
SENATE BILL 6467

State of Washington 60th Legislature 2008 Regular Session

By Senators Roach, Kline, Rasmussen, Hobbs, Benton, Delvin, McCaslin,
and Carrell

Read first time 01/16/08. 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.515; 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.515 and 2007 c 368 s 14 and 2007 c 199 s 10 are
20 each reenacted and amended to read as follows:

21

22 TABLE 2

23 CRIMES INCLUDED WITHIN

24 EACH SERIOUSNESS LEVEL

25	XVI	Aggravated Murder 1 (RCW
26		10.95.020)
27	XV	Homicide by abuse (RCW 9A.32.055)
28		Malicious explosion 1 (RCW
29		70.74.280(1))
30		Murder 1 (RCW 9A.32.030)
31	XIV	Murder 2 (RCW 9A.32.050)
32		Trafficking 1 (RCW 9A.40.100(1))

1 XIII Malicious explosion 2 (RCW
2 70.74.280(2))
3 Malicious placement of an explosive 1
4 (RCW 70.74.270(1))
5 XII Assault 1 (RCW 9A.36.011)
6 Assault of a Child 1 (RCW 9A.36.120)
7 Malicious placement of an imitation
8 device 1 (RCW 70.74.272(1)(a))
9 Rape 1 (RCW 9A.44.040)
10 Rape of a Child 1 (RCW 9A.44.073)
11 Trafficking 2 (RCW 9A.40.100(2))
12 XI Manslaughter 1 (RCW 9A.32.060)
13 Rape 2 (RCW 9A.44.050)
14 Rape of a Child 2 (RCW 9A.44.076)
15 X Child Molestation 1 (RCW 9A.44.083)
16 Indecent Liberties (with forcible
17 compulsion) (RCW
18 9A.44.100(1)(a))
19 Kidnapping 1 (RCW 9A.40.020)
20 Leading Organized Crime (RCW
21 9A.82.060(1)(a))
22 Malicious explosion 3 (RCW
23 70.74.280(3))
24 Sexually Violent Predator Escape
25 (RCW 9A.76.115)
26 IX Abandonment of Dependent Person 1
27 (RCW 9A.42.060)
28 Assault of a Child 2 (RCW 9A.36.130)
29 Criminal Mistreatment 1 (RCW
30 9A.42.020)
31 Explosive devices prohibited (RCW
32 70.74.180)
33 Hit and Run--Death (RCW
34 46.52.020(4)(a))

1 Homicide by Watercraft, by being
2 under the influence of intoxicating
3 liquor or any drug (RCW
4 79A.60.050)
5 Inciting Criminal Profiteering (RCW
6 9A.82.060(1)(b))
7 Malicious placement of an explosive 2
8 (RCW 70.74.270(2))
9 Robbery 1 (RCW 9A.56.200)
10 Sexual Exploitation (RCW 9.68A.040)
11 Vehicular Homicide, by being under
12 the influence of intoxicating liquor
13 or any drug (RCW 46.61.520)
14 VIII Arson 1 (RCW 9A.48.020)
15 Homicide by Watercraft, by the
16 operation of any vessel in a
17 reckless manner (RCW
18 79A.60.050)
19 Manslaughter 2 (RCW 9A.32.070)
20 Promoting Commercial Sexual Abuse
21 of a Minor (RCW 9.68A.101)
22 Promoting Prostitution 1 (RCW
23 9A.88.070)
24 Theft of Ammonia (RCW 69.55.010)
25 Vehicular Homicide, by the operation
26 of any vehicle in a reckless manner
27 (RCW 46.61.520)
28 VII Burglary 1 (RCW 9A.52.020)
29 Child Molestation 2 (RCW 9A.44.086)
30 Civil Disorder Training (RCW
31 9A.48.120)
32 Dealing in depictions of minor engaged
33 in sexually explicit conduct (RCW
34 9.68A.050)
35 Drive-by Shooting (RCW 9A.36.045)

