



STATE OF WASHINGTON

# 2013 Washington State Adult Sentencing Guidelines Manual

**CASELOAD FORECAST COUNCIL**

**John C. Steiger, PhD  
Executive Director**

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We also acknowledge Judge Kessler for providing use of the Criminal Caselaw Notebook© for providing feedback and language suggestions. Hardcopies are no longer available, but electronic versions are available only from:

<https://itunes.apple.com/us/app/washington-state-legal-criminal/id688976162?mt=8> or

<http://www.caselawnotebook.com/> or

<https://play.google.com/store/apps/details?id=com.ksndeveloping.android.cln>

The Caseload Forecast Council also appreciates the suggestions for improvements and additions to the manual received from survey respondents. We always welcome suggestions for making the manual easier to use.

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# USE OF THIS MANUAL

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The Adult Sentencing Guidelines Manual provides comprehensive information for criminal justice practitioners, public officials and citizens on adult felony sentencing in the state of Washington. This manual offers specific guidance on how to determine the appropriate standard sentence range for an offense by identifying the seriousness level of the offense and by “scoring” the offender’s criminal history. This manual also addresses: reviews, modifications and discharges of sentences, as well as vacating conviction records. As an aid to judges, prosecutors, defense attorneys and other criminal justice professionals, this manual also includes forms for use in “scoring” an offender’s criminal history.

Adult felony sentencing in Washington is governed by the Sentencing Reform Act (SRA) of 1981, RCW Chapter 9.94A, as amended. This manual includes a digest of recent appellate and Supreme Court decisions interpreting and affecting the meaning of the SRA excerpted from the Criminal Caselaw Notebook (© Judge Ronald Kessler, King County Superior Court, LSP Publishers, P.O. Box 15538, Seattle, WA 98115-0538, [lsppubl@comcast.net](mailto:lsppubl@comcast.net). Used with permission).

Persons interested in a comprehensive legal analysis of the SRA are advised to read *Sentencing in Washington*, by David Boerner (Butterworth Legal Publishers) and the 2011-2012 supplement to *Washington Practice Volume 13A: Criminal Law*, by Seth Aaron Fine (West Publishing Co.).

This edition of the manual has been updated to reflect amendments to the SRA enacted during the 2013 Legislative session. Earlier editions of this manual should be retained for reference on offenses committed prior to the effective dates of the recently enacted legislation.

Copies of the FY1987 through FY2012 Adult Sentencing Guidelines Manuals and supplements are available electronically on the Council’s website at:

**<http://www.cfc.wa.gov>**

Bound copies of the 2012 manual are available through the web site as well.

Comments or suggestions related to this manual should be directed to:

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# INTRODUCTION

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Adult offenders who committed felonies on or after July 1, 1984, are subject to the provisions of the Sentencing Reform Act of 1981, as amended (SRA). The goal of Washington's sentencing system, which is based on a determinate sentencing model and eliminates parole and probation, is to ensure that offenders who commit similar crimes and have similar criminal histories receive equivalent sentences. The enabling legislation, RCW Section 9.94A *et seq.*, contains guidelines and procedures used by courts to impose sentences that apply equally to offenders in all parts of the state, without discrimination as to any element that does not relate to the crime or to a defendant's previous criminal record. The SRA guides judicial discretion by providing presumptive sentencing ranges for the courts to follow. The ranges are structured so that offenses involving greater harm to a victim and to society result in greater punishment. Sentences that depart from the standard presumptive ranges must be based upon substantial and compelling reasons and may be appealed by either the prosecutor or the defendant.

The Sentencing Guidelines Commission (Commission) developed the initial guidelines and continues to advise the Legislature on necessary adjustments. The Commission is composed of twenty voting members; sixteen appointed by the Governor. Those sixteen appointed members include: four Superior Court judges; two defense attorneys; two elected county prosecutors; four citizens (one of whom is a victim of crime or a crime victims' advocate); one juvenile court administrator; one elected city official; one elected county official; and the chief of a local law enforcement agency. Four voting members serve in an *ex-officio* capacity to their state positions: the Secretary of the Department of Corrections; the Director of the Office of Financial Management; the Assistant Secretary of the Department of Social and Health Services' Juvenile Rehabilitation Administration; and the Chair of the Indeterminate Sentence Review Board. The Speaker of the House of Representatives and the President of the Senate each appoint two nonvoting members from their respective chamber, one from each of the two largest caucuses in each body.

The SRA mandated that the Sentencing Guidelines Commission develop and maintain computerized databases of adult felony and juvenile dispositions, produce annual updates to adult and juvenile sentencing manuals, and conduct research related to adult and juvenile sentencing. In addition, the Commission has traditionally assessed the prison and jail impacts of proposed sentencing policy changes as part of the state's "fiscal note" process.

The state legislature, in ESSB 5891 passed during the 2011 legislative session, transferred responsibility for the sentencing databases, sentencing manuals, research on sentencing and analysis of policy impacts from the Commission to the Caseload Forecast Council (Council), effective August 24, 2011.

In order to carry out its mandate, the Council will continue to rely upon the cooperation and assistance of the superior court clerks of all thirty-nine counties in the state. The clerks transmit copies of Judgment and Sentence forms issued in all adult felony convictions to the Caseload Forecast Council. The Council staff extracts data from the forms relating to the crime, the offender, the sentencing judge, the sentence, and alternatives to incarceration, where applicable, and enters the information into a computerized database. Using this database the Council produces and distributes descriptive reports on actual sentences and analyzes the effects of changes in the law on prison and jail populations.

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The Council database is also the source of information used in preparation of annual statistical summaries of sentencing practices and other reports and studies related to felony sentencing in the state. Please direct questions about the sentencing manuals, databases and sentencing research to the Council office.

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## SECTION 1 - FELONY OFFENSES AFFECTED BY 2013 SESSION LAW

RCW	RCW Title	Effective Date	Law Reference	Summary	Bill Number
RCW 9A.44.060	Rape in the third degree	7/28/2013	c. 94	Removes statutory exemption that prohibited a victim's spouse from being convicted of rape in the third degree.	HB 1108
RCW 9A.44.100	Indecent liberties	7/28/2013	c. 94	Removes statutory exemption that prohibited a victim's spouse from being convicted of indecent liberties.	HB 1108
RCW 69.41.030	Sale, delivery, or possession of legend drug without prescription or order prohibited	7/28/2013	c. 71	Statutory references are clarified to specify that licensed pharmacists may prescribe legend drugs to the extent allowed by a collaborative drug therapy agreement authorized by the Board of Pharmacy and approved by a practitioner authorized to prescribe drugs.	HB 1182
RCW 69.04.933	Food fish and shellfish labeling	7/28/2013	c. 290	Amends elements in the definition of the crime of unlawful misbranding of food fish or shellfish.  The crime is punishable as a misdemeanor, gross misdemeanor, or felony depending on the fair market value of the misbranded food fish or shellfish.	SHB 1200
RCW 69.04.934	Salmon labeling — Identification as farm-raised or commercially caught — Exceptions — Penalty	7/28/2013	c. 290	Amends elements in the definition of the crime of unlawful misbranding of food fish or shellfish.  The crime is punishable as a misdemeanor, gross misdemeanor, or felony depending on the fair market value of the misbranded food fish or shellfish.	SHB 1200

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RCW 69.04.938	Misbranding of food fish or shellfish – penalties	7/28/2013	c. 290	The degree of the crime is determined by the fair market value of the misbranded food fish or shellfish.  Defines the crime of unlawful misbranding of food fish or shellfish 1° as a class C felony.	SHB 1200
RCW 9.94A.515	Crimes included within each seriousness level	9/28/2013	c. 290	Adds to seriousness level III offenses the crime of unlawful misbranding of food fish or shellfish 1°.	SHB 1200
RCW 77.15.670	Suspension of department privileges	7/28/2013	c. 102	Revises penalties imposed upon persons convicted of suspension violation in the first or second degree that are based on child-support suspensions.  Revised penalties:  •1° - The WDFW must suspend all hunting and fishing privileges for a period of four years.  •2° - The WDFW must suspend all hunting and fishing privileges for a period of two years.	HB 1218
RCW 9A.88.120 9A.88.140	Additional fee assessment	7/28/2013	c. 121	Amends provisions for assessed fees for commercial sexual abuse of a minor, promoting commercial sexual abuse of a minor, and promoting travel for commercial sexual abuse of a minor.	ESHB 1291
RCW 30.04.240	Trust business to be kept separate — Authorized deposit of securities	7/28/2013	c. 76	Amends the definition of entity engaged in a trust business from corporation to person.	ESHB 1325
RCW 4.100	Wrongly convicted persons	7/28/2013	c. 175	Persons wrongly convicted of a felony in superior court and imprisoned as a result may bring a civil suit against the state for money damages and other compensation.	ESHB 1341

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RCW 9A.040.080	Limitation of actions	7/28/2013	c. 17	Revises the statute of limitations for specified sex offenses to the victim's 30 <sup>th</sup> birthday if the victim was under age 18 when the offense was committed.	SHB 1352
RCW 9.94A.535	Departures from the guidelines	7/28/2013	c. 84	Certain stalking offenses are added to the list of statutory aggravators that provide a basis for exceeding the standard sentencing range.	ESHB 1383
RCW 9A.46.110	Stalking	7/28/2013	c. 84	Changes are made to the felony stalking provisions and corresponding sentences. Felony stalking is reclassified from a class C felony to a class B felony.  Court employees, court clerks, and courthouse facilitators are added to the list of persons of whom stalking constitutes a felony.	ESHB 1383
RCW 87.03.490	Local improvement districts	7/28/2013	c. 177	Eliminates class B felony for creating a bond with a facsimile signature with the intent to defraud.	2SHB 1416
RCW 19.290.100	Scrap metal license - penalties	7/1/2014	c. 322	Establishes crime of scrap processing, recycling, or supplying without a license (second or subsequent offense) as a class C felony, seriousness level II.	ESHB 1552
RCW 19.290.230	Seizure and forfeiture	7/28/2013	c. 322	Establishes procedures/rules for seizure of property.	ESHB 1552
RCW 9.94A.515	Crimes included within each seriousness level	9/28/2013	c. 322	Adds to seriousness level II offenses the crime of scrap processing, recycling, or supplying without a license (second or subsequent offense).	ESHB 1552
RCW 9A.56.030	Theft in the first degree	7/28/2013	c. 322	Broadens definition of first degree theft to include theft from private parties in addition to public utilities.	ESHB 1552
RCW 9A.56.040	Theft in the second degree	7/28/2013	c. 322	Broadens definition of second degree theft to include theft from private parties in addition to public utilities.	ESHB 1552

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RCW 9.41.010	Terms defined	7/28/2013	c. 183	Defines “felony firearm offender” for purposes of being added to the WSP “felony firearm conviction database.”	SHB 1612
RCW 9.94A.500	Sentencing hearing	7/1/2014	c. 200	Clarifies that mental health <u>records</u> , as well as mental health information, may be protected from disclosure during a sentencing hearing.	ESHB 1679
RCW 9A.76.140	Introducing contraband 1°	7/28/2013	c. 43	Expands definition of offense to include a “secure facility under chapter 71.09 RCW.”	SHB 1836
RCW 9A.76.150	Introducing contraband 2°	7/28/2013	c. 43	Expands definition of offense to include a “secure facility under chapter 71.09 RCW.”	SHB 1836
RCW 9A.76.160	Introducing contraband 3°	7/28/2013	c. 43	Expands definition of offense to include a “secure facility under chapter 71.09 RCW.”	SHB 1836
RCW 82.38.270	Violations - penalties	7/1/2015	c. 225	Expands definition of unlawful acts related to dyed fuel constituting a class C felony and those constituting a gross misdemeanor.	SHB 1883
RCW 82.42.020	Aircraft fuel tax imposed	7/1/2015	c. 225	Removes felony and gross misdemeanor related to the collection of the aircraft fuel tax.	SHB 1883
RCW 82.42.085	Violations - penalties	7/1/2015	c. 225	Establishes penalties related to evading the collection of the aircraft fuel tax.  Penalties range from gross misdemeanor to class C felony, depending on the number of violations and subsection violated.	SHB 1883
RCW 9.94A.515	Crimes included within each seriousness level	1/1/2014	c. 153	Changes at seriousness level III the crime of retail theft with extenuating circumstances to retail theft with special circumstances 1°.	SSB 5022
RCW 9.94A.515	Crimes included within each seriousness level	1/1/2014	c. 153	Changes at seriousness level II the crime of retail theft with extenuating circumstances to retail theft with special circumstances 2°.	SSB 5022

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RCW 9A.56.360	Retail theft with special circumstances	1/1/2014	c. 153	The crime of retail theft with extenuating circumstances is changed to retail theft with special circumstances.	SSB 5022
RCW 9.94A.515	Crimes included within each seriousness level	9/28/2013	c. 290	Adds to seriousness level IV offenses the crime of vehicle prowling 2° (third or subsequent offense).	ESB 5053
RCW 9A.52.100	Vehicle prowling in the second degree	7/28/2013	c. 267	Vehicle prowling in the second degree, a gross misdemeanor, becomes a class C felony upon a third or subsequent conviction of vehicle prowling in the second degree.  Vehicle prowl incidents charged in one charging document will not count as multiple offenses for the purpose of charging felony vehicle prowl.	ESB 5053
RCW 19.310.120	Prima facie evidence of fraud — Violations — Penalty — Cure for violations	7/28/2013	c. 228	Amends definition of the crime of unlawfully engaging in business as an exchange facilitator.	ESSB 5082
RCW 72.09.285	Rental voucher list – housing providers	7/28/2013	c. 266	Establishes housing voucher list rules.	ESB 5105
RCW 9.94A.729	Earned release time – risk assessments	7/28/2013	c. 266	Amends rental voucher provisions by requiring DOC to maintain a list of housing providers.  Requires DOC to gather data as requested by WSIPP to assess impact on recidivism.	ESB 5105
RCW 9.94A.533	Adjustments to standard sentences	7/28/2013	c. 270	Adds an additional 12 months to the standard range sentence for an offense that includes a special allegation of robbery of a pharmacy (RCW 9.94A.832).	SB 5149

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RCW 9.94A.832	Special allegation — Robbery in the first or second degree — Robbery of a pharmacy — Procedures	7/28/2013	c. 270	Establishes special allegation regarding robbery of a pharmacy for robbery 1° or robbery 2°.	SB 5149
RCW 9.94A.535	Assault in the third degree	7/28/2013	c. 256	Establishes a new aggravating circumstance to be considered by a jury and imposed by the court in the case of third degree assaults in or adjacent to a courtroom, jury room, or judge's chamber.	ESB 5484
RCW 9A.36.031	Assault in the third degree	7/28/2013	c. 256	Expands the definition of assault in the third degree to include assault in or adjacent to a courtroom, jury room, or judge's chamber.	ESB 5484
RCW 9.68A.104	Sexual exploitation of children	7/28/2013	c. 12	Repeals RCW 9.68A.104, the class C felony of advertising commercial sexual abuse of a minor.	SB 5488
RCW 9.68A.106	Sexual exploitation of children	7/28/2013	c. 9	Establishes an additional fee of \$5,000 per offense – for offenders convicted of commercial abuse of a minor, promoting commercial sexual abuse of a minor, or promoting travel for commercial sexual abuse of a minor – where an internet advertisement that described or depicted the victim was instrumental in facilitating the commission of the crime.	SB 5488
RCW 29A.84.711	Documents regarding nomination, election, candidacy — Frauds and falsehoods	7/28/2013	c. 11	Amends definition of the crime of fraud in certification of nomination or ballot.	SSB 5518

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RCW 69.41.030	Sale, delivery, or possession of legend drug without prescription or order prohibited — Exceptions — Penalty	7/28/2013	c. 302	Amends the definition of sale, delivery, or possession with intent to sell legend drug without prescription.  Washington State pharmacies are permitted to fill prescriptions for legend drugs and controlled substances that are written by out-of- state physician assistants and osteopathic physician assistants so long as the physician assistants meet the same qualifications for controlled substances prescribing as in-state physician assistants.	SSB 5524
RCW 13.34.132	Petition seeking termination of parent-child relationship — Requirements	8/1/2013	c. 270	Expands the list of aggravating circumstances that may not require reasonable efforts to unify the family prior to termination of the parent and child relationship to include conviction of the parent of trafficking, or promoting commercial sexual abuse of a minor when the victim of the crime is the child, the child's other parent, a sibling of the child, or another child.	ESSB 5669
RCW 9.68A.090	Communication with minor for immoral purposes — Penalties	8/1/2013	c. 270	Expands the definition of communication with minor for immoral purposes (subsequent violation or prior sex offense conviction) to include purchase or sale of commercial sex acts and sex trafficking.	ESSB 5669
RCW 9.68A.100	Commercial sexual abuse of a minor — Penalties — Consent of minor does not constitute defense	8/1/2013	c. 270	Prohibits consent of the minor as a defense for commercial sexual abuse of a minor.	ESSB 5669

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RCW 9.68A.101	Promoting commercial sexual abuse of a minor — Penalty — Consent of minor does not constitute defense	8/1/2013	c. 270	Prohibits consent of the minor as a defense for promoting commercial sexual abuse of a minor.	ESSB 5669
RCW 9.68A.102	Promoting travel for commercial sexual abuse of a minor — Penalty — Consent of minor does not constitute defense	8/1/2013	c. 270	Prohibits consent of the minor as a defense for promoting travel for commercial sexual abuse of a minor.	ESSB 5669
RCW 9.68A.103	Permitting commercial sexual abuse of a minor — Penalty — Consent of minor does not constitute defense	8/1/2013	c. 270	Prohibits consent of the minor as a defense for permitting commercial sexual abuse of a minor.	ESSB 5669
RCW 9A.40.100	Trafficking	8/1/2013	c. 270	Expands definition of trafficking 1° and trafficking 2°.  Increases fee assessed from \$3,000 to \$10,000.Specifies that if the victim is a minor, force, fraud, or coercion are not necessary elements of the offense.  Prohibits consent as a defense.  Defines commercial sex act.Amends definition of sexually explicit act.	ESSB 5669

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RCW 9A.44.020	Testimony — Evidence — Written motion — Admissibility	8/1/2013	c. 270	Adds trafficking and all offenses in Chapter 9.68A RCW to provisions protecting the victim against attacks on credibility for past sexual behavior.  Specifies that past sexual behavior is not admissible on the issue of consent where prohibited by the offense.  Amends definition of sexually explicit act.	ESSB 5669
RCW 9A.44.128	Definitions applicable to RCW 9A.44.130 through 9A.44.145, 10.01.200, 43.43.540, 70.48.470, and 72.09.330	8/1/2013	c. 270	Expands definition of sex offense to include any violation of RCW 9A.40.100 (1)(a)(ii)(B) (trafficking 1° with a finding of sexual motivation).	ESSB 5669
RCW 9A.44.150	Testimony of child by closed-circuit television	8/1/2013	c. 270	Expands eligibility for children to testify by closed circuit television by increasing the age of eligibility from under 10 to under 14. Expands areas of testimony covered to include testimony that describes a violation of RCW 9A.44.100 (trafficking) or any offense identified in Chapter 9.68A RCW (sexual exploitation of children).	ESSB 5669
RCW 9A.82.010	Definitions	8/1/2013	c. 270	Expands definition of criminal profiteering by adding trafficking, as defined in RCW 9A.40.100, promoting travel for commercial sexual abuse of a minor, as defined in RCW 9.68A.102, and permitting commercial sexual abuse of a minor, as defined in RCW 9.68A.103.	ESSB 5669
RCW 82.32.290(2)	Unlawful acts — Penalties	7/28/2013	c. 309	Amends existing class C felony of false statement to department of revenue.	SB 5715

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RCW 82.32.290(4)	Unlawful acts — Penalties	7/28/2013	c. 309	Establishes a new class C felony "phantomware violation".	SB 5715
RCW 9.92.151	Early release for good behavior	7/1/2013	c. 14	For offenders transferred from jails to DOC, requires jails to certify to DOC early release credits earned or lost while in jail.	2ESSB 5892
RCW 9.94A.517	Table 3 — Drug offense sentencing grid. ( <i>Effective until July 1, 2018.</i> )	7/1/2013	c. 14	Drug grid change – seriousness level I, offender score 3 to 5, cell is reduced to 6+ to 12 months from 6+ to 18 months – change expires 7/1/2018.  Change applies to sentences on or after 7/1/2013 and before 7/1/2018.  Requires DOC to recalculate the earned release date for all offenders confined as of 7/1/2013, providing that the recalculation not extend the term of incarceration. (Notes)	2ESSB 5892
RCW 9.94A.729	Earned release time — Risk assessments	7/1/2013	c. 14	Amends early release provisions to require DOC to adjust earned release for jail time to the DOC rate.	2ESSB 5892
RCW 46.61.5055	Alcohol and drug violators — Penalty schedule	9/28/2013	c. 35	Expands the definition of prior offense to include deferred sentences imposed for: •RCW 46.61.5249 negligent driving 1°, •RCW 46.61.500 reckless driving, or •RCW 9A.36.050 reckless endangerment where the original charge was filed as: •RCW 46.61.502 DUI, •RCW 46.61.504 APC, or •RCW 46.61.520 vehicular homicide	2ESSB 5912
RCW 9.94A.501	Department must supervise specified offenders — Risk assessment of felony offenders	9/28/2013	c. 35	Expands the list of offenders sentenced to community custody who DOC must supervise regardless of risk classification to include vehicular homicide, vehicular assault, and felony DUI/APC.	2ESSB 5912

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RCW 9.94A.525	Offender score	9/28/2013	c. 35	Amends scoring provisions regarding felony DUI/APC by requiring all "prior offenses" (RCW 46.61.5055(14)) to be included in the offender score.	2ESSB 5912
RCW 9.94A.535	Departures from the guidelines	9/28/2013	c. 35	Expands the list of aggravating circumstances to be considered by a jury and imposed by the court for offenders driving the wrong way on a multiple lane highway with a posted speed limit of 45 or more MPH.  The period of statute of limitations for any sex offense commences on the date of the offense or one year from the date by which the identity of the suspect is established by DNA <u>or by photograph</u> .	2ESSB 5912

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## SECTION 2 - CASE LAW RELATED TO SENTENCING REFORM ACT

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### CASELAW REVIEW – 2013 UPDATE

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185 L.Ed.2d 391, 178 Wn.2d 610, 176 Wn.App. 645

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#### **Appeal**

***State v. Flaherty***, 177 Wn.2d 90 (2013)

Five years after conviction, defendant mails a motion to vacate, CrR 7.8, superior court does not file it and returns it as time barred, defendant appeals; held: clerk must file a motion presented in the proper form, CR 5(e), if motion is time barred court must transfer it to the Court of Appeals, CrR 7.8(c)(2); reverses *State v. Flaherty*, 166 Wn.App. 716 (2012); *per curiam*.

***Pers. Restraint of Adams***, 178 Wn.2d 417 (2013)

Defendant is convicted of murder, does not appeal, ten years later files motion to vacate sentence as offender score had been miscalculated, parties agree and defendant is resentenced, then files PRP claiming ineffective assistance at trial; held: time bar exception for a judgment and sentence invalid on its face does not open the door to all claims including those that do not relate to the invalidity of the judgment and sentence, thus PRP is time barred and dismissed, *Pers. Restraint of Coats*, 173 Wn.2d 123 (2011), *Pers. Restraint of Skylstad*, 160 Wn.2d 944 (2007); 8-1.

***State v. Parmelee***, 172 Wn.App. 899 (2013)

Mandate from Supreme Court vacates exceptional sentence based solely on lack of jury finding, *Blakely v. Washington*, 542 U.S. 296, 159 L.Ed.2d 403 (2004), at resentencing defendant argues that his offender score was wrongly calculated, judge allows argument but expressly declines to consider it, stating that the “offender score is 13,” the same as it was at original sentencing; held: where sentencing court declines to consider an issue that was not remanded, and merely states what the score is, the court has not independently reviewed the issue (rejecting state’s concession) and thus may not be appealed, *State v. Barberio*, 121 Wn.2d 48, 50 (1993); I.

***State v. Hand***, 173 Wn.App. 903 (2013)

At probation revocation hearing, trial court does not advise of right to appeal, three years later defendant files notice of appeal and seeks extension; held: revocation is not a stage of criminal prosecution

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where defendant is entitled to full panoply of constitutional rights, court is not obliged to inform revoked probationer of right to appeal, no extraordinary circumstances justify extension; I.

### **Arrest: Probable Cause**

***State v. Bravo Ortega***, 177 Wn.2d 116 (2013)

Officer on second floor of a building observes defendant commit drug-traffic loitering, directs by radio fellow officers to arrest defendant who find drugs; held: because the officer who arrested defendant was not present when the gross misdemeanor occurred and the officer who observed the offense was not an arresting officer, the arrest was unlawful as the **fellow officer rule** does not apply to an arrest for a misdemeanor, RCW 10.31.100 (2010); reverses *State v. Ortega*, 159 Wn.App. 889 (2011); 9-0.

### **Arrest: Well-Founded Suspicion**

***State v. Ibarra Guevara***, 172 Wn.App. 184 (2012)

School resource officer observes students walking towards an area where students smoke marijuana five minutes before classes start, follows in patrol car, tops behind them, walks toward them, ask what they are doing, tells them he believes they are going to use drugs, ask to see contents of pockets, defendant empties pockets, officer observes baggie, asks what's in it, defendant says drugs, trial court concludes the stop was a "social contact;" held: request to search after voicing suspicion of drug suspicion is inconsistent with a social contact, defendant "would hardly have felt free to simply walk away," *State v. Soto-Garcia*, 68 Wn.App. 20 (1992), *overruled, on other grounds, State v. Thorn*, 129 Wn.2d 347 (1996), *State v. Harrington*, 167 Wn.2d 656 (2009), *c.f.: State v. Nettles*, 70 Wn.App. 706 (1993); III.

***Bailey v. United States***, \_\_\_ U.S. \_\_\_, 185 L.Ed.2d 19 (2013)

Police, about to serve a search warrant, observe defendant, meeting description of suspect, leave residence to be searched, follow him for a mile, detain him, patdown, find evidence; held: while police may detain individuals incident to a search warrant, *Michigan v. Summers*, 452 U.S. 692, 69 L.Ed.2d 340 (1981), once an individual has left the immediate vicinity of premises to be searched, detention must be justified by some other rationale; 6-3.

***State v. Moreno***, 173 Wn.App. 479 (2013)

Radio reports shots fired, police arrive at place reported, defendant's car is seen a block away, officer knew shots came in a specific gang neighborhood, driver is wearing shirt of rival gang, car "hurriedly leaving the alley," is sufficient for *Terry* stop; III.

***State v. Bonds***, 174 Wn.App. 553 (2013)

Police run random license plate check, learn from DOL that car had been sold and owner failed to change title within 45 days, RCW 46.12.101(6) (2008), a continuing misdemeanor offense, officer testifies he believed that he recognized passenger who he believed had a DOC warrant, stop car, learn that new owner had properly transferred title but discover no contact order between passenger and driver, defendant convicted of NCO violation; held: stop of the car for the transfer title violation was valid to investigate whether driver was registered owner, officer's belief that passenger had a warrant established a sufficient

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probability, enough to perform a traffic stop, officer's belief was based upon more than a hunch; neither reasons for the stop were pretextual;

### **Assault**

***State v. Bauer***, 174 Wn.App. 59 (2013)

Defendant leaves loaded gun on dresser, 9-year old visitor takes gun to school and shoots another student, defendant is charged with assault 3° “[w]ith criminal negligence, causes bodily harm to another person by means of a weapon...,” RCW 9A.36.031(1)(d) (2011), trial court denies *Knapstad* motion; held: “causes” means proximate cause, *State v. Christman*, 160 Wn.App. 741, 754 (2011), *State v. Decker*, 127 Wn.App. 427, 432 (2005), which includes actual cause (physical connection between act and injury, *Hartley v. State*, 103 Wn.2d 768, 778 (1985)) and legal cause; actual cause is a jury question, leaving loaded gun where accessible to a child is a sufficient affirmative act, *Parilla v. King County*, 138 Wn.App. 427, 431 (2007), to submit issue to a jury; whether child picking up gun is an intervening act to defeat foreseeability is a question for the jury, *Crowe v. Gaston*, 134 Wn.2d 509, 519 (1998); complicity statute, RCW 9A.08.020, does not preclude liability here; assault 3° by criminal negligence is not vague; 2-1, II.

***State v. Cortes Aguilar***, 176 Wn.App. 264, 275-77 (2013)

**Transferred intent** need not be included in an assault information, *State v. Clinton*, 25 Wn.App. 400 (1980), *State v. Wilson*, 113 Wn.App. 122, 131 (2002); III.

### **Attempt**

***State v. Davis***, 174 Wn.App. 623, 635-38 (2013)

Instructing jury that a substantial step is conduct that “strongly indicates” a criminal purpose rather than “strongly corroborates” does not relieve state of burden to prove intent; instructing jury that a substantial step must strongly indicate “a criminal purpose” as opposed to the specific criminal purpose is not error, *State v. Eplett*, 167 Wn.App. 660, 666 (2012), distinguishing *State v. Roberts*, 142 Wn.2d 471 (2000); II.

### **Competency**

***State v. Chao Chen***, 178 Wn.2d 350 (2013)

Once a competency evaluation is filed it is presumed open to the public subject to individualized findings that the *Ishikawa* factors weigh in favor of sealing or redacting, *State v. DeLauro*, 163 Wn.App. 290 (2011); CONST. art. I, § 10 trumps RCW 10.77.210; 9-0.

***State v. P.E.T.***, 174 Wn.App. 590 (2013)

Respondent is found incompetent resulting in dismissal, is later charged with a new crime, at competency hearing state expert testifies respondent is competent, trial court places burden of proving incompetence on respondent, finds him competent; held: common law presumes that one who is found incompetent remains so until adjudicated otherwise, *State v. Coley*, 171 Wn.App. 177, 187 (2012), *rev. granted*, 176 Wn.2d 1024 (2013); remedy is remand for trial court to first decide whether a meaningful hearing on defendant's competency at the prior proceeding is possible, if so court must determine if state

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rebutted presumption of incompetency, if not then remand for new trial if respondent is deemed competent; I.

### **Confrontation**

***State v. Hurtado***, 173 Wn.App. 592 (2013)

Domestic violence victim, during treatment in emergency room, tells medical personnel, with police officer present, that her boyfriend hit her, victim does not testify at trial, court admits statement; held: statement to medical personnel is nontestimonial (1) where made for diagnosis and treatment, (2) where there is no indication that witness expected statement to be used at trial, (3) the doctor does not work for the state; here, a reasonable person would believe that the statement made in the presence of a police officer would be used as evidence, *distinguishing State v. Sandoval*, 137 Wn.App. 532, 537 (2007), *State v. Moses*, 129 Wn.App. 718, 729-30 (2005), officer was actively collecting evidence, thus state “failed to meet its burden in proving that [the] statements were nontestimonial;” where state does not call a witness whose hearsay statement is admitted and does not establish a good faith effort to secure the presence of the witness, then the witness is not **unavailable**, at 606-07, *State v. Beadle*, 173 Wn.2d 97, 107-13 (2011), *State v. DeSantiago*, 149 Wn.2d 402, 410-11 (2003), harmless here; I.

***State v. Manion***, 173 Wn.App. 610 (2013)

DNA analyst is unavailable, court admits testimony of technical peer reviewer who conducted “an independent review of the DNA evidence and gave her independent opinion” consistent with the unavailable witness; held: experts can “partially rely” on the reports of others, ER 703, without violating confrontation clause, *State v. Lui*, 153 Wn.App. 304 (2009), *rev. granted*, 168 Wn.2d 1018 (2010), *distinguishing Melendez-Diaz v. Massachusetts*, 558 U.S. 305, 174 L.Ed.2d 314 (2009), *Bullcoming v. New Mexico*, 564 U.S. \_\_\_, 180 L.Ed.2d 610 (2011), *Williams v. Illinois*, \_\_\_ U.S. \_\_\_, 183 L.Ed.2d 89, (2012);

### **Conspiracy**

***Smith v. United States***, \_\_\_ U.S. \_\_\_, 184 L.Ed.2d 570 (2013)

Defendant has the burden of proving withdrawal from a conspiracy by a preponderance in federal court; 9-0.

