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HOUSE BILL 2371

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State of Washington

56th Legislature

2000 Regular Session

By Representatives Lovick, Ballasiotes, O'Brien, Kenney, Dunshee, Tokuda, Rockefeller, Reardon, Stensen, Conway, Regala, Edwards, Thomas, Ruderman, Hurst and Scott

Read first time 01/11/2000. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to mail theft and destruction; amending RCW  
2 13.40.0357; reenacting and amending RCW 9.94A.320; adding a new chapter  
3 to Title 9A RCW; prescribing penalties; and providing an effective  
4 date.

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

6 NEW SECTION. **Sec. 1.** The definitions in this section apply  
7 throughout this chapter unless the context clearly requires otherwise.

8 (1) "Authorized depository" means a mailbox, post office box, or  
9 rural box used by postal customers to deposit outgoing mail or used by  
10 the postal service to deliver incoming mail.

11 (2) "Letter box" means a receptacle that is used for a specific  
12 address intended or used for the receipt or delivery of mail on a mail  
13 route.

14 (3)(a) "Mail" means a letter, card, parcel, or other material that:

15 (i) Is sent or delivered by means of the postal service;

16 (ii) Has postage affixed by the postal customer or postal service;

17 and

18 (iii) Is placed in an authorized depository or mail receptacle.

19 (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 1999 c 352 s 3, 1999 c 322 s 5, and 1999  
20 c 45 s 4 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 ((88.12.029))  
30 79A.60.050)  
31 Inciting Criminal Profiteering (RCW  
32 9A.82.060(1)(b))  
33 Malicious placement of an explosive 2 (RCW  
34 70.74.270(2))

1 Over 18 and deliver narcotic from Schedule  
2 III, IV, or V or a nonnarcotic, except  
3 flunitrazepam or methamphetamine, from  
4 Schedule I-V to someone under 18 and 3  
5 years junior (RCW 69.50.406)  
6 Robbery 1 (RCW 9A.56.200)  
7 Sexual Exploitation (RCW 9.68A.040)  
8 Vehicular Homicide, by being under the  
9 influence of intoxicating liquor or  
10 any drug (RCW 46.61.520)

11 VIII Arson 1 (RCW 9A.48.020)  
12 Deliver or possess with intent to deliver  
13 m e t h a m p h e t a m i n e ( R C W  
14 69.50.401(a)(1)(ii))  
15 Homicide by Watercraft, by the operation of  
16 any vessel in a reckless manner (RCW  
17 ((~~88.12.029~~)) 79A.60.050)  
18 Manslaughter 2 (RCW 9A.32.070)  
19 Manufacture, deliver, or possess with  
20 intent to deliver amphetamine (RCW  
21 69.50.401(a)(1)(ii))  
22 Manufacture, deliver, or possess with  
23 intent to deliver heroin or cocaine  
24 (RCW 69.50.401(a)(1)(i))  
25 Possession of ephedrine or pseudoephedrine  
26 with intent to manufacture  
27 methamphetamine (RCW 69.50.440)  
28 Promoting Prostitution 1 (RCW 9A.88.070)  
29 Selling for profit (controlled or  
30 counterfeit) any controlled substance  
31 (RCW 69.50.410)  
32 Vehicular Homicide, by the operation of any  
33 vehicle in a reckless manner (RCW  
34 46.61.520)

1 VII Burglary 1 (RCW 9A.52.020)  
 2 Child Molestation 2 (RCW 9A.44.086)  
 3 Dealing in depictions of minor engaged in  
 4 sexually explicit conduct (RCW  
 5 9.68A.050)  
 6 Drive-by Shooting (RCW 9A.36.045)  
 7 Homicide by Watercraft, by disregard for  
 8 the safety of others (RCW  
 9 ((88.12.029)) 79A.60.050)  
 10 Indecent Liberties (without forcible  
 11 compulsion) (RCW 9A.44.100(1) (b) and  
 12 (c))  
 13 Introducing Contraband 1 (RCW 9A.76.140)  
 14 Involving a minor in drug dealing (RCW  
 15 69.50.401(f))  
 16 Malicious placement of an explosive 3 (RCW  
 17 70.74.270(3))  
 18 Sending, bringing into state depictions of  
 19 minor engaged in sexually explicit  
 20 conduct (RCW 9.68A.060)  
 21 Unlawful Possession of a Firearm in the  
 22 first degree (RCW 9.41.040(1)(a))  
 23 Use of a Machine Gun in Commission of a  
 24 Felony (RCW 9.41.225)  
 25 Vehicular Homicide, by disregard for the  
 26 safety of others (RCW 46.61.520)