1 Homicide by Watercraft, by disregard
2 for the safety of others (RCW
3 79A.60.050)
4 Indecent Liberties (without forcible
5 compulsion) (RCW 9A.44.100(1)
6 (b) and (c))
7 Introducing Contraband 1 (RCW
8 9A.76.140)
9 Malicious placement of an explosive 3
10 (RCW 70.74.270(3))
11 Negligently Causing Death By Use of a
12 Signal Preemption Device (RCW
13 46.37.675)
14 Sending, bringing into state depictions
15 of minor engaged in sexually
16 explicit conduct (RCW 9.68A.060)
17 Unlawful Possession of a Firearm in
18 the first degree (RCW 9.41.040(1))
19 Use of a Machine Gun in Commission
20 of a Felony (RCW 9.41.225)
21 Vehicular Homicide, by disregard for
22 the safety of others (RCW
23 46.61.520)
24 VI Bail Jumping with Murder 1 (RCW
25 9A.76.170(3)(a))
26 Bribery (RCW 9A.68.010)
27 Incest 1 (RCW 9A.64.020(1))
28 Intimidating a Judge (RCW 9A.72.160)
29 Intimidating a Juror/Witness (RCW
30 9A.72.110, 9A.72.130)
31 Malicious placement of an imitation
32 device 2 (RCW 70.74.272(1)(b))
33 Possession of Depictions of a Minor
34 Engaged in Sexually Explicit
35 Conduct (RCW 9.68A.070)
36 Rape of a Child 3 (RCW 9A.44.079)
37 Theft of a Firearm (RCW 9A.56.300)

1 Unlawful Storage of Ammonia (RCW
2 69.55.020)
3 V Abandonment of Dependent Person 2
4 (RCW 9A.42.070)
5 Advancing money or property for
6 extortionate extension of credit
7 (RCW 9A.82.030)
8 Bail Jumping with class A Felony
9 (RCW 9A.76.170(3)(b))
10 Child Molestation 3 (RCW 9A.44.089)
11 Criminal Mistreatment 2 (RCW
12 9A.42.030)
13 Custodial Sexual Misconduct 1 (RCW
14 9A.44.160)
15 Domestic Violence Court Order
16 Violation (RCW 10.99.040,
17 10.99.050, 26.09.300, 26.10.220,
18 26.26.138, 26.50.110, 26.52.070,
19 or 74.34.145)
20 Driving While Under the Influence
21 (RCW 46.61.502(6))
22 Extortion 1 (RCW 9A.56.120)
23 Extortionate Extension of Credit (RCW
24 9A.82.020)
25 Extortionate Means to Collect
26 Extensions of Credit (RCW
27 9A.82.040)
28 Incest 2 (RCW 9A.64.020(2))
29 Kidnapping 2 (RCW 9A.40.030)
30 Perjury 1 (RCW 9A.72.020)
31 Persistent prison misbehavior (RCW
32 9.94.070)
33 Physical Control of a Vehicle While
34 Under the Influence (RCW
35 46.61.504(6))
36 Possession of a Stolen Firearm (RCW
37 9A.56.310)

1 Rape 3 (RCW 9A.44.060)
2 Rendering Criminal Assistance 1
3 (RCW 9A.76.070)
4 Sexual Misconduct with a Minor 1
5 (RCW 9A.44.093)
6 Sexually Violating Human Remains
7 (RCW 9A.44.105)
8 Stalking (RCW 9A.46.110)
9 Taking Motor Vehicle Without
10 Permission 1 (RCW 9A.56.070)
11 IV Arson 2 (RCW 9A.48.030)
12 Assault 2 (RCW 9A.36.021)
13 Assault 3 (of a Peace Officer with a
14 Projectile Stun Gun) (RCW
15 9A.36.031(1)(h))
16 Assault by Watercraft (RCW
17 79A.60.060)
18 Bribing a Witness/Bribe Received by
19 Witness (RCW 9A.72.090,
20 9A.72.100)
21 Cheating 1 (RCW 9A.46.1961)
22 Commercial Bribery (RCW 9A.68.060)
23 Counterfeiting (RCW 9A.16.035(4))
24 Endangerment with a Controlled
25 Substance (RCW 9A.42.100)
26 Escape 1 (RCW 9A.76.110)
27 Hit and Run--Injury (RCW
28 46.52.020(4)(b))
29 Hit and Run with Vessel--Injury
30 Accident (RCW 79A.60.200(3))
31 Identity Theft 1 (RCW 9A.35.020(2))
32 Indecent Exposure to Person Under
33 Age Fourteen (subsequent sex
34 offense) (RCW 9A.88.010)
35 Influencing Outcome of Sporting Event
36 (RCW 9A.82.070)

