 person to manufacture, deliver, or possess with intent to manufacture  
10 or deliver, a controlled substance.

11            (2) Any person who violates this section with respect to:

12            (a) A controlled substance classified in Schedule I or II which is  
13 a narcotic drug or flunitrazepam classified in Schedule IV, is guilty  
14 of a class B felony and upon conviction may be imprisoned for not more  
15 than ten years, or (i) fined not more than twenty-five thousand dollars  
16 if the crime involved less than two kilograms of the drug, or both such  
17 imprisonment and fine; or (ii) if the crime involved two or more  
18 kilograms of the drug, then fined not more than one hundred thousand

1 dollars for the first two kilograms and not more than fifty dollars for  
2 each gram in excess of two kilograms, or both such imprisonment and  
3 fine;

4 (b) Amphetamine or delivery or possession with intent to deliver  
5 methamphetamine, is guilty of a class B felony and upon conviction may  
6 be imprisoned for not more than ten years, or (i) fined not more than  
7 twenty-five thousand dollars if the crime involved less than two  
8 kilograms of the drug, or both such imprisonment and fine; or (ii) if  
9 the crime involved two or more kilograms of the drug, then fined not  
10 more than one hundred thousand dollars for the first two kilograms and  
11 not more than fifty dollars for each gram in excess of two kilograms,  
12 or both such imprisonment and fine. Three thousand dollars of the fine  
13 may not be suspended. As collected, the first three thousand dollars  
14 of the fine must be deposited with the law enforcement agency having  
15 responsibility for cleanup of laboratories, sites, or substances used  
16 in the manufacture of the methamphetamine. The fine moneys deposited  
17 with that law enforcement agency must be used for such clean-up cost;

18 (c) Manufacture of methamphetamine, is guilty of a crime and upon  
19 conviction may be imprisoned for not more than twenty years, or (i)  
20 fined not more than twenty-five thousand dollars if the crime involved  
21 less than two kilograms of the drug, or both such imprisonment and  
22 fine; or (ii) if the crime involved two or more kilograms of the drug,  
23 then fined not more than one hundred thousand dollars for the first two  
24 kilograms and not more than fifty dollars for each gram in excess of  
25 two kilograms, or both such imprisonment and fine. Five thousand  
26 dollars of the fine may not be suspended. As collected, the first five  
27 thousand dollars of the fine must be deposited with the law enforcement  
28 agency having responsibility for cleanup of laboratories, sites, or  
29 substances used in the manufacture of the methamphetamine. The fine  
30 moneys deposited with that law enforcement agency must be used for such  
31 clean-up cost;

32 (d) Any other controlled substance classified in Schedule I, II, or  
33 III, is guilty of a class C felony punishable according to chapter  
34 9A.20 RCW;

35 ((+d)) (e) A substance classified in Schedule IV, except  
36 flunitrazepam, is guilty of a class C felony punishable according to  
37 chapter 9A.20 RCW; or



1 DRUG OFFENSES

2 INCLUDED WITHIN EACH

3 SERIOUSNESS LEVEL

- 4 III Any felony offense under chapter  
5 69.50 RCW with a deadly weapon  
6 special verdict under RCW  
7 9.94A.602  
8 Controlled Substance Homicide (RCW  
9 69.50.415)  
10 Delivery of imitation controlled  
11 substance by person eighteen or  
12 over to person under eighteen  
13 (RCW 69.52.030(2))  
14 Involving a minor in drug dealing  
15 (RCW 69.50.4015)  
16 Manufacture of methamphetamine  
17 (RCW 69.50.401(2)((b)) (c))  
18 Over 18 and deliver heroin,  
19 methamphetamine, a narcotic  
20 from Schedule I or II, or  
21 flunitrazepam from Schedule IV  
22 to someone under 18 (RCW  
23 69.50.406)  
24 Over 18 and deliver narcotic from  
25 Schedule III, IV, or V or a  
26 nonnarcotic, except flunitrazepam  
27 or methamphetamine, from  
28 Schedule I-V to someone under 18  
29 and 3 years junior (RCW  
30 69.50.406)