27 VI Bail Jumping with Murder 1 (RCW  
 28 9A.76.170(2)(a))  
 29 Bribery (RCW 9A.68.010)  
 30 Incest 1 (RCW 9A.64.020(1))  
 31 Intimidating a Judge (RCW 9A.72.160)  
 32 Intimidating a Juror/Witness (RCW  
 33 9A.72.110, 9A.72.130)  
 34 Malicious placement of an imitation device  
 35 2 (RCW 70.74.272(1)(b))  
 36 Manufacture, deliver, or possess with  
 37 intent to deliver narcotics from  
 38 Schedule I or II (except heroin or

1 cocaine) or flunitrazepam from  
2 Schedule IV (RCW 69.50.401(a)(1)(i))  
3 Rape of a Child 3 (RCW 9A.44.079)  
4 Theft of a Firearm (RCW 9A.56.300)

5 V Abandonment of dependent person 1 (RCW  
6 9A.42.060)

7 Advancing money or property for  
8 extortionate extension of credit (RCW  
9 9A.82.030)

10 Bail Jumping with class A Felony (RCW  
11 9A.76.170(2)(b))

12 Child Molestation 3 (RCW 9A.44.089)

13 Criminal Mistreatment 1 (RCW 9A.42.020)

14 Custodial Sexual Misconduct 1 (RCW  
15 9A.44.160)

16 Delivery of imitation controlled substance  
17 by person eighteen or over to person  
18 under eighteen (RCW 69.52.030(2))

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 On and after July 1, 2000: No-Contact  
27 Order Violation: Domestic Violence  
28 Pretrial Condition (RCW 10.99.040(4)  
29 (b) and (c))

30 On and after July 1, 2000: No-Contact  
31 Order Violation: Domestic Violence  
32 Sentence Condition (RCW 10.99.050(2))

33 On and after July 1, 2000: Protection  
34 Order Violation: Domestic Violence  
35 Civil Action (RCW 26.50.110 (4) and  
36 (5))

37 On and after July 1, 2000: Stalking (RCW  
38 9A.46.110)

39 Perjury 1 (RCW 9A.72.020)

1 Persistent prison misbehavior (RCW  
2 9.94.070)  
3 Possession of a Stolen Firearm (RCW  
4 9A.56.310)  
5 Rape 3 (RCW 9A.44.060)  
6 Rendering Criminal Assistance 1 (RCW  
7 9A.76.070)  
8 Sexual Misconduct with a Minor 1 (RCW  
9 9A.44.093)  
10 Sexually Violating Human Remains (RCW  
11 9A.44.105)  
12 IV Arson 2 (RCW 9A.48.030)  
13 Assault 2 (RCW 9A.36.021)  
14 Assault by Watercraft (RCW ((~~88.12.032~~))  
15 79A.60.060)  
16 Bribing a Witness/Bribe Received by Witness  
17 (RCW 9A.72.090, 9A.72.100)  
18 Commercial Bribery (RCW 9A.68.060)  
19 Counterfeiting (RCW 9.16.035(4))  
20 Escape 1 (RCW 9A.76.110)  
21 Hit and Run--Injury Accident (RCW  
22 46.52.020(4))  
23 Hit and Run with Vessel--Injury Accident  
24 (RCW ((~~88.12.155(3)~~)) 79A.60.200(3))  
25 Indecent Exposure to Person Under Age  
26 Fourteen (subsequent sex offense) (RCW  
27 9A.88.010)  
28 Influencing Outcome of Sporting Event (RCW  
29 9A.82.070)  
30 Knowingly Trafficking in Stolen Property  
31 (RCW 9A.82.050(2))