1 Malicious Harassment (RCW
2 9A.36.080)
3 Residential Burglary (RCW
4 9A.52.025)
5 Robbery 2 (RCW 9A.56.210)
6 Theft of Livestock 1 (RCW 9A.56.080)
7 Threats to Bomb (RCW 9.61.160)
8 Trafficking in Stolen Property 1 (RCW
9 9A.82.050)
10 Unlawful factoring of a credit card or
11 payment card transaction (RCW
12 9A.56.290(4)(b))
13 Unlawful transaction of health
14 coverage as a health care service
15 contractor (RCW 48.44.016(3))
16 Unlawful transaction of health
17 coverage as a health maintenance
18 organization (RCW 48.46.033(3))
19 Unlawful transaction of insurance
20 business (RCW 48.15.023(3))
21 Unlicensed practice as an insurance
22 professional (RCW 48.17.063(3))
23 Use of Proceeds of Criminal
24 Profiteering (RCW 9A.82.080 (1)
25 and (2))
26 Vehicular Assault, by being under the
27 influence of intoxicating liquor or
28 any drug, or by the operation or
29 driving of a vehicle in a reckless
30 manner (RCW 46.61.522)
31 Willful Failure to Return from
32 Furlough (RCW 72.66.060)
33 III Animal Cruelty 1 (Sexual Conduct or
34 Contact) (RCW 16.52.205(3))

1 Assault 3 (Except Assault 3 of a Peace
2 Officer With a Projectile Stun
3 Gun) (RCW 9A.36.031 except
4 subsection (1)(h))
5 Assault of a Child 3 (RCW 9A.36.140)
6 Bail Jumping with class B or C Felony
7 (RCW 9A.76.170(3)(c))
8 Burglary 2 (RCW 9A.52.030)
9 Commercial Sexual Abuse of a Minor
10 (RCW 9.68A.100)
11 Communication with a Minor for
12 Immoral Purposes (RCW
13 9.68A.090)
14 Criminal Gang Intimidation (RCW
15 9A.46.120)
16 Custodial Assault (RCW 9A.36.100)
17 Cyberstalking (subsequent conviction
18 or threat of death) (RCW
19 9.61.260(3))
20 Escape 2 (RCW 9A.76.120)
21 Extortion 2 (RCW 9A.56.130)
22 Harassment (RCW 9A.46.020)
23 Intimidating a Public Servant (RCW
24 9A.76.180)
25 Introducing Contraband 2 (RCW
26 9A.76.150)
27 Malicious Injury to Railroad Property
28 (RCW 81.60.070)
29 Negligently Causing Substantial Bodily
30 Harm By Use of a Signal
31 Preemption Device (RCW
32 46.37.674)
33 Organized Retail Theft 1 (RCW
34 9A.56.350(2))
35 Perjury 2 (RCW 9A.72.030)
36 Possession of Incendiary Device (RCW
37 9.40.120)