### **Counsel: Effective Assistance**

***Pers. Restraint of Morris***, 176 Wn.2d 157, 165-68 (2012)

Appellate counsel’s failure to raise a public trial right violation is ineffective assistance; 5-4.

### **Counsel Waiver**

***State v. Mehrabian***, 175 Wn.App. 678, 690-95 (2013)

Defendant expresses dissatisfaction with appointed counsel, retains a lawyer, later asks to proceed *pro se* with retained counsel as standby counsel which court approves after colloquy, later retained counsel is

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granted leave to withdraw since he was not being paid, court readvises defendant that he has no right to standby counsel, that court will not appoint standby counsel, gives defendant the chance to get a public defender, defendant declines and says he will represent himself; held: a desire to proceed *pro se* partly because defendant is dissatisfied with counsel does not constitute an equivocal request, *State v. Modica*, 136 Wn.App. 434, 442 (2006), *aff'd*, 164 Wn.2d 83 (2008), *State v. Stenson*, 132 Wn.2d 668, 742 (1997), distinguishing *State v. Woods*, 143 Wn.2d 561 (2001); “when a defendant makes a clear and knowing request to proceed *pro se*, such a request is not rendered equivocal by the fact that the defendant is motivated by something other than a singular desire to conduct his or her own defense,” *State v. DeWeese*, 117 Wn.2d 369, 378 (1991); I

### **Discovery**

***State v. Youde***, 174 Wn.App. 873 (2013)

Defendant subpoenas information from tribal police, trial court does not determine materiality of discovery, tribe’s motion to quash based upon sovereign immunity is granted, trial court dismisses, CrR 8.3(b); held: a trial court must determine that discovery is material before granting a motion to dismiss based on the unavailability of compulsory process; issuance of a subpoena, by itself, does not establish materiality, opposing party need not object to a subpoena to preserve the issue of materiality; I.

### **Domestic Violence**

***State v. Veliz***, 176 Wn.2d 849 (2013)

A domestic violence protection order with a child visitation provision is not a “court-ordered parenting plan” required to prove custodial interference 1°, RCW 9A.40.060(2) (1998), *see: State v. Pesta*, 87 Wn.App. 515 (1997); only a document created under ch. 26.09 RCW qualifies; reverses *State v. Veliz*, 160 Wn.App. 396 (2011); 5-4.

***State v. Luna***, 172 Wn.App. 881 (2013)

Municipal court issues pretrial no contact order, after conviction at sentencing court informs defendant that the order remains extant, checks box on judgment and sentence marked “NCO,” defendant is charged with violation of that no contact order, trial court dismisses; held: pretrial no contact order may be extended following conviction, *State v. Schultz*, 146 Wn.2d 540 (2002), RCW 10.99.040(3) (2010), oral notice to defendant at sentencing plus checking the box that reads “NCO” is sufficient to satisfy defendant’s due process right to notice; III.

***State v. Sweat***, 174 Wn.App. 126 (2013)

In domestic violence case, aggravating factor of **pattern of psychological, physical or sexual abuse**, RCW 9.94A.535(h)(i) (2011), does not require proof that the prior incidents of abuse involved the same victim; I.

***State v. Cortes Aguilar***, 176 Wn.App. 264, 277-78 (2013)

Defendant murders his wife in daughters’ presence, assaults daughter, is ordered to have ten year no contact with all of his children; held: trial court set forth reasons, state had a compelling interest in protecting

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children from reliving emotional trauma, defendant blamed victim, defendant can regain contact when children are more mature, distinguishing *State v. Ancira*, 107 Wn.App. 650 (2001); III.

***State v. W.S.***, 176 Wn.App. 231 (2013)

Following adjudication, juvenile court may issue a domestic violence no contact order for the maximum period of the offense which may extend beyond respondent's 18<sup>th</sup> or 21<sup>st</sup> birthday; I.

### **Double Jeopardy**

***State v. Smith***, 177 Wn.2d 533, 545-50 (2013)

Rape 1<sup>o</sup> and rape of a child 2<sup>o</sup> based upon same facts and same victim do not violate double jeopardy as they are not legally equivalent and legislature did not intend to prohibit multiple convictions arising from a single sexual act, *State v. Calle*, 125 Wn.2d 769 (1995), distinguishing *State v. Hughes*, 166 Wn.2d 675, 681-86 (2009); overrules *State v. Birgin*, 33 Wn.App. 1 (1982); 8-1.

***State v. Lindsay***, 171 Wn.App. 808, 840-48 (2012)

Defendant bursts through victim's front door, chokes, hog-ties, steals items, is convicted of robbery and kidnapping, state argues that crimes had an independent purpose as hog-tying was intended to humiliate; held: restraint was for purpose of facilitating robbery, necessary to allow defendant to steal, victim was not transported from his home, duration lasted no longer than necessary to complete robbery and leave, restraint did not create significant danger, thus restraint was incidental to robbery, convictions merge; co-defendant's assault and robbery convictions merge, *State v. Korum*, 120 Wn.App. 686, 707 (2004), *rev'd, in part, on other grounds*, 157 Wn.2d 614 (2006); 2-1, II.

***State v. Grant***, 172 Wn.App. 496 (2012)

Defendant pushes into victim's home with gun, ties her up, drags her downstairs, ransacks house, is convicted of robbery and kidnapping; held: separate convictions for robbery 1<sup>o</sup> and kidnapping 1<sup>o</sup> do not violate double jeopardy or merge, state does not have to prove that one crime was not incidental to the other, *State v. Vladovic*, 99 Wn.2d 413, 422-23 (1983), *but see: State v. Korum*, 120 Wn.App. 686 (2004), *rev'd, on other grounds*, 157 Wn.2d 614 (2006); 2-1, I.

***Evans v. Michigan***, \_\_\_ U.S. \_\_\_, 185 L.Ed.2d 124 (2013)

Trial court grants directed verdict of acquittal after state's case on erroneous belief that state had failed to prove an element of the crime which was not an element; held: trial court's dismissal for insufficiency at close of state's case is an acquittal for double jeopardy purposes even where the dismissal was in error; 8-1.

***State v. Strine***, 176 Wn.2d 742 (2013)

Jury returns verdict forms finding defendant not guilty, trial court polls jury believing it is obligatory, defense does not object, 6 jurors dissent, presiding juror states jury will be unable to reach unanimous verdict, court declares mistrial; held: polling jury is discretionary, CrR 6.16(a)(3), defense failure to object to polling waives review of decision to poll; appellate courts should defer to trial court's determination of a need for a mistrial, *Renico v. Lett*, 559 U.S. 766, 176 L.Ed.2d 678 (2010), *c.f.: State v. Jones*, 97 Wn.2d 159 (1982), thus double jeopardy clause does not prevent retrial; 9-0.

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***State v. Land***, 172 Wn.App. 593, 598-603 (2013)

Defendant is convicted of child molestation and child rape over the same charging period of same victim, no unanimity instruction is given; held: where the only evidence of child rape is penetration, then rape is not the same crime as molestation as the latter requires proof of sexual gratification, rape does not; where the only evidence of intercourse supporting child rape is sexual contact involving sex organs and mouth of anus, that act of intercourse, if done for sexual gratification, is both molestation and rape and thus are not separately punishable, so jury instruction requiring separate and distinct acts is required, but where state's argument, victim's testimony and to convict instructions make it clear state is not seeking to punish twice for same act, defendant's right to be free from double jeopardy is not violated, *State v. Mutch*, 171 Wn.2d 646, 661-65 (2011), *State v. Noltie*, 116 Wn.2d 831, 849 (1991); I.

***State v. McCarter***, 173 Wn.App. 912 (2013)

Defendant is charged with DUI in district court which dismisses on motion of state in order to pursue felony DUI in superior court, at dismissal district court assesses \$250 in fees for preparation and service of bench warrants, RCW 10.01.160 (2008), superior court denies motion to dismiss for double jeopardy; held: because a warrant fee is remedial not punitive, *see: State v. Brewster*, 152 Wn.App. 856 (2009), its imposition is not punitive by intent or in effect (even though it exceeds the maximum amount permitted by statute and is referred to by the court as a "fine"), thus double jeopardy principles do not apply; III.

***State v. Morales***, 174 Wn.App. 370, 384-88 (2013)

In harassment case, defendant threatens to kill victim on two successive days, is convicted of two counts; held: if a person threatens a single harm, placing victim in fear, unit of prosecution is the threat of harm, not each time and place the threat is repeated to victim or third parties, thus conviction on one of the counts violates double jeopardy clause; 2-1, II.

***State v. Davis***, 174 Wn.App. 623 (2013)

Defendant uses pistol to shoot victim, later shoots at victim's last known position with a shotgun, is convicted of attempted murder and assault 2°; held: while assault and attempted murder are the same in law, they are not the same in fact here because the assault was over when defendant committed attempted murder, thus double jeopardy clause is not violated, *Pers. Restraint of Orange*, 152 Wn.2d 795, 818-20 (2004); II.

***State v. Lust***, 174 Wn.App. 887 (2013)

Defendant steals a purse containing credit cards, removes the credit cards, pleads guilty to theft 3° for the purse, is convicted of theft 2° for stealing the access cards, RCW 9A.56.040(1)(c) (2009); held: court must apply "same evidence" rule of statutory construction to determine if statutes really proscribe the same offense, *Blockburger v. United States*, 284 U.S. 299, 304, 76 L.Ed.2d 306 (1932), theft 3° statute does not require proof that credit cards were access devices, theft 2° statute does not require proof that credit cards were valued under \$750, thus offenses are neither legally nor factually identical, no violation of double jeopardy clause applies; offenses that are committed during a single transaction are not necessarily the same offense, *State v. Vladovic*, 99 Wn.2d 413, 420-23 (1983), legislature did not clearly indicate the degree of one offense will be elevated if accompanied by conduct constituting the other offense, thus they do not merge; III.

***State v. Villanueva-Gonzalez***, 175 Wn.App. 1 (2013)

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Defendant head-butts then attempts to strangle victim, is convicted of assault 2° and lesser assault 4°; held: actions were taken against the same victim within the same short time span, assault is not defined in terms of each physical act against a victim, *State v. Tili*, 139 Wn.2d 107, 116-17 (1999), same evidence test applies where defendant has multiple convictions for violating different statutory provisions, unit of prosecution test is appropriate only where defendant is convicted for violating one statute multiple times, *State v. Adel*, 136 Wn.2d 629, 633 (1998); I.

***State v. Ralph***, 175 Wn.App. 814 (2013)

Defendant hits victim and takes his truck, is convicted of robbery 2° and taking a motor vehicle (TMV) without permission, at sentencing trial court merges the offenses, punishes only for robbery; held: TMV is the “functional equivalent of a leaser included of the” robbery 2° since both crimes required taking of personal property without permission, additional facts elevated TMV to robbery, thus the crimes are the same in fact based upon a single act from a single victim, double jeopardy clauses are violated when the evidence required to support a conviction of one crime would have warranted a conviction of another, *State v. Freeman*, 153 Wn.2d 765 (2005), *State v. Reiff*, 14 Wash. 664, 667 (1896); merger prohibits double punishment but double jeopardy clauses prohibit double convictions, thus remedy is to vacate the lesser punished crime, *State v. Turner*, 169 Wn.2d 448, 455 (2010); II.

**DUI**

***State v. Velasquez***, 176 Wn.2d 333 (2012)

Court may not require government to pay for **deferred prosecution** treatment for indigent defendants; 9-0.

***State v. Dailey***, 174 Wn.App. 810 (2013)

Defendant has the burden of proving that he took a prescription drug without knowledge of the soporific qualities, distinguishing *Kaiser v. Suburban Transp. System*, 65 Wn.2d 461 (1965); while DUI is not a strict liability offense, *see: State v. Bash*, 130 Wn.2d 594, 605-06 (1996), *mens rea* is not an implied element, *see: State v. Deer*, 175 Wn.2d 725 (2012); I.

***Yakima v. Mendoza Godoy***, 175 Wn.App. 233 (2013)

Intoxicated defendant is driven by a friend to the friend’s car where he waits for the friend to make a phone call, is convicted of physical control; held: safely off the roadway defense, RCW 46.61.504(3), is not available unless there is evidence that defendant moved the vehicle himself, distinguishing *State v. Votava*, 149 Wn.2d 178 (2003) where intoxicated defendant directed the car to be moved; III.

***State v. Jacob***, 176 Wn.App. 351 (2013)

Only criminal traffic convictions count on offender score for felony DUI, *State v. Martinez Morales*, 168 Wn.App. 489, 498 (2012), and only criminal traffic offenses count for purposes of washing beyond five years, RCW 9.94A.525(2)(e) (2011), disapproving *State v. Martinez Morales, supra*, at 495-96; II.

**DUI: Breath and Blood Tests, Implied Consent**

***State v. King County District Court***, 175 Wn.App. 630 (2013)

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District Court enters blanket order requiring state to prove “uncertainty statement, presented as a confidence interval” before breath tests are admitted, and requiring state to provide uncertainty calculations in discovery in all cases; held: breath alcohol concentration tests (BrAC) via the DataMaster are generally accepted in the scientific community, *State v. Ford*, 110 Wn.2d 827, 833 (1988), without confidence intervals, court may not add a foundational requirement, RCW 46.61.506(4) (2010), see: *State v. Straka*, 116 Wn.2d 859, 870 (1991), generally error rates go to weight, not admissibility, *State v. Keller*, 36 Wn.app. 110, 113 (1983), unless, in individual cases the court determines that the error rate is so serious as to be unhelpful to the trier of fact; burden is on defense to present uncertainty evidence; I.

### **Due Process**

***State v. Coristine***, 177 Wn.2d 370 (2013)

Trial court may not instruct jury on an affirmative defense that defendant does not wish to pursue, *State v. Jones*, 99 Wn.2d 735 (1983), *State v. McSorley*, 128 Wn.App. 598 (2005), *State v. Lynch*, 178 Wn.2d 487 (2013); 6-3.

***State v. Dye***, 178 Wn.2d 541 (2013)

Trial court allows a service-type dog owned by the prosecutor to sit by developmentally disabled adult victim during testimony; held: just as a court may allow a child victim to hold a “comfort item” during testimony, trial court did not err, where witness’ need for emotional support outweighs the possibility of prejudice; affirms *State v. Dye*, 170 Wn.App. 340, 344-48 (2012); 9-0.

### **Evidence: Opinions**

***State v. Blake***, 172 Wn.App. 515, 522-29 (2012)

Witness testifies he heard a bang, did not see a gun, defendant was the one person who could have made the bang from his position, defendant looked suspicious so witness concludes defendant was the shooter; held: challenged testimony was a permissible inference, not an opinion, as it did not concern veracity or express a belief of guilt, witness did not carry a special aura of reliability, inference was drawn from facts perceived by the witness, *State v. Montgomery*, 163 Wn.2d 577, 591 (2008), *State v. Demery*, 144 Wn.2d 753 (2001); I.

### **Evidence: Best Evidence Rule**

***State v. Andrews***, 172 Wn.App. 703 (2013)

Police photograph text messages and record voice mail, defense states it has no evidence to challenge authenticity, trial court admits evidence; held: a duplicate is admissible absent a challenge to authenticity, ER 1003, 1004; a witness’ testimony as to the defendant’s phone number and signature sufficiently authenticate pictures of received text messages; here, victim identified defendant’s voice on voice mail, name used by caller on voice mail and text messages was the same, evidence established that the name was used by the defendant, thus court had tenable grounds to admit both; III.

### **Evidence: Hearsay and Exceptions**

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***State v. Bradford***, 175 Wn.App. 912, 927-30 (2013)

In stalking case, trial court admits office's testimony reading to the jury text messages received by victim and an examination report of another witness' cell phone including the text messages received, defense challenges authentication, ER 901(a), asserting state did not prove he sent the messages; held: evidence that defendant appeared at victim's place of employment and home frequently, demonstrating a desperate desire to communicate with victim, authenticates the text messages as "consistent with this obsessive behavior that he would also send text messages" as an effort to contact victim; content of the messages are consistent with defendant's previous messages and acts linking him to the messages; during a five month period in which defendant was in jail and thus unable to text, upon release text messages began again also adds to authentication; I.

**Evidence: Other Misconduct**

***State v. Embry***, 171 Wn.App. 714, 731-36 (2012)

Gang evidence is admissible, within discretion of trial court, where state proves by a preponderance that (1) defendant belonged to a gang and that there is a connection between and gang activities, (2) that gang evidence establishes a motive, intent, plan or preparation, (3) gang evidence proves an element of the crime and a nexus between gang activity, the crime and gang members, and (4) probative value outweighs prejudice, *State v. Yarbrough*, 151 Wn.App. 66 (2009); 2-1, II.

***State v. Johnson***, 172 Wn.App. 112, 119-27 (2012)

In harassment case, prior acts of domestic violence and domineering and controlling behavior by defendant against victim are admissible to support element that victim was in reasonable fear that the threat will be carried out, *State v. Magers*, 164 Wn.App. 174, 183 (2008), also admissible to prove domestic violence aggravator; I.

***State v. Briejer***, 172 Wn.App. 209, 223-27 (2012)

Defendant, receives L&I benefits for back injury, state receives tip that defendant was mountain climbing, begins investigation and charges defendant with fraud that preceded his extreme sports activities, trial court admits mountain climbing evidence as *res gestae* to show the basis for the investigation; held: *res gestae* evidence should not be conflated with ER 404(b) evidence, should be analyzed under ER 401, 402 and 403 to determine if it is relevant and if its probative value is outweighed by unfair prejudice, *State v. Grier*, 168 Wn.App. 635, 645 (2012), *State v. Trickler*, 106 Wn.App. 727, 733-34 (2001); here, mountain climbing was not an "inseparable part" of the alleged fraud, not necessary to complete the crime story, highly prejudicial; III.

***State v. Olsen***, 175 Wn.App. 269 (2013)

"[W]hen a defendant asserts that certain conduct is accidental, evidence of prior misconduct is *highly* relevant as it will tend to support rebut such a claim," at 282, *State v. Gogolin*, 45 Wn.App. 640 (1986); II.

**Evidence: Scientific**

***Pers. Restraint of Morris***, 176 Wn.2d 157, 168-71 (2012)

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In child abuse case, expert testimony about the suggestibility of young children as it relates to specific interview techniques is helpful to the jury, distinguishing *State v. Swan*, 114 Wn.2d 613, 656 (1990), see: *State v. Willis*, 151 Wn.2d 255, 261 (2004); 9-0.

***State v. Brewczynski***, 173 Wn.App. 541, 554-57 (2013)

Expert testifies that defendant's boot matched bloody footprint embedded in a blanket by shaping clay around the sole of the boot and comparing it to the overlay of the bloody print; held: "[c]ourts typically reject the *Frye* test when the method used by the expert is a matter of physical comparison rather than a scientific test; III.

#### **Evidence: Sufficiency**

***State v. Moncada***, 172 Wn.App. 364 (2012)

Threats plus resisting arrest are insufficient to prove **intimidating a public officer**, RCW 9A.76.180 (2011), *State v. Montano*, 169 Wn.2d 872, 879 (2010), *State v. Burke*, 132 Wn.App. 415, 422 (2006), as there must be some evidence independent of the threat itself to establish an attempt to influence the public servant's official action; III.

***State v. Homan***, 172 Wn.App. 488 (2012)

Defendant passes 9 year old on a bicycle, asks if he wants candy at his house, is convicted of **luring**, RCW 9A.40.090; held: to prove luring, state must establish more than an invitation alone, enticement by words or conduct must accompany the invitation, *State v. McReynolds*, 142 Wn.App. 941, 948 (2008), distinguishing *State v. Dana*, 84 Wn.App. 166 (1996), thus evidence is insufficient; 2-1, II.

***State v. Morales***, 174 Wn.App. 370 (2013)

In **harassment** case, defendant tells Diaz that he will kill Farias, Diaz tells Farias, information accuses defendant of threatening Farias who was placed in fear, to convict instruction states that defendant placed "Diaz &/or Farias" in reasonable fear; held: while harassment may lie where either the person threatened or the person to whom defendant communicates the threat is placed in reasonable fear, *State v. J.M.*, 144 Wn.2d 472, 488 (2001), here the information does not charge defendant with placing Diaz in fear, thus he was tried on an uncharged alternative theory requiring reversal; 2-1, III.

***State v. Benitez***, 175 Wn.App. 116, 123-26 (2013)

In bench trial, state need not prove surplusage charged in information as law of the case doctrine does not apply to a bench trial, *State v. Hawthorne*, 48 Wn.App. 23, 27 (1984); II.

***State v. Locke***, 175 Wn.App. 779, 788-96 (2013)

In threats against governor case, RCW 9A.36.090 (2011), (1) an email identifying the sender's city as "Gregoiremustdie" and stating a desire for the governor to witness a family member raped and murdered and that governor had put the state in the toilet is not a **true threat** as it is "more in the nature of hyperbolic political speech," at 791 ¶20; (2) calling governor a "gender specific epithet" and stating she should be burned at the stake reaches only "the margins of a true threat" due to passive and impersonal phrasing, and is thus protected speech, see: *State v. Schaler*, 169 Wn.2d 274, 283-84 (2010), *State v. Kilburn*, 151 Wn.2d 36 (2004); (3) message that governor must die and inviting public to her public execution, coupled with defendant's later acknowledgement of a recent shooting of a congresswoman, is sufficient to establish a true threat; 2-1, II.

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## **Forgery**

***State v. Vasquez***, 178 Wn.2d 1 (2013)

Defendant is detained for shoplifting, is found to possess fake social security card and fake permanent resident card, is convicted of forgery, Court of Appeals holds that court can infer intent to injure or defraud, asking “why else would [he] have them?,” *State v. Vasquez*, 166 Wn.App. 50 (2012); held: while slight corroborating evidence is sufficient to convict a possessor of fake identity cards, *State v. Esquivel*, 71 Wn.App. 868, 870 (1993), *State v. Tinajero*, 154 Wn.App. 745 (2009), because intent to injure or defraud is an element of the crime, mere possession of forged documents is not enough to sustain a forgery conviction; 9-0.

## **Guilty Pleas**

***Chaidez v. United States***, \_\_\_ U.S. \_\_\_, 185 L.Ed.2d 149 (2013)

*Padilla v. Kentucky*, 559 U.S. 356, 176 L.Ed.2d 284 (2010), requiring counsel to provide advice about risk of deportation, is not retroactive, *State v. Martinez-Leon*, 174 Wn.App. 753 (2013), *but see: Pers. Restraint of Jagana*, 170 Wn.App. 32 (2012); 7-2.

***Pers. Restraint of Toledo-Sotelo***, 176 Wn.2d 759 (2013)

Seriousness level in plea is incorrect but court finds correct standard range, defendant files untimely PRP; held: while a judgment and sentence containing incorrect range or seriousness level may make the judgment facially invalid, *Pers. Restraint of Goodwin*, 146 Wn.2d 861 (2002), where defendant cannot show both facial invalidity and prejudice, *Pers. Restraint of Coats*, 173 Wn.2d 123, 13 (2011), an untimely PRP shall be dismissed; because standard range was correct, judgment and sentence was valid on its face; 9-0.

***State v. Martinez-Leon***, 174 Wn.App. 753 (2013)

In 2006 defendant pleads guilty to a felony and a gross misdemeanor, plea form contains “grounds for deportation” language, trial court engages in colloquy without specifically mentioning immigration consequences, finds defendant entered plea knowingly, voluntarily and intelligently, sentences defendant, *inter alia*, to 365 days suspended, in 2011 defendant seeks to withdraw plea, prior counsel declares she had a general discussion about possible immigration consequences and that she did not seek a sentence of 364 days because she was unaware that a 365 days sentence is considered an aggravated felony for immigration purposes; held: defendant’s untimely motion to withdraw the plea, CrR 7.8, RCW 10.73.090, does not become timely per RCW 10.73.100(6) because there was no “significant change in the law,” *Chaidez v. United States*, \_\_\_ U.S. \_\_\_, 185 L.Ed.2d 149 (2013), *but see: Pers. Restraint of Jagana*, 170 Wn.App. 32 (2012); because trial counsel was aware defendant was not a citizen, discussed potential deportation consequences, and plea form advised of same, equitable tolling doctrine to the time limit is inapplicable, distinguishing *State v. Littlefair*, 112 Wn.App. 749 (2002); trial counsel’s failure to advise that a 365 day sentence would result in definite deportation was not required before *Padilla v. Kentucky*, 559 U.S. 356, 176 L.Ed.2d 284 (2010), which does not apply retroactively; II.

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## **Identifications**

***State v. Allen***, 176 Wn.2d 611, 616-26 (2013)

Cautionary cross-racial eyewitness identification instruction, *see: United States v. Telfaire*, 469 F.2d 552 (1972), is not required where witness' identification is based on identifying factors "unrelated to cross-race bias" (here apparel and sunglasses, not on facial appearance), but failure to give such an instruction in an appropriate case may be an abuse of discretion, *see also: State v. Laureano*, 101 Wn.2d 745, 767-69 (1984), *overruled on other grounds, State v. Brown*, 113 Wn.2d 520, 529 (1989); 7-2.

## **Information**

***State v. Johnson***, 172 Wn.App. 112, 136-40 (2012)

Unlawful imprisonment information which alleges that defendant "did knowingly restrain" victim is insufficient where court does not define "restrain" per RCW 9.40.010(6) (2011), as an essential element includes language that defendant restricted movement "without legal authority" which cannot be reasonably inferred from the information, *but see: State v. Rattana Keo Phuong*, 174 Wn.App. 494, 542-45 (2013), *see: State v. Warfield*, 103 Wn.App. 152 (2000); I.

***State v. Rattana Keo Phuong***, 174 Wn.App. 494, 542-45 (2013)

Information charging unlawful imprisonment need not include the statutory definition of "restrain;" the definition of an element of an offense is not an essential element that must be alleged in an information, *State v. Allen*, 176 Wn.2d 611 (2013); 2-1, I.

***State v. Peterson***, 174 Wn.App. 828, 849-55 (2013)

In animal cruelty 1<sup>o</sup> charge, RCW 16.52.205(2), starvation, suffocation and dehydration are alternative means; I.

***State v. Benitez***, 175 Wn.App. 116, 123-26 (2013)

In bench trial, state need not prove surplusage charged in information as law of the case doctrine does not apply to a bench trial, *State v. Hawthorne*, 48 Wn.App. 23, 27 (1984); II.

## **Instructions: Defining Terms**

***State v. Clark***, 175 Wn.App. 109 (2013)

In harassment case, court defining **true threat** as an attempt to induce victim not to report information relevant to a criminal investigation focuses on the statute's *mens rea* element, *State v. Schaler*, 169 Wn.App. 274 (2010), thus decision not to instruct that a reasonable person would foresee that statement would be interpreted as a serious expression rather than a jest or idle talk is not error; II.

## **Instructions: Generally**

***State v. Lynch***, 178 Wn.2d 487 (2013)

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In rape 1<sup>o</sup> case where defendant denies forcible compulsion, trial court may not, over defendant's objection, instruct jury on the defense of consent with burden to prove consent on defendant, *State v. Coristine*, 177 Wn.2d 370 (2013); 9-0.

***State v. Calvin***, 176 Wn.App. 1, 19-23 (2013)

In assault on officer case that does not involve self defense, court defines assault as “an act, with unlawful force...,” during deliberations jury asks for definition of unlawful force, court, over objection, submits supplemental instruction, CrR 6.15(f), removing unlawful force language, offers defense option to re-argue, defense declines and seeks a mistrial; held: while **law of the case doctrine** holds that an instruction not objected to becomes the law of the case and thus where an unnecessary element is included the state must prove it anyway, *State v. Hickman*, 135 Wn.2d 97, 101-02 (1998), *State v. Ransom*, 56 Wn.App. 712 (1990), *State v. Hobbs*, 71 Wn.App. 419, 420-21 (1993), where defense did not adapt its trial strategy to the inclusion of the unlawful force language and defense was given the opportunity to reargue, trial court did not abuse its discretion; I.

**Instructions Reasonable Doubt**

***State v. Smith***, 174 Wn.App. 359 (2013)

In to convict instruction, stating “if you find from the evidence that each of these elements has been proved beyond a reasonable doubt, then you *should* return a verdict of guilty” is manifest constitutional error; III.

***State v. Wilson***, 176 Wn.App. 147 (2013)

Instructing jury “if you find...that each of these elements has been proved beyond a reasonable doubt, then it will be your duty to return a verdict of guilty” is proper and instructing “in order to return a verdict of guilty, you must unanimously find from the evidence that each of these elements has been proved beyond a reasonable doubt” invites jury nullification, *State v. Meggyesy*, 90 Wn.App. 693, 698 (1998), *abrogated on other grounds*, *State v. Recuenco*, 154 Wn.2d 156 (2005), *State v. Brown*, 130 Wn.App. 767 (2005); state constitution does not provide a broader right to a jury trial with respect to the instruction; III.

**Instructions: Unanimity**

***State v. Locke***, 175 Wn.App. 779, 801-04 (2013)

Three threatening emails sent within four minutes from same location to same place is a continuous course of conduct, no multiple acts unanimity instruction is required, *State v. Crane*, 116 Wn.2d 315, 330 (1991), *State v. Marko*, 107 Wn.App. 215, 221 (2001); 2-1, II.

***State v. Huynh***, 175 Wn.App. 896 (2013)

Possession of a controlled substance with intent to manufacture or deliver is not an alternative means crime, as the only physical act involved is the act of possession, intent to manufacture or deliver address defendant's mental state, *State v. Peterson*, 168 Wn.2d 763, 769 (2010); major VUCSA aggravating factor, RCW 9.94A.535(3)(e) (2011) does not require unanimity on which statutory factor was proved; I.

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## **Joinder, Severance and Consolidation**

### ***State v. Sublett*, 176 Wn.2d 58, 68-70 (2012)**

In joint murder trial, one defendant does not testify but generally denied, other testifies he was not present at the homicide, motion to sever denied; held: while the two offenses here are irreconcilable, they do not reach the level where the jury would unjustifiably infer from the conflict that both are guilty; jury could have believed either or neither but not both, from verdict clearly jury believed neither, defense has not shown that this was due to the conflicting defenses rather than the evidence produced at trial; affirms *State v. Sublett*, 156 Wn.App. 160 (2010); 9-0.

## **Jury: Other**

### ***State v. Blazina*, 174 Wn.App. 906 (2013)**

After verdict, jurors tell counsel that they believed defendant's witnesses lied and thus he must have been guilty, defense demands disclosure of juror information to investigate misconduct, denied by trial court; held: juror information, other than name, is presumed private, GR 31(j), trial court may allow access to juror information upon showing of good cause, here jury's assessment of credibility is solely its province and inhere in the verdict, sound reasons support trial court's denial; II.

## **Jury: Verdict and Deliberations**

### ***State v. Strine*, 176 Wn.2d 742 (2013)**

Jury returns verdict forms finding defendant not guilty, trial court polls jury believing it is obligatory, defense does not object, 6 jurors dissent, presiding juror states jury will be unable to reach unanimous verdict, court declares mistrial; held: polling jury is discretionary, CrR 6.16(a)(3), defense failure to object to polling waives review of decision to poll; appellate courts should defer to trial court's determination of a need for a mistrial, *Renico v. Lett*, 559 U.S. 766, 176 L.Ed.2d 678 (2010), *c.f.*: *State v. Jones*, 97 Wn.2d 159 (1982), thus double jeopardy clause does not prevent retrial; 9-0.

## **Jury: Voir Dire/Challenges**

### ***State v. Saintcalle*, 178 Wn.2d 34 (2013)**

Lead opinion strongly suggests that it is abandoning *Batson's* purposeful discrimination requirement with a requirement that necessarily accounts for and alerts trial courts to the problem of unconscious bias and that a *Batson* challenge is to be sustained if there is a reasonable probability that race was a factor in the exercise of the peremptory or where the judge finds it is more likely than not that, but for defendant's race, the peremptory would not have been exercised, at 54, *but see*: *State v. Meredith*, 178 Wn.2d 180 (2013); 8-1 (three concurring opinions).

### ***State v. Meredith*, 178 Wn.2d 180 (2013)**

Regarding *Batson* procedure, Supreme Court rejects apparent bright-line rule in *State v. Rhone*, 168 Wn.2d 645 (2010) which appeared to hold that a *prima facie* case of discrimination is established when the sole remaining member of defendant's racial group is peremptorily challenged, returning to prior rule that

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requires “something more than a peremptory challenge against a member of a racially cognizable group” as set forth in *Rhone* lead opinion; affirms *State v. Meredith*, 165 Wn.App. 704 (2011); 7-2.