1 Malicious Harassment (RCW 9A.36.080)  
2 Manufacture, deliver, or possess with  
3 intent to deliver narcotics from  
4 Schedule III, IV, or V or nonnarcotics  
5 from Schedule I-V (except marijuana,  
6 amphetamine, methamphetamines, or  
7 flunitrazepam) (RCW 69.50.401(a)(1)  
8 (iii) through (v))  
9 Residential Burglary (RCW 9A.52.025)  
10 Robbery 2 (RCW 9A.56.210)  
11 Theft of Livestock 1 (RCW 9A.56.080)  
12 Threats to Bomb (RCW 9.61.160)  
13 Use of Proceeds of Criminal Profiteering  
14 (RCW 9A.82.080 (1) and (2))  
15 Vehicular Assault (RCW 46.61.522)  
16 Willful Failure to Return from Furlough  
17 (RCW 72.66.060)

18 III Abandonment of dependent person 2 (RCW  
19 9A.42.070)  
20 Assault 3 (RCW 9A.36.031)  
21 Assault of a Child 3 (RCW 9A.36.140)  
22 Bail Jumping with class B or C Felony (RCW  
23 9A.76.170(2)(c))  
24 Burglary 2 (RCW 9A.52.030)  
25 Communication with a Minor for Immoral  
26 Purposes (RCW 9.68A.090)  
27 Criminal Gang Intimidation (RCW 9A.46.120)  
28 Criminal Mistreatment 2 (RCW 9A.42.030)  
29 Custodial Assault (RCW 9A.36.100)  
30 Delivery of a material in lieu of a  
31 controlled substance (RCW  
32 69.50.401(c))  
33 Escape 2 (RCW 9A.76.120)  
34 Extortion 2 (RCW 9A.56.130)  
35 Harassment (RCW 9A.46.020)  
36 Intimidating a Public Servant (RCW  
37 9A.76.180)  
38 Introducing Contraband 2 (RCW 9A.76.150)

1 Maintaining a Dwelling or Place for  
2 Controlled Substances (RCW  
3 69.50.402(a)(6))  
4 Malicious Injury to Railroad Property (RCW  
5 81.60.070)  
6 Manufacture, deliver, or possess with  
7 intent to deliver marijuana (RCW  
8 69.50.401(a)(1)(iii))  
9 Manufacture, distribute, or possess with  
10 intent to distribute an imitation  
11 controlled substance (RCW  
12 69.52.030(1))  
13 Patronizing a Juvenile Prostitute (RCW  
14 9.68A.100)  
15 Perjury 2 (RCW 9A.72.030)  
16 Possession of Incendiary Device (RCW  
17 9.40.120)  
18 Possession of Machine Gun or Short-Barreled  
19 Shotgun or Rifle (RCW 9.41.190)  
20 Promoting Prostitution 2 (RCW 9A.88.080)  
21 Recklessly Trafficking in Stolen Property  
22 (RCW 9A.82.050(1))  
23 Securities Act violation (RCW 21.20.400)  
24 Tampering with a Witness (RCW 9A.72.120)  
25 Telephone Harassment (subsequent conviction  
26 or threat of death) (RCW 9.61.230)  
27 Theft of Livestock 2 (RCW 9A.56.080)  
28 Unlawful Imprisonment (RCW 9A.40.040)  
29 Unlawful possession of firearm in the  
30 second degree (RCW 9.41.040(1)(b))  
31 Unlawful Use of Building for Drug Purposes  
32 (RCW 69.53.010)  
33 Willful Failure to Return from Work Release  
34 (RCW 72.65.070)

1       II       Computer Trespass 1 (RCW 9A.52.110)  
2       Counterfeiting (RCW 9.16.035(3))  
3       Create, deliver, or possess a counterfeit  
4               controlled substance (RCW  
5               69.50.401(b))  
6       Escape from Community Custody (RCW  
7               72.09.310)  
8       Health Care False Claims (RCW 48.80.030)  
9       Mail Theft or Receipt of Stolen Mail  
10               (section 5 of this act)  
11       Malicious Mischief 1 (RCW 9A.48.070)  
12       Possession of controlled substance that is  
13               either heroin or narcotics from  
14               Schedule I or II or flunitrazepam from  
15               Schedule IV (RCW 69.50.401(d))  
16       Possession of phencyclidine (PCP) (RCW  
17               69.50.401(d))  
18       Possession of Stolen Property 1 (RCW  
19               9A.56.150)  
20       Theft 1 (RCW 9A.56.030)  
21       Theft of Rental, Leased, or Lease-purchased  
22               Property (valued at one thousand five  
23               hundred dollars or more) (RCW  
24               9A.56.096(4))  
25       Trafficking in Insurance Claims (RCW  
26               48.30A.015)  
27       Unlawful Practice of Law (RCW 2.48.180)  
28       Unlicensed Practice of a Profession or  
29               Business (RCW 18.130.190(7))  
30       I       Attempting to Elude a Pursuing Police  
31               Vehicle (RCW 46.61.024)  
32       Destruction of Mail (section 4 of this act)  
33       False Verification for Welfare (RCW  
34               74.08.055)  
35       Forged Prescription (RCW 69.41.020)  
36       Forged Prescription for a Controlled  
37               Substance (RCW 69.50.403)  
38       Forgery (RCW 9A.60.020)  
39       Malicious Mischief 2 (RCW 9A.48.080)