1 Possession of Machine Gun or Short-
2 Barreled Shotgun or Rifle (RCW
3 9.41.190)
4 Promoting Prostitution 2 (RCW
5 9A.88.080)
6 Retail Theft with Extenuating
7 Circumstances 1 (RCW
8 9A.56.360(2))
9 Securities Act violation (RCW
10 21.20.400)
11 Tampering with a Witness (RCW
12 9A.72.120)
13 Telephone Harassment (subsequent
14 conviction or threat of death)
15 (RCW 9.61.230(2))
16 Theft of Livestock 2 (RCW 9A.56.083)
17 Theft with the Intent to Resell 1 (RCW
18 9A.56.340(2))
19 Trafficking in Stolen Property 2 (RCW
20 9A.82.055)
21 Unlawful Imprisonment (RCW
22 9A.40.040)
23 Unlawful possession of firearm in the
24 second degree (RCW 9.41.040(2))
25 Vehicular Assault, by the operation or
26 driving of a vehicle with disregard
27 for the safety of others (RCW
28 46.61.522)
29 Willful Failure to Return from Work
30 Release (RCW 72.65.070)
31 II Computer Trespass 1 (RCW
32 9A.52.110)
33 Counterfeiting (RCW 9.16.035(3))
34 Escape from Community Custody
35 (RCW 72.09.310)

1 Failure to Register as a Sex Offender
2 (second or subsequent offense)
3 (RCW 9A.44.130(~~(40)~~)(11)(a))
4 Health Care False Claims (RCW
5 48.80.030)
6 Identity Theft 2 (RCW 9.35.020(3))
7 Improperly Obtaining Financial
8 Information (RCW 9.35.010)
9 Mail Theft or Receipt of Stolen Mail
10 (section 5 of this act)
11 Malicious Mischief 1 (RCW
12 9A.48.070)
13 Organized Retail Theft 2 (RCW
14 9A.56.350(3))
15 Possession of Stolen Property 1 (RCW
16 9A.56.150)
17 Possession of a Stolen Vehicle (RCW
18 9A.56.068)
19 Retail Theft with Extenuating
20 Circumstances 2 (RCW
21 9A.56.360(3))
22 Theft 1 (RCW 9A.56.030)
23 Theft of a Motor Vehicle (RCW
24 9A.56.065)
25 Theft of Rental, Leased, or Lease-
26 purchased Property (valued at one
27 thousand five hundred dollars or
28 more) (RCW 9A.56.096(5)(a))
29 Theft with the Intent to Resell 2 (RCW
30 9A.56.340(3))
31 Trafficking in Insurance Claims (RCW
32 48.30A.015)
33 Unlawful factoring of a credit card or
34 payment card transaction (RCW
35 9A.56.290(4)(a))
36 Unlawful Practice of Law (RCW
37 2.48.180)

1 Unlicensed Practice of a Profession or
2 Business (RCW 18.130.190(7))
3 Voyeurism (RCW 9A.44.115)
4 I Attempting to Elude a Pursuing Police
5 Vehicle (RCW 46.61.024)
6 Destruction of Mail (section 4 of this
7 act)
8 False Verification for Welfare (RCW
9 74.08.055)
10 Forgery (RCW 9A.60.020)
11 Fraudulent Creation or Revocation of a
12 Mental Health Advance Directive
13 (RCW 9A.60.060)
14 Malicious Mischief 2 (RCW
15 9A.48.080)
16 Mineral Trespass (RCW 78.44.330)
17 Possession of Stolen Property 2 (RCW
18 9A.56.160)
19 Reckless Burning 1 (RCW 9A.48.040)
20 Taking Motor Vehicle Without
21 Permission 2 (RCW 9A.56.075)
22 Theft 2 (RCW 9A.56.040)
23 Theft of Rental, Leased, or Lease-
24 purchased Property (valued at two
25 hundred fifty dollars or more but
26 less than one thousand five
27 hundred dollars) (RCW
28 9A.56.096(5)(b))
29 Transaction of insurance business
30 beyond the scope of licensure
31 (RCW 48.17.063(~~(4)~~))
32 Unlawful Issuance of Checks or Drafts
33 (RCW 9A.56.060)
34 Unlawful Possession of Fictitious
35 Identification (RCW 9A.56.320)
36 Unlawful Possession of Instruments of
37 Financial Fraud (RCW 9A.56.320)