***State v. Cook***, 175 Wn.App. 36 (2013)

State strikes one of two black jurors, defense raises *Batson* challenge, state claims that black defense counsel called juror “brother,” and that juror stated he had been on a hung jury previously, record does not support claim that counsel called juror “brother” and that it was the other black juror who sat on a case unable to reach a unanimous verdict; held: reasons that are not legitimate because they are not supported by the record raise an inference that the remaining reasons are pretextual; a reason for challenging a juror may be deemed pretextual and not race-neutral if other unchallenged jurors made similar assertions; state’s assertion that juror’s statement that past conduct would not have a bearing on defendant’s guilt is not valid as a race-neutral explanation as the statement is consistent with ER 404(b), 15 other jurors answered similarly of whom 5 were selected to serve; state’s explanation that juror in question had said he had negative experiences with the police is belied by the fact that the juror also said he had positive experiences with the police and harbored no bias against police; while challenge to a single black juror should require defense to set forth a *prima facie* case of purposeful discrimination, where state has proffered a race-neutral explanation and the trial court has ruled on the ultimate question of intentional discrimination, a *prima facie* showing is unnecessary, *State v. Luvene*, 127 Wn.2d 690, 699 (1995), *Hernandez v. New York*, 500 U.S. 352, 359, 114 L.Ed.2d 395 (1991), *c.f.*: *State v. Saintcalle*, 178 Wn.2d 34 (2013); prior opinion, *State v. Cook*, 173 Wn.App. 166 (2013), withdrawn,; I.

***State v. Jones***, 175 Wn.App. 87 (2013)

During a recess, clerk draws the names of sitting jurors who are alternates, court announces which jurors are alternates; held: “experience” of selecting alternate jurors is in open court, “logic” suggests that drawing could have been the result of “manipulation or chicanery,” defendant and public lack the assurance of a truly random drawing that they would have if performed in open court on the record, absent *Bone-Club* analysis remedy is new trial; selection of alternates off the record does not violate defendant’s right to be present, distinguishing *State v. Irby*, 170 Wn.2d 874 (2011); II.

**Jury: Waiver**

***State v. Benitez***, 175 Wn.App. 116, 126-30 (2013)

State constitution does not prohibit defendant from waiving jury; II.

**Juveniles: Dispositions**

***State v. R.G.P.***, 175 Wn.App. 131 (2013)

Juvenile court must order full restitution and may not consider respondent’s ability to pay, *State v. A.M.R.*, 147 Wn.2d 91, 96 (2002), including a restitution order following a deferred disposition; II.

***State v. W.S.***, 176 Wn.App. 231 (2013)

Following adjudication, juvenile court may issue a domestic violence no contact order for the maximum period of the offense which may extend beyond respondent’s 18<sup>th</sup> or 21<sup>st</sup> birthday; I.

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## **Kidnapping/Unlawful Imprisonment/Custodial Interference**

### ***State v. Johnson*, 172 Wn.App. 112, 136-40 (2012)**

Unlawful imprisonment information which alleges that defendant “did knowingly restrain” victim is insufficient where court does not define “restrain” per RCW 9A.40.010(6) (2011), as an essential element includes language that defendant restricted movement “without legal authority” which cannot be reasonably inferred from the information, *see: State v. Warfield*, 103 Wn.App. 152 (2000); I.

### ***State v. Grant*, 172 Wn.App. 496 (2012)**

Defendant pushes into victim’s home with gun, ties her up, drags her downstairs, ransacks house, is convicted of robbery and kidnapping; held: separate convictions for robbery 1° and kidnapping 1° do not violate double jeopardy or merge, state does not have to prove that one crime was not incidental to the other, *State v. Vladovic*, 99 Wn.2d 413, 422-23 (1983), *State v. Rattana Keo Phuong*, 174 Wn.App. 494 (2013), *but see: State v. Korum*, 120 Wn.App. 686 (2004), *rev’d, on other grounds*, 157 Wn.2d 614 (2006); 2-1, I.

### ***State v. Veliz*, 176 Wn.2d 849 (2013)**

A domestic violence protection order with a child visitation provision is not a “court-ordered parenting plan” required to prove custodial interference 1°, RCW 9A.40.060(2) (1998), *see: State v. Pesta*, 87 Wn.App. 515 (1997); only a document created under ch. 26.09 RCW qualifies; reverses *State v. Veliz*, 160 Wn.App. 396 (2011); 5-4.

### ***State v. Rattana Keo Phuong*, 174 Wn.App. 494, 403-45 (2013)**

Defendant drags victim upstairs, attempts to rape her, is convicted of unlawful imprisonment and attempted rape, maintains on appeal that unlawful imprisonment was incidental to the attempted rape; held: “a defendant’s conviction of a restraint-based offense is not subject to reversal on...due process grounds based upon a claim that the restraint in the offense was ‘incidental’ to another charged offense;” kidnapping does not merge into rape, defendant may be punished for both, *State v. Grant*, 172 Wn.App. 496 (2012), *but see: State v. Elmore*, 154 Wn.App. 885 (2010), *Pers. Restraint of Bybee*, 142 Wn.App. 260 (2007), *State v. Saunders*, 120 Wn.App. 800 (2004), *State v. Korum*, 120 Wn.App. 686, *reversed, on other grounds*, 157 Wn.2d 614 (2006); 2-1, I.

## **Merger**

### ***State v. Grant*, 172 Wn.App. 496 (2012)**

Defendant pushes into victim’s home with gun, ties her up, drags her downstairs, ransacks house, is convicted of robbery and kidnapping; held: separate convictions for robbery 1° and kidnapping 1° do not violate double jeopardy or merge, state does not have to prove that one crime was not incidental to the other, *State v. Vladovic*, 99 Wn.2d 413, 422-23 (1983), *but see: State v. Korum*, 120 Wn.App. 686 (2004), *rev’d, on other grounds*, 157 Wn.2d 614 (2006); 2-1, I.

### ***State v. Moreno*, 173 Wn.App. 479, 497-99 (2013)**

Unlawful possession of a firearm and assault 1° with a firearm do not merge; III.

### ***State v. Denny*, 173 Wn.App. 805 (2013)**

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Defendant steals drugs, is convicted of theft of the drugs and possession of the same drugs; held: theft and possession of the same drugs do not merge; II.

### **Necessity Defense**

***State v. Kurtz***, 178 Wn.2d 466 (2013)

Common law medical necessity defense, *State v. Diana*, 24 Wn.App. 908, 916 (1979), remains available and has not been pre-empted by the medical marijuana act, ch. 69.51A RCW, overruling *State v. Butler*, 126 Wn.App. 741 (2005), overruling, in part, *State v. Williams*, 93 Wn.App. 340 (1998); 5-4.

### **New Trial**

***Pers. Restraint of Copland***, 176 Wn.App. 432, 450-51 (2003)

“A new expert opinion, based on facts available to the trial experts, does not constitute newly discovered evidence that could not, with due diligence, have been discovered before trial. *State v. Harper*, 64 Wn.App. 283, 293 (1992),” at 451 ¶ 16, *State v. Davis*, 25 Wn.App. 134, 138 (1980); III.

### **Presence of Defendant**

***State v. Wilson***, 174 Wn.App. 328, 333-47 (2013)

Before being brought to court, jurors fill out questionnaire which, apparently, includes hardship queries, two jurors report illnesses and injuries, bailiff, pursuant to trial court’s written policy allowing administrative staff to excuse jurors pretrial for illness, excuses them, trial court offers to bring them into court for voir dire, defense “did not pursue this offer;” held: applying the *State v. Sublett*, 176 Wn.2d 58, 70-78 (2012) “experience and logic test,” the public trial right historically has not attached to statutory hardship excuses, RCW 2.36.100(1), public access does not play a significant positive role in hardship excuses, openness during pre-voir-dire juror excusal proceedings would not enhance the basic fairness and the appearance of fairness essential to public confidence in the system; II.

***State v. Jones***, 175 Wn.App. 87 (2013)

During a recess, clerk draws the names of sitting jurors who are alternates, court announces which jurors are alternates; held: “experience” of selecting alternate jurors is in open court, “logic” suggests that drawing could have been the result of “manipulation or chicanery,” defendant and public lack the assurance of a truly random drawing that they would have if performed in open court on the record, absent *Bone-Club* analysis remedy is new trial; selection of alternates off the record does not violate defendant’s right to be present, distinguishing *State v. Irby*, 170 Wn.2d 874 (2011); II.

### **Probation and Parole/Community Custody**

***Pers. Restraint of Golden***, 172 Wn.App. 426 (2012)

Defendant is convicted of robbery, having previously been convicted of rape, DOC imposes sex offender conditions of community custody; held: while a court is limited to imposing crime related

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prohibitions, RCW 9.94A.030(10) (2012), DOC may impose additional conditions based upon the risk to community safety, RCW 9.94A.704(2)(b) (2012); III.

***State v. Land***, 172 Wn.App. 593, 604-06 (2013)

Following conviction of child rape, condition that defendant not possess drug paraphernalia is not crime related, is not a monitoring tool; plethysmograph testing at discretion of CCO is an improper condition, although it can be ordered incident to crime-related treatment; I.

### **Prosecution and Government Misconduct**

***State v. Embry***, 171 Wn.App. 714, 750-51 (2012)

After advice of rights and making some statements and after being shown crime video, defendant states “that is what it is...can’t do anything but go to trial with that,” detective testifies that defendant made it clear that the code would not allow him to cooperate or testify against others, prosecutor argues to jury “code of the street: don’t cooperate with the police...don’t talk to the police...;” held: defendant never clearly and unequivocally invoked his right to remain silent, *see: State v. Hodges*, 118 Wn.App. 668 (2003); failure to object to prosecutor’s argument waived error as statement was not flagrant and ill intentioned, distinguishing *State v. Monday*, 171 Wn.2d 667 (2011); prosecutor’s argument that law enforcement did a great job is not improper vouching, at least absent objection; calling defendants a “pack of wolves” may be ill intentioned and flagrant, *State v. Gregory*, 158 Wn.2d 759, 863-64 (2006), *Darden v. Wainwright*, 91 L.Ed.2d 144 (1986), but here a single characterization within a lengthy trial is curable by an instruction, had defense objected; 2-1, II.

***State v. Lindsay***, 171 Wn.App. 808 (2012)

Characterizing defendant’s testimony as “a crock” is a clear and unmistakable expression of impermissible personal opinion; 2-1, II.

***State v. Peña Fuentes***, 172 Wn.App. 755 (2013)

After conviction pending sentencing and a motion for a new trial, detective obtains and listens to jail recordings of defendant speaking with his attorney, offers them to prosecutor who refuses to listen, orders detective off the case, discloses to defense and court which denies motion to dismiss; held: while detective’s conduct was “odious,” the trial court’s finding that the intrusion upon defendant’s right to counsel could not have prejudiced him because trial was completed, thus court did not abuse discretion, *see: State v. Granacki*, 90 Wn.App. 598, 600 (1998), *State v. Cory*, 62 Wn.2d 371 (1963), *State v. Perrow*, 156 Wn.App. 322 (2010); 2-1, II.

***State v. Gauthier***, 174 Wn.App. 257 (2013)

Comment on defendant’s refusal to consent to a DNA swab as evidence of guilt or impeachment violates defendant’s right to refuse to consent to a warrantless search, manifest constitutional error; I.

***State v. Ruiz***, 176 Wn.App. 623 (2013)

Co-defendant pleads guilty without an agreement to testify, is sentenced, does not appeal, at defendant’s trial state calls co-defendant who claims a Fifth Amendment privilege, trial court declines to sustain the privilege and orders co-defendant to testify, prosecutor asks many questions in front of the jury, all of which co-defendant refuses to answer; held: allowing the state to call a witness who asserts a non-

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existent privilege is not error and is not misconduct, distinguishing *State v. Nelson*, 72 Wn.2d 269 (1967), *State v. Charlton*, 90 Wn.2d 657 (1978), *State v. Jackson*, 83 Wash. 514 (1915), wherein witnesses had valid privileges, as a witness has a duty to testify; where a prosecutor's questions imply the existence of prejudicial facts, the prosecutor must be able to prove the facts, *State v. Miles*, 139 Wn.App. 879, 886 (2007), but here there was a factual basis in the record for the questions, and those questions that lacked a factual basis were "not significant," at 641-643; Division III criticizes the repetitive and argumentative questioning, defense did not make an ER 403 objection, thus no relief is available on appeal.

### **Public Trial**

#### ***State v. Wise***, 176 Wn.2d 1 (2012)

Voir dire in chambers is a closure that requires *Bone-Club* findings; defendant's failure to object is not a waiver; remedy is new trial, *State v. Paumier*, 176 Wn.2d 29 (2012); reverses *State v. Wise*, 148 Wn.App. 425 (2009); 5-4.

#### ***State v. Sublett***, 176 Wn.2d 58, 70-78 (2012)

Jury sends out a question regarding an instruction, counsel and court meet in chambers and agree that court will tell jury to reread instructions, no objection was taken; test to determine whether the public trial right attaches to a particular proceedings is whether the place and process have historically been open to the press and public and whether public access plays a significant positive role in the functioning of the particular process in question ("experience and logic test"), *Press-Enterprise Co. v. Superior Court*, 478 U.S. 1, 8-10, 92 L.Ed.2d 1 (1986); test is not to draw a line with legal and ministerial issues on one side and resolution of disputed facts on the other, as resolution of legal issues is often accomplished in an adversarial proceeding, effectively overruling, in part, *In re Det. of Morgan*, 161 Wash.App. 66, 253 P.3d 394 (2011), *In re Det. of Ticeson*, 159 Wash.App. 374, 386, 246 P.3d 550 (2011), *State v. Koss*, 158 Wash.App. 8, 17-18, 241 P.3d 415 (2010); *State v. Rivera*, 108 Wash.App. 645, 652-53, 32 P.3d 292 (2001); here, historically discussing jury questions have not necessarily been conducted in open court; 9-0, but plurality opinion.

#### ***State v. Beskurt***, 176 Wn.2d 441 (2013)

Trial court seals jury questionnaire without *Bone-Club* analysis; lead opinion (4 justices) holds that sealing jury questionnaire is not a closure where it is used by the lawyers during voir dire as a screening tool and not as a substitute for oral voir dire, *c.f.*: *State v. Coleman*, 151 Wn.App. 614 (2009); concurring opinion (4 justices) would hold that review is barred for lack of objection; concurring opinion (1 justice) would hold that because defendant only sought a new trial, and sealing a jury questionnaire is not a closure, no further analysis is necessary; affirms *State v. Beskurt*, 159 Wn.App. 819 (2010).

#### ***State v. Chao Chen***, 178 Wn.2d 350 (2013)

Once a competency evaluation is filed it is presumed open to the public subject to individualized findings that the *Ishikawa* factors weigh in favor of sealing or redacting, *State v. DeLauro*, 163 Wn.App. 290 (2011); CONST. art. I, § 10 trumps RCW 10.77.210; 9-0.

#### ***State v. Wilson***, 174 Wn.App. 328, 333-47 (2013)

Before being brought to court, jurors fill out questionnaire which, apparently, includes hardship queries, two jurors report illnesses and injuries, bailiff, pursuant to trial court's written policy allowing administrative staff to excuse jurors pretrial for illness, excuses them, trial court offers to bring them into

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court for voir dire, defense “did not pursue this offer;” held: applying the *State v. Sublett*, 176 Wn.2d 58, 70-78 (2012) “experience and logic test,” the public trial right historically has not attached to statutory hardship excuses, RCW 2.36.100(1), public access does not play a significant positive role in hardship excuses, openness during pre-voir-dire juror excusal proceedings would not enhance the basic fairness and the appearance of fairness essential to public confidence in the system; II.

***State v. Jones***, 175 Wn.App. 87 (2013)

During a recess, clerk draws the names of sitting jurors who are alternates, court announces which jurors are alternates; held: “experience” of selecting alternate jurors is in open court, “logic” suggests that drawing could have been the result of “manipulation or chicanery,” defendant and public lack the assurance of a truly random drawing that they would have if performed in open court on the record, absent *Bone-Club* analysis remedy is new trial; selection of alternates off the record does not violate defendant’s right to be present, distinguishing *State v. Irby*, 170 Wn.2d 874 (2011); II.

***Pers. Restraint of Copland***, 176 Wn.App. 432, 437-50 (2013)

Defense counsel moves to close courtroom for voir dire, trial court denies motion, both parties agree to private questioning of jurors in chambers, judge addresses certain factors, *State v. Wise*, 176 Wn.2d 1 (2012), without specifically using the words “right to public trial” or “*Bone-Club*,” on direct appeal defense does not raise public trial issues, challenges them here on PRP; held: reviewing the record, appeals court can find that the *Bone-Club* factors were considered by the trial court even though specific findings are not entered, defendant’s assent to chambers voir dire, active participation and benefits, plus fact that court discussed it with the press preclude reversal, *State v. Momah*, 167 Wn.2d 140 (2009); III.

**Restitution/LFOs**

***State v. Cosgaya-Alvarez***, 172 Wn.2d 785 (2013)

Following murder conviction, court may order, as restitution, payment of future child support for victim’s children, *State v. Young*, 63 Wn.App. 324 (1991); I

***Seattle v. Fuller***, 177 Wn.2d 263 (2013)

Municipal courts can order restitution, RCW 9.92.060, 9.95.210; 7-2.

***State v. Grantham***, 174 Wn.App. 399 (2013)

When a restitution hearing is set beyond the 180 day limit, RCW 9.94A.753(1), due to miscalculation by the court, defendant is not obliged to object to preserve the error, *State v. Moen*, 129 Wn.2d 535, 547 (1996); 2-1, II.

***State v. Peterson***, 174 Wn.App. 828, 855-56 (2013)

Following animal cruelty conviction, court is authorized to order restitution for the cost of caring for the animals, RCW 16.52.200(5) (2011); I.

***State v. Blazina***, 174 Wn.App. 906, 911-12 (2013)

Trial court finds defendant has present or future ability to pay discretionary LFOs with no record to support it, no objection, raised for the first time on appeal; held: failure to object waives issue, distinguishing *State v. Bertrand*, 165 Wn.App. 393, 404 (2011), *but see: State v. Calvin*, 176 Wn.App. 1, 24-26 (2013); II.

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**State v. R.G.P.**, 175 Wn.App. 131 (2013)

Juvenile court must order full restitution and may not consider respondent's ability to pay, *State v. A.M.R.*, 147 Wn.2d 91, 96 (2002), including a restitution order following a deferred disposition; II.

**State v. Calvin**, 176 Wn.App. 1, 24-26 (2013)

Court imposes costs and a fine, boilerplate language in judgment and sentence finds ability to pay, no evidence is offered to support finding; held: where court enters findings that defendant is able to pay without evidence to support the finding, costs must be stricken, *but see: State v. Blazina*, 174 Wn.App. 906, 911-12 (2013), *see: State v. Lundy*, 176 Wn.App. 96 (2013); a fine may be imposed, RCW 9A.20.021, without entering findings; I.

**State v. Lundy**, 176 Wn.App. 96 (2013)

Court imposes discretionary legal financial obligations (here, court costs, jury fees and witness costs) and finds an ability to pay absent a discussion at sentencing, record reflects that defendant earned more than \$100,000 annually before becoming an addict, that defendant hoped to work after treatment and that his wife would pay; held: burden for establishing present or likely future ability to pay "is a low one," *see: State v. Baldwin*, 63 Wn.App. 303, 311 (1991) (self-described "employable" in presentence report suffices), showing of indigency is defendant's burden, nothing in the record here suggests defendant's indigency would extend indefinitely, distinguishing *State v. Bertrand*, 165 Wn.App. 393 (2011); court need not consider ability to pay for mandatory fees, here victim assessment, RCW 7.68.035(1)(a) (2011), DNA fee, RCW 43.43.7541 (2011), and \$200 criminal filing fee, RCW 36.18.020(2)(h) (2013); II.

**State v. Chipman**, 176 Wn.App. 615 (2013)

Sentencing court sets restitution for one victim within 180 days of sentencing and sets restitution for another victim beyond 180 days; held: while a court may modify a restitution order after the 180 day limit, RCW 9.94A.753(1) (2003), *State v. Gray*, 174 Wn.2d 920, 926-28 (2012), setting restitution for a different victim, even if part of the same general incident, is precluded, *see: State v. Burns*, 159 Wn.App. 74, 78-80 (2010); II.

## **Robbery**

**Pers. Restraint of Brockie**, 178 Wn.2d 532, 538 (2013)

Robbery 1<sup>o</sup> by means of displaying what appears to be a weapon, RCW 9A.56.200(1)(a)(ii) (2002), is an alternative mean to robbery while actually armed with a weapon, RCW 9A.56.200(1)(a)(i); 9-0.

## **Search: Consent**

**State v. Dancer**, 174 Wn.App. 666 (2013)

Police, seeking a domestic violence suspect, ask defendant's permission to search without provide *Miranda* or warnings per *State v. Ferrier*, 136 Wn.2d 103 (1998), enter home, find drugs; held: *Ferrier* rule does not apply where police seek consent to search for a person whom the police believe is on the premises and trial court finds voluntary consent to enter, *State v. Bustamante-Davila*, 138 Wn.2d 964, 982-83 (1999), *State v. Khounvichai*, 149 Wn.2d 557 (2003), *but see: State v. Westvang*, 174 Wn.App. 913 (2013); II.

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***State v. Westvang***, 174 Wn.App. 913 (2013)

Police, with uncorroborated information that a fugitive might be in defendant's home knock, inform defendant they were searching for fugitive, defendant says he's not there, police inform her she did not have to consent to entry but do not tell her she could end the search at any time or limit the search to particular areas, *State v. Ferrier*, 136 Wn.2d 103 (1998), defendant agrees, police don't find fugitive but find drugs; held: without corroborating or reliable evidence and lacking a reasonable suspicion that a suspect is in the home, police must give *Ferrier* warnings to establish consent to enter, *State v. Freepons*, 147 Wn.App. 689 (2008), distinguishing *State v. Dancer*, 174 Wn.App. 666 (2013), *State v. Bustamante-Davila*, 138 Wn.2d 964 (1999), *State v. Khounvichai*, 149 Wn.2d 557 (2003); II.

#### **Search: Emergency/Community Caretaking**

***State v. Smith***, 177 Wn.2d 533 (2013)

Police unlawfully run names in a motel registry to check for warrants, *State v. Jorden*, 160 Wn.2d 121 (2007), arrest defendant at threshold of motel room, see bloodied victims in room, enter room, rescue victims who tell police about evidence in a dumpster which police search and seize without warrants, trial court admits evidence under inevitable discovery doctrine, later invalidated, *State v. Winterstein*, 167 Wn.2d 620 (2009), Court of Appeals affirms under attenuation and independent source doctrine, *State v. Smith*, 165 Wn.App. 296 (2011); held: police presence at room door was the fruit of the unlawful motel registry search, thus independent source doctrine does not justify entry, but community caretaking and need to render emergency aid do justify entry, *State v. Acrey*, 148 Wn.2d 738, 748 (2003), search was not motivated by any investigatory purpose, victims were in plain view, *State v. Lynd*, 54 Wn.App. 18, 19-23 (1989), *State v. Stevenson*, 55 Wn.App. 725 (1989), evidence in dumpster was discovered from victim's information volunteered contemporaneous with efforts to render aid; willing victim's testimony is not amenable to suppression; 8-1.

#### **Search: Impound**

***State v. Tyler***, 177 Wn.2d 690 (2013)

Following a lawful impound, police need not obtain consent to perform an inventory search of unlocked containers and trunks, effectively overruling *dicta* in *State v. Williams*, 102 Wn.2d 733, 743 (1984), *State v. White*, 135 Wn.2d 761, 771 n.11 (1998); e-mail from searching officer to other sheriffs stating "[t]he obvious way to circumvent this [*Arizona v. Gant*, 556 U.S. 332, 173 L.Ed.2d 485 (2009)] is impounding the vehicle" does not establish that the impound was pretextual; affirms *State v. Tyler*, 166 Wn.App. 202 (2012); 8-1.

#### **Search: Incident to Arrest**

***State v. Ellison***, 172 Wn.App. 710 (2013)

Police find defendant under a blanket outside a home, backpack between his legs, arrest on warrants, handcuff, search backpack, find evidence of identity theft; held: an object is within the control of an arrestee for search incident to arrest as long as it was within arrestee's reach immediately prior to or at the moment of arrest, *State v. Smith*, 119 Wn.2d 675, 681-82 (1992); even if *Arizona v. Gant*, 566 U.S. 332, 173 L.Ed.2d

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485 (2009) applies to a non-automobile search, the concern for officer safety justifies the search of the backpack, *but see: State v. Byrd*, 162 Wn.App. 612, *rev. granted*, 173 Wn.2d 1001 (2011); III.

***State v. Bonds***, 174 Wn.App. 553, 568-71 (2013)

Police may search contents of pockets incident to arrest, scope is not limited to a weapons frisk, *Chimel v. California*, 395 U.S. 752, 762-63, 23 L.Ed.2d 685 (1969), *State v. Jordan*, 92 Wn.App. 25, 31 (1998); II.

### **Search: Warrant**

***Bailey v. United States***, \_\_\_ U.S. \_\_\_, 185 L.Ed.2d 19 (2013)

Police, about to serve a search warrant, observe defendant, meeting description of suspect, leave residence to be searched, follow him for a mile, detain him, patdown, find evidence; held: while police may detain individuals incident to a search warrant, *Michigan v. Summers*, 452 U.S. 692, 69 1340 (1981), once an individual has left the immediate vicinity of premises to be searched, detention must be justified by some other rationale; 6-3.

***State v. Clark***, 178 Wn.2d 19 (2013)

Absent federal pre-emption or a tribe's regulation of the manner in which state agents could execute search warrants on an Indian reservation, a state court may issue a search warrant and state agents can execute the warrant on a reservation, *Nevada v. Hicks*, 533 U.S. 353, 150 L.Ed.2d 398 (2001); affirms *State v. Clark*, 167 Wn.App. 667 (2012); 9-0.

### **Search: Warrantless**

***Florida v. Harris***, \_\_\_ U.S. \_\_\_, 185 L.Ed.2d 61 (2013)

Evidence of a **drug dog's** satisfactory performance in a certification or training program can itself provide sufficient reason to trust his alert; "[i]f a bona fide organization has certified a dog after testing his reliability in a controlled setting, a court can presume (subject to any conflicting evidence offered) that the dog's alert provides probable cause to search. The same is true, even in the absence of formal certification, if the dog has recently and successfully completed a training program that evaluated his proficiency in locating drugs;" 9-0.

***State v. Smith***, 177 Wn.2d 533 (2013)

Police unlawfully run names in a motel registry to check for warrants, *State v. Jorden*, 160 Wn.2d 121 (2007), arrest defendant at threshold of motel room, see bloodied victims in room, enter room, rescue victims who tell police about evidence in a dumpster which police search and seize without warrants, trial court admits evidence under inevitable discovery doctrine, later invalidated, *State v. Winterstein*, 167 Wn.2d 620 (2009), Court of Appeals affirms under attenuation and independent source doctrine, *State v. Smith*, 165 Wn.App. 296 (2011); held: police presence at room door was the fruit of the unlawful motel registry search, thus independent source doctrine does not justify entry, but community caretaking and need to render emergency aid do justify entry, *State v. Acrey*, 148 Wn.2d 738, 748 (2003), search was not motivated by any investigatory purpose, victims were in plain view, *State v. Lynd*, 54 Wn.App. 18, 19-23 (1989), *State v.*

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*Stevenson*, 55 Wn.App. 725 (1989), evidence in dumpster was discovered from victim's information volunteered contemporaneous with efforts to render aid; willing victim's testimony is not amenable to suppression; 8-1.

### **Sentencing**

#### ***State v. Parmelee*, 172 Wn.App. 899 (2013)**

Mandate from Supreme Court vacates exceptional sentence based solely on lack of jury finding, *Blakely v. Washington*, 542 U.S. 296, 159 L.Ed.2d 403 (2004), at resentencing defendant argues that his offender score was wrongly calculated, judge allows argument but expressly declines to consider it, stating that the "offender score is 13," the same as it was at original sentencing; held: where sentencing court declines to consider an issue that was not remanded, and merely states what the score is, the court has not independently reviewed the issue (rejecting state's concession) and thus may not be appealed, *State v. Barberio*, 121 Wn.2d 48, 50 (1993); I.

#### ***Postsentence Review of Wandell*, 175 Wn.App. 447 (2013)**

Community custody condition prohibits defendant from living with minor children, after transfer of supervision out-of-state court modifies condition to allow other state's DOC to modify conditions, Washington DOC appeals, RCW 9.94A.585(7) (2002); held: modification of a sentence may only be entered if permitted by SRA which does not provide for the post-sentence addition of a community custody provision of the sort added here, *State v. Shove*, 113 83, 86 (1989); I.

#### ***State v. Locke*, 175 Wn.App. 779, 804 (2013)**

Court may not order a mental health evaluation and treatment as a condition of community custody absent a presentence report and findings that offender is mentally ill and mental illness impacted the offense, RCW 9.94B.080 (2008), *State v. Halverson*, \_\_\_ Wn.App. \_\_\_ (2013); 2-1, II.

#### ***Postsentence Review of Combs*, 176 Wn.App. 112 (2013)**

Following DOSA revocation, sentencing court orders 42 days credit for time served while defendant was in jail for an unrelated felony, DOC seeks review after asking trial court to modify, RCW 9.94A.587(7) (2002), to which state objected since the credit was part of a plea bargain; held: following revocation of a DOSA sentence, trial court may order that defendant is entitled to credit, but DOC determines amount of credit following revoked DOSA; since state acted in good faith in agreeing to the plea bargain defendant is not entitled to specific performance of an illegal sentence; II.

### **SRA: Exceptional Sentences**

#### ***State v. Duncalf*, 177 Wn.2d 289 (2013)**

For the same incident defendant is charged with assault 1° (great bodily harm) and alternatively assault 2° (substantial bodily harm) and, with respect to the latter, an aggravating factor that the injury substantially exceeded the level of bodily harm necessary to satisfy substantial bodily harm, defense does not ask for a definition of "substantially exceed," jury acquits of assault 1°, convicts of assault 2° and finds the aggravator; held: while the "substantially exceeds" aggravator cannot apply to assault 1°, *State v. Stubbs*,

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170 Wn.2d 117 (2010), these verdicts can be reconciled because the *mens rea* elements differ (assault 1°: intent to inflict great bodily harm; assault 2°: the assault itself must be intended but not the resulting bodily harm); failure to define “substantially exceed” is “merely definitional,” *State v. Gordon*, 172 Wn.2d 671, 677-80 (2011) and not an element and thus cannot be challenged for the first time on appeal, *but see: Alleyne v. United States*, \_\_\_ U.S. \_\_\_ (6/17/13); affirms *State v. Duncalf*, 164 Wn.App. 900 (2011); 9-0.

***Pers. Restraint of Finstad***, 177 Wn.2d 501 (2013)

Trial court imposes consecutive sentence without finding aggravating factor, three years later defendant files PRP seeking concurrent sentences; held: while the court had the authority to impose consecutive sentence without a jury finding of an aggravating factor, *State v. Vance*, 168 Wn.2d 754, 762 (2010), thus the judgment and sentence here is not valid on its face, a procedural violation as occurred here does not establish prejudice, *State v. Chambers*, 176 Wn.2d 573 (2013), thus PRP is dismissed; 6-3.

***State v. Parmelee***, 172 Wn.App. 899 (2013)

Judge, not a jury, may find facts and impose exceptional **consecutive** sentences, *State v. Vance*, 168 Wn.2d 754, 762-63 (2010); I.

***State v. Moreno***, 173 Wn.App. 479, 494-97 (2013)

In assault 1° case, evidence showing that defendant had ties to gang, defendant is in rival gang territory, police expert testifies that the two gangs are uniquely territorial, acts of violence in opposing gang territory improves status in gang, defendant called out gang name just before shooting is sufficient to prove **gang** aggravator, RCW 9.94A.535(3)(s) (2011), *but see: State v. Bluehorse*, 159 Wn.App. 410 (2011); 2-1, III.