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 Possession of Stolen Property 2 (RCW  
 7 9A.56.160)  
 8 Reckless Burning 1 (RCW 9A.48.040)  
 9 Taking Motor Vehicle Without Permission  
 10 (RCW 9A.56.070)  
 11 Theft 2 (RCW 9A.56.040)  
 12 Theft of Rental, Leased, or Lease-purchased  
 13 Property (valued at two hundred fifty  
 14 dollars or more but less than one  
 15 thousand five hundred dollars) (RCW  
 16 9A.56.096(4))  
 17 Unlawful Issuance of Checks or Drafts (RCW  
 18 9A.56.060)  
 19 Unlawful Use of Food Stamps (RCW 9.91.140  
 20 (2) and (3))  
 21 Vehicle Prowl 1 (RCW 9A.52.095)

22 **Sec. 9.** RCW 13.40.0357 and 1998 c 290 s 5 are each amended to read  
 23 as follows:

24 **DESCRIPTION AND OFFENSE CATEGORY**

25	JUVENILE	JUVENILE DISPOSITION	
26	DISPOSITION	CATEGORY FOR ATTEMPT,	
27	OFFENSE	BAILJUMP, CONSPIRACY,	
28	CATEGORY	DESCRIPTION (RCW CITATION)	OR SOLICITATION
29	.....		

30 **Arson and Malicious Mischief**

31	A	Arson 1 (9A.48.020)	B+
32	B	Arson 2 (9A.48.030)	C
33	C	Reckless Burning 1 (9A.48.040)	D
34	D	Reckless Burning 2 (9A.48.050)	E
35	B	Malicious Mischief 1 (9A.48.070)	C
36	C	Malicious Mischief 2 (9A.48.080)	D

1	D	Malicious Mischief 3 (<\$50 is	
2		E class) (9A.48.090)	E
3	E	Tampering with Fire Alarm	
4		Apparatus (9.40.100)	E
5	A	Possession of Incendiary Device	
6		(9.40.120)	B+
7		<b>Assault and Other Crimes</b>	
8		<b>Involving Physical Harm</b>	
9	A	Assault 1 (9A.36.011)	B+
10	B+	Assault 2 (9A.36.021)	C+
11	C+	Assault 3 (9A.36.031)	D+
12	D+	Assault 4 (9A.36.041)	E
13	B+	Drive-By Shooting	
14		(9A.36.045)	C+
15	D+	Reckless Endangerment	
16		(9A.36.050)	E
17	C+	Promoting Suicide Attempt	
18		(9A.36.060)	D+
19	D+	Coercion (9A.36.070)	E
20	C+	Custodial Assault (9A.36.100)	D+
21		<b>Burglary and Trespass</b>	
22	B+	Burglary 1 (9A.52.020)	C+
23	B	Residential Burglary	
24		(9A.52.025)	C
25	B	Burglary 2 (9A.52.030)	C
26	D	Burglary Tools (Possession of)	
27		(9A.52.060)	E
28	D	Criminal Trespass 1 (9A.52.070)	E
29	E	Criminal Trespass 2 (9A.52.080)	E
30	C	Vehicle Prowling 1 (9A.52.095)	D
31	D	Vehicle Prowling 2 (9A.52.100)	E
32		<b>Drugs</b>	
33	E	Possession/Consumption of Alcohol	
34		(66.44.270)	E
35	C	Illegally Obtaining Legend Drug	
36		(69.41.020)	D