1 Unlawful Possession of Payment
 2 Instruments (RCW 9A.56.320)
 3 Unlawful Possession of a Personal
 4 Identification Device (RCW
 5 9A.56.320)
 6 Unlawful Production of Payment
 7 Instruments (RCW 9A.56.320)
 8 Unlawful Trafficking in Food Stamps
 9 (RCW 9.91.142)
 10 Unlawful Use of Food Stamps (RCW
 11 9.91.144)
 12 Vehicle Prowl 1 (RCW 9A.52.095)

13 **Sec. 9.** RCW 13.40.0357 and 2007 c 199 s 11 are each amended to
 14 read as follows:
 15

16 **DESCRIPTION AND OFFENSE CATEGORY**

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

22

23 **Arson and Malicious Mischief**

24	A	Arson 1 (9A.48.020)	B+
25	B	Arson 2 (9A.48.030)	C
26	C	Reckless Burning 1 (9A.48.040)	D
27	D	Reckless Burning 2 (9A.48.050)	E
28	B	Malicious Mischief 1 (9A.48.070)	C
29	C	Malicious Mischief 2 (9A.48.080)	D
30	D	Malicious Mischief 3 (9A.48.090(2) (a) and	
31		(c))	E
32	E	Malicious Mischief 3 (9A.48.090(2)(b))	E
33	E	Tampering with Fire Alarm Apparatus	
34		(9.40.100)	E

1	E	Tampering with Fire Alarm Apparatus with	
2		Intent to Commit Arson (9.40.105)	E
3	A	Possession of Incendiary Device (9.40.120)	B+
4		Assault and Other Crimes Involving	
5		Physical Harm	
6	A	Assault 1 (9A.36.011)	B+
7	B+	Assault 2 (9A.36.021)	C+
8	C+	Assault 3 (9A.36.031)	D+
9	D+	Assault 4 (9A.36.041)	E
10	B+	Drive-By Shooting (9A.36.045)	C+
11	D+	Reckless Endangerment (9A.36.050)	E
12	C+	Promoting Suicide Attempt (9A.36.060)	D+
13	D+	Coercion (9A.36.070)	E
14	C+	Custodial Assault (9A.36.100)	D+
15		Burglary and Trespass	
16	B+	Burglary 1 (9A.52.020)	C+
17	B	Residential Burglary (9A.52.025)	C
18	B	Burglary 2 (9A.52.030)	C
19	D	Burglary Tools (Possession of) (9A.52.060)	E
20	D	Criminal Trespass 1 (9A.52.070)	E
21	E	Criminal Trespass 2 (9A.52.080)	E
22	C	Mineral Trespass (78.44.330)	C
23	C	Vehicle Prowling 1 (9A.52.095)	D
24	D	Vehicle Prowling 2 (9A.52.100)	E
25		Drugs	
26	E	Possession/Consumption of Alcohol	
27		(66.44.270)	E
28	C	Illegally Obtaining Legend Drug	
29		(69.41.020)	D
30	C+	Sale, Delivery, Possession of Legend Drug	
31		with Intent to Sell (69.41.030(2)(a))	D+
32	E	Possession of Legend Drug	
33		(69.41.030(2)(b))	E