***State v. Douglas***, 173 Wn.App. 849 (2013)

Defendant is charged with crimes with an aggravating factor, is convicted, at sentencing receives a 61- month standard range sentence (opinion is unclear as to whether jury found the aggravator), conviction is reversed, state adds more aggravators, jury convicts and finds that the aggravators were proved, court imposes 480 month exceptional sentence; held: RCW 9.94A.537(2) (2007), which permits a jury to be impanelled to consider aggravating factors after a reversal due to *Blakely v. Washington*, 542 U.S. 296, 159 L.Ed.2d 403 (2004), does not bar the state from seeking an exceptional sentence in a case that has been remanded even if an exceptional sentence was requested but not imposed following the previous trial; II.

***State v. Sweat***, 174 Wn.App. 126 (2013)

In domestic violence case, aggravating factor of **pattern of psychological, physical or sexual abuse**, RCW 9.94A.535(h)(i) (2011), does not require proof that the prior incidents of abuse involved the same victim; I.

***State v. Huynh***, 175 Wn.App. 896 (2013)

**Major VUCSA** aggravating factor, RCW 9.94A.535(3)(e) (2011) does not require unanimity on which statutory factor was proved; I.

**SRA Procedure**

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***Pers. Restraint of Toledo-Sotelo***, 176 Wn.2d 759 (2013)

Seriousness level in plea is incorrect but court finds correct standard range, defendant files untimely PRP; held: while a judgment and sentence containing incorrect range or seriousness level may make the judgment facially invalid, *Pers. Restraint of Goodwin*, 146 Wn.2d 861 (2002), where defendant cannot show both facial invalidity and prejudice, *Pers. Restraint of Coats*, 173 Wn.2d 123, 13 (2011), an untimely PRP shall be dismissed; because standard range was correct, judgment and sentence was valid on its face; 9-0.

***State v. Duncalf***, 177 Wn.2d 289 (2013)

For the same incident defendant is charged with assault 1° (great bodily harm) and alternatively assault 2° (substantial bodily harm) and, with respect to the latter, an aggravating factor that the injury substantially exceeded the level of bodily harm necessary to satisfy substantial bodily harm, defense does not ask for a definition of “substantially exceed,” jury acquits of assault 1°, convicts of assault 2° and finds the aggravator; held: while the “substantially exceeds” aggravator cannot apply to assault 1°, *State v. Stubbs*, 170 Wn.2d 117 (2010), these verdicts can be reconciled because the *mens rea* elements differ (assault 1°: intent to inflict great bodily harm; assault 2°: the assault itself must be intended but not the resulting bodily harm); failure to define “substantially exceed” is “merely definitional,” *State v. Gordon*, 172 Wn.2d 671, 677-80 (2011) and not an element and thus cannot be challenged for the first time on appeal, *but see: Alleyne v. United States*, \_\_\_ U.S. \_\_\_ (6/17/13); affirms *State v. Duncalf*, 164 Wn.App. 900 (2011); 9-0.

***State v. Lowe***, 173 Wn.App. 390 (2013)

Sentencing court includes in offender score a juvenile conviction where juvenile court had dismissed a deferred disposition because prosecutor neglected to seek revocation prior to the end the deferral period but juvenile court did not vacate the disposition as respondent had not fully complied; held: juvenile court is not required to vacate a conviction at the conclusion of a deferred disposition where motion to revoke has been untimely; juvenile court lacks authority to vacate a conviction unless it affirmatively finds full compliance with the conditions, RCW 13.40.127 (2009), *State v. D.P.G.*, 169 Wn.App. 396, 400-01 (2012); I.

***State v. Warnock***, 174 Wn.App. 608 (2013)

Evidence at assault 2° trial establishes defendant had been drinking alcohol, court orders as condition of community custody that defendant obtain a chemical dependency evaluation; held: absent evidence and a finding that chemical dependency contributed to the crime, court lacks authority to impose the condition, RCW 9.94A.607(1), *State v. Jones*, 118 Wn.App. 199, 207 (2003); Division I concludes that there is a distinction between chemical dependency and alcohol abuse.

***State v. Olsen***, 175 Wn.App. 269, 286-91 (2013)

Where the elements of a foreign offense are broader than a Washington offense precluding legal comparability, the court may determine if the offense is factually comparable, *i.e.*, whether the conduct underlying the foreign offense would have violated the “comparable Washington statute,” *State v. Thieffault*, 160 Wn.2d 409, 415 (2007); here, defendant pleaded no contest to a California crime that is not legally comparable to a Washington felony, no contest in California means defendant admits guilt to all elements, conduct to which defendant admitted in his no contest plea would have satisfied the conduct necessary to be convicted in Washington; II.

***State v. Jacob***, 176 Wn.App. 351 (2013)

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Only criminal traffic convictions count on offender score for felony DUI, *State v. Martinez Morales*, 168 Wn.App. 489, 498 (2012), and only criminal traffic offenses count for purposes of washing beyond five years, RCW 9.94A.525(2)(e) (2011), disapproving *State v. Martinez Morales, supra*, at 495-96; II.

***State v. Williams***, 176 Wn.App. 138 (2013)

To determine whether or not two prior offenses are the same criminal conduct, RCW 9.94A.525(5)(a)(i) (2013), sentencing court must apply the same criminal conduct test, *State v. Torngren*, 147 Wn.App. 556, 563 (2008), and cannot apply the burglary anti-merger statute, RCW 9A.52.050 (1975), which only applies to current offenses, *see: State v. Lessley*, 118 Wn.2d 773, 779-82 (1992); 2-1, III.

**SRA Same Criminal Conduct**

***State v. Aldana Graciano***, 176 Wn.2d 531 (2013)

Test for appeal of sentencing court's findings regarding same criminal conduct is abuse of discretion, not *de novo*, overruling, in part, *State v. Torngren*, 147 Wn.App. 556 (2008); burden of establishing same criminal conduct is on defense, overruling, in part, *State v. Dolen*, 83 Wn.App. 361 (1996); 6-3.

***State v. Davis***, 174 Wn.App. 623, 641-44 (2013)

Defendant uses pistol to shoot victim, later shoots at victim's last known position with a shotgun, is convicted of attempted murder and assault 2°, court finds same criminal conduct, state cross-appeals; held: appellant bears the burden to prove an abuse of discretion, both offenses occurred within 50 feet of each other, trial court did not abuse discretion in finding that they occurred at the same place; II.

***State v. Williams***, 176 Wn.App. 138 (2013)

To determine whether or not two prior offenses are the same criminal conduct, RCW 9.94A.525(5)(a)(i) (2013), sentencing court must apply the same criminal conduct test, *State v. Torngren*, 147 Wn.App. 556, 563 (2008), and cannot apply the burglary anti-merger statute, RCW 9A.52.050 (1975), which only applies to current offenses, *see: State v. Lessley*, 118 Wn.2d 773, 779-82 (1992); 2-1, III.

**SRA Washout**

***State v. Mehrabian***, 175 Wn.App. 678, 708-11 (2013)

Defendant is convicted of theft 1° in 1992, has no convictions until current crime but in 2003 is incarcerated for willful failure to pay legal financial obligations, trial court at sentencing concludes that prior theft washed, RCW 9.94A.525(2)(b) (2011), because he spent ten crime-free years; held: incarceration for a probation violation constitutes confinement pursuant to a felony precluding washout, *State v. Blair*, 57 Wn.App. 512, 515-17 (1990), *State v. Perencevic*, 54 Wn.App. 585, 589 (1989); I.

***State v. Jacob***, 176 Wn.App. 351 (2013)

Only criminal traffic convictions count on offender score for felony DUI, *State v. Martinez Morales*, 168 Wn.App. 489, 498 (2012), and only criminal traffic offenses count for purposes of washing beyond five years, RCW 9.94A.525(2)(e) (2011), disapproving *State v. Martinez Morales, supra*, at 495-96; II.

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## Sex Offenses

### ***Pers. Restraint of Morris***, 176 Wn.2d 157, 168-71 (2012)

In child abuse case, expert testimony about the suggestibility of young children as it relates to specific interview techniques is helpful to the jury, distinguishing *State v. Swan*, 114 Wn.2d 613, 656 (1990), see: *State v. Willis*, 151 Wn.2d 255, 261 (2004); 9-0.

### ***State v. Smith***, 177 Wn.2d 533, 545-50 (2013)

Rape 1° and rape of a child 2° based upon same facts and same victim do not violate double jeopardy as they are not legally equivalent and legislature did not intend to prohibit multiple convictions arising from a single sexual act, *State v. Calle*, 125 Wn.2d 769 (1995), distinguishing *State v. Hughes*, 166 Wn.2d 675, 681-86 (2009); overrules *State v. Birgin*, 33 Wn.App. 1 (1982); 8-1.

### ***State v. Lynch***, 178 Wn.2d 487 (2013)

In rape 1° case where defendant denies forcible compulsion, trial court may not, over defendant's objection, instruct jury on the defense of consent with burden to prove consent on defendant, *State v. Coristine*, 177 Wn.2d 370 (2013); 9-0.

### ***State v. Land***, 172 Wn.App. 593 (2013)

Defendant is convicted of child molestation and child rape over the same charging period of same victim, no unanimity instruction is given; held: where the only evidence of child rape is penetration, then rape is not the same crime as molestation as the latter requires proof of sexual gratification, rape does not; where the only evidence of intercourse supporting child rape is sexual contact involving sex organs and mouth of anus, that act of intercourse, if done for sexual gratification, is both molestation and rape and thus are not separately punishable, so jury instruction requiring separate and distinct acts is required, but where state's argument, victim's testimony and to convict instructions make it clear state is not seeking to punish twice for same act, defendant's right to be free from double jeopardy is not violated, at 598-603, *State v. Mutch*, 171 Wn.2d 646, 661-65 (2011), *State v. Noltie*, 116 Wn.2d 831, 849 (1991); I.

### ***State v. Mohamed***, 175 Wn.App. 45 (2013)

Information charging indecent liberties/incapable of consent as physically helpless, RCW 9A.44.100(1)(b) (2007), need not allege that defendant knew victim is incapable of consent, defendant has burden to prove by preponderance that defendant reasonably believed victim was not helpless, RCW 9A.44.030(1)9 (1988), disapproving *dicta* in *State v. Lough*, 70 Wn.App. 302, 325 n. 14 (1993), *aff'd*, 125 Wn.2d 847 (1995); I.

### ***State v. Benitez***, 175 Wn.App. 116, 122-23 (2013)

A juvenile adjudication of a sex offense is a prior conviction for purposes of enhancing **indecent exposure**, RCW 9A.88.010(2)(c) (2003), from a misdemeanor to a felony; II.

## Speedy Trial

### ***State v. Sanchez***, 172 Wn.App. 678 (2012)

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Juvenile's trial date is not set within fifteen days of arraignment, JuCR 7.8(d)(1), at a pretrial hearing the case is not called, prosecutor is not present, respondent and counsel leave court without notifying the judge, respondent is tried months later; held: dismissal is only a remedy for failure to try a case within the time limits, thus failure to set a date within fifteen days of arraignment, while a violation of the rule, does not require dismissal, see: *State v. Parris*, 30 Wn.App. 268 (1981); an appearance requires respondent's physical presence plus notification to the prosecutor of presence and presence must be contemporaneously noted on the record, JuCR 7.8(2)(iii), thus amended rule overrules definition of appearance in *State v. Ledenko*, 87 Wn.App. 39 (1997); III.

***State v. MacNeven*, 173 Wn.App. 265 (2013)**

Failure to object to a continuance within ten days of trial setting forecloses the issue on appeal, CrR 3.3(d)(3) (2003), *State v. Bobenhouse*, 143 Wn.App. 315, 322 (2008), *aff'd, on other grounds*, 166 Wn.2d 881 (2009); moving for a continuance by or on behalf of a party waives that party's objection, CrR 3.3(f)(2) (2003); II.

***State v. Tolles*, 174 Wn.App. 819 (2013)**

Defendant is charged with child rape in 2003, spends 37 days in jail, charge dismissed when complainant refused to cooperate, refiled in 2010, is arrested in Oregon where he was on probation, brought before the Washington court, is tried 27 days after appearing in Washington, claims that time for trial began to run at time of arrest in Oregon; held: time for trial cannot expire less than 30 days after the end of any excluded period, CrR 3.3(b)(5), dismissal and refiled is an excluded period, CrR 3.3(e)(4), thus state had 30 days to try defendant irrespective of the 37 days spent in jail earlier; because defendant was on "conditions of release imposed by an Oregon court," another excluded period applied, CrR 3.3(c)(6); II.

**Statements and Confessions**

***State v. Trochez-Jimenez*, 173 Wn.App. 423 (2013)**

Defendant is arrested in Canada for illegal entry, Canadian police advise him of his right under the Canadian Charter to counsel, defendant requests counsel, is not questioned, is not provided counsel, after booking U.S. police advise him of his *Miranda* rights, defendant confesses to shooting and killing victim in the U.S.; held: advise of right to counsel by foreign officials in a foreign country regarding a foreign offense and invocation of the right to counsel does not invoke the Fifth Amendment right to counsel, distinguishing *Edwards v. Arizona*, 451 U.S. 477, 484-85, 68 L.Ed.2d 378 (1981), *Arizona v. Roberson*, 486 U.S. 675, 677, 100 L.Ed.2d 704 (1988); I.

***State v. Gasteazoro-Paniagua*, 173 Wn.App. 751 (2013)**

"I mean I guess I'll just have to talk to a lawyer about it" is not an unequivocal request for a lawyer, distinguishing *State v. Nysta*, 168 Wn.App. 30, 40-41 (2012), *State v. Pierce*, 169 Wn.App. 533 (2012), as it is not in the present tense and did not refer to "his lawyer or any lawyer in particular," "guess" indicates doubt; II.

***State v. Gauthier*, 174 Wn.App. 257 (2013)**

Comment on defendant's refusal to consent to a DNA swab as evidence of guilt or impeachment violates defendant's right to refuse to consent to a warrantless search, manifest constitutional error; I.

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## **Statements and Confessions: Police/Prosecutor's Comment on Silence**

### ***State v. Embry*, 171 Wn.App. 714, 750-51 (2012)**

After advice of rights and making some statements and after being shown crime video, defendant states “that is what it is...can’t do anything but go to trial with that,” detective testifies that defendant made it clear that the code would not allow him to cooperate or testify against others, prosecutor argues to jury “code of the street: don’t cooperate with the police...don’t talk to the police...,” held: defendant never clearly and unequivocally invoked his right to remain silent, *see: State v. Hodges*, 118 Wn.App. 668 (2003); failure to object to prosecutor’s argument waived error as statement was not flagrant and ill intentioned, distinguishing *State v. Monday*, 171 Wn.2d 667 (2011); 2-1, II.

## **Theft**

### ***State v. Evans*, 177 Wn.2d 186 (2013)**

A corporate victim is a person for purposes of identity theft, RCW 9.35.020(3) (2008), 9.35.005(4) (2001); affirms *State v. Evans*, 164 Wn.App. 629 (2011); 8-1.

### ***State v. Mau*, 178 Wn.2d 308 (2013)**

Defendant makes a false claim for damages to U-Haul which is self-insured but contracts with an insurer to manage the claims, is convicted of making a false insurance claim, RCW 48.30.230 (2003); held: state failed to prove that a claims administration contract is a contract of insurance; 7-2.

### ***State v. Lau*, 174 Wn.App. 857 (2013)**

Defendant is convicted of theft from the government for underreporting gambling receipts and thus not paying taxes on the gambling income; held: no evidence established that the government had an ownership interest in the gross gambling receipts or that the receipts constituted an account receivable, thus evidence was insufficient to prove that defendant wrongfully obtained the property of another; I.

## **Vagueness/Overbreadth**

### ***State v. Bauer*, 174 Wn.App. 59, 77-81 (2013)**

Assault 3° by criminal negligence, RCW 9A.36.031(1)(d) (2011), is not vague, *State v. Saunders*, 132 Wn.App. 592, 598-600 (2006); 2-1, II.

### ***State v. Bradford*, 175 Wn.App. 912, 921-27 (2013)**

Harassment provision of stalking, RCW 9A.46.110(1)(a) (2007), is not overbroad or vague; I.

## **VUCSA**

### ***State v. Zillyette*, 178 Wn.2d 153 (2013)**

Identity of the controlled substance is an essential element of controlled substances homicide, *State v. Zillyette*, 173 Wn.2d 784 (2012), even if raised for the first time on appeal; reverses *State v. Zillyette*, 169 Wn.App. 24 (2012); 9-0.

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***State v. Shape***, 172 Wn.App. 341 (2012)

Designated medical marijuana provider may deliver to more than one patient as long as it is not delivered to more than one patient at the same time, RCW 69.51A.010(1)(d) (2010), *see*: RCW 69.51A.040 (2011); where defense establishes a *prima facie* case to support a medical marijuana defense and state presents no evidence to rebut, remedy is dismissal; 2-1, III.

***State v. Huynh***, 175 Wn.App. 896 (2013)

Possession of a controlled substance with intent to manufacture or deliver is not an alternative means crime, as the only physical act involved is the act of possession, intent to manufacture or deliver address defendant's mental state, *State v. Peterson*, 168 Wn.2d 763, 769 (2010); major VUCSA aggravating factor, RCW 9.94A.535(3)(e) (2011) does not require unanimity on which statutory factor was proved; I.

***State v. Davis***, 176 Wn.App. 385 (2013)

Selling drugs from a motel room is insufficient to convict of unlawful use of a building for drug purposes, RCW 69.53.010 (1988), as statute only applies to those managing or controlling property who allow others to deal drugs; II.

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## CASELAW REVIEW 2012

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### Exceptional Sentences

#### *State v. Gordon*, 172 Wn.2d 671 (2011)

Appellant may not challenge failure of the trial court to further define terms contained with an aggravating circumstance instruction for the first time on appeal as it is not of constitutional magnitude; reverses, in part, *State v. Gordon*, 153 Wn.App. 516 (2009); 9-0.

#### *State v. Gassman*, 160 Wn.App. 600, 613-14 (2011)

Defendant is convicted of robbery 1°, two counts of assault 1°, two counts of drive-by shooting for one incident, defendant has prior attempted robbery conviction and prior juvenile "residential robbery," trial court finds 46 year presumptive sentence is clearly excessive and that defendant was induced by others to commit the crimes and victim initiated the contact, imposes 129 month mitigated exceptional sentence; held: sentencing judge's consideration of defendant's age (21) and criminal history, substantial evidence supports exceptional sentence; 2-1, III.

#### *State v. Statler*, 160 Wn.App. 622, 639-40 (2011)

Defendant's young age (21), lack of serious injuries to victims, lengthy presumptive sentence compared to co-defendants who pleaded guilty justify mitigated exceptional sentence; 2-1, III.

#### *State v. Webb*, 162 Wn.App. 195, 205-08 (2011)

Defendant robs store with his 9-year old daughter present, video of robbery shows daughter "shocked," victim says she was "absolutely stunned," friend of defendant says daughter was "stunned" 1½ hours after robbery, no other evidence presented, jury finds aggravating factor of **destructive and foreseeable impact on persons other than the victim**, RCW 9.94A.535(3)(r); held: absent a lasting destructive impact, evidence is insufficient to establish the aggravating factor, *c.f.*: *State v. Cuevas-Diaz*, 61 Wn.App. 902, 904 (1991), *State v. Jackson*, 150 Wn.2d 251, 275-76 (2003); 2-1, III.

#### *State v. Garcia*, 162 Wn.App. 678 (2011)

Homeless sex offender, required to report weekly, calls sheriff to report that his ride failed to show and that he would surrender to DOC at county jail for a warrant, upon arrival at jail after sheriff's office closed, jail turns him away due to time of day, is charged with failure to register as a sex offender, trial court imposes mitigated sentence based upon transportation difficulties, attempts to comply, de minimis nature of violation, state appeals; held: sentencing court may not (and did not) base the exceptional sentence on mitigating factors necessarily considered by legislature in setting the standard range; **cooperation with state authorities** is a valid mitigating factor, *State v. Nelson*, 108 Wn.2d 491, 500-01 (1987); **de minimis** nature of violation is not a proper mitigating factor, *State v. Fowler*, 108 Wn.2d 400, 405 (2002), nor are "personal characteristics" such as drug use and family support; defendant's transportation difficulties and attempt to comply are mitigating factors as neither relate to defendant's personal conditions, rather are specifically

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focused on the elements of the crime; crime of failure to register is intended to address location of sex offenders and availability of such information to local authorities, defendant's behavior met both of these factors, thus mitigated sentence affirmed; III.

***State v. Chanthabouly***, 164 Wn.App. 104, 142-45 (2011)

Shooting and killing a student in front of other high school students is sufficient to support a finding of **destructive and foreseeable impact on persons other than the victim**, RCW 9.94A.535(3)(r) (2011), distinguishing *State v. Way*, 88 Wn.App. 830 (1997); II.

***State v. Griffin***, 173 Wn.2d 467 (2012)

At a fact finding hearing to determine the existence of an aggravating factor, evidence rules apply, ER 1101(c)(3) only applies to the sentencing itself; 9-0.

***State v. Rowland***, 174 Wn.2d 150 (2012)

Before *Blakely v. Washington*, 542 U.S. 296, 159 L.Ed.2d 403 (2004), trial judge finds an aggravating factor and imposes an exceptional sentence, on collateral review appellate court finds an error in offender score, *Pers. Restraint of Rowland*, 149 Wn.App. 496, 512 (2009), at resentencing court concludes *Blakely* is inapplicable, *State v. Evans*, 154 Wn.2d 438, 443-48 (2005), changes offender score, re-imposes exceptional sentence; held: because no new exceptional sentence was imposed, judge was authorized to reimpose sentence without a jury finding; 9-0.

***State v. Siers***, 174 Wn.2d 269 (2012)

An aggravating factor need not be charged in the information, overruling *State v. Powell*, 167 Wn.2d 672 (2009), reversing *State v. Siers*, 158 Wn.App. 656 (2010); 9-0.

***State v. Guzman Nuñez***, 174 Wn.2d 707 (2012)

Jury must be unanimous to find that state did not prove aggravating factors, overruling *State v. Bashaw*, 169 Wn.2d 133 (2010), *State v. Goldberg*, 149 Wn.2d 888, 894 (2003); 9-0.

***State v. Cham***, 165 Wn.App. 438, 449-50 (2011)

**Rapid recidivism**, RCW 9.94A.535(3)(t) (2011), does not require a finding of a pattern of prior similar offenses showing heightened culpability and a greater disregard and disdain for the law, *State v. Williams*, 159 Wn.App. 298, 314 (2011), reoffending an hour after release from jail is sufficient; 2-1, II.

***State v. Zigan***, 166 Wn.App. 597 (2012)

Evidence in vehicular homicide case that defendant smiled, laughed and joked about hitting a motorcyclist with a car establishes **egregious lack of remorse**, *State v. Erickson*, 108 Wn.App. 732, 739-40 (2001), *State v. Wood*, 57 Wn.App. 792, 795 (1990); vehicular homicide two months after release on an unrelated crime is sufficient to establish **rapid recidivism**, *State v. Saltz*, 137 Wn.App. 576 (2007); III.

## **Procedure**

***State v. Franklin***, 172 Wn.2d 831 (2011)

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RCW 9.94A.701 (2009) which retroactively directs Department of Corrections to reduce community custody length does not entitle defendant to a new sentencing hearing, *c.f.*: *Pers. Restraint of Brooks*, 166 Wn.2d 664 (2009), *State v. Winborne*, 167 Wn.App. 320 (2012); 9-0.

***State v. Hunley***, 161 Wn.App. 919, 927-32, *rev. granted*, 172 Wn.2d 1014 (2011)

State offers list of prior convictions, defense neither acknowledges nor objects, court determines offender score based upon state's list; held: due process clause places burden on state to prove prior convictions by a preponderance, state's "bare assertions, unsupported by evidence" are insufficient, *State v. Ford*, 137 Wn.2d 472, 479-82 (1999); 2008 amendments to RCW 9.94A.500 and .530 which state that a criminal history summary is *prima facie* evidence of prior convictions and defendant's failure to object constitutes acknowledgement is unconstitutional as applied where criminal history is an unsworn list of crimes; remedy where there is no objection is remand allowing state to present evidence of priors, *State v. Mendoza*, 165 Wn.2d 913, 930 (2009), *State v. Hayes*, 165 Wn.App. 507, 522-24 (2011); 2-1, II.

***State v. Walters***, 162 Wn.App. 74, 85-86 (2011)

An out-of-state conviction that has comparable elements to a Washington crime counts in offender score even if the other state classifies it as a misdemeanor, RCW 9.94A.525(3); 2-1, II.

***State v. King***, 162 Wn.App. 234 (2011)

Adding a point where a defendant is on community custody when new felony is committed, RCW 9.94A.525(19) (2011), only applies to Washington community custody, RCW 9.94B.020(2) (2008), and not to out-of-state post-custodial supervision; where defendant pleads guilty to two counts with identical standard ranges which must run concurrently, is sentenced within standard range, appeals correctly claiming that offender score was in error which only impacts standard range on one count, thus standard range remains the same even though it is less on one count, he may withdraw plea to both counts, *State v. Mendoza*, 157 Wn.2d 582, 589-91 (2006), *State v. Bisson*, 156 Wn.2d 507, 518-20 (2006), *State v. Turley*, 149 Wn.2d 395, 400-01 (2003), harmless error analysis is "eschewed;" III.

***State v. Calhoun***, 163 Wn.App. 153 (2011)

Prior to resentencing after remand, legislature amends RCW 9.94A.525(21) and .530 (2008) to allow the state to introduce additional evidence regarding criminal history not previously presented, state offers additional prior convictions and additional evidence to support comparability of out-of-state convictions; held: savings statute, RCW 10.01.040, requires that defendants be prosecuted under the law in effect at the crime, *State v. Kane*, 101 Wn.App. 607, 610 (2000), which applies only to substantive law changes, *State v. Pillatos*, 159 Wn.2d 459, 472 (2007); legislature had authority to amend SRA to require trial courts to impose sentences based on defendant's actual history even if not fully known at original sentencing; II.

***State v. Bribiesca Guerrero***, 163 Wn.App. 773 (2011)

Trial court is not obliged to order a chemical dependency screening for a defendant convicted of a drug offense who is eligible for a drug offender sentencing alternative, RCW 9.94A.500(1), 9.94A.660; III.

***State v. Mahone***, 164 Wn.App. 146 (2011)

Defendant is sentenced to community custody on two cases, violates terms, is sentenced to consecutive terms; held: community custody on multiple sentences must run consecutively, RCW 9.94A.589(2)(a), violations are limited to sixty days for each violation, RCW 9.94A.200 (1994),

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9.94B.040(1), -(3)(c) (2002), thus court may only impose terms for violation on the current community custody, *see also: State v. Hughes*, 70 Wn.App. 142 (1993); II.

***State v. Irish***, 173 Wn.2d 787 (2012)

At sentencing, defendant claims that state did not prove validity of a guilty plea of a prior conviction, trial court disregards defendant's claim, Court of Appeals reverses in unpublished opinion; held: state need not prove constitutional validity of a prior conviction used to calculate a defendant's offender score on a current conviction, *State v. Ammons*, 105 Wn.2d 175, 187-88 (1986); to challenge validity of prior, defendant must file PRP; *per curiam*.

***Pers. Restraint of Carrier***, 173 Wn.2d 791 (2012)

Defendant may challenge the inclusion of a prior conviction considered by the sentencing court beyond the one year collateral attack period, RCW 10.73.090(1), as the invalidity of a judgment and sentence "on its face" is not limited to the four corners of the judgment and sentence, *Pers. Restraint of Coats*, 173 Wn.2d 123, 138 (2011); in determining whether a judgment and sentence is valid on its face, the court may consider documents that bear on the trial court's authority to impose a valid judgment and sentence, including, but not limited to, charging documents, verdicts, plea statements and, here, an order of dismissal following completion of probation, former RCW 9.95.240; a vacated conviction cannot be used as criminal history, distinguishing *State v. Braithwaite*, 92 Wn.2d 624 (1979), disavowing *State v. Moore*, 75 Wn.App. 166 (1994), *State v. Wade*, 44 Wn.App. 154 (1986); 6-3.

***State v. Boyd***, 174 Wn.2d 470 (2012)

Where confinement and community custody exceed maximum sentence, court must reduce the term of community custody so that the total does not exceed the maximum, RCW 9.94A.701(9) (2010), distinguishing *Pers. Restraint of Brooks*, 166 Wn.2d 664 (2009), *State v. Franklin*, 172 Wn.2d 831, 839 (2011); *per curiam*.

***State v. Crawford***, 164 Wn.App. 617 (2011)

Sentencing court cannot add a point to offender score for committing a crime while "under community custody," RCW 9.94A.525(19) (2008) where the crime is committed while defendant is in jail as community custody is tolled during confinement, RCW 9.94A.625(3) (2008); I.

***State v. Griffin***, 173 Wn.2d 467 (2012)

At a fact finding hearing to determine the existence of an aggravating factor, evidence rules apply, ER 1101(c)(3) only applies to the sentencing itself; 9-0.

***State v. Cooper***, 164 Wn.App. 407 (2011)

A guilty plea counts as a conviction even if the out-of-state jurisdiction (Texas) defers adjudication, as a guilty plea is defined as a conviction, RCW 9.94A.030(9) (2011); II.

***State v. Duncalf***, 164 Wn.App. 900 (2011)

For the same incident defendant is charged with assault 1° (great bodily harm) and alternatively assault 2° (substantial bodily harm) and, with respect to the latter, an aggravating factor that the injury substantially exceeded the level of bodily harm necessary to satisfy substantial bodily harm, defense does not ask for a definition of "substantially exceed," jury acquits of assault 1°, convicts of assault 2° and finds the

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aggravator; held: while the “substantially exceeds” aggravator cannot apply to assault 1°, *State v. Stubbs*, 170 Wn.2d 117 (2010), these verdicts can be reconciled because the *mens rea* elements differ (assault 1°: intent to inflict great bodily harm; assault 2°: the assault itself must be intended but not the resulting bodily harm); failure to define “substantially exceed” is “merely definitional,” *State v. Gordon*, 172 Wn.2d 671, 677-80 (2011) and not an element and thus cannot be challenged for the first time on appeal; I.

***State v. Reyes-Brooks***, 165 Wn.App. 193, 202-06 (2012)

Where appellate court reverses for failure of trial court to properly instruct as to unanimity regarding a firearm enhancement, *State v. Bashaw*, 169 Wn.2d 133, 147 (2010), , *overruled*, *State v. Guzman Nuñez*, 174 Wn.2d 707 (2012), remedy is to remand to allow empanelment of a jury “to consider the aggravating factor with proper instructions,” at 202 [Division I appears to equate an enhancement with an aggravating factor]; 2-1.

***State v. Breaux***, 167 Wn.App. 166 (2012)

Where defendant is convicted of two or more serious violent offenses, RCW 9.94A.030(44) (2012), with the same seriousness level but different standard ranges, the offender score for the offense carrying the lesser range is calculated at zero, as RCW 9.94A.589(1)(b) (2002) is ambiguous thus rule of lenity necessitates an interpretation in favor of defendant; I.

***State v. Winborne***, 167 Wn.App. 320 (2012)

To ensure that a sentence of confinement plus community custody does not exceed the maximum sentence, sentencing court must impose the term of confinement, the term of community custody, then reduce the term of community custody if necessary, RCW 9.94A.701(9) (2010), distinguishing *Pers. Restraint of Brooks*, 166 Wn.2d 664, 675 (2009), *State v. Franklin*, 172 Wn.2d 831 (2011), *State v. Winkle*, 158 Wn.App. 323 (2011); III.

***State v. Martinez Morales***, 168 Wn.App. 489 (2012)

In determining offender score for felony DUI, only serious traffic offenses count, including for purposes of washout; here, nine years passed between two serious traffic offenses, thus prior washes in spite of a non-traffic criminal conviction; I.

### **Same Criminal Conduct**

***State v. Mutch***, 171 Wn.2d 646, 653-56 (2011)

Defendant rapes victim five times over the course of a night and next morning, sleeps in between, gaps in between each rape support conclusion that defendant objectively formed new criminal intent, thus not same criminal conduct, *State v. Grantham*, 84 Wn.App. 854 (1997), distinguishing *State v. Tili*, 139 Wn.2d 107, 119-25 (1999); trial court is obliged to analyze whether crimes are same criminal conduct where raised, failure to do so is error, but where record is sufficient, appellate court may sustain trial court's decision; 9-0.