1 Possession of Ephedrine or any of its  
2 Salts or Isomers or Salts of  
3 Isomers, Pseudoephedrine or any  
4 of its Salts or Isomers or Salts of  
5 Isomers, ((~~or Anhydrous~~))  
6 Pressurized Ammonia Gas, or  
7 Pressurized Ammonia Gas  
8 Solution with intent to  
9 manufacture methamphetamine  
10 (RCW 69.50.440)  
11 Selling for profit (controlled or  
12 counterfeit) any controlled  
13 substance (RCW 69.50.410)  
14 II Create, deliver, or possess a counterfeit  
15 controlled substance (RCW  
16 69.50.4011)  
17 Deliver or possess with intent to  
18 deliver methamphetamine (RCW  
19 69.50.401(2)(b))  
20 Delivery of a material in lieu of a  
21 controlled substance (RCW  
22 69.50.4012)  
23 Maintaining a Dwelling or Place for  
24 Controlled Substances (RCW  
25 69.50.402(1)(f))  
26 Manufacture, deliver, or possess with  
27 intent to deliver amphetamine  
28 (RCW 69.50.401(2)(b))  
29 Manufacture, deliver, or possess with  
30 intent to deliver narcotics from  
31 Schedule I or II or flunitrazepam  
32 from Schedule IV (RCW  
33 69.50.401(2)(a))

1 Manufacture, deliver, or possess with  
2 intent to deliver narcotics from  
3 Schedule III, IV, or V or  
4 nonnarcotics from Schedule I-V  
5 (except marijuana, amphetamine,  
6 methamphetamines, or  
7 flunitrazepam) (RCW  
8 69.50.401(2) ~~((e))~~ (d) through  
9 ~~((e))~~ (f))

10 Manufacture, distribute, or possess  
11 with intent to distribute an  
12 imitation controlled substance  
13 (RCW 69.52.030(1))

14 I Forged Prescription (RCW 69.41.020)  
15 Forged Prescription for a Controlled  
16 Substance (RCW 69.50.403)

17 Manufacture, deliver, or possess with  
18 intent to deliver marijuana (RCW  
19 69.50.401(2) ~~((e))~~ (d))

20 Possess Controlled Substance that is a  
21 Narcotic from Schedule III, IV, or  
22 V or Nonnarcotic from Schedule  
23 I-V (RCW 69.50.4013)

24 Possession of Controlled Substance  
25 that is either heroin or narcotics  
26 from Schedule I or II (RCW  
27 69.50.4013)

28 Unlawful Use of Building for Drug  
29 Purposes (RCW 69.53.010)

30 **Sec. 5.** RCW 9.94A.533 and 2003 c 53 s 58 are each amended to read  
31 as follows:

32 (1) The provisions of this section apply to the standard sentence  
33 ranges determined by RCW 9.94A.510 or 9.94A.517.

34 (2) For persons convicted of the anticipatory offenses of criminal  
35 attempt, solicitation, or conspiracy under chapter 9A.28 RCW, the  
36 standard sentence range is determined by locating the sentencing grid

1 sentence range defined by the appropriate offender score and the  
2 seriousness level of the completed crime, and multiplying the range by  
3 seventy-five percent.

4 (3) The following additional times shall be added to the standard  
5 sentence range for felony crimes committed after July 23, 1995, if the  
6 offender or an accomplice was armed with a firearm as defined in RCW  
7 9.41.010 and the offender is being sentenced for one of the crimes  
8 listed in this subsection as eligible for any firearm enhancements  
9 based on the classification of the completed felony crime. If the  
10 offender is being sentenced for more than one offense, the firearm  
11 enhancement or enhancements must be added to the total period of  
12 confinement for all offenses, regardless of which underlying offense is  
13 subject to a firearm enhancement. If the offender or an accomplice was  
14 armed with a firearm as defined in RCW 9.41.010 and the offender is  
15 being sentenced for an anticipatory offense under chapter 9A.28 RCW to  
16 commit one of the crimes listed in this subsection as eligible for any  
17 firearm enhancements, the following additional times shall be added to  
18 the standard sentence range determined under subsection (2) of this  
19 section based on the felony crime of conviction as classified under RCW  
20 9A.28.020:

21 (a) Five years for any felony defined under any law as a class A  
22 felony or with a statutory maximum sentence of at least twenty years,  
23 or both, and not covered under (f) of this subsection;

24 (b) Three years for any felony defined under any law as a class B  
25 felony or with a statutory maximum sentence of ten years, or both, and  
26 not covered under (f) of this subsection;

27 (c) Eighteen months for any felony defined under any law as a class  
28 C felony or with a statutory maximum sentence of five years, or both,  
29 and not covered under (f) of this subsection;