1	C+	Sale, Delivery, Possession of Legend	
2		Drug with Intent to Sell	
3		(69.41.030)	D+
4	E	Possession of Legend Drug	
5		(69.41.030)	E
6	B+	Violation of Uniform Controlled	
7		Substances Act - Narcotic,	
8		Methamphetamine, or Flunitrazepam	
9		Sale (69.50.401(a)(1) (i) or (ii))	B+
10	C	Violation of Uniform Controlled	
11		Substances Act - Nonnarcotic Sale	
12		(69.50.401(a)(1)(iii))	C
13	E	Possession of Marihuana <40 grams	
14		(69.50.401(e))	E
15	C	Fraudulently Obtaining Controlled	
16		Substance (69.50.403)	C
17	C+	Sale of Controlled Substance	
18		for Profit (69.50.410)	C+
19	E	Unlawful Inhalation (9.47A.020)	E
20	B	Violation of Uniform Controlled	
21		Substances Act - Narcotic,	
22		Methamphetamine, or Flunitrazepam	
23		Counterfeit Substances	
24		(69.50.401(b)(1) (i) or (ii))	B
25	C	Violation of Uniform Controlled	
26		Substances Act - Nonnarcotic	
27		Counterfeit Substances	
28		(69.50.401(b)(1) (iii), (iv), (v))	C
29	C	Violation of Uniform Controlled	
30		Substances Act - Possession of a	
31		Controlled Substance	
32		(69.50.401(d))	C
33	C	Violation of Uniform Controlled	
34		Substances Act - Possession of a	
35		Controlled Substance	
36		(69.50.401(c))	C
37		<b>Firearms and Weapons</b>	
38	B	Theft of Firearm (9A.56.300)	C

1	B	Possession of Stolen Firearm	
2		(9A.56.310)	C
3	E	Carrying Loaded Pistol Without	
4		Permit (9.41.050)	E
5	C	Possession of Firearms by Minor (<18)	
6		(9.41.040(1)(b)(iii))	C
7	D+	Possession of Dangerous Weapon	
8		(9.41.250)	E
9	D	Intimidating Another Person by use	
10		of 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	
21		(9A.40.040)	D+
22		<b>Obstructing Governmental Operation</b>	
23	D	Obstructing a Law Enforcement	
24		Officer (9A.76.020)	E
25	E	Resisting Arrest (9A.76.040)	E
26	B	Introducing Contraband 1	
27		(9A.76.140)	C
28	C	Introducing Contraband 2	
29		(9A.76.150)	D
30	E	Introducing Contraband 3	
31		(9A.76.160)	E
32	B+	Intimidating a Public Servant	
33		(9A.76.180)	C+
34	B+	Intimidating a Witness	
35		(9A.72.110)	C+
36		<b>Public Disturbance</b>	
37	C+	Riot with Weapon (9A.84.010)	D+

1	D+	Riot Without Weapon	
2		(9A.84.010)	E
3	E	Failure to Disperse (9A.84.020)	E
4	E	Disorderly Conduct (9A.84.030)	E
5		<b>Sex Crimes</b>	
6	A	Rape 1 (9A.44.040)	B+
7	A-	Rape 2 (9A.44.050)	B+
8	C+	Rape 3 (9A.44.060)	D+
9	A-	Rape of a Child 1 (9A.44.073)	B+
10	B+	Rape of a Child 2 (9A.44.076)	C+
11	B	Incest 1 (9A.64.020(1))	C
12	C	Incest 2 (9A.64.020(2))	D
13	D+	Indecent Exposure	
14		(Victim <14) (9A.88.010)	E
15	E	Indecent Exposure	
16		(Victim 14 or over) (9A.88.010)	E
17	B+	Promoting Prostitution 1	
18		(9A.88.070)	C+
19	C+	Promoting Prostitution 2	
20		(9A.88.080)	D+
21	E	O & A (Prostitution) (9A.88.030)	E
22	B+	Indecent Liberties (9A.44.100)	C+
23	A-	Child Molestation 1 (9A.44.083)	B+
24	B	Child Molestation 2 (9A.44.086)	C+
25		<b>Theft, Robbery, Extortion, and Forgery</b>	
26	B	Theft 1 (9A.56.030)	C
27	C	Theft 2 (9A.56.040)	D
28	D	Theft 3 (9A.56.050)	E
29	B	Theft of Livestock (9A.56.080)	C
30	C	Forgery (9A.60.020)	D
31	A	Robbery 1 (9A.56.200)	B+
32	B+	Robbery 2 (9A.56.210)	C+
33	B+	Extortion 1 (9A.56.120)	C+
34	C+	Extortion 2 (9A.56.130)	D+
35	<u>C</u>	<u>Mail Theft or Receipt of Stolen</u>	
36		<u>Mail (section 5 of this act)</u>	<u>D</u>
37	<u>D</u>	<u>Destruction of Mail (section 4</u>	
38		<u>of this act)</u>	<u>E</u>