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## **Washout**

***State v. Martínez Morales***, 168 Wn.App. 489 (2012)

In determining offender score for felony DUI, only serious traffic offenses count, including for purposes of washout; here, nine years passed between two serious traffic offenses, thus prior washes in spite of a non-traffic criminal conviction; I.

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## SECTION 3 - SENTENCING GUIDELINES

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This section explains the rules for applying the sentencing guidelines to **felony crimes committed after June 30, 1984**, including changes enacted by the 2013 regular session of the Legislature.

### **DETERMINING FELONY CLASS**

Felonies defined in Title 9A and Title 9 of the Revised Code of Washington (RCW) fall into one of three classes: Class A, Class B or Class C. The class of these felonies is either defined explicitly as part of the definition of the offense, or implicitly, based on the statutory maximum period of incarceration. A felony washout period (RCW 9.94A.525(2)), vacation of conviction record (RCW 9.94A.640), status as a violent offense (RCW 9.94A.030(54)) and statutory maximum period of incarceration are functions of offense class.

#### **Felonies Defined in Title 9A RCW**

Felonies defined by Title 9A RCW have an A, B or C class designation explicitly stated. These felonies carry the following maximum penalties (RCW 9A.20.021):

Class A	Life in prison, \$50,000 fine
Class B	Ten years in prison, \$20,000 fine
Class C	Five years in prison, \$10,000 fine

#### **Felonies Defined Outside Title 9A**

Some felonies are defined outside Title 9A RCW without an explicit felony class. The 1996 Legislature<sup>1</sup> enacted RCW 9.94A.035, establishing the classes of such offenses for SRA purposes. The class is based on the maximum period of incarceration provided for the first conviction of violating the statute creating the offense:

Class A	20 years or more
Class B	Eight or more, less than 20 years
Class C	Less than eight years

Therefore, statutes increasing the maximum sentence for subsequent convictions do not affect the classification of the offense for SRA purposes, even though they increase the maximum sentence that may be imposed.

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<sup>1</sup> Historically, RCW 9A.20.040 was used to determine the class of these “unclassified” offenses for SRA sentencing purposes, based on the same relationship between the offense and the maximum sentence as shown. A 1995 decision of the Court of Appeals, Division II (*State v. Kelley*, 77 Wn. App. 66) held that RCW 9A.20.040 should not be used to determine the class of crimes defined outside Title 9A, or where the statutory maximum has been doubled as a result of sentencing enhancements. The 1996 legislation was intended to be consistent with the *Kelley* decision.

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Felonies for which no maximum punishment is specifically prescribed are punished by confinement for not more than ten years and a fine not to exceed \$20,000 or both, and are classified as Class B felonies (See RCW 9.92.010, as amended in 1996).

## **DETERMINING THE OFFENSE SERIOUSNESS LEVEL**

The offense of *conviction* determines the offense seriousness level.

### **General Felony Crimes**

The seriousness level is measured on the vertical axis of the sentencing guidelines grid (Section 4, page 87). Offenses are divided into 16 seriousness levels ranging from low (Level I) to high (Level XVI). RCW 9.94A.515 lists the crimes within each seriousness level (Section 4, page 89).

This edition of the Manual includes the grids applicable to offenses committed after July 24, 1999, as well as the 2012 changes to the list of offenses ranked on the adult felony sentencing grid. Previous versions of the grid can be found in Section 4.

On the grid, numbers in the first horizontal row of each seriousness category represent sentencing midpoints in months (m). Numbers in the second and third rows represent standard sentencing ranges in months, or in days if so designated. 12+ equals one year and one day.

### **Drug Crimes**

Drug offenses committed on or after July 1, 2003, are divided into three seriousness levels and sentenced according to the drug grid (Section 4, page 97). RCW 9.94A.518 lists the crimes within each seriousness level (Section 4, page 98).

### **Unranked Felony Crimes**

Some felonies are not included in the Seriousness Level table and are referred to as “unranked.” Sentences for unranked felonies are entered without reference to a standard sentence range and do not require sentence calculations. The sentencing options for unranked felonies are described in Section 3, page 67.

## **DETERMINING THE OFFENDER SCORE**

The offender score, one factor affecting a felony sentence, is measured on the horizontal axis of the sentencing guidelines grid. An offender may receive from 0 to 9+ points on that axis. In general, the number of points an offender receives depends on five factors: (1) the number of prior criminal convictions or juvenile dispositions; (2) the relationship between any prior offense(s) and the current offense of conviction;

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(3) the presence of other current convictions; (4) the offender's community custody status at the time the crime was committed; and (5) the length of the offender's crime-free behavior between offenses.

## **CRIMINAL HISTORY COLLECTION**

Pursuant to RCW 9.94A.030(11), criminal history includes the defendant's prior adult convictions and juvenile court dispositions in any state or in federal court. Although an offender's criminal history consists almost exclusively of *felony* convictions, in some instances, it also includes misdemeanors. The effect of criminal history also relates to the felony class of the crime (Class A, Class B or Class C), and the type of offense (i.e. serious violent, violent, nonviolent, sex, etc.). Lists of such felony offenses can be found in Section 5.

### **Adult Criminal History**

The Criminal Justice Information Act (Chapter 10.98 RCW) established the Washington State Patrol Identification and Criminal History Section (the Section) as the primary source of information on state felony conviction histories. The Act directs judges to ensure that felony defendants are fingerprinted and that arrest and fingerprint forms are transmitted to the Washington State Patrol (RCW 10.98.050(2)). After filing charges, prosecutors contact the Section for an offender's Washington criminal history. Prosecutors also obtain out-of-state or federal criminal history information from the Federal Bureau of Investigation or other appropriate sources.

A conviction is defined as a verdict of guilty, a finding of guilty, or an acceptance of a plea of guilty. RCW 9.94A.525(1) defines a prior conviction as one existing before the date of the sentencing for the offense for which the offender score is being computed. Convictions entered or sentenced on the same date as the conviction for which the offender score is being computed are deemed "other current offenses" within the meaning of RCW 9.94A.589.

Prior adult convictions should be counted as criminal history unless:

- "Wash out" provisions apply; or
- A court has previously determined that they constituted "same criminal conduct" as defined by RCW 9.94A.589; or
- They were not previously deemed "same criminal conduct" but their sentences were served concurrently and a court now determines that they were committed at the same time, in the same place, and involved the same victim; or
- The sentences were served concurrently and they were committed before July 1, 1986.

RCW 9.94A.030(11) provides that, when the information is available, criminal history should include the length and terms of any probation and/or incarceration. This information is often collected as part of the Pre-sentence Investigation Report.

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## **Juvenile Criminal History**

All felony dispositions in juvenile court must be counted as criminal history for purposes of adult sentencing, except under the general “wash-out” provisions that apply to adult offenses. Juvenile offenses sentenced on the same day must be counted separately unless they constitute the “same criminal conduct” as defined in RCW 9.94A.589(1)(a) or unless the date(s) of the offenses were prior to July 1, 1986.

Although juvenile records generally are sealed, RCW 13.50.050(10) provides that after a charge has been filed, juvenile offense records of an adult criminal defendant or witness in an adult criminal proceeding shall be released upon request to the prosecution and defense counsel, subject to the rules of discovery. Any charging of an adult felony subsequent to the sealing has the effect of nullifying the sealing order of a juvenile record. (RCW 13.50.050(16)).

## **"Wash Out" of Certain Prior Felonies**

The rules governing which prior convictions are included in the offender score can be found in RCW 9.94A.525 and are summarized as follows:

- Prior Class A and felony sex convictions are always included in the offender score.
- Prior Class B (juvenile or adult) felony convictions, other than sex offenses, are *not* included in the offender score if, since the last date of release from confinement (including full-time residential treatment) pursuant to a felony conviction, if any, or since the entry of judgment and sentence, the offender had spent ten consecutive years in the community without having been convicted of any crime.
- Prior Class C (juvenile or adult) felony convictions, other than sex offenses, are *not* included in the offender score if, since the last date of release from confinement (including full-time residential treatment) pursuant to a felony conviction, if any, or since the entry of judgment and sentence, the offender had spent five consecutive years in the community without having been convicted of any crime.
- Prior (juvenile or adult) serious traffic convictions are *not* included in the offender score if, since the last date of release from confinement (including full-time residential treatment) pursuant to a felony conviction, if any, or since the entry of judgment and sentence, the offender had spent five years in the community without having been convicted of any crime.
- Prior convictions for repetitive domestic violence offense, as defined in RCW 9.94A.030(41), are *not* included in the offender score if the offender has spent ten consecutive years in the community without committing any crime resulting in a conviction since the last date of release.

The Sentencing Reform Act permits vacating records of conviction under certain conditions and provides that vacated convictions "shall not be included in the offender's criminal history for purposes of determining a sentence in any subsequent conviction." RCW 9.94A.640. Vacation of the conviction record does not affect or prevent the use of an offender's prior conviction in a later criminal prosecution.

The eligibility rules for vacation of conviction record are similar to the “wash-out” rules. Because the “wash-out” rules are automatic and do not require court action, an offense will “wash out” before formal record vacation occurs. (The main distinction between vacation of record of conviction and “wash-out” is

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that, after vacation, an offender may indicate on employment forms that he or she was not convicted of that crime.)

### **Federal, Out-of-State or Foreign Convictions**

In order for a prior federal, out-of-state, or foreign conviction to be included in an offender's history, and thereby affect the offender score, the elements of the offense in other jurisdictions must be compared with Washington State laws. (RCW 9.94A.525(3)). In instances where the foreign conviction is not clearly comparable to an offense under Washington State law, or where the offense is usually considered a felony subject to exclusive federal jurisdiction, the offense is scored as a Class C felony equivalent.

## **SCORING CRIMINAL HISTORY**

Once relevant prior convictions are identified, the criminal history portion of the offender score may be calculated. The rules for scoring prior convictions are contained in RCW 9.94A.525. It should be noted that the scoring rules for some offenses are calculated differently, depending upon the category of the offense. Offense scoring forms can be found in Section 7 of this manual and specify the correct number of points for prior convictions depending on the current offense. The forms are intended to provide assistance in most cases but do not cover all permutations of the scoring rules or are provided for all offenses. A thorough understanding of the criminal history rules is important in order to use these forms correctly and to perform calculations not covered by the forms.

General consideration should also be given to often-applicable exceptions to general scoring rules. For instance, misdemeanors generally are not included in offender score calculations. An exception exists where the current conviction is for a felony traffic offense. In such cases, serious traffic offenses are included in the offender score.<sup>2</sup> Additionally, with present convictions of anticipatory offenses (criminal attempt, solicitation, or conspiracy) prior convictions of felony anticipatory offenses count the same and are scored as if they were convictions for completed offenses.<sup>3</sup> Exceptions to the general scoring rules also exist for Burglary 1<sup>o4</sup>, Burglary 2<sup>o</sup> and Residential Burglary,<sup>5</sup> for Manufacturing Methamphetamine and other drug offenses,<sup>6</sup> for Escape offenses,<sup>7</sup> for Failure to Register as a Sex Offender,<sup>8</sup> for crimes involving the taking, theft, or possession of a stolen motor vehicle,<sup>9</sup> or for felony domestic violence where domestic violence was plead and proven.<sup>10</sup>

Prior convictions for felony anticipatory offenses (attempts, solicitations, and conspiracies) are scored as if they were convictions for completed offenses. RCW 9.94A.525(4).

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<sup>2</sup> See RCW 9.94A.525(2)(e), (11) and (12)

<sup>3</sup> See RCW 9.94A.525(4)-(6)

<sup>4</sup> See RCW 9.94A.525(10)

<sup>5</sup> See RCW 9.94A.525 (16)

<sup>6</sup> See RCW 9.94A.525(13)

<sup>7</sup> See RCW 9.94A.525 (14) and (15)

<sup>8</sup> See RCW 9.94A.525(18)

<sup>9</sup> See RCW 9.94A.525 (20)

<sup>10</sup> See RCW 9.94A.525(21)

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Finally, an exception should also be noted for convictions with a finding of sexual motivation. A finding of sexual motivation changes the underlying offense to a sex offense as defined in RCW 9.94A.030(46), changing the scoring rules and impacting the sentence options. This scoring rule only applies to crimes committed on or after July 1, 1990 (See RCW 9.94A.525 (17)).

## SCORING MULTIPLE CURRENT CONVICTIONS

Multiple convictions may also affect the offender score. For multiple current offenses, separate sentence calculations are necessary for *each* offense because the law requires that each receive a separate sentence unless the offenses are ruled the same criminal conduct (See RCW 9.94A.589).

### Multiple Offense Scoring Steps:

1. If the current offenses do *not* include two or more serious violent offenses arising from separate and distinct criminal conduct, apply RCW 9.94A.589(1)(a):
  - a. Calculate the score for *each* offense.
  - b. For each offense, score the prior adult and juvenile convictions.
  - c. For each offense, score the other current offenses on the scoring form line entitled "Other Current Offenses."
  - d. The court may find that some or all of the current offenses encompass the same criminal conduct and are to be counted as one crime.
  - e. In cases of Vehicular Homicide or Vehicular Assault with multiple victims, offenses against each victim may be charged as separate offenses, even if the victims occupied the same vehicle. The resulting multiple convictions need not be scored as constituting the same criminal conduct.
  - f. Convictions entered or sentenced on the same date as the conviction for which the offender score is being computed are scored as "Other Current Offenses."

Example: Assume that an offender is convicted of one count of Theft in the First Degree and one count of Forgery, with both offenses arising from separate and distinct criminal conduct, and that the offender's criminal history consisted of one conviction for Burglary in the Second Degree. In this case, the rules in RCW 9.94A.589(1)(a) apply, and the theft and forgery must be separately scored. The prior burglary and the current forgery are included in the offender score for the theft, resulting in an offender score of two and a sentence range of 3 to 9 months. The prior burglary and the current theft are included in the offender score for the forgery, resulting in an offender score of two and a sentence range of 2 to 5 months. The sentence for each offense will run concurrently.

Example: Assume that an offender is convicted of one count of Theft in the Second Degree and one count of Possession of Stolen Property in the Second Degree in a circumstance where both counts encompassed the same criminal conduct, and that the offender had no criminal history. In this case, the other current offense is not counted in the offender score because under RCW 9.94A.589(1)(a) where current offenses are found to encompass the same criminal conduct, those current offenses shall be counted as one crime. Therefore, the theft

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and possession would both be scored with offender scores of zero, with a sentence range for each crime of 0 to 60 days. The sentence for each offense will run concurrently.

Example: Assume an offender is convicted on one count of Assault in the Third Degree, with a criminal history consisting of adult convictions for Theft in the Second Degree and Forgery and a single adjudication of Assault in the Second Degree as a juvenile. Pursuant to RCW 9.94A.589(1)(a), the prior Theft in the Second Degree and Forgery are included in the offender score as one point each, and the juvenile Assault in the Second Degree also scores as one point, resulting in an offender score of three points. The sentence range is 9 to 12 months.

2. If the current offenses include two or more serious violent offenses arising from separate and distinct conduct, apply RCW 9.94A.589(1)(b):
  - a. Calculate the score for *each* offense.
  - b. Identify the serious violent offense with the *highest* seriousness level. Calculate the sentence for that crime using the offender's prior adult and juvenile convictions. Do not include any other current serious violent offenses as part of the offender score, but do include other current offenses that are not serious violent offenses.
  - c. Score all remaining serious violent current offenses, calculating the sentence for the crime using an offender score of *zero*.
  - d. For any current offenses that are not serious violent offenses, score according to the rules in (A) above.

Example: Assume that an offender is convicted of two counts of Kidnapping in the First Degree and one count of Assault in the First Degree. These offenses constitute serious violent offenses. Assume further that these offenses arose from separate and distinct criminal conduct and that the offender's criminal history consists of one Assault in the Third Degree conviction. The scoring for this offender follows the rules in RCW 9.94A.589(1)(b). First, the crime with the highest seriousness level must be identified and scored. Since Assault in the First Degree is more serious (Level XII) than Kidnapping in the First Degree (Level X), that offense is scored by counting the prior Assault in the Third Degree as part of the adult criminal history. This calculation results in an offender score of one and a sentence range of 102 to 136 months. Next, the Kidnapping in the First Degree convictions are scored using a criminal history of zero. These calculations result in two sentence ranges of 51 to 68 months. The three sentences will run *consecutively*.

3. If the current offenses include Unlawful Possession of a Firearm in the First or Second Degree and one, or both, of the felony crimes of Theft of a Firearm or Possession of a Stolen Firearm, score according to the rules in RCW 9.94A.589(1)(c).

## **SCORING OFFENDER STATUS WHILE ON COMMUNITY CUSTODY**

The offender score also reflects whether the offense was committed while the offender was under community custody. An additional point is added to the offender score for crimes committed on or after July

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1, 1988, while the offender was on community custody. RCW 9.94A.525(19). Community custody includes community placement and post-release supervision as defined in RCW 9.94A.030.

## **DETERMINING THE STANDARD RANGE USING THE SENTENCING GRID**

Once the offense seriousness level has been determined and the offender score has been calculated, the presumptive standard sentence range may be identified on the appropriate sentencing grid.

The standard sentence range for any offense *not* covered under Chapter 69.50 RCW (controlled substances) is established by referring to the standard sentencing grid (RCW 9.94A.510). For each current offense, the intersection of the column defined by the offender score and the row defined by the offense seriousness level determines the standard sentence range. Alternatively, the same range is identified on the individual offense scoring forms provided in this manual. In those cases where the presumptive sentence duration exceeds the statutory maximum sentence for the offense, the statutory maximum sentence is the presumptive sentence unless the offender is a persistent offender. If the addition of a firearm enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced. RCW 9.94A.599.

**SENTENCES IMPOSED** on or after July 1, 2013 for drug crimes, **REGARDLESS OF THE DATE OF THE OFFENSE**, should be calculated and entered in accordance with the drug sentencing grid in Section 4, page 97 of this manual and as set forth in RCW 9.94A.517.

**SENTENCES IMPOSED** before July 1, 2013 for drug crimes committed on or after July 1, 2003 should be calculated and entered in accordance with the drug sentencing grid in Section 4, page 103 of this manual.

Sentences for crimes committed on or after July 25, 1999, and not affected by the 2002 amendments to the SRA, should be determined according to the sentencing grid in Section 4, page 87.

Sentences for crimes committed on or after July 27, 1997, and before July 25, 1999, should be determined according to the sentencing grid in Section 4, page 100.

Sentences for crimes committed on or after July 1, 1990, and before July 27, 1997, should be determined according to the sentencing grid in Section 4, page 101.

Sentences for crimes committed prior to July 1, 1990, should be determined according to the sentencing grid in Section 4, page 102.

### **Anticipatory Offenses (Non-VUCSA Attempts, Conspiracies, and Solicitations)**

The standard sentence range for persons convicted of an anticipatory offense (criminal attempt, solicitation, or conspiracy) is 75 percent of the standard sentence range of the completed offense, determined by using the offender score and offense seriousness level (RCW 9.94A.595). For aid in calculating the range, refer to the anticipatory offense grids in Section 4.

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## *Relevant Statutes – Non VUCSA Offenses*

### *Criminal Attempt (RCW 9A.28.020)*

1. A person is guilty of an attempt to commit a crime if, with intent to commit a specific crime, he or she does any act which is a substantial step toward the commission of that crime.
2. If the conduct in which a person engages otherwise constitutes an attempt to commit a crime, it is no defense to a prosecution of such attempt that the crime charged to have been attempted was, under the attendant circumstances, factually or legally impossible of commission.
3. An attempt to commit a crime is a:
  - a. Class A felony when the crime attempted is Murder in the First Degree, Murder in the Second Degree, Arson in the First Degree, Child Molestation in the First Degree, Indecent Liberties by Forcible Compulsion, Rape in the First Degree, Rape in the Second Degree, Rape of a Child in the First Degree, or Rape of a Child in the Second Degree;
  - b. Class B felony when the crime attempted is a Class A felony other than an offense listed in (a) of this subsection;
  - c. Class C felony when the crime attempted is a Class B felony;
  - d. Gross misdemeanor when the crime attempted is a Class C felony;
  - e. Misdemeanor when the crime attempted is a gross misdemeanor or misdemeanor.

### *Criminal Solicitation (RCW 9A.28.030)*

1. A person is guilty of criminal solicitation when, with intent to promote or facilitate the commission of a crime, he or she offers to give or gives money or other thing of value to another to engage in specific conduct which would constitute such crime or which would establish complicity of such other person in its commission or attempted commission had such crime been attempted or committed.
2. Criminal solicitation shall be punished in the same manner as criminal attempt under RCW 9A.28.020.

### *Criminal Conspiracy (RCW 9A.28.040)*

1. A person is guilty of criminal conspiracy when, with intent that conduct constituting a crime be performed, he or she agrees with one or more persons to engage in or cause the performance of such conduct, and any one of them takes a substantial step in pursuance of such agreement.

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2. It shall not be a defense to criminal conspiracy that the person or persons with whom the accused is alleged to have conspired:
  - a. Has not been prosecuted or convicted; or
  - b. Has been convicted of a different offense; or
  - c. Is not amenable to justice; or
  - d. Has been acquitted; or
  - e. Lacked the capacity to commit an offense; or
  - f. Is a law enforcement officer or other government agent who did not intend that a crime be committed.
  
3. Criminal conspiracy is a:
  - a. Class A felony when an object of the conspiratorial agreement is Murder in the First Degree;
  - b. Class B felony when an object of the conspiratorial agreement is a Class A felony other than Murder in the First Degree;
  - c. Class C felony when an object of the conspiratorial agreement is a Class B felony;
  - d. Gross misdemeanor when an object of the conspiratorial agreement is a Class C felony;
  - e. Misdemeanor when an object of the conspiratorial agreement is a gross misdemeanor or misdemeanor.

#### *Anticipatory Offenses (RCW 9.94A.595)*

For persons convicted of the anticipatory offenses of criminal attempt, solicitation, or conspiracy under Chapter 9A.28 RCW, the presumptive sentence is determined by locating the sentencing grid sentence range defined by the appropriate offender score and the seriousness level of the crime, and multiplying the range by 75 percent.

In calculating an offender score, count each prior conviction as if the present conviction were for the completed offense. When these convictions are used as criminal history, score them the same as a completed offense.

#### **Anticipatory Offenses (VUCSA Attempts, Conspiracies, and Solicitations)**

The calculation of sentences stemming from anticipatory VUCSA offenses (Chapter 69.50 RCW) presents different challenges than calculating sentences for anticipatory offenses arising under the criminal code.

An attempt or conspiracy to commit a VUCSA offense is specifically addressed in RCW 69.50.407, which provides that such offenses are punishable by "...imprisonment or fine or both which may not exceed the maximum punishment prescribed for the offense..." The appellate courts have consistently held that for VUCSA offenses, RCW 69.50.407 takes precedence over Chapter 9A.28 RCW. Although current statute and case law should be reviewed for definitive guidance in this area, the following summarizes current sentencing practices.

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An attempt or conspiracy to commit a VUCSA offense is typically sentenced as an “unranked” offense (0-12 months). In *State v. Mendoza*, the Court of Appeals held that since “a conspiracy conviction under RCW 69.50.407 has no sentencing directions from the Legislature, it is punished under the unspecified crimes provisions of RCW 9.94A.505(2)(b).” 63 Wn. App. 373 (1991).

A *solicitation* to commit a VUCSA offense is not specifically addressed in Chapter 69.50 RCW. It is usually charged under Chapter 9A.28 RCW and sentenced under RCW 9.94A.510 at 75 percent of the standard range. Solicitations to commit VUCSA offenses are not considered “drug offenses”, but do score as such and are subject to the multiple “scoring” requirement. See RCW 9.94A.525(4), (6) and *State v. Howell*, 102 Wn. App. 288, 6 P. 3d 1201 (2000).

Table 1 presents the current status of statute and case law on appropriate sentence ranges for anticipatory VUCSA offenses.

**Table 1. Sentence Ranges for Anticipatory VUCSA Offenses**

<b>Offense Type</b>	<b>Sentence Range</b>	<b>Statute</b>
Attempt**	Unranked (0 to 12)	RCW 69.50.407
Conspiracy**	Unranked (0 to 12)	RCW 69.50.407
Solicitation*	75% of Standard Range	RCW 9A.28.030

*Relevant Statutes for VUCSA Offenses*

*Delivery Definition (RCW 69.50.101(f))*

“Deliver” or “delivery” means the actual or constructive transfer from one person to another of a substance, whether or not there is an agency relationship.

*Criminal Conspiracy (RCW 69.50.407)*

Any person who attempts or conspires to commit any offense defined in this chapter is punishable by imprisonment or fine or both which may not exceed the maximum punishment prescribed for the offense, the commission of which was the object of the attempt or conspiracy.

[1971 ex.s. c 308 § 69.50.407.]

**\*\*Sentences (RCW 9.94A.505(2)(b))**

If a standard sentence range has not been established for the offender's crime, the court shall impose a determinate sentence which may include not more than one year of confinement; community restitution work; a term of community custody under RCW 9.94A.702 not to exceed one year; and/or other legal financial obligations. The court may impose a sentence which provides more than one year of confinement and a community custody term under 9.94A.701 if the court finds reasons justifying an exceptional sentence as provided in RCW 9.94A.535.

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### *Criminal Solicitation (RCW 9A.28.030)*

1. A person is guilty of criminal solicitation when, with intent to promote or facilitate the commission of a crime, he offers to give or gives money or other thing of value to another to engage in specific conduct which would constitute such crime or which would establish complicity of such other person in its commission or attempted commission had such crime been attempted or committed.
2. Criminal solicitation shall be punished in the same manner as criminal attempt under RCW 9A.28.020.

\*Solicitations drop one class from the underlying offense (e.g., a solicitation to commit a Class B felony is a Class C felony). Solicitations to commit Class C felonies are gross misdemeanors.

*The Washington State Court of Appeals ruled that although solicitations to commit violations of Chapter 69.50 RCW are not considered drug offenses as defined in 9.94A.030, they do score as a drug offense. See State v. Howell, 102 Wn. App. 288, 6 P.3d 1201 (2000).*

*The Supreme Court clarified that solicitations to commit violations of the Uniform Controlled Substances Act (Chapter 69.50 RCW) are not “drug offenses” and are not subject to the community custody requirement for drug offenses, under RCW 9.94A.701 and 9.94A.702. See In re Hopkins, 137 Wn.2d 897 (1999).*

### **SECOND OR SUBSEQUENT OFFENSE (RCW 69.50.408)**

1. Any person convicted of a second or subsequent offense under this chapter may be imprisoned for a term up to twice the term otherwise authorized, fined an amount up to twice that otherwise authorized, or both.
2. For purposes of this section, an offense is considered a second or subsequent offense, if, prior to his or her conviction of the offense, the offender has at any time been convicted under this chapter or under any statute of the United States or of any state relating to narcotic drugs, marijuana, depressant, stimulant, or hallucinogenic drugs.
3. This section does not apply to offenses under RCW 69.50.4013.  
[2003 c 53 § 341; 1989 c 8 § 3; 1971 ex.s. c 308 §69.50.408 .]

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## **TERMS OF CONFINEMENT**

### **Standard Range Sentence**

The sentencing grid prescribes the standard sentence range for most of the commonly charged felonies. RCW 9.94A.599 provides that if the presumptive sentence duration given in the sentencing grid exceeds the statutory maximum sentence for the offense, the statutory maximum sentence shall be the presumptive sentence.

The ranges in the sentencing grid are expressed in terms of total confinement. A term of confinement of one year and one day (12+), or a sentence under the Drug Offender Sentencing Alternative or Family Offender Sentencing Alternative, is to be served in a state facility or institution. In addition, any sex offense sentenced under RCW 9.94A.507 of one year or less will be served in a state facility or institution. A term of one year or less (other than those described above) is to be served in a county facility unless, when combined with other felony terms, the total time to be served exceeds one year (RCW 9.94A.190). A court may convert total confinement sentences to partial confinement or community service for some offenders. Offenders who have received a sentence greater than one year, and who also have received another sentence less than one year are required to serve the entire period of time in a state facility or institution.

### **"Unranked" Offenses**

Offenders convicted of "unranked crimes," crimes without an established seriousness level, are not subject to standard sentence ranges. In such cases, courts are required to impose a determinate sentence which may include zero to 365 days of confinement and may also include community service, legal financial obligations, a term of community custody not to exceed one year and/or a fine. Orders of confinement longer than one year constitute exceptional sentences, which must be justified in writing. RCW 9.94A.505(2)(b); RCW 9.94A.535.

### **Persistent Offenders**

Voters approved Initiative 593 ("Three Strikes and You're Out") in 1993. The law, which became effective on December 2, 1993, established the penalty of life in prison without the possibility of release for "persistent offenders." The life sentence applies to both "Three Strike" and "Two Strike" offenders.

#### **"Three Strikes"**

The original "Three Strikes" legislation defined a "persistent offender" as an offender who is convicted of a "most serious offense" and who has at least two prior convictions for most serious offenses that would be included in the offender score under 9.94A.525. In order to be applicable to the three strikes statute, the first prior conviction must have occurred before the second prior conviction offense was committed. See Section 5, page 111 for a list of the "most serious offenses" as defined by RCW 9.94A.030(32).

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## **“Two Strikes”**

The definition of persistent offender also includes “Two Strike” sex offenders. To qualify as a persistent sex offender, an offender must have two separate convictions of specified sex offenses. The 1997 Legislature broadened the list of offenses that qualify as strikes under the “Two Strikes” law. The specific offenses qualifying as “Two Strikes” are enumerated in the “persistent offender” definition in RCW 9.94A.030(37)(b) and can be found in Section 5, page 114.

An offender convicted of one of these offenses, who has at least one previous conviction for one of these offenses, must be sentenced to life in prison without the possibility of release.

## **Non-Persistent Sex Offenders (Determinate-Plus)**

During the 2001 Second Special Session, the Legislature enacted 3ESSB 6151 – The Management of Sex Offenders in the Civil Commitment and Criminal Justice Systems. The resulting “non-persistent offender” system is also called “determinate-plus”, but it is an indeterminate sentence. An offender must be sentenced to an indeterminate term if he or she is not a persistent offender but:

- is sentenced for any of the “two strike” offenses listed in Section 5, page 114; or
- is sentenced for any sex offense, except failure to register, and has a prior conviction for a “two-strike” offense.

This sentencing rule does not apply to offenders seventeen years old or younger at the time of the offense and who have been convicted of Rape of a Child in the First Degree, Rape of a Child in the Second Degree or Child Molestation in the First Degree.

A “determinate-plus” sentence must contain a minimum term of confinement that falls within the standard range, according to the seriousness level of the offense and the offender score, and a maximum term equaling the statutory maximum sentence for the offense. The minimum term may also constitute an exceptional sentence as provided by RCW 9.94A.535. A “determinate-plus” offender is eligible for earned release pursuant to RCW 9.94A.728 and is given the opportunity to receive sex offender treatment while incarcerated. Some “determinate-plus” offenders are eligible for the Special Sex Offender Sentencing Alternative as provided in RCW 9.94A.670, unless they have committed Rape in the First Degree, Rape in the Second Degree or any of the following offenses with sexual motivation: Murder in the First Degree, Murder in the Second Degree, Homicide by Abuse, Kidnapping in the First Degree, Kidnapping in the Second Degree, Assault in the First Degree, Assault in the Second Degree, Assault of a Child in the First Degree, Assault of a Child in the Second Degree or Burglary in the First Degree. Additionally, all sentences under this provision must be served in prison, regardless of the sentence length.

Offenders given “determinate plus” sentences fall under the purview of the Indeterminate Sentence Review Board through the maximum term of the sentence. Those released from prison will be supervised by the Department of Corrections and will remain on community custody through the maximum term of the sentence.

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## EXCEPTIONAL SENTENCES

The standard sentence range is presumed to be appropriate for the *typical* felony case. The SRA, per RCW 9.94A.535, however, provides that the court “may impose a sentence outside the standard sentence range for that offense if it finds, considering the purpose of this chapter, that there are substantial and compelling reasons justifying an exceptional sentence.”