30 (d) If the offender is being sentenced for any firearm enhancements  
31 under (a), (b), and/or (c) of this subsection and the offender has  
32 previously been sentenced for any deadly weapon enhancements after July  
33 23, 1995, under (a), (b), and/or (c) of this subsection or subsection  
34 (4)(a), (b), and/or (c) of this section, or both, all firearm  
35 enhancements under this subsection shall be twice the amount of the  
36 enhancement listed;

37 (e) Notwithstanding any other provision of law, all firearm  
38 enhancements under this section are mandatory, shall be served in total

1 confinement, and shall run consecutively to all other sentencing  
2 provisions, including other firearm or deadly weapon enhancements, for  
3 all offenses sentenced under this chapter. However, whether or not a  
4 mandatory minimum term has expired, an offender serving a sentence  
5 under this subsection may be granted an extraordinary medical placement  
6 when authorized under RCW 9.94A.728(4);

7 (f) The firearm enhancements in this section shall apply to all  
8 felony crimes except the following: Possession of a machine gun,  
9 possessing a stolen firearm, drive-by shooting, theft of a firearm,  
10 unlawful possession of a firearm in the first and second degree, and  
11 use of a machine gun in a felony;

12 (g) If the standard sentence range under this section exceeds the  
13 statutory maximum sentence for the offense, the statutory maximum  
14 sentence shall be the presumptive sentence unless the offender is a  
15 persistent offender. If the addition of a firearm enhancement  
16 increases the sentence so that it would exceed the statutory maximum  
17 for the offense, the portion of the sentence representing the  
18 enhancement may not be reduced.

19 (4) The following additional times shall be added to the standard  
20 sentence range for felony crimes committed after July 23, 1995, if the  
21 offender or an accomplice was armed with a deadly weapon other than a  
22 firearm as defined in RCW 9.41.010 and the offender is being sentenced  
23 for one of the crimes listed in this subsection as eligible for any  
24 deadly weapon enhancements based on the classification of the completed  
25 felony crime. If the offender is being sentenced for more than one  
26 offense, the deadly weapon enhancement or enhancements must be added to  
27 the total period of confinement for all offenses, regardless of which  
28 underlying offense is subject to a deadly weapon enhancement. If the  
29 offender or an accomplice was armed with a deadly weapon other than a  
30 firearm as defined in RCW 9.41.010 and the offender is being sentenced  
31 for an anticipatory offense under chapter 9A.28 RCW to commit one of  
32 the crimes listed in this subsection as eligible for any deadly weapon  
33 enhancements, the following additional times shall be added to the  
34 standard sentence range determined under subsection (2) of this section  
35 based on the felony crime of conviction as classified under RCW  
36 9A.28.020:

37 (a) Two years for any felony defined under any law as a class A

1 felony or with a statutory maximum sentence of at least twenty years,  
2 or both, and not covered under (f) of this subsection;

3 (b) One year for any felony defined under any law as a class B  
4 felony or with a statutory maximum sentence of ten years, or both, and  
5 not covered under (f) of this subsection;

6 (c) Six months for any felony defined under any law as a class C  
7 felony or with a statutory maximum sentence of five years, or both, and  
8 not covered under (f) of this subsection;

9 (d) If the offender is being sentenced under (a), (b), and/or (c)  
10 of this subsection for any deadly weapon enhancements and the offender  
11 has previously been sentenced for any deadly weapon enhancements after  
12 July 23, 1995, under (a), (b), and/or (c) of this subsection or  
13 subsection (3)(a), (b), and/or (c) of this section, or both, all deadly  
14 weapon enhancements under this subsection shall be twice the amount of  
15 the enhancement listed;

16 (e) Notwithstanding any other provision of law, all deadly weapon  
17 enhancements under this section are mandatory, shall be served in total  
18 confinement, and shall run consecutively to all other sentencing  
19 provisions, including other firearm or deadly weapon enhancements, for  
20 all offenses sentenced under this chapter. However, whether or not a  
21 mandatory minimum term has expired, an offender serving a sentence  
22 under this subsection may be granted an extraordinary medical placement  
23 when authorized under RCW 9.94A.728(4);

24 (f) The deadly weapon enhancements in this section shall apply to  
25 all felony crimes except the following: Possession of a machine gun,  
26 possessing a stolen firearm, drive-by shooting, theft of a firearm,  
27 unlawful possession of a firearm in the first and second degree, and  
28 use of a machine gun in a felony;

29 (g) If the standard sentence range under this section exceeds the  
30 statutory maximum sentence for the offense, the statutory maximum  
31 sentence shall be the presumptive sentence unless the offender is a  
32 persistent offender. If the addition of a deadly weapon enhancement  
33 increases the sentence so that it would exceed the statutory maximum  
34 for the offense, the portion of the sentence representing the  
35 enhancement may not be reduced.