1	B+	Violation of Uniform Controlled Substances	
2		Act - Narcotic, Methamphetamine, or	
3		Flunitrazepam Sale (69.50.401(2) (a) or	
4		(b))	B+
5	C	Violation of Uniform Controlled Substances	
6		Act - Nonnarcotic Sale (69.50.401(2)(c))	C
7	E	Possession of Marihuana <40 grams	
8		(69.50.4014)	E
9	C	Fraudulently Obtaining Controlled	
10		Substance (69.50.403)	C
11	C+	Sale of Controlled Substance for Profit	
12		(69.50.410)	C+
13	E	Unlawful Inhalation (9.47A.020)	E
14	B	Violation of Uniform Controlled Substances	
15		Act - Narcotic, Methamphetamine, or	
16		Flunitrazepam Counterfeit Substances	
17		(69.50.4011(2) (a) or (b))	B
18	C	Violation of Uniform Controlled Substances	
19		Act - Nonnarcotic Counterfeit Substances	
20		(69.50.4011(2) (c), (d), or (e))	C
21	C	Violation of Uniform Controlled Substances	
22		Act - Possession of a Controlled Substance	
23		(69.50.4013)	C
24	C	Violation of Uniform Controlled Substances	
25		Act - Possession of a Controlled Substance	
26		(69.50.4012)	C
27		Firearms and Weapons	
28	B	Theft of Firearm (9A.56.300)	C
29	B	Possession of Stolen Firearm (9A.56.310)	C
30	E	Carrying Loaded Pistol Without Permit	
31		(9.41.050)	E
32	C	Possession of Firearms by Minor (<18)	
33		(9.41.040(2)(a)(iii))	C
34	D+	Possession of Dangerous Weapon	
35		(9.41.250)	E
36	D	Intimidating Another Person by use of	
37		Weapon (9.41.270)	E

1		Homicide	
2	A+	Murder 1 (9A.32.030)	A
3	A+	Murder 2 (9A.32.050)	B+
4	B+	Manslaughter 1 (9A.32.060)	C+
5	C+	Manslaughter 2 (9A.32.070)	D+
6	B+	Vehicle Homicide (46.61.520)	C+
7		Kidnapping	
8	A	Kidnap 1 (9A.40.020)	B+
9	B+	Kidnap 2 (9A.40.030)	C+
10	C+	Unlawful Imprisonment (9A.40.040)	D+
11		Obstructing Governmental Operation	
12	D	Obstructing a Law Enforcement Officer	
13		(9A.76.020)	E
14	E	Resisting Arrest (9A.76.040)	E
15	B	Introducing Contraband 1 (9A.76.140)	C
16	C	Introducing Contraband 2 (9A.76.150)	D
17	E	Introducing Contraband 3 (9A.76.160)	E
18	B+	Intimidating a Public Servant (9A.76.180)	C+
19	B+	Intimidating a Witness (9A.72.110)	C+
20		Public Disturbance	
21	C+	Riot with Weapon (9A.84.010(2)(b))	D+
22	D+	Riot Without Weapon (9A.84.010(2)(a))	E
23	E	Failure to Disperse (9A.84.020)	E
24	E	Disorderly Conduct (9A.84.030)	E
25		Sex Crimes	
26	A	Rape 1 (9A.44.040)	B+
27	A-	Rape 2 (9A.44.050)	B+
28	C+	Rape 3 (9A.44.060)	D+
29	A-	Rape of a Child 1 (9A.44.073)	B+
30	B+	Rape of a Child 2 (9A.44.076)	C+
31	B	Incest 1 (9A.64.020(1))	C
32	C	Incest 2 (9A.64.020(2))	D
33	D+	Indecent Exposure (Victim <14)	
34		(9A.88.010)	E
35	E	Indecent Exposure (Victim 14 or over)	
36		(9A.88.010)	E