An exceptional sentence must be for a determinate term and cannot exceed the statutory maximum for the crime. An exceptional sentence cannot include a term less than a mandatory minimum term of confinement if one exists. RCW 9.94A.540 sets a mandatory minimum term of confinement for certain offenses. RCW 10.95.030 sets a lifetime imprisonment term for Aggravated Murder in the First Degree. Per RCW 9.94A.570’s terms, persistent offenders sentenced to life in prison are not eligible for exceptional sentences.

Pursuant to the United States Supreme Court, before a court is permitted to impose sentences above the standard range, “[o]ther than the fact of a prior conviction, any fact that increases the penalty for a crime beyond the prescribed statutory maximum must be submitted to a jury, and proved beyond a reasonable doubt.” Blakely v. Washington, 542 U.S. 296, 124 S.Ct. 2531, 159 L.Ed.2d 403 (2004).

If an exceptional sentence is given, the sentencing court is required to set forth the reasons for the departure from the standard range (RCW 9.94A.535) or from the consecutive/concurrent policy (RCW 9.94A.589(1) and (2)) in written Findings of Fact and Conclusions of Law. Exceptional sentences may be appealed by the offender or by the state.

RCW 9.94A.535 provides a list of factors that the court may consider in deciding whether to impose an exceptional sentence.

### **Mitigating Circumstances for Exceptional Sentences**

Mitigating circumstances justifying a sentence below the standard range can found in RCW 9.94A.535(1). The circumstances on this list are provided as examples only. It is not intended to be an exclusive list of reasons for a departure below the standard range.

### **Aggravating Circumstances for Exceptional Sentences**

Unlike mitigating circumstances, an exceptional sentence that is aggravated must be based on one or more of the circumstances listed in the statute. The list is not illustrative.

The court may impose an aggravated exceptional sentence *without* a finding of fact by a jury if the defendant and state both stipulate that justice is best served by an exceptional sentence and the court agrees that the stipulation is in the interest of justice and consistent with the Sentencing Reform Act under RCW 9.94A.535(2).

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The court may also impose an exceptional sentence above the standard range if the procedures specified in RCW 9.94A.537 are followed and a jury makes findings of fact supporting any of the aggravating circumstances found in RCW 9.94A.535(3).

## **CONSECUTIVE AND CONCURRENT SENTENCES**

RCW 9.94A.589 sets forth the rules regarding consecutive and concurrent sentences. Generally, sentences for multiple offenses set at one sentencing hearing are served concurrently unless there are two or more separate serious violent offenses or weapon offenses. In those cases, the sentences are served consecutively, unless an exceptional sentence is entered. (RCW 9.94A.589(1)(a)). The exceptions to this general rule are as follows:

### **Offenses that Constitute Same Criminal Conduct**

If the court enters a finding that some or all of the current offenses required the same criminal intent, were committed at the same time and place, and involved the same victim, the offenses are treated as one offense. RCW 9.94A.589(1)(a). A departure from this rule requires an exceptional sentence. (RCW 9.94A.535).

### **Multiple Serious Violent Offenses**

In the case of two or more serious violent offenses arising from separate and distinct criminal conduct, the sentences for these serious violent offenses are served consecutively to each other and concurrently with any other sentences imposed for current offenses (RCW 9.94A.589(1)(b)). A departure from this rule requires an exceptional sentence. (RCW 9.94A.535).

### **Certain Firearm-Related Offenses**

In the case of an offender convicted of Unlawful Possession of a Firearm in the First or Second Degree *and* for one or both of the crimes of Theft of a Firearm or Possession of a Stolen Firearm, the sentences for these crimes are served consecutively for each conviction of the felony crimes listed and for each firearm unlawfully possessed<sup>11</sup>. (RCW 9.94A.589(1)(c)). A departure from this rule requires an exceptional sentence. (RCW 9.94A.535).

### **Weapon Enhancements**

In the case of an offender receiving a deadly weapon enhancement for offenses committed after July 23, 1995, the deadly weapon enhancement portion of the standard range is served consecutively to all other sentencing provisions, including other firearm or deadly weapon enhancements (RCW 9.94A.533). A departure from this rule requires an exceptional sentence (RCW 9.94A.535).

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<sup>11</sup> Part of Initiative 159. Effective for offenses committed after July 23, 1995 (RCW 9.41.040(6))

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### **Felony Committed While Offender was Under Sentence for Another Felony**

Whenever a current offense is committed while the offender is under sentence for a previous felony and the offender was also sentenced for another term of imprisonment, the latter term may not begin until expiration of all prior terms (RCW 9.94A.589(2)). A departure from this rule requires an exceptional sentence (RCW 9.94A.535).

### **Felonies Committed While Offender was not Under Sentence for Another Felony**

This rule applies when offenders face multiple charges or have multiple convictions from different jurisdictions. Subject to the above policies, whenever a person is sentenced under a felony that was committed while the person was *not* under sentence for a felony, the sentence runs concurrently with felony sentences previously imposed by any court in this or another state or by a federal court, unless the court pronouncing the subsequent sentence expressly orders that they be served consecutively (RCW 9.94A.589(3)).

### **Probation Revocation**

Whenever any person granted probation under RCW 9.95.210 or RCW 9.92.060, or both, has a probationary sentence revoked and a prison sentence imposed, this sentence runs consecutively to any sentence imposed, unless the court pronouncing the subsequent sentence expressly orders that they be served concurrently (RCW 9.94A.589(4)). This rule applies when an offender's pre-Sentencing Reform Act case probation is revoked and he or she is also sentenced on a conviction for a crime committed after June 30, 1984, the inception date of the SRA.

### **Serving Total Confinement with Consecutive Sentences**

In the case of consecutive sentences, all periods of total confinement must be served before any periods of partial confinement, community service, community supervision or any other requirement or condition of a sentence (RCW 9.94A.589(5)). This rule applies to offenders who have not completed their sentence requirements from a previous conviction and are sentenced to total confinement on a new offense. A departure from this rule requires an exceptional sentence (RCW 9.94A.535).

## **LIMITS ON EARNED RELEASE**

RCW 9.94A.728 provides that an offender's sentence may be reduced by "earned release time." This time is earned through good behavior and good performance, as determined by the correctional agency that has jurisdiction over the offender. An offender can accumulate "earned release time" while serving a sentence and during pre-sentence incarceration.

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The state Legislature passed ESSB 5990 during the 2003 Legislative Session. The legislation amended RCW 9.94A.728, in part, to increase earned release time for good behavior up to fifty (50) percent of a sentence. The increase became effective July 1, 2003. The right to earn early release time at the rate of 50 percent does not apply to offenders convicted after July 1, 2010.

Offenders convicted of a serious violent offense or a sex offense that is a Class A felony committed between July 1, 1990, and July 1, 2003, are prohibited from earning release time in excess of fifteen (15) percent. Offenders committing these offenses on or after July 1, 2003, will not earn release time credit in excess of ten (10) percent.

Offenders sentenced under the Special Sex Offender Sentencing Alternative are not eligible to accrue any earned release time while serving a suspended sentence.

An offender may not receive any earned release time for that portion of a sentence that results from any firearm and/or deadly weapon enhancements.

Finally, no matter how much release time has been earned under RCW 9.95A.728, an offender sentenced for a crime that has a mandatory minimum sentence shall not be released from total confinement before the completion of the mandatory minimum for that crime unless allowable under RCW 9.94A.540.

## **REVIEW OF SENTENCES**

Sentences within the standard range cannot be appealed. (RCW 9.94A.585). These include sentences imposed pursuant to the First-Time Offender provisions found in RCW 9.94A.650. Sentences outside the standard range may be appealed by the defendant or by the prosecutor.

Review is limited to the record made before the sentencing court. Pending review, the sentencing court or the Court of Appeals may order the defendant confined or placed on condition release, including bond.

Before reversing a sentence that is outside the sentence range, the Court of Appeals must find that:

- the reasons supplied by the sentencing judge were not supported by the record; or
- they do not justify a sentence outside the range; or
- the sentence imposed was clearly excessive or clearly too lenient.

The Department of Corrections may request a review of a sentence committing an offender to the custody or jurisdiction of the department. This review must be limited to errors of law and must be filed with the court of Appeals no later than 90 days after the department has actual knowledge of the term of the sentence. The department must certify that all reasonable efforts to resolve the dispute at the Superior Court level have been exhausted.

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## **VIOLATION OF COMMUNITY CUSTODY CONDITIONS**

An offender who violates any condition or requirement of a sentence **may be sanctioned by the court with up to sixty days'** confinement for each violation or **by the department with up to thirty days'** confinement as provided in RCW 9.94A.737.

Any time served in confinement awaiting the violation hearing must be credited against any confinement order. If a court finds that a violation was not willful, the court may dismiss the violation and regarding payment of legal financial obligations and community service obligations or modify its previous order. In all cases of community custody escape, escape charges may also be filed, if appropriate.

*These rules and procedures apply retroactively and prospectively regardless of the date of an offender's underlying offense.*

### **Arrest and Confinement (RCW 9.94A.631)**

If an offender violates any condition or requirement of a sentence, a community corrections officer may arrest or cause the arrest of the offender without a warrant, pending a determination by the court or by the department. If there is reasonable cause to believe that an offender has violated a condition or requirement of the sentence, a community corrections officer may require an offender to submit to a search and seizure of the offender's person, residence, automobile, or other personal property.

For the safety and security of department staff, an offender may be required to submit to pat searches, or other limited security searches, by community corrections officers, correctional officers, and other agency approved staff, without reasonable cause, when in or on department premises, grounds, or facilities, or while preparing to enter department premises, grounds, facilities, or vehicles. Pat searches of offenders shall be conducted only by staff who are the same gender as the offender, except in emergency situations.

A community corrections officer may also arrest an offender for any crime committed in his or her presence. The facts and circumstances of the conduct of the offender shall be reported by the community corrections officer, with recommendations, to the court, local law enforcement, or local prosecution for consideration of new charges. The community corrections officer's report shall serve as the notice that the department will hold the offender for not more than three days from the time of such notice for the new crime, except if the offender's underlying offense is a felony offense listed in RCW 9.94A.737(5), in which case the department will hold the offender for thirty days from the time of arrest or until a prosecuting attorney charges the offender with a crime, whichever occurs first. This does not affect the department's authority under RCW 9.94A.737.

If a community corrections officer arrests or causes the arrest of an offender under this section, the offender shall be confined and detained in the county jail of the county in which the offender was taken into custody, and the sheriff of that county shall receive and keep in the county jail, where room is available, all prisoners delivered to the jail by the community corrections officer, and such offenders shall not be released from custody on bail or personal recognizance, except upon approval of the court or authorized department staff, pursuant to a written order.

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## **Sanctions and Procedures (RCW 9.94A.933)**

An offender who violates any condition or requirement of a sentence may be sanctioned by the court with up to sixty days' confinement for each violation or by the department with up to thirty days' confinement as provided in RCW 9.94A.737.

In lieu of confinement, an offender may be sanctioned with work release, home detention with electronic monitoring, work crew, community restitution, inpatient treatment, daily reporting, curfew, educational or counseling sessions, supervision enhanced through electronic monitoring, or any other community-based sanctions.

1. If an offender was under community custody pursuant to one of the following statutes, the offender may be sanctioned as follows:
  - a. If the offender was transferred to community custody in lieu of earned early release in accordance with RCW 9.94A.728, the offender may be transferred to a more restrictive confinement status to serve up to the remaining portion of the sentence, less credit for any period actually spent in community custody or in detention awaiting disposition of an alleged violation.
  - b. If the offender was sentenced under the drug offender sentencing alternative set out in RCW 9.94A.660, the offender may be sanctioned in accordance with that section.
  - c. If the offender was sentenced under the parenting sentencing alternative set out in RCW 9.94A.655, the offender may be sanctioned in accordance with that section.
  - d. If the offender was sentenced under the special sex offender sentencing alternative set out in RCW 9.94A.670, the suspended sentence may be revoked and the offender committed to serve the original sentence of confinement.
  - e. If the offender was sentenced to a work ethic camp pursuant to RCW 9.94A.690, the offender may be reclassified to serve the unexpired term of his or her sentence in total confinement.
  - f. If a sex offender was sentenced pursuant to RCW 9.94A.507, the offender may be transferred to a more restrictive confinement status to serve up to the remaining portion of the sentence, less credit for any period actually spent in community custody or in detention awaiting disposition of an alleged violation.

If a probationer is being supervised by the department pursuant to RCW 9.92.060, 9.95.204, or 9.95.210, the probationer may be sanctioned pursuant to subsection (1) of this section. The department shall have authority to issue a warrant for the arrest of an offender who violates a condition of community custody, as provided in RCW 9.94A.716. Any sanctions shall be imposed by the department pursuant to RCW 9.94A.737. Nothing in this subsection is intended to limit the power of the sentencing court to respond to a probationer's violation of conditions.

2. The parole or probation of an offender who is charged with a new felony offense may be suspended and the offender placed in total confinement pending disposition of the new criminal charges if:
  - a. The offender is on parole pursuant to RCW 9.95.110(1); or
  - b. The offender is being supervised pursuant to RCW 9.94A.745 and is on parole or probation pursuant to the laws of another state.

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### **Sanctions – Where Served (RCW 9.94A.6331)**

1. If a sanction of confinement is imposed by the court, the following applies:
  - c. If the sanction was imposed pursuant to RCW 9.94A.633(1), the sanction shall be served in a county facility.
  - d. If the sanction was imposed pursuant to RCW 9.94A.633(2), the sanction shall be served in a state facility.
  - e. If a sanction of confinement is imposed by the department, and if the offender is an inmate as defined by RCW 72.09.015, no more than eight days of the sanction, including any credit for time served, may be served in a county facility. The balance of the sanction shall be served in a state facility. In computing the eight-day period, weekends and holidays shall be excluded. The department may negotiate with local correctional authorities for an additional period of detention.
  - f. If a sanction of confinement is imposed by the board, it shall be served in a state facility.
  - g. Sanctions imposed pursuant to RCW 9.94A.670(3) shall be served in a county facility.

As used in this section, "county facility" means a facility operated, licensed, or utilized under contract by the county, and "state facility" means a facility operated, licensed, or utilized under contract by the state.

### **Sanctions – Which Entity Imposes (RCW 9.94A.6332)**

1. The procedure for imposing sanctions for violations of sentence conditions or requirements is as follows:
  - a. If the offender was sentenced under the drug offender sentencing alternative, any sanctions shall be imposed by the department or the court pursuant to RCW *9.94A.660*.
  - b. If the offender was sentenced under the special sex offender sentencing alternative, any sanctions shall be imposed by the department or the court pursuant to RCW *9.94A.670*.
  - c. If the offender was sentenced under the parenting sentencing alternative, any sanctions shall be imposed by the department or by the court pursuant to RCW 9.94A.655.
  - d. If a sex offender was sentenced pursuant to RCW 9.94A.507, any sanctions shall be imposed by the board pursuant to RCW 9.95.435.
  - e. In any other case, if the offender is being supervised by the department, any sanctions shall be imposed by the department pursuant to RCW 9.94A.737. If a probationer is being supervised by the department pursuant to RCW 9.92.060, 9.95.204, or 9.95.210, upon receipt of a violation hearing report from the department, the court retains any authority that those statutes provide to respond to a probationer's violation of conditions.
  - f. If the offender is not being supervised by the department, any sanctions shall be imposed by the court pursuant to RCW 9.94A.6333.

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### **Sanctions – Modification of Sentence (RCW 9.94A.6333)**

If an offender violates any condition or requirement of a sentence, and the offender is not being supervised by the department, the court may modify its order of judgment and sentence and impose further punishment in accordance with this section.

1. If an offender fails to comply with any of the conditions or requirements of a sentence the following provisions apply:
  - a. The court, upon the motion of the state, or upon its own motion, shall require the offender to show cause why the offender should not be punished for the noncompliance. The court may issue a summons or a warrant of arrest for the offender's appearance;
  - b. The state has the burden of showing noncompliance by a preponderance of the evidence;
  - c. If the court finds that a violation has been proved,
    - i. it may impose the sanctions specified in RCW 9.94A.633(1).
    - ii. Alternatively, the court may:
      - a. Convert a term of partial confinement to total confinement;
      - b. Convert community restitution obligation to total or partial confinement; or
      - c. Convert monetary obligations, except restitution and the crime victim penalty assessment, to community restitution hours at the rate of the state minimum wage as established in RCW 49.46.020 for each hour of community restitution;
2. If the court finds that the violation was not willful, the court may modify its previous order regarding payment of legal financial obligations and regarding community restitution obligations; and
3. If the violation involves a failure to undergo or comply with a mental health status evaluation and/or outpatient mental health treatment, the court shall seek a recommendation from the treatment provider or proposed treatment provider.

Enforcement of orders concerning outpatient mental health treatment must reflect the availability of treatment and must pursue the least restrictive means of promoting participation in treatment. If the offender's failure to receive care essential for health and safety presents a risk of serious physical harm or probable harmful consequences, the civil detention and commitment procedures of chapter 71.05 RCW shall be considered in preference to incarceration in a local or state correctional facility.

Any time served in confinement awaiting a hearing on noncompliance shall be credited against any confinement ordered by the court.

Nothing in this section prohibits the filing of escape charges if appropriate.

### **DOC Structured Violation Process (RCW 9.94A.737)**

If an offender is accused of violating any condition or requirement of community custody, the Department of Corrections (DOC) shall address the violation behavior. The department may hold offender disciplinary proceedings not subject to chapter 34.05 RCW. The department shall notify the offender in writing of the violation process.

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1. The offender's violation behavior shall determine the sanction the department imposes.
  - a. The department shall adopt rules creating a structured violation process that includes presumptive sanctions, aggravating and mitigating factors, and definitions for low level violations and high level violations.
  - b. After an offender has committed and been sanctioned for five low level violations, all subsequent violations committed by that offender shall automatically be considered high level violations
  - c. The department must define aggravating factors that indicate the offender may present a current and ongoing foreseeable risk, which elevates an offender's behavior to a high level violation process.
  - d. The state and its officers, agents, and employees may not be held criminally or civilly liable for a decision to elevate or not to elevate an offender's behavior to a high level violation process under this subsection unless the state or its officers, agents, and employees acted with reckless disregard.

The department may intervene when an offender commits a low level violation as follows:

1. For a first low-level violation, the department may sanction the offender to one or more non-confinement sanctions.
2. For a second or subsequent low-level violation, the department may sanction the offender to not more than three days in total confinement.
3. The department shall develop rules to ensure that each offender subject to a short-term confinement sanction is provided the opportunity to respond to the alleged violation prior to imposition of total confinement.
4. The offender may appeal the short-term confinement sanction to a panel of three reviewing officers designated by the secretary or by the secretary's designee. The offender's appeal must be in writing and hand-delivered to department staff, or postmarked within seven days after the sanction is imposed.

If an offender is accused of committing a high-level violation, the department may sanction the offender to not more than thirty days in total confinement per hearing.

1. The offender is entitled to a hearing prior to the imposition of sanctions; and
2. The offender may be held in total confinement pending a sanction hearing. Prehearing time served must be credited to the offender's sanction time.

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3. If the offender's underlying offense is one of the following felonies and the violation behavior constitutes a new misdemeanor, gross misdemeanor, or felony, the offender shall be held in total confinement, pending a sanction hearing, until the sanction expires, or a prosecuting attorney files new charges against the offender, whichever occurs first:
- (a) Assault in the first degree, as defined in RCW 9A.36.011;
  - (b) Assault of a child in the first degree, as defined in RCW 9A.36.120;
  - (c) Assault of a child in the second degree, as defined in RCW 9A.36.130;
  - (d) Burglary in the first degree, as defined in RCW 9A.52.020;
  - (e) Child molestation in the first degree, as defined in RCW 9A.44.083;
  - (f) Commercial sexual abuse of a minor, as defined in RCW 9.68A.100;
  - (g) Dealing in depictions of a minor engaged in sexually explicit conduct, as defined in RCW 9.68A.050;
  - (h) Homicide by abuse, as defined in RCW 9A.32.055;
  - (i) Indecent liberties with forcible compulsion, as defined in RCW 9A.44.100(1)(a);
  - (j) Indecent liberties with a person capable of consent, as defined in RCW 9A.44.100(1)(b);
  - (k) Kidnapping in the first degree, as defined in RCW 9A.40.020;
  - (l) Murder in the first degree, as defined in RCW 9A.32.030;
  - (m) Murder in the second degree, as defined in RCW 9A.32.050;
  - (n) Promoting commercial sexual abuse of a minor, as defined in RCW 9.68A.101;
  - (o) Rape in the first degree, as defined in RCW 9A.44.040;
  - (p) Rape in the second degree, as defined in RCW 9A.44.050;
  - (q) Rape of a child in the first degree, as defined in RCW 9A.44.073;
  - (r) Rape of a child in the second degree, as defined in RCW 9A.44.076;
  - (s) Robbery in the first degree, as defined in RCW 9A.56.200;
  - (t) Sexual exploitation of a minor, as defined in RCW 9.68A.040; or

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- (u) Vehicular homicide while under the influence of intoxicating liquor or any drug, as defined in RCW 46.61.520(1)(a).

The department shall adopt rules creating hearing procedures for high-level violations. The hearings are offender disciplinary proceedings and are not subject to chapter 34.05 RCW.

1. The procedures shall include the following:
  - a. The department shall provide the offender with written notice of the alleged violation and the evidence supporting it. The notice must include a statement of the rights specified in this subsection, and the offender's right to file a personal restraint petition under court rules after the final decision.
  - b. Unless the offender waives the right to a hearing, the department shall hold a hearing, and shall record it electronically. For offenders not in total confinement, the department shall hold a hearing within fifteen business days, but not less than twenty-four hours, after written notice of the alleged violation. For offenders in total confinement, the department shall hold a hearing within five business days, but not less than twenty-four hours, after written notice of the alleged violation;
  - c. The offender shall have the right to:
    - i. be present at the hearing;
    - ii. have the assistance of a person qualified to assist the offender in the hearing; appointed by the hearing officer if the offender has a language or communications barrier;
    - iii. testify or remain silent
    - iv. call witnesses and present documentary evidence;
    - v. question witnesses who appear and testify; and
    - vi. receive a written summary of the reasons for the hearing officer's decision

The hearings officer may not rely on unconfirmed or unconfirmable allegations to find that the offender violated a condition.

## **DISCHARGE AND VACATION OF CONVICTION RECORD**

### **Discharge**

When an offender reaches the end of supervision with the Department of Corrections, and has completed all of the requirements of sentence except payment of legal financial obligations, the department shall notify the county clerk who will then supervise payment of legal financial obligations.

When an offender completes all of his or her sentence requirements, the department (or the county clerk, if the clerk has been supervising payment of legal financial obligations) must notify the sentencing court in accordance with RCW 9.94A.637.

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If an offender is not subject to supervision by the department or does not complete all of his sentence requirements while under department supervision, it is the offender's responsibility to provide the court with verification of the completion of sentence conditions other than the payment of legal financial obligations.

When the court has adequate notice from the department, the court clerk, and/or the offender, the court then discharges the offender and provides him or her with a certificate of discharge. This certificate restores all civil rights lost upon conviction. It is not, however, based on a finding of rehabilitation.

Every signed certificate and order of discharge shall be filed with the county clerk of the sentencing county. The court shall also send a copy of the certificate and order to the department. The county clerk shall also enter the offender's name, date of discharge and date of conviction and offense, into the database maintained by the Administrative Office of the Courts.

Following discharge, the offender's prior record may be used to determine the sentence for any later convictions and may also be used in later criminal prosecution as an element of an offense or for impeachment purposes. Unless specifically ordered by the sentencing court, the certificate of discharge will not terminate the offender's obligation to comply with an order issued under Chapter 10.99 RCW that excludes or prohibits the offender from having contact with a specified person or coming within a set distance of any specified location that was contained in the judgment and sentence. Offenders may still be prosecuted for violating any such provisions.

An offender who is not convicted of a violent offense or a sex offense and is sentenced to a term of community supervision may be considered for a discharge of sentence by the sentencing court prior to the completion of community supervision, provided that the offender has completed at least one-half of the term of community supervision and has met all other sentence requirements.

Upon release from custody, the offender may apply to the department for counseling and help in adjusting to the community. The voluntary help may be provided for up to one year following the release from custody.

### **Vacation of Conviction Record**

Every offender discharged under the above provision may apply to the sentencing court for a vacation of the conviction record as provided in RCW 9.94A.640. The offender's record cannot be cleared if:

- Any criminal charges are pending against the offender in any court in this state, another state, or federal court;
- The offense was a violent offense (as defined in RCW 9.94A.030(54));
- The offense was a crime against children or other persons (as defined in RCW 43.43.830);
- The offender has been convicted of a new crime in this state, another state, or federal court since the date of the offender's discharge;
- The offense was a Class B felony, and less than ten years have passed since the date the applicant was discharged;

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- The offense was a Class C felony, other than felony Driving Under the Influence of Intoxicating Liquor or any Drug or felony Physical Control While Under the Influence of Intoxicating Liquor or any Drug and less than five years have passed since the date the applicant was discharged; or
- The offense was felony Driving Under the Influence of Intoxicating Liquor or any Drug or felony Physical Control While Under the Influence of Intoxicating Liquor or any Drug.

If the offender meets these tests, the court may clear the record of conviction by:

- Permitting the offender to withdraw his/her guilty plea and to enter a plea of not guilty; or
- Setting aside the guilty verdict, if the offender was convicted after a plea of not guilty; and
- Dismissing the information or indictment against the offender.

Once the court vacates a record of conviction, the offender's conviction may not be included in the offender's criminal history for purposes of determining a sentence in any subsequent conviction, and the offender must be released from all penalties and disabilities resulting from the offenses. For all purposes, including responding to questions on employment applications, an offender whose record of conviction has been vacated may state that he or she has never been convicted of that crime. However, a vacated conviction record may be used as an element of a crime in a later criminal prosecution.

The sentencing guidelines allow automatic "wash-out" of prior convictions that meet the requirements of vacation of conviction. This policy allows offenders who do not formally apply to the court to have eligible offenses excluded from their criminal history in subsequent convictions. (See Determining Offender Score, Criminal History Collection in this section for further discussion of this policy.)

## **ALTERNATIVES TO CONFINEMENT**

### **Alternative Conversions**

The sentencing grid ranges are expressed in terms of total confinement (RCW 9.94A.530). For certain offenders, a court may convert terms of total confinement to partial confinement or to community service. This provision allows courts to take advantage of available alternatives to confinement in cases where it is deemed appropriate. *If the court does not use an alternative conversion for a nonviolent offense with a sentence range of one year or less, the reason why must be stated on the Judgment and Sentence form (RCW 9.94A.680).*

The 1999 Legislature modified the requirements for offenders convicted of **non-violent or non-sex** offenses with a sentence of one year or less. Where a court finds that a chemical dependency contributed to the crime, the court may authorize the county jail to convert jail confinement to an available county-supervised community option. The court may require the offender to perform affirmative conditions, such as rehabilitative treatment, which are reasonably related to the circumstances of the crime and are reasonably necessary or beneficial to the offender and to the community.

For all offenders with sentences of one year or less, one day of total confinement may be converted to one day of partial confinement. Non-violent offenders with sentences of one year or less are also eligible for

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conversion of total confinement to community service (one day of confinement equals eight hours of service). This community service conversion, however, is limited to 30 days or 240 hours. If a community service conversion is ordered and the determinate sentence is greater than 30 days, the balance of the term is to be served in total or partial confinement.

Partial confinement sentences may allow the offender to serve the sentence in work release, home detention, work crew, or a combination of work crew and home detention. If the offender violates the rules of the work release facility, work crew, or home detention program, or fails to remain employed or enrolled in school, the facility director may transfer the offender to the county detention facility. The offender may then request an administrative hearing. Pending the hearing, or in the absence of a request for such a hearing, the offender shall serve the remainder of the term of confinement in total confinement (RCW 9.94A.731).

### **Work Crew**

Work crew is a partial confinement option created by the 1991 Legislature. Offenders who qualify must have committed the offense on or after July 28, 1991. The offense may not be a sex offense. For offenses committed before July 25, 1993, the offender must be sentenced to a facility operated or utilized under contract by a county (*i.e.*, the sentence must be one year or less in length); this restriction does not apply to offenses committed after that date. If the sentence is 9 months or more, at least 30 days of total confinement must be served before the offender becomes eligible for work crew. Work crew may be simultaneously imposed with electronic home detention. Work crew hours served may include work on civic improvement tasks, substance abuse counseling, job skills training or a maximum of 24 hours per week at approved, verified work.

To be eligible to receive credit for approved, verified work, offenders must first successfully complete 4 weeks of work crew, each week comprised of 35 hours of service. Work crew projects specified by the work crew supervisor must be completed in coordination with approved, verified work. Unless exempted by the court, offenders using approved, verified employment as part of their work crew hours must pay a monthly supervision assessment. RCW 9.94A.725.

### **Home Detention**

Home detention is a partial confinement option in which an offender is confined to a private residence and subject to electronic surveillance. The option was created by the 1988 Legislature and is available for offenders convicted of nonviolent or non-sex offenses committed on or after June 9, 1988. Because partial confinement programs are limited to sentences of one year or less, home detention is not an option for offenders with prison sentences.

Eligibility for home detention is generally conditioned upon (a) employment or school attendance, (b) program rules adherence, and (c) compliance with court-ordered legal financial obligations (RCW 9.94A.731(3)).

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Convictions for any of the following offenses make the offender **ineligible** for home detention unless imposed as partial confinement in the parenting program under RCW 9.94A.6551:

- A violent offense
- Any sex offense
- A drug offense
- Reckless Burning in the First or Second Degree
- Assault in the Third Degree
- Assault of a Child in the Third Degree
- Unlawful Imprisonment or Harassment

Home detention may be imposed for offenders convicted of Possession of a Controlled Substance (RCW 69.50.4013) or of Forged Prescription for a Controlled Substance (RCW 69.50.403), providing the offender fulfills the participation conditions set forth in this section and is monitored for drug use.

Offenders convicted of Burglary in the Second Degree or Residential Burglary must meet the following eligibility conditions for home detention: (a) successful completion of a twenty-one day work release program; (b) no convictions for Burglary in the Second Degree or Residential Burglary during the preceding two years and not more than two prior convictions for Burglary or Residential Burglary; (c) no convictions for a violent felony offense during the preceding two years and not more than two prior convictions for a violent felony offense; (d) no prior charges of escape; and (e) fulfillment of the other conditions of the home detention program.

Offenders convicted of Theft of a Motor Vehicle Without Permission in the Second Degree, Theft of a Motor Vehicle, or Possession of a Stolen Motor Vehicle must meet the following eligibility conditions for home detention: (a) no convictions for any of these crimes during the preceding five years and not more than two prior convictions for any of these offenses; (b) no prior convictions of a violent felony offense during the preceding two years and not more than two prior convictions for a violent felony offense; (c) no prior charges of escape; and (d) fulfillment of the other conditions of the home detention program.

Home detention may also be ordered for an offender whose medical or health-related conditions, concerns, or treatment would be better addressed under the home detention program, or where the health and welfare of the offender, other inmates, or staff would be jeopardized by the offender's incarceration. Participation in the home detention program for medical or health-related reasons is conditioned on the offender abiding by the rules of the home detention program and complying with court-ordered legal financial obligations.

### **Restitution**

Restitution is generally governed by RCW 9.94A.750 and 9.94A.753, but RCW 9.94A.505(7) requires a court to order restitution whenever a felony results in injury to a person or damage or property loss. If restitution is not ordered, the court must indicate the extraordinary reasons on the record.

Restitution may also be ordered to pay for an injury, loss, or damage if the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that he or she pay restitution for any offenses not prosecuted pursuant to a plea agreement.

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Restitution is based on three factors:

- Easily ascertainable damages for injury to or loss of property;
- Actual expenses incurred in treatment for injury to persons; and
- Lost wages resulting from injury.

Restitution for the crimes of Rape of a Child in the First, Second, or Third Degree, in which the victim becomes pregnant, must include:

- Victim's medical expenses associated with the rape and resulting pregnancy; and
- Support for any child born as a result of the rape, if child support is ordered.

Restitution shall *not* include reimbursement for damages for mental anguish, pain and suffering and other intangible losses, but may include reimbursement for counseling reasonably related to the offense. The amount of restitution may not exceed double the amount of the offender's gain or the victim's loss from the commission of the crime.