36 (5) The following additional times shall be added to the standard  
37 sentence range if the offender or an accomplice committed the offense  
38 while in a county jail or state correctional facility and the offender

1 is being sentenced for one of the crimes listed in this subsection. If  
2 the offender or an accomplice committed one of the crimes listed in  
3 this subsection while in a county jail or state correctional facility,  
4 and the offender is being sentenced for an anticipatory offense under  
5 chapter 9A.28 RCW to commit one of the crimes listed in this  
6 subsection, the following additional times shall be added to the  
7 standard sentence range determined under subsection (2) of this  
8 section:

9 (a) Eighteen months for offenses committed under RCW 69.50.401(2)  
10 (a) ~~((e))~~, (b), or (c) or 69.50.410;

11 (b) Fifteen months for offenses committed under RCW 69.50.401(2)  
12 ~~((e))~~ (d), ~~((e))~~ (e), or (f);

13 (c) Twelve months for offenses committed under RCW 69.50.4013.

14 For the purposes of this subsection, all of the real property of a  
15 state correctional facility or county jail shall be deemed to be part  
16 of that facility or county jail.

17 (6) An additional twenty-four months shall be added to the standard  
18 sentence range for any ranked offense involving a violation of chapter  
19 69.50 RCW if the offense was also a violation of RCW 69.50.435 or  
20 9.94A.605.

21 (7) An additional two years shall be added to the standard sentence  
22 range for vehicular homicide committed while under the influence of  
23 intoxicating liquor or any drug as defined by RCW 46.61.502 for each  
24 prior offense as defined in RCW 46.61.5055.

25 **Sec. 6.** RCW 9.94A.610 and 2003 c 53 s 61 are each amended to read  
26 as follows:

27 (1) At the earliest possible date, and in no event later than ten  
28 days before release except in the event of escape or emergency  
29 furloughs as defined in RCW 72.66.010, the department of corrections  
30 shall send written notice of parole, community placement, work release  
31 placement, furlough, or escape about a specific inmate convicted of a  
32 serious drug offense to the following if such notice has been requested  
33 in writing about a specific inmate convicted of a serious drug offense:

34 (a) Any witnesses who testified against the inmate in any court  
35 proceedings involving the serious drug offense; and

36 (b) Any person specified in writing by the prosecuting attorney.  
37 Information regarding witnesses requesting the notice, information

1 regarding any other person specified in writing by the prosecuting  
 2 attorney to receive the notice, and the notice are confidential and  
 3 shall not be available to the inmate.

4 (2) If an inmate convicted of a serious drug offense escapes from  
 5 a correctional facility, the department of corrections shall  
 6 immediately notify, by the most reasonable and expedient means  
 7 available, the chief of police of the city and the sheriff of the  
 8 county in which the inmate resided immediately before the inmate's  
 9 arrest and conviction. If previously requested, the department shall  
 10 also notify the witnesses who are entitled to notice under this  
 11 section. If the inmate is recaptured, the department shall send notice  
 12 to the persons designated in this subsection as soon as possible but in  
 13 no event later than two working days after the department learns of  
 14 such recapture.

15 (3) If any witness is under the age of sixteen, the notice required  
 16 by this section shall be sent to the parents or legal guardian of the  
 17 child.

18 (4) The department of corrections shall send the notices required  
 19 by this section to the last address provided to the department by the  
 20 requesting party. The requesting party shall furnish the department  
 21 with a current address.

22 (5) For purposes of this section, "serious drug offense" means an  
 23 offense under RCW 69.50.401(2) (a) (~~(a)~~), (b), or (c) or 69.50.4011(2)  
 24 (a) or (b).