1	B	Possession of Stolen Property 1	
2		(9A.56.150)	C
3	C	Possession of Stolen Property 2	
4		(9A.56.160)	D
5	D	Possession of Stolen Property 3	
6		(9A.56.170)	E
7	C	Taking Motor Vehicle Without	
8		Owner's Permission (9A.56.070)	D
9		<b>Motor Vehicle Related Crimes</b>	
10	E	Driving Without a License	
11		(46.20.005)	E
12	C	Hit and Run - Injury	
13		(46.52.020(4))	D
14	D	Hit and Run-Attended	
15		(46.52.020(5))	E
16	E	Hit and Run-Unattended	
17		(46.52.010)	E
18	C	Vehicular Assault (46.61.522)	D
19	C	Attempting to Elude Pursuing	
20		Police Vehicle (46.61.024)	D
21	E	Reckless Driving (46.61.500)	E
22	D	Driving While Under the Influence	
23		(46.61.502 and 46.61.504)	E
24		<b>Other</b>	
25	B	Bomb Threat (9.61.160)	C
26	C	Escape 1 (9A.76.110)	C
27	C	Escape 2 (9A.76.120)	C
28	D	Escape 3 (9A.76.130)	E
29	E	Obscene, Harassing, Etc.,	
30		Phone Calls (9.61.230)	E
31	A	Other Offense Equivalent to an	
32		Adult Class A Felony	B+
33	B	Other Offense Equivalent to an	
34		Adult Class B Felony	C
35	C	Other Offense Equivalent to an	
36		Adult Class C Felony	D
37	D	Other Offense Equivalent to an	
38		Adult Gross Misdemeanor	E

1	E	Other Offense Equivalent to an	
2		Adult Misdemeanor	E
3	V	Violation of Order of Restitution,	
4		Community Supervision, or	
5		Confinement {13.40.200)	V

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

8 1st escape or attempted escape during 12-month period - 4 weeks  
9 confinement

10 2nd escape or attempted escape during 12-month period - 8 weeks  
11 confinement

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

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

16 **JUVENILE SENTENCING STANDARDS**

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

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

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Current Offense Category	15-36 WEEKS	52-65 WEEKS	80-100 WEEKS	103-129 WEEKS	
A+	180 WEEKS TO AGE 21 YEARS				
A	103 WEEKS TO 129 WEEKS				
A-	15-36 WEEKS EXCEPT 30-40 WEEKS FOR 15-17 YEAR OLDS	52-65 WEEKS	80-100 WEEKS	103-129 WEEKS	
B+	15-36 WEEKS	52-65 WEEKS	80-100 WEEKS	103-129 WEEKS	
B	LOCAL SANCTIONS (LS)	15-36 WEEKS	52-65 WEEKS	103-129 WEEKS	
C+	LS	15-36 WEEKS	52-65 WEEKS	103-129 WEEKS	
C	LS	Local Sanctions: 0 to 30 Days	15-36 WEEKS	103-129 WEEKS	
D+	LS	0 to 12 Months Community Supervision 0 to 150 Hours Community Service	15-36 WEEKS	103-129 WEEKS	
D	LS	\$0 to \$500 Fine	15-36 WEEKS	103-129 WEEKS	
E	LS		15-36 WEEKS	103-129 WEEKS	
	0	1	2	3	4 or more
	PRIOR ADJUDICATIONS				

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 disposition  
15 of local sanctions or 15 to 36 weeks of confinement and has not  
16 committed an A- or B+ offense, the court may impose a disposition under  
17 RCW 13.40.160(~~(+5)~~) (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).

24 NEW SECTION. **Sec. 10.** This act takes effect July 1, 2000, and  
25 applies to new crimes committed on or after July 1, 2000.

--- END ---