Restitution is to be determined at the sentencing hearing or within 180 days. As part of the sentence, the court must set the terms and conditions under which the defendant makes restitution. It is required that the court be specific about the payment schedule for restitution, so that these sentence conditions may be appropriately monitored by the community corrections officer. The court may not reduce the total amount of restitution ordered because of the offender's lack of ability to pay the total amount.

For offenses committed prior to July 1, 2000, an offender's compliance with the restitution requirement may be supervised for ten years after the date of sentence or release from confinement. The restitution portion of a sentence may be modified as to amount, terms, and conditions during this period regardless of the community supervision term and the statutory maximum of the crime. A court may extend the restitution requirement for a second ten-year period.

For offenses committed on or after July 1, 2000, RCW 9.94A.760(4) reads: *“For an offense committed on or after July 1, 2000, the Court shall retain jurisdiction over the offender, for purposes of the offender's compliance with payment of the legal financial obligations, until the obligation is completely satisfied, regardless of the statutory maximum for the crime. The department may only supervise the offender's compliance with payment of the legal financial obligations during any period in which the department is authorized to supervise the offender in the community under RCW 9.4A.728, 9.94A.501, or in which the offender is confined in a state correctional institution or a correctional facility pursuant to a transfer agreement with the department, and the department shall supervise the offender's compliance during any such period. The department is not responsible for supervision of the offender during any subsequent period of time the offender remains under the court's jurisdiction. The county clerk is authorized to collect unpaid legal financial obligations at any time the offender remains under the jurisdiction of the court for purposes of his or her legal financial obligations.”*

Restitution for victims is the first priority for payment by an offender.

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## **Restitution in Cases involving Fraud or Deceptive Practice**

If an offender or organization is found guilty of an offense involving fraud or other deceptive practice, a court may require that notice be given to the class of persons or sector of the public affected by the conviction or financially interested in the subject matter of the offense. The notice may be accomplished by mail, by advertising through designated media, or by other appropriate means (RCW 9.94A.753(8), RCW 9.94A.750(7)).

## **FINES**

The court may impose fines as part of all sentences for felony offenses according to the following ranges (RCW 9.94A.550):

Class A felonies	\$0 - \$50,000
Class B felonies	\$0 - \$20,000
Class C felonies	\$0 - \$10,000

Unless the court finds the offender to be indigent, every person convicted of certain VUCSA violations (RCW 69.50.401 through 69.50.4013, 69.50.4015, 69.50.402, 69.50.403, 69.50.406, 69.50.407, 69.50.410, 69.50.415) shall be fined \$1,000 in addition to any other fine or penalty imposed. The fine increases to \$2,000 if the violation is a second or subsequent violation of one of the laws specified. RCW 69.50.403.

When a fine is imposed for Manufacture, Delivery or Possession with Intent to Manufacture or Deliver Methamphetamine, or for Possession of Ephedrine or Pseudo Ephedrine with Intent to Manufacture Methamphetamine, the first \$3,000 may not be suspended and must be provided to the law enforcement entity responsible for cleaning up the methamphetamine lab site. RCW 69.50.401.

## **Other Legal Financial Obligations**

The Sentencing Reform Act allows a court to impose several additional monetary obligations. These include:

- Court costs. (RCW 9.94A.030(30));
- Defense attorney's fees and defense costs. (RCW 9.94A.030(30));
- Contributions to a county or local drug fund. (RCW 9.94A.030(30));
- Crime victims' compensation assessment. (RCW 9.94A.030(30) and (RCW 7.68.035));
- Recoupments to the victim for the cost of counseling as a result of the offender's crime, in cases where the Special Sex Offender Sentencing Alternative is exercised. (RCW 9.94A.670(6)g));
- Payment for the cost of incarceration, at the rate of \$50 per day. (RCW 9.94A.760(2)); and/or
- Payment of up to \$2,500 in costs incurred by public agencies in an emergency response to the incident that resulted in conviction for Vehicular Assault or Vehicular Homicide While Under the Influence of Intoxicating Liquor or Any Drug. (RCW 9.94A.030(30) and (RCW 38.52.430)).

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All other legal financial obligations for an offense committed prior to July 1, 2000, may be enforced at any time during the ten-year period following the offender's release from total confinement or within ten years of entry of the judgment and sentence, whichever period ends later. Prior to the expiration of the initial ten-year period, the superior court may extend the criminal judgment an additional ten years for payment of legal financial obligations including crime victims' assessments. All other legal financial obligations for an offense committed on or after July 1, 2000, may be enforced at any time the offender remains under the court's jurisdiction. For an offense committed on or after July 1, 2000, the court shall retain jurisdiction over the offender, for purposes of the offender's compliance with payment of the legal financial obligations, until the obligation is completely satisfied, regardless of the statutory maximum for the crime.

The department may only supervise the offender's compliance with payment of the legal financial obligations during any period in which the department is authorized to supervise the offender in the community under RCW [9.94A.728](#), [9.94A.501](#), or in which the offender is confined in a state correctional institution or a correctional facility pursuant to a transfer agreement with the department, and the department shall supervise the offender's compliance during any such period. The department is not responsible for supervision of the offender during any subsequent period of time the offender remains under the court's jurisdiction. The county clerk is authorized to collect unpaid legal financial obligations at any time the offender remains under the jurisdiction of the court for purposes of his or her legal financial obligations.

In order to assist the court in setting the monthly payment sum, the offender must truthfully report to DOC regarding earnings, property, and assets, and must supply requested documentation.

The DOC may recommend to the court modifications in the payment schedule if the offender's financial circumstances change during the period of supervision. In cases where the DOC sets the monthly assessment amount, the DOC may modify the monthly assessment without consulting the court.

Independent of the department or the county clerk, the party or entity to whom the legal financial obligation is owed shall have the authority to use any other remedies available to the party or entity to collect the legal financial obligation. These remedies include enforcement in the same manner as a judgment in a civil action by the party or entity to whom the legal financial obligation is owed.

### **Contact With Individuals**

A court may prohibit an offender from contacting specified individuals or a specific class of individuals for a period not to exceed the maximum allowable sentence for the crime, regardless of the expiration of the community supervision or community placement term. The order prohibiting contact must relate directly to the circumstances of the crime of conviction.

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# SECTION 4 - SENTENCING GRIDS

## SENTENCING GRID D: FOR CRIMES COMMITTED AFTER JULY 24, 1999

**“CURRENT”  
RCW 9.94A.510**

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
S e r i o u s n e s s L e v e l	<b>LEVEL XVI</b>	<b>LIFE SENTENCE WITHOUT PAROLE/DEATH PENALTY</b>									
	<b>LEVEL XV</b>	280m	291.5m	304m	316m	327.5m	339.5m	364m	394m	431.5m	479.5m
	<b>LEVEL XIV</b>	240 - 320	250 - 333	261 - 347	271 - 361	281 - 374	291 - 388	312 - 416	338 - 450	370 - 493	411 - 548
	<b>LEVEL XIII</b>	171.5m	184m	194m	204m	215m	225m	245m	266m	307m	347.5m
	<b>LEVEL XII</b>	123 - 220	134 - 234	144 - 244	154 - 254	165 - 265	175 - 275	195 - 295	216 - 316	257 - 357	298 - 397
	<b>LEVEL XI</b>	143.5m	156m	168m	179.5m	192m	204m	227.5m	252m	299.5m	347.5m
	<b>LEVEL X</b>	123 - 164	134 - 178	144 - 192	154 - 205	165 - 219	175 - 233	195 - 260	216 - 288	257 - 342	298 - 397
	<b>LEVEL IX</b>	108m	119m	129m	140m	150m	161m	189m	207m	243m	279m
	<b>LEVEL VIII</b>	93 - 123	102 - 136	111 - 147	120 - 160	129 - 171	138 - 184	162 - 216	178 - 236	209 - 277	240 - 318
	<b>LEVEL VII</b>	90m	100m	110m	119m	129m	139m	170m	185m	215m	245m
	<b>LEVEL VI</b>	78 - 102	86 - 114	95 - 125	102 - 136	111 - 147	120 - 158	146 - 194	159 - 211	185 - 245	210 - 280
	<b>LEVEL V</b>	59.5m	66m	72m	78m	84m	89.5m	114m	126m	150m	230.5m
	<b>LEVEL IV</b>	51 - 68	57 - 75	62 - 82	67 - 89	72 - 96	77 - 102	98 - 130	108 - 144	129 - 171	149 - 198
	<b>LEVEL III</b>	36m	42m	47.5m	53.5m	59.5m	66m	89.5m	101.5m	126m	150m
	<b>LEVEL II</b>	31 - 41	36 - 48	41 - 54	46 - 61	51 - 68	57 - 75	77 - 102	87 - 116	108 - 144	129 - 171
	<b>LEVEL I</b>	24m	30m	36m	42m	47.5m	53.5m	78m	89.5m	101.5m	126m
<b>LEVEL I</b>	21 - 27	26 - 34	31 - 41	36 - 48	41 - 54	46 - 61	67 - 89	77 - 102	87 - 116	108 - 144	
<b>LEVEL I</b>	17.5m	24m	30m	36m	42m	47.5m	66m	78m	89.5m	101.5m	
<b>LEVEL I</b>	15 - 20	21 - 27	26 - 34	31 - 41	36 - 48	41 - 54	57 - 75	67 - 89	77 - 102	87 - 116	
<b>LEVEL I</b>	13m	17.5m	24m	30m	36m	42m	53.5m	66m	78m	89.5m	
<b>LEVEL I</b>	12+ - 14	15 - 20	21 - 27	26 - 34	31 - 41	36 - 48	46 - 61	57 - 75	67 - 89	77 - 102	
<b>LEVEL I</b>	9m	13m	15m	17.5m	25.5m	38m	47.5m	59.5m	72m	84m	
<b>LEVEL I</b>	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	41 - 54	51 - 68	62 - 82	72 - 96	
<b>LEVEL I</b>	6m	9m	13m	15m	17.5m	25.5m	38m	50m	61.5m	73.5m	
<b>LEVEL I</b>	3 - 9	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	43 - 57	53 - 70	63 - 84	
<b>LEVEL I</b>	2m	5m	8m	11m	14m	19.5m	25.5m	38m	50m	59.5m	
<b>LEVEL I</b>	1 - 3	3 - 8	4 - 12	9 - 12	12+ - 16	17 - 22	22 - 29	33 - 43	43 - 57	51 - 68	
<b>LEVEL I</b>		4m	6m	8m	13m	16m	19.5m	25.5m	38m	50m	
<b>LEVEL I</b>	0-90 days	2 - 6	3 - 9	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29	33 - 43	43 - 57	
<b>LEVEL I</b>			3m	4m	5.5m	8m	13m	16m	19.5m	25.5m	
<b>LEVEL I</b>	0-60 days	0-90 days	2 - 5	2 - 6	3 - 8	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29	

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# SENTENCING GRID D – ANTICIPATORIES – FOR CRIMES COMMITTED AFTER JULY 24, 1999

“CURRENT”

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
S e r i o u s n e s s  L e v e l	LEVEL XVI	LIFE SENTENCE WITHOUT PAROLE/DEATH PENALTY									
	LEVEL XV	180 - 240	187.5 - 249.75	195.75 - 260.25	203.25 - 270.75	210.75 - 280.5	218.25 - 291	234 - 312	253.5 - 337.5	277.5 - 369.75	308.25 - 411
	LEVEL XIV	92.25 - 165	100.5 - 175.5	108 - 183	115.5 - 190.5	123.75 - 198.75	131.25 - 206.25	146.25 - 221.25	162 - 237	192.75 - 267.75	223.5 - 297.75
	LEVEL XIII	92.25 - 123	100.5 - 133.5	108 - 144	115.5 - 153.75	123.75 - 164.25	131.25 - 174.75	146.25 - 195	162 - 216	192.75 - 256.5	223.5 - 297.75
	LEVEL XII	69.75 - 92.25	76.5 - 102	83.25 - 110.25	90 - 120	96.75 - 128.25	103.5 - 138	121.5 - 162	133.5 - 177	156.75 - 207.75	180 - 238.5
	LEVEL XI	58.5 - 76.5	64.5 - 85.5	71.25 - 93.75	76.5 - 102	83.25 - 110.25	90 - 118.5	109.5 - 145.5	119.25 - 158.25	138.75 - 183.75	157.5 - 210
	LEVEL X	38.25 - 51	42.75 - 56.25	46.5 - 61.5	50.25 - 66.75	54 - 72	57.75 - 76.5	73.5 - 97.5	81 - 108	96.75 - 128.25	111.75 - 148.5
	LEVEL IX	23.25 - 30.75	27 - 36	30.75 - 40.5	34.5 - 45.75	38.25 - 51	42.75 - 56.25	57.75 - 76.5	65.25 - 87	81 - 108	96.75 - 128.25
	LEVEL VIII	15.75 - 20.25	19.5 - 25.5	23.25 - 30.75	27 - 36	30.75 - 40.5	34.5 - 45.75	50.25 - 66.75	57.75 - 76.5	65.25 - 87	81 - 108
	LEVEL VII	11.25 - 15	15.75 - 20.25	19.5 - 25.5	23.25 - 30.75	27 - 36	30.75 - 40.5	42.75 - 56.25	50.25 - 66.75	57.75 - 76.5	65.25 - 87
	LEVEL VI	9 - 10.5	11.25 - 15	15.75 - 20.25	19.5 - 25.5	23.25 - 30.75	27 - 36	34.5 - 45.75	42.75 - 56.25	50.25 - 66.75	57.75 - 76.5
	LEVEL V	4.5 - 9	9 - 10.5	9.75 - 12.75	11.25 - 15	16.5 - 21.75	24.75 - 32.25	30.75 - 40.5	38.25 - 51	46.5 - 61.5	54 - 72
	LEVEL IV	2.25 - 6.75	4.5 - 9	9 - 10.5	9.75 - 12.75	11.25 - 15	16.5 - 21.75	24.75 - 32.25	32.25 - 42.75	39.75 - 52.5	47.25 - 63
	LEVEL III	0.75 - 2.25	2.25 - 6	3 - 9	6.75 - 9	9 - 12	12.75 - 16.5	16.5 - 21.75	24.75 - 32.25	32.25 - 42.75	38.25 - 51
	LEVEL II	0 - 67.5 days	1.5 - 4.5	2.25 - 6.75	3 - 9	9 - 10.5	10.5 - 13.5	12.75 - 16.5	16.5 - 21.75	24.75 - 32.25	32.25 - 42.75
	LEVEL I	0 - 45 days	0 - 67.5 days	1.5 - 3.75	1.5 - 4.5	2.25 - 6	3 - 9	9 - 10.5	10.5 - 13.5	12.75 - 16.5	16.5 - 21.75

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## OFFENSE SERIOUSNESS LEVELS FOR STANDARD GRID (RCW 9.94A.515)

Seriousness Level	Statute (RCW)	Offense	Class
<b>XVI</b>	10.95.020	Aggravated Murder 1	A
<b>XV</b>	9A.32.055	Homicide by Abuse	A
	70.74.280(1)	Malicious Explosion of a Substance 1	A
	9A.32.030	Murder 1	A
	9A.28.020(3)(a)	Murder 1 – Criminal Attempt	A
	9A.28.040(3)(a)	Murder 1 - Criminal Conspiracy	A
	9A.28.030(2)	Murder 1 – Criminal Solicitation	A
<b>XIV</b>	9A.32.050	Murder 2	A
	9A.28.020(3)(a)	Murder 2 – Criminal Attempt	A
	9A.28.030(2)	Murder 2 – Criminal Solicitation	A
	9A.40.100(1)	Trafficking 1	A
<b>XIII</b>	70.74.280(2)	Malicious Explosion of a Substance 2	A
	70.74.270(1)	Malicious Placement of an Explosive 1	A
<b>XII</b>	9A.36.011	Assault 1	A
	9A.36.120	Assault of a Child 1	A
	70.74.272(1)(a)	Malicious Placement of an Imitation Device 1	B
	9.68A.101	Promoting Commercial Sexual Abuse of a Minor	A
	9A.44.040	Rape 1	A
	9A.28.020(3)(a)	Rape 1 – Criminal Attempt	A
	9A.28.030(2)	Rape 1 – Criminal Solicitation	A
	9A.44.073	Rape of a Child 1	A
	9A.28.020(3)(a)	Rape of a Child 1 – Criminal Attempt	A
	9A.28.030(2)	Rape of a Child 1 – Criminal Solicitation	A
	9A.40.100(2)	Trafficking 2	A
<b>XI</b>	9A.32.060	Manslaughter 1	A
	9A.44.050	Rape 2	A
	9A.28.020(3)(a)	Rape 2 – Criminal Attempt	A
	9A.28.030(2)	Rape 2 – Criminal Solicitation	A
	9A.44.076	Rape of a Child 2	A
	9A.28.020(3)(a)	Rape of a Child 2 – Criminal Attempt	A
	9A.28.030(2)	Rape of a Child 2 – Criminal Solicitation	A

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Seriousness Level	Statute (RCW)	Offense	Class
	46.61.520(1)(a)	Vehicular Homicide – While Under the Influence of Intoxicating Liquor or any Drug	A
<b>X</b>	9A.44.083	Child Molestation 1	A
	9A.28.020(3)(a)	Child Molestation 1 – Criminal Attempt	A
	9A.28.030(2)	Child Molestation 1 – Criminal Solicitation	A
	9A.42.020	Criminal Mistreatment 1	B
	9A.44.100(2)(b)	Indecent Liberties - With Forcible Compulsion	A
	9A.28.020(3)(a)	Indecent Liberties - With Forcible Compulsion – Criminal Attempt	A
	9A.28.030(2)	Indecent Liberties - With Forcible Compulsion – Criminal Solicitation	A
	9A.40.020	Kidnapping 1	A
	9A.82.060(1)(a)	Leading Organized Crime – Organizing Criminal Profiteering	A
	70.74.280(3)	Malicious Explosion of a Substance 3	B
	9A.76.115	Sexually Violent Predator Escape	A
<b>IX</b>	9A.42.060	Abandonment of Dependent Persons 1	B
	9A.36.130	Assault of a Child 2	B
	70.74.180	Explosive Devices Prohibited	A
	46.52.020(4)(a)	Hit and Run - Death	B
	79A.60.050(1)(a)	Homicide by Watercraft – While Under the Influence of Intoxicating Liquor or any Drug	A
	9A.82.060(1)(b)	Leading Organized Crime - Inciting Criminal Profiteering	B
	70.74.270(2)	Malicious Placement of an Explosive 2	B
	9A.56.200	Robbery 1	A
	9.68A.040	Sexual Exploitation of a Minor	B
<b>VIII</b>	9A.48.020	Arson 1	A
	9A.28.020(3)(a)	Arson 1 – Criminal Attempt	A
	9A.28.030(2)	Arson 1 – Criminal Solicitation	A
	9.68A.100	Commercial Sexual Abuse of a Minor	B
	79A.60.050(1)(b)	Homicide by Watercraft – In a Reckless Manner	A
	9A.32.070	Manslaughter 2	B
	9A.88.070	Promoting Prostitution 1	B
	69.55.010	Theft of Ammonia	C
	46.61.520(1)(b)	Vehicular Homicide – In a Reckless Manner	A
<b>VII</b>	9A.52.020	Burglary 1	A
	9A.44.086	Child Molestation 2	B

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Seriousness Level	Statute (RCW)	Offense	Class
	9A.48.120	Civil Disorder Training	B
	9.68A.050(1)	Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 1 (Effective 6/10/2010)	B
	9A.36.045	Drive-by Shooting	B
	79A.60.050(1)(c)	Homicide by Watercraft - Disregard for the Safety of Others	A
	9A.44.100(2)(a)	Indecent Liberties - Without Forcible Compulsion	B
	9A.76.140	Introducing Contraband 1	B
	70.74.270(3)	Malicious Placement of an Explosive 3	B
	46.37.675	Negligently Causing Death By Use of a Signal Preemption Device	B
	9.68A.060(1)	Sending, Bringing into the State Depictions of Minor Engaged in Sexually Explicit Conduct 1	B
	9.41.040(1)	Unlawful Possession of a Firearm 1	B
	9.41.225	Use of Machine Gun in Commission of a Felony	A
	46.61.520(1)(c)	Vehicular Homicide - Disregard for the Safety of Others	A
<b>VI</b>	9A.76.170(3)(a)	Bail Jumping with Murder 1	A
	9A.68.010	Bribery	B
	9A.64.020(1)	Incest 1	B
	9A.72.160	Intimidating a Judge	B
	9A.72.130	Intimidating a Juror	B
	9A.72.110	Intimidating a Witness	B
	70.74.272(1)(b)	Malicious Placement of an Imitation Device 2	C
	9.68A.070(1)	Possession of Depictions of Minor Engaged in Sexually Explicit Conduct 1	B
	9A.44.079	Rape of a Child 3	C
	9A.56.300	Theft of a Firearm	B
	69.55.020	Unlawful Storage of Ammonia	C
<b>V</b>	9A.42.070	Abandonment of Dependent Persons 2	C
	9A.82.030	Advancing Money or Property for Extortionate Extension of Credit	B
	9A.76.170(3)(b)	Bail Jumping with Class A Felony	B
	9A.44.089	Child Molestation 3	C
	9A.42.030	Criminal Mistreatment 2	C
	9A.44.160	Custodial Sexual Misconduct 1	C
	9.68A.050(2)	Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (Effective 6/10/2010)	C
	26.50.110	Domestic Violence Court Order Violation	C

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Seriousness Level	Statute (RCW)	Offense	Class
	46.61.502(6)	Driving While Under the Influence of Intoxicating Liquor or any Drug (Effective 7/1/2007)	C
	9A.56.120	Extortion 1	B
	9A.82.020	Extortionate Extension of Credit	B
	9A.82.040	Extortionate Means to Collect Extensions of Credit	B
	9A.64.020(2)	Incest 2	C
	9A.40.030(3)(a)	Kidnapping 2	B
	9A.40.030(3)(b)	Kidnapping 2 With a Finding of Sexual Motivation	A
	9A.72.020	Perjury 1	B
	9.94.070	Persistent Prison Misbehavior	C
	46.61.504(6)	Physical Control of a Vehicle While Under the Influence of Intoxicating Liquor or any Drug (Effective 7/1/2007)	C
	9A.56.310	Possession of a Stolen Firearm	B
	9A.44.060	Rape 3	C
	9A.76.070(2)(a)	Rendering Criminal Assistance 1	B
	9.68A.060(2)	Sending, Bringing into the State Depictions of Minor Engaged in Sexually Explicit Conduct 2	C
	9A.44.093	Sexual Misconduct with a Minor 1	C
	9A.44.105	Sexually Violating Human Remains	C
	9A.46.110	Stalking	B
	9A.56.070	Taking Motor Vehicle Without Permission 1	B
<b>IV</b>	9A.48.030	Arson 2	B
	9A.36.021(2)(a)	Assault 2	B
	9A.36.021(2)(b)	Assault 2 With a Finding of Sexual Motivation	A
	9A.36.031(1)(h)	Assault 3 - Of a Peace Officer with a Projectile Stun Gun	C
	79A.60.060	Assault by Watercraft	B
	9A.72.100	Bribe Received by Witness	B
	9A.72.090	Bribing a Witness	B
	9.46.1961	Cheating 1	C
	9A.68.060	Commercial Bribery	B
	9.16.035(4)	Counterfeiting - Endanger Public Health or Safety	C
	9A.42.100	Endangerment With a Controlled Substance	B
	9A.76.110	Escape 1	B
	46.52.020(4)(b)	Hit and Run - Injury	C
	79A.60.200(3)	Hit and Run with Vessel - Injury Accident	C
	9.35.020(2)	Identity Theft 1	B

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Seriousness Level	Statute (RCW)	Offense	Class
	9A.88.010(2)(c)	Indecent Exposure to a Person Under Age 14 (Subsequent Conviction or Has Prior Sex Offense Conviction)	C
	9A.82.070	Influencing Outcome of Sporting Event	C
	9A.36.080	Malicious Harassment	C
	9.68A.070(2)	Possession of Depictions of Minor Engaged in Sexually Explicit Conduct 2	C
	9A.52.025	Residential Burglary	B
	9A.56.210	Robbery 2	B
	9A.56.080	Theft of Livestock 1	B
	9.61.160	Threats to Bomb	B
	9A.82.050	Trafficking in Stolen Property 1	B
	9A.56.290(4)(b)	Unlawful Factoring of a Credit or Payment Card Transaction (Subsequent Violation)	B
	48.44.016(3)	Unlawful Transaction of Health Coverage as Health Care Service Contractor	B
	48.46.033(3)	Unlawful Transaction of Health Coverage as Health Maintenance Organization	B
	48.15.023(3)	Unlawful Transaction of Insurance Business	B
	48.17.063(2)	Unlicensed Practice as an Insurance Professional	B
	9A.82.080(1-2)	Use of Proceeds of Criminal Profiteering	B
	46.61.522(1)(a) & (b)	Vehicular Assault – In a Reckless Manner or While Under the Influence of Intoxicating Liquor or any Drug	B
	9A.52.100(3)	Vehicle Prowling 2 (third or subsequent offense)	C
	9.68A.075(1)	Viewing Depictions of Minor Engaged in Sexually Explicit Conduct 1 (Effective 6/10/2010)	B
	72.66.060	Willful Failure to Return from Furlough ( <i>Repealed July 1, 2001</i> )	*
<b>III</b>	16.52.205(3)	Animal Cruelty 1 - Sexual Contact or Conduct	C
	9A.36.031(1)(a)-(g) & (i)-(j)	Assault 3 – Excluding Assault 3 of a Peace Officer with a Projectile Stun Gun	C
	9A.36.140	Assault of a Child 3	C
	9A.76.170(3)(c)	Bail Jumping with Class B or C Felony	C
	9A.52.030	Burglary 2	B
	9.68A.090(2)	Communication with Minor for Immoral Purposes (Subsequent Violation or Prior Sex Offense Conviction)	C
	9A.46.120	Criminal Gang Intimidation	C
	9A.36.100	Custodial Assault	C
	9.61.260(3)	Cyberstalking (With Prior Harassment Conviction or Threat of Death)	C
	9A.76.120	Escape 2	C

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Seriousness Level	Statute (RCW)	Offense	Class
	9A.56.130	Extortion 2	C
	9A.46.020(2)(b)	Harassment (Subsequent Conviction or Threat of Death)	C
	9A.76.180	Intimidating a Public Servant	B
	9A.76.150	Introducing Contraband 2	C
	81.60.070	Malicious Injury to Railroad Property	B
	19.144.080	Mortgage Fraud	B
	46.37.674	Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device	B
	9A.56.350(2)	Organized Retail Theft 1	B
	9A.72.030	Perjury 2	C
	9.40.120	Possession of Incendiary Device	B
	9.41.190	Possession of Machine Gun, Short-barreled Shotgun or Short-barreled Rifle	C
	9A.88.080	Promoting Prostitution 2	C
	9A.56.360(2)	Retail Theft with Extenuating Circumstances 1 (Pre January 1, 2014)	B
	9A.56.360(2)	Retail Theft with Special Circumstances 1 (On or After January 1, 2014)	B
	21.20.400	Securities Act Violation	B
	9A.72.120	Tampering with a Witness	C
	9.61.230(2)	Telephone Harassment (With Prior Harassment Conviction or Threat of Death)	C
	9A.56.083	Theft of Livestock 2	C
	9A.56.340(2)	Theft with Intent to Resell 1	B
	9A.82.055	Trafficking in Stolen Property 2	C
	77.15.410(3)(b)	Unlawful Hunting of Big Game 1	C
	9A.40.040	Unlawful Imprisonment	C
	69.04.938(3)	Unlawful Misbranding of Food Fish or Shellfish 1	C
	9.41.040(2)	Unlawful Possession of a Firearm 2	C
	77.15.120(3)(b)	Unlawful Taking of Endangered Fish or Wildlife 1	C
	77.15.260(3)(b)	Unlawful Trafficking in Fish, Shellfish or Wildlife 1	B
	77.15.530(4)	Unlawful Use of a Nondesignated Vessel	C
	46.61.522(1)(c)	Vehicular Assault - Disregard for the Safety of Others	B
	72.65.070	Willful Failure to Return from Work Release ( <i>Repealed July 1, 2001</i> )	*
<b>II</b>	77.15.500(3)(b)	Commercial Fishing Without a License 1	C
	9A.52.110	Computer Trespass 1	C
	9.16.035(3)	Counterfeiting – Third Conviction and Value \$10,000 or More	C
	77.15.620(3)(b)	Engaging in Fish Dealing Activity Unlicensed 1	C

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Seriousness Level	Statute (RCW)	Offense	Class
	72.09.310	Escape from Community Custody	C
	61.34.030	Equity Skimming*	B
	9A.44.132(1)(a)	Failure to Register as a Sex Offender (Second Violation Committed on or After 6/10/2010)	C
	9A.44.132(1)(a)	Failure to Register as a Sex Offender (Subsequent Violation Committed on or After 6/7/2006 but Before 6/10/2010)	C
	9A.44.132(1)(b)	Failure to Register as a Sex Offender (Third or Subsequent Violation Committed on or After 6/10/2010)	B
	48.80.030	Health Care False Claims	C
	9.35.020(3)	Identity Theft 2	C
	9.35.010	Improperly Obtaining Financial Information	C
	9A.48.070	Malicious Mischief 1	B
	9A.56.350(3)	Organized Retail Theft 2	C
	9A.56.068	Possession of a Stolen Vehicle	B
	9A.56.150	Possession of Stolen Property 1 (Other Than Firearm or Motor Vehicle)	B
	9A.56.360(3)	Retail Theft with Extenuating Circumstances 2 (Pre January 1, 2014)	C
	9A.56.360(3)	Retail Theft with Special Circumstances 2 (On or After January 1, 2014)	C
	19.290.100	Scrap Processing, Recycling, or Supplying Without a License (Second or Subsequent Offense)	C
	9A.56.030	Theft 1 (Excluding Firearm and Motor Vehicle)	B
	9A.56.065	Theft of a Motor Vehicle	B
	9A.56.096(5)(a)	Theft of Rental, Leased, Lease-purchased or Loaned Property (Valued at \$5,000 or More)	B
	9A.56.340(3)	Theft with Intent to Resell 2	C
	48.30A.015	Trafficking in Insurance Claims (Subsequent Violation)	C
	9A.56.290(4)(a)	Unlawful Factoring of a Credit or Payment Card Transaction	C
	77.15.570(2)	Unlawful Participation of Non-Indians in Indian Fishery	C
	2.48.180	Unlawful Practice of Law (Subsequent Violation)	C
	18.130.190(7)(b)	Unlicensed Practice of a Profession or Business (Subsequent Violation)	C
	77.15.650(3)(b)	Unlawful Purchase or Use of a License 1	C
	77.15.260(3)(a)	Unlawful Trafficking in Fish, Shellfish or Wildlife 2	C
	9A.44.115	Voyeurism	C
<b>I</b>	46.61.024	Attempting to Elude Pursuing Police Vehicle	C
	74.08.055(2)	False Verification for Welfare	B
	9A.60.020	Forgery	C
	9A.60.060	Fraudulent Creation or Revocation of Mental Health Advance Directive	C

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Seriousness Level	Statute (RCW)	Offense	Class
	9A.48.080	Malicious Mischief 2	C
	78.44.330	Mineral Trespass	C
	9A.56.160	Possession of Stolen Property 2 (Other Than Firearm or Motor Vehicle)	C
	9A.48.040	Reckless Burning 1	C
	77.15.450(3)(b)	Spotlighting Big Game 1	C
	77.15.670(3)(b)	Suspension of Department Privileges 1	C
	9A.56.075	Taking Motor Vehicle Without Permission 2	C
	9A.56.040	Theft 2 (Excluding Firearm and Motor Vehicle)	C
	9A.56.096(5)(b)	Theft of Rental, Leased, Lease-purchased or Loaned Property (Valued at \$750 or More but Less Than \$5,000)	C
	48.17.063(4)	Transaction of Insurance Business Beyond the Scope of Licensure (Violation of RCW 48.17.060)	B
	77.15.630(3)(b)	Unlawful Fish and Shellfish Catch Accounting 1	C
	9A.56.060(4)	Unlawful Issuance of Checks or Drafts (Value Greater Than \$750)	C
	9A.56.320(3)	Unlawful Possession of a Personal Identification Device	C
	9A.56.320(4)	Unlawful Possession of Fictitious Identification	C
	9A.56.320(5)	Unlawful Possession of Instruments of Financial Fraud	C
	9A.56.320(2)	Unlawful Possession of Payment Instruments	C
	9A.56.320(1)	Unlawful Production of Payment Instruments	C
	9.91.144	Unlawful Redemption of Food Stamps	C
	77.15.250(2)(b)	Unlawful Release of Deleterious Exotic Wildlife	C
	9.91.142(1)	Unlawful Trafficking in Food Stamps	C
	77.15.580(3)(b)	Unlawful Use of Net to Take Fish 1	C
	77.15.253(3)	Unlawful Use of Prohibited Aquatic Animal Species (Subsequent Violation)	C
	9A.52.095	Vehicle Prowl 1	C
	77.15.550(3)(b)	Violating Commercial Fishing Area or Time 1	C

\*Equity Skimming is not found on the offense list under RCW 9.94A.518. RCW 61.34.003 language states "Equity skimming shall be classified as a level II offense under chapter 9.94A RCW, . . ." so it was included in this list.