25 **Sec. 7.** RCW 13.40.0357 and 2004 c 117 s 1 are each amended to read  
 26 as follows:

**DESCRIPTION AND OFFENSE CATEGORY**

		JUVENILE DISPOSITION
JUVENILE		CATEGORY FOR
DISPOSITION		ATTEMPT, BAILJUMP,
OFFENSE		CONSPIRACY, OR
CATEGORY	DESCRIPTION (RCW CITATION)	SOLICITATION
.....		
<b>Arson and Malicious Mischief</b>		
A	Arson 1 (9A.48.020)	B+

1	B	Arson 2 (9A.48.030)	C
2	C	Reckless Burning 1 (9A.48.040)	D
3	D	Reckless Burning 2 (9A.48.050)	E
4	B	Malicious Mischief 1 (9A.48.070)	C
5	C	Malicious Mischief 2 (9A.48.080)	D
6	D	Malicious Mischief 3 (9A.48.090(2) (a)	
7		and (c))	E
8	E	Malicious Mischief 3 (9A.48.090(2)(b))	E
9	E	Tampering with Fire Alarm Apparatus	
10		(9.40.100)	E
11	E	Tampering with Fire Alarm Apparatus	
12		with Intent to Commit Arson (9.40.105)	E
13	A	Possession of Incendiary Device (9.40.120)	B+
14		<b>Assault and Other Crimes Involving</b>	
15		<b>Physical Harm</b>	
16	A	Assault 1 (9A.36.011)	B+
17	B+	Assault 2 (9A.36.021)	C+
18	C+	Assault 3 (9A.36.031)	D+
19	D+	Assault 4 (9A.36.041)	E
20	B+	Drive-By Shooting (9A.36.045)	C+
21	D+	Reckless Endangerment (9A.36.050)	E
22	C+	Promoting Suicide Attempt (9A.36.060)	D+
23	D+	Coercion (9A.36.070)	E
24	C+	Custodial Assault (9A.36.100)	D+
25		<b>Burglary and Trespass</b>	
26	B+	Burglary 1 (9A.52.020)	C+
27	B	Residential Burglary (9A.52.025)	C
28	B	Burglary 2 (9A.52.030)	C
29	D	Burglary Tools (Possession of) (9A.52.060)	E
30	D	Criminal Trespass 1 (9A.52.070)	E
31	E	Criminal Trespass 2 (9A.52.080)	E
32	C	Mineral Trespass (78.44.330)	C
33	C	Vehicle Prowling 1 (9A.52.095)	D
34	D	Vehicle Prowling 2 (9A.52.100)	E
35		<b>Drugs</b>	

1	E	Possession/Consumption of Alcohol	
2		(66.44.270)	E
3	C	Illegally Obtaining Legend Drug	
4		(69.41.020)	D
5	C+	Sale, Delivery, Possession of Legend Drug	
6		with Intent to Sell (69.41.030(2)(a))	D+
7	E	Possession of Legend Drug	
8		(69.41.030(2)(b))	E
9	B+	Violation of Uniform Controlled	
10		Substances Act - Narcotic,	
11		Methamphetamine, or Flunitrazepam Sale	
12		(69.50.401(2) (a) <del>((e))</del> , (b), or (c))	B+
13	C	Violation of Uniform Controlled	
14		Substances Act - Nonnarcotic Sale	
15		(69.50.401(2) <del>((e))</del> (d))	C
16	E	Possession of Marihuana <40 grams	
17		(69.50.4014)	E
18	C	Fraudulently Obtaining Controlled	
19		Substance (69.50.403)	C
20	C+	Sale of Controlled Substance for Profit	
21		(69.50.410)	C+
22	E	Unlawful Inhalation (9.47A.020)	E
23	B	Violation of Uniform Controlled	
24		Substances Act - Narcotic,	
25		Methamphetamine, or Flunitrazepam	
26		Counterfeit Substances (69.50.4011(2) (a)	
27		or (b))	B
28	C	Violation of Uniform Controlled	
29		Substances Act - Nonnarcotic Counterfeit	
30		Substances (69.50.4011(2) (c), (d), or (e))	C
31	C	Violation of Uniform Controlled	
32		Substances Act - Possession of a Controlled	
33		Substance (69.50.4013)	C
34	C	Violation of Uniform Controlled	
35		Substances Act - Possession of a Controlled	
36		Substance (69.50.4012)	C