1	B+	Promoting Prostitution 1 (9A.88.070)	C+
2	C+	Promoting Prostitution 2 (9A.88.080)	D+
3	E	O & A (Prostitution) (9A.88.030)	E
4	B+	Indecent Liberties (9A.44.100)	C+
5	A-	Child Molestation 1 (9A.44.083)	B+
6	B	Child Molestation 2 (9A.44.086)	C+
7		Theft, Robbery, Extortion, and Forgery	
8	B	Theft 1 (9A.56.030)	C
9	C	Theft 2 (9A.56.040)	D
10	D	Theft 3 (9A.56.050)	E
11	B	Theft of Livestock 1 and 2 (9A.56.080 and	
12		9A.56.083)	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	C	Identity Theft 1 (9.35.020(2))	D
19	D	Identity Theft 2 (9.35.020(3))	E
20	D	Improperly Obtaining Financial Information	
21		(9.35.010)	E
22	<u>C</u>	<u>Mail Theft or Receipt of Stolen Mail</u>	
23		<u>(section 5 of this act)</u>	<u>D</u>
24	<u>D</u>	<u>Destruction of Mail (section 4 of this act)</u>	<u>E</u>
25	B	Possession of a Stolen Vehicle (9A.56.068)	C
26	B	Possession of Stolen Property 1	
27		(9A.56.150)	C
28	C	Possession of Stolen Property 2	
29		(9A.56.160)	D
30	D	Possession of Stolen Property 3	
31		(9A.56.170)	E
32	B	Taking Motor Vehicle Without Permission	
33		1 (9A.56.070)	C
34	C	Taking Motor Vehicle Without Permission	
35		2 (9A.56.075)	D
36	B	Theft of a Motor Vehicle (9A.56.065)	C
37		Motor Vehicle Related Crimes	

1	E	Driving Without a License (46.20.005)	E
2	B+	Hit and Run - Death (46.52.020(4)(a))	C+
3	C	Hit and Run - Injury (46.52.020(4)(b))	D
4	D	Hit and Run-Attended (46.52.020(5))	E
5	E	Hit and Run-Unattended (46.52.010)	E
6	C	Vehicular Assault (46.61.522)	D
7	C	Attempting to Elude Pursuing Police	
8		Vehicle (46.61.024)	D
9	E	Reckless Driving (46.61.500)	E
10	D	Driving While Under the Influence	
11		(46.61.502 and 46.61.504)	E
12	B+	Felony Driving While Under the Influence	
13		(46.61.502(6))	B
14	B+	Felony Physical Control of a Vehicle While	
15		Under the Influence (46.61.504(6))	B
16		Other	
17	B	Animal Cruelty 1 (16.52.205)	C
18	B	Bomb Threat (9.61.160)	C
19	C	Escape 1 ¹ (9A.76.110)	C
20	C	Escape 2 ¹ (9A.76.120)	C
21	D	Escape 3 (9A.76.130)	E
22	E	Obscene, Harassing, Etc., Phone Calls	
23		(9.61.230)	E
24	A	Other Offense Equivalent to an Adult Class	
25		A Felony	B+
26	B	Other Offense Equivalent to an Adult Class	
27		B Felony	C
28	C	Other Offense Equivalent to an Adult Class	
29		C Felony	D
30	D	Other Offense Equivalent to an Adult Gross	
31		Misdemeanor	E
32	E	Other Offense Equivalent to an Adult	
33		Misdemeanor	E
34	V	Violation of Order of Restitution,	
35		Community Supervision, or Confinement	
36		(13.40.200) ²	V

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

3 1st escape or attempted escape during 12-month period - 4 weeks
 4 confinement

5 2nd escape or attempted escape during 12-month period - 8 weeks
 6 confinement

7 3rd and subsequent escape or attempted escape during 12-month
 8 period - 12 weeks confinement

9 ²If the court finds that a respondent has violated terms of an order,
 10 it may impose a penalty of up to 30 days of confinement.

11 **JUVENILE SENTENCING STANDARDS**

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

14 **OPTION A**
 15 **JUVENILE OFFENDER SENTENCING GRID**
 16 **STANDARD RANGE**

17 A+ 180 WEEKS TO AGE 21 YEARS

18 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	B+	15-36	52-65	80-100	103-129
Offense		WEEKS	WEEKS	WEEKS	WEEKS

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

C+	LS		15-36 WEEKS
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C	LS		15-36 WEEKS
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1 Washington state institute for public policy or the joint legislative
2 audit and review committee.

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

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

8 (a) Adjudicated of an A+ offense;

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

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

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

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

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

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

28 **OR**

29 **OPTION C**

30 **CHEMICAL DEPENDENCY DISPOSITION ALTERNATIVE**

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

35 **OR**

36 **OPTION D**

37 **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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