37 **Firearms and Weapons**

1	B	Theft of Firearm (9A.56.300)	C
2	B	Possession of Stolen Firearm (9A.56.310)	C
3	E	Carrying Loaded Pistol Without Permit	
4		(9.41.050)	E
5	C	Possession of Firearms by Minor (<18)	
6		(9.41.040(2)(a)(iii))	C
7	D+	Possession of Dangerous Weapon	
8		(9.41.250)	E
9	D	Intimidating Another Person by use of	
10		Weapon (9.41.270)	E
11		<b>Homicide</b>	
12	A+	Murder 1 (9A.32.030)	A
13	A+	Murder 2 (9A.32.050)	B+
14	B+	Manslaughter 1 (9A.32.060)	C+
15	C+	Manslaughter 2 (9A.32.070)	D+
16	B+	Vehicular Homicide (46.61.520)	C+
17		<b>Kidnapping</b>	
18	A	Kidnap 1 (9A.40.020)	B+
19	B+	Kidnap 2 (9A.40.030)	C+
20	C+	Unlawful Imprisonment (9A.40.040)	D+
21		<b>Obstructing Governmental Operation</b>	
22	D	Obstructing a Law Enforcement Officer	
23		(9A.76.020)	E
24	E	Resisting Arrest (9A.76.040)	E
25	B	Introducing Contraband 1 (9A.76.140)	C
26	C	Introducing Contraband 2 (9A.76.150)	D
27	E	Introducing Contraband 3 (9A.76.160)	E
28	B+	Intimidating a Public Servant (9A.76.180)	C+
29	B+	Intimidating a Witness (9A.72.110)	C+
30		<b>Public Disturbance</b>	
31	C+	Riot with Weapon (9A.84.010(2)(b))	D+
32	D+	Riot Without Weapon (9A.84.010(2)(a))	E
33	E	Failure to Disperse (9A.84.020)	E
34	E	Disorderly Conduct (9A.84.030)	E
35		<b>Sex Crimes</b>	
36	A	Rape 1 (9A.44.040)	B+

1	A-	Rape 2 (9A.44.050)	B+
2	C+	Rape 3 (9A.44.060)	D+
3	A-	Rape of a Child 1 (9A.44.073)	B+
4	B+	Rape of a Child 2 (9A.44.076)	C+
5	B	Incest 1 (9A.64.020(1))	C
6	C	Incest 2 (9A.64.020(2))	D
7	D+	Indecent Exposure (Victim <14)	
8		(9A.88.010)	E
9	E	Indecent Exposure (Victim 14 or over)	
10		(9A.88.010)	E
11	B+	Promoting Prostitution 1 (9A.88.070)	C+
12	C+	Promoting Prostitution 2 (9A.88.080)	D+
13	E	O & A (Prostitution) (9A.88.030)	E
14	B+	Indecent Liberties (9A.44.100)	C+
15	A-	Child Molestation 1 (9A.44.083)	B+
16	B	Child Molestation 2 (9A.44.086)	C+
17		<b>Theft, Robbery, Extortion, and Forgery</b>	
18	B	Theft 1 (9A.56.030)	C
19	C	Theft 2 (9A.56.040)	D
20	D	Theft 3 (9A.56.050)	E
21	B	Theft of Livestock 1 and 2 (9A.56.080 and	
22		9A.56.083)	C
23	C	Forgery (9A.60.020)	D
24	A	Robbery 1 (9A.56.200)	B+
25	B+	Robbery 2 (9A.56.210)	C+
26	B+	Extortion 1 (9A.56.120)	C+
27	C+	Extortion 2 (9A.56.130)	D+
28	C	Identity Theft 1 (9.35.020(2))	D
29	D	Identity Theft 2 (9.35.020(3))	E
30	D	Improperly Obtaining Financial	
31		Information (9.35.010)	E
32	B	Possession of Stolen Property 1	
33		(9A.56.150)	C
34	C	Possession of Stolen Property 2	
35		(9A.56.160)	D
36	D	Possession of Stolen Property 3	
37		(9A.56.170)	E

1	C	Taking Motor Vehicle Without Permission	
2		1 and 2 (9A.56.070 and 9A.56.075)	D
3		<b>Motor Vehicle Related Crimes</b>	
4	E	Driving Without a License (46.20.005)	E
5	B+	Hit and Run - Death (46.52.020(4)(a))	C+
6	C	Hit and Run - Injury (46.52.020(4)(b))	D
7	D	Hit and Run-Attended (46.52.020(5))	E
8	E	Hit and Run-Unattended (46.52.010)	E
9	C	Vehicular Assault (46.61.522)	D
10	C	Attempting to Elude Pursuing Police	
11		Vehicle (46.61.024)	D
12	E	Reckless Driving (46.61.500)	E
13	D	Driving While Under the Influence	
14		(46.61.502 and 46.61.504)	E
15		<b>Other</b>	
16	B	Animal Cruelty 1 (16.52.205)	C
17	B	Bomb Threat (9.61.160)	C
18	C	Escape 1 <sup>1</sup> (9A.76.110)	C
19	C	Escape 2 <sup>1</sup> (9A.76.120)	C
20	D	Escape 3 (9A.76.130)	E
21	E	Obscene, Harassing, Etc., Phone Calls	
22		(9.61.230)	E
23	A	Other Offense Equivalent to an Adult Class	
24		A Felony	B+
25	B	Other Offense Equivalent to an Adult Class	
26		B Felony	C
27	C	Other Offense Equivalent to an Adult Class	
28		C Felony	D
29	D	Other Offense Equivalent to an Adult	
30		Gross Misdemeanor	E
31	E	Other Offense Equivalent to an Adult	
32		Misdemeanor	E
33	V	Violation of Order of Restitution,	
34		Community Supervision, or Confinement	
35		(13.40.200) <sup>2</sup>	V

36 <sup>1</sup>Escape 1 and 2 and Attempted Escape 1 and 2 are classed as C offenses  
37 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 <sup>2</sup>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 **JUVENILE SENTENCING STANDARDS**

10 This schedule must be used for juvenile offenders. The court may  
11 select sentencing option A, B, C, D, or RCW 13.40.167.

12 **OPTION A**  
13 **JUVENILE OFFENDER SENTENCING GRID**  
14 **STANDARD RANGE**

15 A+ 180 WEEKS TO AGE 21 YEARS

16  
17 A 103 WEEKS TO 129 WEEKS

18 A-	15-36	52-65	80-100	103-129
	WEEKS	WEEKS	WEEKS	WEEKS
	EXCEPT			
	30-40			
	WEEKS FOR			
	15-17			
	YEAR OLDS			

26	Current	B+	15-36	52-65	80-100	103-129
27	Offense		WEEKS	WEEKS	WEEKS	WEEKS

28 Category

29	B	LOCAL				52-65
30		SANCTIONS (LS)		15-36 WEEKS		WEEKS

31	C+	LS				
32					15-36 WEEKS	

33	C	LS				15-36 WEEKS
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34 Local Sanctions:  
35 0 to 30 Days



1 (2) If the offender fails to comply with the suspended disposition,  
2 the court may impose sanctions pursuant to RCW 13.40.200 or may revoke  
3 the suspended disposition and order the disposition's execution.

4 (3) An offender is ineligible for the suspended disposition option  
5 under this section if the offender is:

6 (a) Adjudicated of an A+ offense;

7 (b) Fourteen years of age or older and is adjudicated of one or  
8 more of the following offenses:

9 (i) A class A offense, or an attempt, conspiracy, or solicitation  
10 to commit a class A offense;

11 (ii) Manslaughter in the first degree (RCW 9A.32.060); or

12 (iii) Assault in the second degree (RCW 9A.36.021), extortion in  
13 the first degree (RCW 9A.56.120), kidnapping in the second degree (RCW  
14 9A.40.030), robbery in the second degree (RCW 9A.56.210), residential  
15 burglary (RCW 9A.52.025), burglary in the second degree (RCW  
16 9A.52.030), drive-by shooting (RCW 9A.36.045), vehicular homicide (RCW  
17 46.61.520), hit and run death (RCW 46.52.020(4)(a)), intimidating a  
18 witness (RCW 9A.72.110), violation of the uniform controlled substances  
19 act (RCW 69.50.401 (2)(a) and (b)), or manslaughter 2 (RCW 9A.32.070),  
20 when the offense includes infliction of bodily harm upon another or  
21 when during the commission or immediate withdrawal from the offense the  
22 respondent was armed with a deadly weapon;

23 (c) Ordered to serve a disposition for a firearm violation under  
24 RCW 13.40.193; or

25 (d) Adjudicated of a sex offense as defined in RCW 9.94A.030.

26 **OR**

27 **OPTION C**

28 **CHEMICAL DEPENDENCY DISPOSITION ALTERNATIVE**

29 If the juvenile offender is subject to a standard range disposition  
30 of local sanctions or 15 to 36 weeks of confinement and has not  
31 committed an A- or B+ offense, the court may impose a disposition  
32 under RCW 13.40.160(4) and 13.40.165.

33 **OR**

34 **OPTION D**

35 **MANIFEST INJUSTICE**

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

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