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**DRUG SENTENCING GRID B FOR SENTENCES IMPOSED ON OR AFTER JULY 1, 2013**

**"CURRENT GRID"**

**RCW 9.94A.517**

Seriousness Level	Offender Score		
	0 to 2	3 to 5	6 to 9+
LEVEL III	59.5m	84m	110m
	51 - 68	68+ - 100	100+ - 120
LEVEL II	16m	40m	90m
	12+ - 20	20+ - 60	60+ - 120
LEVEL I	3m	9m	18m
	0 - 6	6+ - 12	12+ - 24

**DRUG SENTENCING GRID B FOR SENTENCES IMPOSED ON OR AFTER JULY 1, 2013  
(SOLICITATIONS FOR OFFENSES UNDER CHAPTER 69.50 RCW, ANTICIPATORIES FOR OFFENSES NOT UNDER CHAPTER 69.50 RCW)**

**"CURRENT GRID"**

**RCW 9.94A.517**

Seriousness Level	Offender Score		
	0 to 2	3 to 5	6 to 9+
LEVEL III	38.25 - 51	51.02 - 75	75.02 - 90
LEVEL II	9.02 - 15	15.02 - 45	45.02 - 90
LEVEL I	0 - 4.5	4.52 - 9	9.02 - 18

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## OFFENSE SERIOUSNESS LEVELS FOR DRUG SENTENCING GRID (RCW 9.94A.518)

This list includes most statutory drug offenses as well as drug-related offenses not defined as a drug offense under RCW 9.94A.030(22).

Seriousness Level	Statute (RCW)	Offense	Class
III	9.94A.602	Any felony offense under Chapter 69.50 RCW with a Deadly Weapon Special Verdict under RCW 9.94A.602	*
	69.50.415	Controlled Substance Homicide	B
	69.52.030(2)	Delivery of Imitation Controlled Substance by Person 18 or Over to Person Under 18	B
	69.50.4015	Involving a Minor in Drug Dealing	C
	69.50.401(2)(b)	Manufacture Methamphetamine	B
	69.50.406(1)	Over 18 and Deliver Heroin, Methamphetamine, a Narcotic from Schedule I or II, or Flunitrazepam from Schedule IV to Someone Under 18	A
	69.50.406(2)	Over 18 and Deliver Narcotic from Schedule III, IV or V, or a Nonnarcotic, Except Flunitrazepam or Methamphetamine, from Schedule I-V to Someone Under 18 and 3 Years Junior	B
	69.50.440	Possession of Ephedrine, Pseudoephedrine or Anhydrous Ammonia with Intent to Manufacture Methamphetamine	B
69.50.410	Selling for Profit (Controlled or Counterfeit) any Controlled Substance in Schedule I	C	
II	69.50.4011(2) (a-b)	Create, Deliver or Possess a Counterfeit Controlled Substance – Schedule I or II Narcotic or Flunitrazepam or Methamphetamine	B
	69.50.4011(2) (c-e)	Create, Deliver or Possess a Counterfeit Controlled Substance – Schedule I-II Nonnarcotic, Schedule III-V Except Flunitrazepam or Methamphetamine	C
	69.50.401(2)(b)	Deliver or Possess with Intent to Deliver - Methamphetamine	B
	69.50.4012	Delivery of a Material in Lieu of a Controlled Substance	C
	69.50.402	Maintaining a Dwelling or Place for Controlled Substances	C
	69.50.401(2)(a)	Manufacture, Deliver or Possess with Intent to Deliver - Narcotics from Schedule I or II or Flunitrazepam from Schedule IV	B
	69.50.401(2)(b)	Manufacture, Deliver or Possess with Intent to Deliver - Amphetamine	B
	69.50.401(2) (c-e)	Manufacture, Deliver or Possess with Intent to Deliver - Narcotics from Schedule III, IV, or V or Nonnarcotics from Schedule I-V (except Marijuana, Amphetamine, Methamphetamine, or Flunitrazepam)	C
	69.52.030(1)	Manufacture, Distribute or Possess with Intent to Distribute an Imitation Controlled Substance	C
I	69.41.020	Forged Prescription - Legend Drug	B

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Seriousness Level	Statute (RCW)	Offense	Class
	69.50.403	Forged Prescription for a Controlled Substance	C
	69.50.401(2)(c)	Manufacture, Deliver or Possess with Intent to Deliver - Marijuana	C
	69.50.403	Obtain Controlled Substance by Fraud or Forged Prescription	C
	69.50.4013	Possession of Controlled Substance That is a Narcotic from Schedule III, IV or V or Nonnarcotic from Schedule I-V (Except Phencyclidine or Flunitrazepam), <i>e.g.</i> Methamphetamine, Marijuana	C
	69.50.4013	Possession of Controlled Substance That is Either Heroin or Narcotics from Schedule I or II or Flunitrazepam from Schedule IV, <i>e.g.</i> Cocaine, PCP	C
	69.53.010	Unlawful Use of Building for Drug Purposes	C

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# SENTENCING GRID C – FOR CRIMES COMMITTED JULY 27, 1997, THROUGH JULY 24, 1999

		<b>Offender Score</b>									
		0	1	2	3	4	5	6	7	8	9+
<b>S e r i o u s n e s s L e v e l</b>	<b>LEVEL XV</b>	<b>LIFE SENTENCE WITHOUT PAROLE/DEATH PENALTY</b>									
		280m	291.5m	304m	316m	327.5m	339.5m	364m	394m	431.5m	479.5m
	<b>LEVEL XIV</b>	240 - 320	250 - 333	261 - 347	271 - 361	281 - 374	291 - 388	312 - 416	338 - 450	370 - 493	411 - 548
		171.5m	184m	194m	204m	215m	225m	245m	266m	307m	347.5m
	<b>LEVEL XIII</b>	123 - 220	134 - 234	144 - 244	154 - 254	165 - 265	175 - 275	195 - 295	216 - 316	257 - 357	298 - 397
		108m	119m	129m	140m	150m	161m	189m	207m	243m	279m
	<b>LEVEL XII</b>	93 - 123	102 - 136	111 - 147	120 - 160	129 - 171	138 - 184	162 - 216	178 - 236	209 - 277	240 - 318
		90m	100m	110m	119m	129m	139m	170m	185m	215m	245m
	<b>LEVEL XI</b>	78 - 102	86 - 114	95 - 125	102 - 136	111 - 147	120 - 158	146 - 194	159 - 211	185 - 245	210 - 280
		59.5m	66m	72m	78m	84m	89.5m	114m	126m	150m	230.5m
	<b>LEVEL X</b>	51 - 68	57 - 75	62 - 82	67 - 89	72 - 96	77 - 102	98 - 130	108 - 144	129 - 171	149 - 198
		36m	42m	47.5m	53.5m	59.5m	66m	89.5m	101.5m	126m	150m
	<b>LEVEL IX</b>	31 - 41	36 - 48	41 - 54	46 - 61	51 - 68	57 - 75	77 - 102	87 - 116	108 - 144	129 - 171
		24m	30m	36m	42m	47.5m	53.5m	78m	89.5m	101.5m	126m
	<b>LEVEL VIII</b>	21 - 27	26 - 34	31 - 41	36 - 48	41 - 54	46 - 61	67 - 89	77 - 102	87 - 116	108 - 144
		17.5m	24m	30m	36m	42m	47.5m	66m	78m	89.5m	101.5m
<b>LEVEL VII</b>	15 - 20	21 - 27	26 - 34	31 - 41	36 - 48	41 - 54	57 - 75	67 - 89	77 - 102	87 - 116	
	13m	17.5m	24m	30m	36m	42m	53.5m	66m	78m	89.5m	
<b>LEVEL VI</b>	12+ - 14	15 - 20	21 - 27	26 - 34	31 - 41	36 - 48	46 - 61	57 - 75	67 - 89	77 - 102	
	9m	13m	15m	17.5m	25.5m	38m	47.5m	59.5m	72m	84m	
<b>LEVEL V</b>	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	41 - 54	51 - 68	62 - 82	72 - 96	
	6m	9m	13m	15m	17.5m	25.5m	38m	50m	61.5m	73.5m	
<b>LEVEL IV</b>	3 - 9	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	43 - 57	53 - 70	63 - 84	
	2m	5m	8m	11m	14m	19.5m	25.5m	38m	50m	59.5m	
<b>LEVEL III</b>	1 - 3	3 - 8	4 - 12	9 - 12	12+ - 16	17 - 22	22 - 29	33 - 43	43 - 57	51 - 68	
		4m	6m	8m	13m	16m	19.5m	25.5m	38m	50m	
<b>LEVEL II</b>	0-90 days	2 - 6	3 - 9	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29	33 - 43	43 - 57	
			3m	4m	5.5m	8m	13m	16m	19.5m	25.5m	
<b>LEVEL I</b>	0-60 days	0-90 days	2 - 5	2 - 6	3 - 8	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29	

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## SENTENCING GRID B - FOR CRIMES COMMITTED JULY 1, 1990 THROUGH JULY 26, 1997

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
S e n t e n c i n g  L e v e l	LEVEL XV	LIFE SENTENCE WITHOUT PAROLE/DEATH PENALTY									
		280m	291.5m	304m	316m	327.5m	339.5m	364m	394m	431.5m	479.5m
	LEVEL XIV	240 - 320	250 - 333	261 - 347	271 - 361	281 - 374	291 - 388	312 - 416	338 - 450	370 - 493	411 - 548
		143.5m	156m	168m	179.5m	192m	204m	227.5m	252m	299.5m	347.5m
	LEVEL XIII	123 - 164	134 - 178	144 - 192	154 - 205	165 - 219	175 - 233	195 - 260	216 - 288	257 - 342	298 - 397
		108m	119m	129m	140m	150m	161m	189m	207m	243m	279m
	LEVEL XII	93 - 123	102 - 136	111 - 147	120 - 160	129 - 171	138 - 184	162 - 216	178 - 236	209 - 277	240 - 318
		90m	100m	110m	119m	129m	139m	170m	185m	215m	245m
	LEVEL XI	78 - 102	86 - 114	95 - 125	102 - 136	111 - 147	120 - 158	146 - 194	159 - 211	185 - 245	210 - 280
		59.5m	66m	72m	78m	84m	89.5m	114m	126m	150m	230.5m
	LEVEL X	51 - 68	57 - 75	62 - 82	67 - 89	72 - 96	77 - 102	98 - 130	108 - 144	129 - 171	149 - 198
		36m	42m	47.5m	53.5m	59.5m	66m	89.5m	101.5m	126m	150m
	LEVEL IX	31 - 41	36 - 48	41 - 54	46 - 61	51 - 68	57 - 75	77 - 102	87 - 116	108 - 144	129 - 171
		24m	30m	36m	42m	47.5m	53.5m	78m	89.5m	101.5m	126m
	LEVEL VIII	21 - 27	26 - 34	31 - 41	36 - 48	41 - 54	46 - 61	67 - 89	77 - 102	87 - 116	108 - 144
		17.5m	24m	30m	36m	42m	47.5m	66m	78m	89.5m	101.5m
	LEVEL VII	15 - 20	21 - 27	26 - 34	31 - 41	36 - 48	41 - 54	57 - 75	67 - 89	77 - 102	87 - 116
		13m	17.5m	24m	30m	36m	42m	53.5m	66m	78m	89.5m
	LEVEL VI	12+ - 14	15 - 20	21 - 27	26 - 34	31 - 41	36 - 48	46 - 61	57 - 75	67 - 89	77 - 102
		9m	13m	15m	17.5m	25.5m	38m	47.5m	59.5m	72m	84m
LEVEL V	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	41 - 54	51 - 68	62 - 82	72 - 96	
	6m	9m	13m	15m	17.5m	25.5m	38m	50m	61.5m	73.5m	
LEVEL IV	3 - 9	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	43 - 57	53 - 70	63 - 84	
	2m	5m	8m	11m	14m	19.5m	25.5m	38m	50m	59.5m	
LEVEL III	1 - 3	3 - 8	4 - 12	9 - 12	12+ - 16	17 - 22	22 - 29	33 - 43	43 - 57	51 - 68	
		4m	6m	8m	13m	16m	19.5m	25.5m	38m	50m	
LEVEL II	0-90 days	2 - 6	3 - 9	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29	33 - 43	43 - 57	
			3m	4m	5.5m	8m	13m	16m	19.5m	25.5m	
LEVEL I	0-60 days	0-90 days	2 - 5	2 - 6	3 - 8	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29	

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# SENTENCING GRID A - FOR CRIMES COMMITTED BEFORE JULY 1,1990

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
<b>S e r i o u s n e s s L e v e l</b>	<b>LEVEL XIV</b>	<b>LIFE SENTENCE WITHOUT PAROLE/DEATH PENALTY</b>									
		280m	291.5m	304m	316m	327.5m	339.5m	364m	394m	431.5m	479.5m
	<b>LEVEL XIII</b>	240 - 320	250 - 333	261 - 347	271 - 361	281 - 374	291 - 388	312 - 416	338 - 450	370 - 493	411 - 548
		143.5m	156m	168m	179.5m	192m	204m	227.5m	252m	299.5m	347.5m
	<b>LEVEL XII</b>	123 - 164	134 - 178	144 - 192	154 - 205	165 - 219	175 - 233	195 - 260	216 - 288	257 - 342	298 - 397
		72m	80.5m	89.5m	99m	108m	116.5m	150m	162m	185.5m	210m
	<b>LEVEL XI</b>	62 - 82	69 - 92	77 - 102	85 - 113	93 - 123	110 - 133	129 - 171	139 - 185	159 - 212	180 - 240
		59.5m	66m	72m	78m	84m	89.5m	114m	126m	150m	230.5m
	<b>LEVEL X</b>	51 - 68	57 - 75	62 - 82	67 - 89	72 - 96	77 - 102	98 - 130	108 - 144	129 - 171	149 - 198
		36m	42m	47.5m	53.5m	59.5m	66m	89.5m	101.5m	126m	150m
	<b>LEVEL IX</b>	31 - 41	36 - 48	41 - 54	46 - 61	51 - 68	57 - 75	77 - 102	87 - 116	108 - 144	129 - 171
		24m	30m	36m	42m	47.5m	53.5m	78m	89.5m	101.5m	126m
	<b>LEVEL VIII</b>	21 - 27	26 - 34	31 - 41	36 - 48	41 - 54	46 - 61	67 - 89	77 - 102	87 - 116	108 - 144
		17.5m	24m	30m	36m	42m	47.5m	66m	78m	89.5m	101.5m
	<b>LEVEL VII</b>	15 - 20	21 - 27	26 - 34	31 - 41	36 - 48	41 - 54	57 - 75	67 - 89	77 - 102	87 - 116
		13m	17.5m	24m	30m	36m	42m	53.5m	66m	78m	89.5m
	<b>LEVEL VI</b>	12+ - 14	15 - 20	21 - 27	26 - 34	31 - 41	36 - 48	46 - 61	57 - 75	67 - 89	77 - 102
		9m	13m	15m	17.5m	25.5m	38m	47.5m	59.5m	72m	84m
	<b>LEVEL V</b>	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	41 - 54	51 - 68	62 - 82	72 - 96
		6m	9m	13m	15m	17.5m	25.5m	38m	50m	61.5m	73.5m
<b>LEVEL IV</b>	3 - 9	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	43 - 57	53 - 70	63 - 84	
	2m	5m	8m	11m	14m	19.5m	25.5m	38m	50m	59.5m	
<b>LEVEL III</b>	1 - 3	3 - 8	4 - 12	9 - 12	12+ - 16	17 - 22	22 - 29	33 - 43	43 - 57	51 - 68	
		4m	6m	8m	13m	16m	19.5m	25.5m	38m	50m	
<b>LEVEL II</b>	0-90 days	2 - 6	3 - 9	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29	33 - 43	43 - 57	
			3m	4m	5.5m	8m	13m	16m	19.5m	25.5m	
<b>LEVEL I</b>	0-60 days	0-90 days	2 - 5	2 - 6	3 - 8	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29	

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**DRUG SENTENCING GRID A FOR OFFENSES COMMITTED ON OR AFTER JULY 1, 2003 AND SENTENCED BEFORE JULY 1, 2013**

Seriousness Level	Offender Score		
	0 to 2	3 to 5	6 to 9+
LEVEL III	59.5m	84m	110m
	51 - 68	68+ - 100	100+ - 120
LEVEL II	16m	40m	90m
	12+ - 20	20+ - 60	60+ - 120
LEVEL I	3m	12m	18m
	0 - 6	6+ - 18	12+ - 24

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## SECTION 5 - OFFENSE LISTS

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### Serious Violent Offenses

RCW 9.94A.030(45)

<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
10.95.020	Aggravated Murder 1	A	XVI
9A.36.011	Assault 1	A	XII
9A.36.120	Assault of a Child 1	A	XII
9A.32.055	Homicide by Abuse	A	XV
9A.40.020	Kidnapping 1	A	X
9A.32.060	Manslaughter 1	A	XI
9A.32.030	Murder 1	A	XV
9A.32.050	Murder 2	A	XIV
9A.44.040	Rape 1	A	XII

Attempt, Solicitation or Conspiracy to commit one of these felonies

Any federal or out-of-state conviction for an offense that, under the laws of this state, would be a felony classified as a serious violent offense

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## VIOLENT OFFENSES

RCW 9.94A.030(54)

Statute (RCW)	Offense	Class	Seriousness Level
9A.48.020	Arson 1	A	VIII
9A.48.030	Arson 2	B	IV
9A.36.021(2)(a)	Assault 2	B	IV
9A.36.021(2)(b)	Assault 2 With a Finding of Sexual Motivation	A	IV
9A.36.130	Assault of a Child 2	B	IX
9A.76.170(3)(a)	Bail Jumping with Murder 1	A	VI
9A.52.020	Burglary 1	A	VII
9A.44.083	Child Molestation 1	A	X
70.245.200(2)	Coerce Patient to Request Life-ending Medication	A	Unranked
9A.36.045	Drive-by Shooting	B	VII
70.74.180	Explosive Devices Prohibited	A	IX
9A.56.120	Extortion 1	B	V
70.245.200(1)	Forging Request for Medication	A	Unranked
79A.60.050(1)(c)	Homicide by Watercraft - Disregard for the Safety of Others	A	VII
79A.60.050(1)(b)	Homicide by Watercraft – In a Reckless Manner	A	VIII
79A.60.050(1)(a)	Homicide by Watercraft – While Under the Influence of Intoxicating Liquor or any Drug	A	IX
9A.44.100(2)(b)	Indecent Liberties - With Forcible Compulsion	A	X
9A.40.030(3)(a)	Kidnapping 2	B	V
9A.40.030(3)(b)	Kidnapping 2 With a Finding of Sexual Motivation	A	V
9A.82.060(1)(a)	Leading Organized Crime – Organizing Criminal Profiteering	A	X
70.74.280(1)	Malicious Explosion of a Substance 1	A	XV
70.74.280(2)	Malicious Explosion of a Substance 2	A	XIII
70.74.270(1)	Malicious Placement of an Explosive 1	A	XIII
9A.32.070	Manslaughter 2	B	VIII
69.50.406(1)	Over 18 and Deliver Heroin, Methamphetamine, a Narcotic from Schedule I or II, or Flunitrazepam from Schedule IV to Someone Under 18	A	DG-III
9.68A.101	Promoting Commercial Sexual Abuse of a Minor	A	XII
9A.44.050	Rape 2	A	XI
9A.44.073	Rape of a Child 1	A	XII
9A.44.076	Rape of a Child 2	A	XI

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9A.56.200	Robbery 1	A	IX
9A.56.210	Robbery 2	B	IV
9A.76.115	Sexually Violent Predator Escape	A	X
9A.40.100(1)	Trafficking 1	A	XIV
9A.40.100(2)	Trafficking 2	A	XII
9.82.010	Treason	A	Unranked
9.41.225	Use of Machine Gun in Commission of a Felony	A	VII
46.61.522(1)(a) & (b)	Vehicular Assault – In a Reckless Manner or While Under the Influence of Intoxicating Liquor or any Drug	B	IV
46.61.520(1)(c)	Vehicular Homicide - Disregard for the Safety of Others	A	VII
46.61.520(1)(b)	Vehicular Homicide – In a Reckless Manner	A	VIII
46.61.520(1)(a)	Vehicular Homicide – While Under the Influence of Intoxicating Liquor or any Drug	A	XI
Any offense currently listed as a Serious Violent offense			
Attempt, Solicitation or Conspiracy to commit a class A felony			
Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a violent.			
Any federal or out-of-state conviction for an offense that, under the laws of this state, would be a felony classified as a violent offense			

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## SEX OFFENSES

RCW 9.94A.030(46)

<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9A.36.021(2)(b)	Assault 2 With a Finding of Sexual Motivation	A	IV
9A.44.083	Child Molestation 1	A	X
9A.44.086	Child Molestation 2	B	VII
9A.44.089	Child Molestation 3	C	V
9.68A.100	Commercial Sexual Abuse of a Minor	B	VIII
9.68A.090(2)	Communication with Minor for Immoral Purposes (Subsequent Violation or Prior Sex Offense Conviction)	C	III
9A.44.196	Criminal Trespass Against Children	C	Unranked
9A.44.160	Custodial Sexual Misconduct 1	C	V
9.68A.050(1)	Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 1 (Effective 6/10/2010)	B	VII
9.68A.050(2)	Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (Effective 6/10/2010)	C	V
9A.44.132(1)(a)	Failure to Register as a Sex Offender (Second Violation Committed on or After 6/10/2010)	C	II
9A.44.132(1)(b)	Failure to Register as a Sex Offender (Third or Subsequent Violation Committed on or After 6/10/2010)	B	II
9A.64.020(1)	Incest 1	B	VI
9A.64.020(2)	Incest 2	C	V
9A.44.100(2)(b)	Indecent Liberties - With Forcible Compulsion	A	X
9A.44.100(2)(a)	Indecent Liberties - Without Forcible Compulsion	B	VII
9A.40.030(3)(b)	Kidnapping 2 With a Finding of Sexual Motivation	A	V
9.68A.070(1)	Possession of Depictions of Minor Engaged in Sexually Explicit Conduct 1	B	VI
9.68A.070(2)	Possession of Depictions of Minor Engaged in Sexually Explicit Conduct 2	C	IV
9.68A.101	Promoting Commercial Sexual Abuse of a Minor	A	XII
9.68A.102	Promoting Travel for Commercial Sexual Abuse of a Minor	C	Unranked
9A.44.040	Rape 1	A	XII
9A.44.050	Rape 2	A	XI
9A.44.060	Rape 3	C	V
9A.44.073	Rape of a Child 1	A	XII
9A.44.076	Rape of a Child 2	A	XI
9A.44.079	Rape of a Child 3	C	VI

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9.68A.060(1)	Sending, Bringing into the State Depictions of Minor Engaged in Sexually Explicit Conduct 1	B	VII
9.68A.060(2)	Sending, Bringing into the State Depictions of Minor Engaged in Sexually Explicit Conduct 2	C	V
9.68A.040	Sexual Exploitation of a Minor	B	IX
9A.44.093	Sexual Misconduct with a Minor 1	C	V
9A.44.105	Sexually Violating Human Remains	C	V
9.68A.075(1)	Viewing Depictions of Minor Engaged in Sexually Explicit Conduct 1 (Effective 6/10/2010)	B	IV
9.68A.075(2)	Viewing Depictions of Minor Engaged in Sexually Explicit Conduct 2 (6/10/2010)	C	Unranked
9A.44.115	Voyeurism	C	II
Attempt, solicitation or conspiracy to commit any Class A or B felony listed above. An attempt, solicitation or conspiracy to commit a Class C felony above is a gross misdemeanor (RCW 9A.28-020-040) and, therefore, not a sex offense [RCW 9.94A.030(46) requires a crime to be a felony in order to be a sex offense].			
Any felony with a finding of sexual motivation under RCW 9.94A.835 or 13.40.135			
Any conviction for a felony offense in effect at any time prior to July 1, 1976, that is comparable to a felony classified as a sex offense in RCW 9.94A.030(46)(a)			
Any federal or out-of-state conviction for an offense that, under the laws of this state, would be a felony classified as a sex offense under 9A.44 other than 9A44.132.			

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## DRUG OFFENSES

RCW 9.94A.030(22)

The offenses contained in this list are based on the statutory definition of a ‘drug’ offense per RCW 9.94A.030(22). It may not include all “drug-related” offenses.

Statute (RCW)	Offense	Class	Seriousness Level
69.50.415	Controlled Substance Homicide	B	DG-III
69.50.416	Controlled Substance Label Violation	C	Unranked
69.50.4011(2) (a-b)	Create, Deliver or Possess a Counterfeit Controlled Substance – Schedule I or II Narcotic or Flunitrazepam or Methamphetamine	B	DG-II
69.50.4011(2) (c-e)	Create, Deliver or Possess a Counterfeit Controlled Substance – Schedule I-II Nonnarcotic, Schedule III-V Except Flunitrazepam or Methamphetamine	C	DG-II
69.50.401(2)(b)	Deliver or Possess with Intent to Deliver - Methamphetamine	B	DG-II
69.50.4012	Delivery of a Material in Lieu of a Controlled Substance	C	DG-II
69.50.402	Dispensing Violation (VUCSA)	C	Unranked
69.50.4015	Involving a Minor in Drug Dealing	C	DG-III
69.50.402	Maintaining a Dwelling or Place for Controlled Substances	C	DG-II
69.50.401(2)(b)	Manufacture Methamphetamine	B	DG-III
69.50.401(2)(b)	Manufacture, Deliver or Possess with Intent to Deliver - Amphetamine	B	DG-II
69.50.401(2)(c)	Manufacture, Deliver or Possess with Intent to Deliver - Marijuana	C	DG-I
69.50.401(2)(a)	Manufacture, Deliver or Possess with Intent to Deliver - Narcotics from Schedule I or II or Flunitrazepam from Schedule IV	B	DG-II
69.50.401(2) (c-e)	Manufacture, Deliver or Possess with Intent to Deliver - Narcotics from Schedule III, IV, or V or Nonnarcotics from Schedule I-V (except Marijuana, Amphetamine, Methamphetamine, or Flunitrazepam)	C	DG-II
69.50.406(1)	Over 18 and Deliver Heroin, Methamphetamine, a Narcotic from Schedule I or II, or Flunitrazepam from Schedule IV to Someone Under 18	A	DG-III
69.50.406(2)	Over 18 and Deliver Narcotic from Schedule III, IV or V, or a Nonnarcotic, Except Flunitrazepam or Methamphetamine, from Schedule I-V to Someone Under 18 and 3 Years Junior	B	DG-III
69.50.440	Possession of Ephedrine, Pseudoephedrine or Anhydrous Ammonia with Intent to Manufacture Methamphetamine	B	DG-III
69.50.410	Selling for Profit (Controlled or Counterfeit) any Controlled Substance in Schedule I	C	DG-III

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## MOST SERIOUS OFFENSES (PERSISTENT OFFENDER OR “THREE STRIKES”)

RCW 9.94A.030(32)

Statute (RCW)	Offense	Class	Seriousness Level
10.95.020	Aggravated Murder 1	A	XVI
9A.48.020	Arson 1	A	VIII
9A.36.011	Assault 1	A	XII
9A.36.021(2)(a)	Assault 2	B	IV
9A.36.021(2)(b)	Assault 2 With a Finding of Sexual Motivation	A	IV
9A.36.120	Assault of a Child 1	A	XII
9A.36.130	Assault of a Child 2	B	IX
9A.76.170(3)(a)	Bail Jumping with Murder 1	A	VI
9A.52.020	Burglary 1	A	VII
9A.44.083	Child Molestation 1	A	X
9A.44.086	Child Molestation 2	B	VII
70.245.200(2)	Coerce Patient to Request Life-ending Medication	A	Unranked
69.50.415	Controlled Substance Homicide	B	DG-III
70.74.180	Explosive Devices Prohibited	A	IX
9A.56.120	Extortion 1	B	V
70.245.200(1)	Forging Request for Medication	A	Unranked
9A.32.055	Homicide by Abuse	A	XV
79A.60.050(1)(c)	Homicide by Watercraft - Disregard for the Safety of Others	A	VII
79A.60.050(1)(b)	Homicide by Watercraft – In a Reckless Manner	A	VIII
79A.60.050(1)(a)	Homicide by Watercraft – While Under the Influence of Intoxicating Liquor or any Drug	A	IX
9A.64.020(1)	Incest 1 (When Committed Against a Child Under 14)	B	VI
9A.64.020(2)	Incest 2 (When Committed Against a Child Under 14)	C	V
9A.44.100(2)(b)	Indecent Liberties - With Forcible Compulsion	A	X
9A.44.100(2)(a)	Indecent Liberties - Without Forcible Compulsion	B	VII
9A.40.020	Kidnapping 1	A	X
9A.40.030(3)(a)	Kidnapping 2	B	V
9A.40.030(3)(b)	Kidnapping 2 With a Finding of Sexual Motivation	A	V
9A.82.060(2)(b)	Leading Organized Crime - Inciting Criminal Profiteering	B	IX
9A.82.060(1)(a)	Leading Organized Crime – Organizing Criminal Profiteering	A	X
70.74.280(1)	Malicious Explosion of a Substance 1	A	XV

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
70.74.280(2)	Malicious Explosion of a Substance 2	A	XIII
70.74.270(1)	Malicious Placement of an Explosive 1	A	XIII
9A.32.060	Manslaughter 1	A	XI
9A.32.070	Manslaughter 2	B	VIII
9A.32.030	Murder 1	A	XV
9A.32.050	Murder 2	A	XIV
69.50.406(1)	Over 18 and Deliver Heroin, Methamphetamine, a Narcotic from Schedule I or II, or Flunitrazepam from Schedule IV to Someone Under 18	A	DG-III
9.68A.101	Promoting Commercial Sexual Abuse of a Minor	A	XII
9A.88.070	Promoting Prostitution 1	B	VIII
9A.44.040	Rape 1	A	XII
9A.44.050	Rape 2	A	XI
9A.44.060	Rape 3	C	V
9A.44.073	Rape of a Child 1	A	XII
9A.44.076	Rape of a Child 2	A	XI
9A.56.200	Robbery 1	A	IX
9A.56.210	Robbery 2	B	IV
9.68A.040	Sexual Exploitation of a Minor	B	IX
9A.76.115	Sexually Violent Predator Escape	A	X
9A.40.100(1)	Trafficking 1	A	XIV
9A.40.100(2)	Trafficking 2	A	XII
9.82.010	Treason	A	Unranked
9.41.225	Use of Machine Gun in Commission of a Felony	A	VII
46.61.522(1)(a) & (b)	Vehicular Assault – In a Reckless Manner or While Under the Influence of Intoxicating Liquor or any Drug	B	IV
46.61.520(1)(c)	Vehicular Homicide - Disregard for the Safety of Others	A	VII
46.61.520(1)(b)	Vehicular Homicide – In a Reckless Manner	A	VIII
46.61.520(1)(a)	Vehicular Homicide – While Under the Influence of Intoxicating Liquor or any Drug	A	XI
Any class A felony or criminal solicitation of or criminal conspiracy to commit a class A felony			
Attempt to commit one of these felonies			
Any other class B felony offense with a finding of sexual motivation			
Any other felony with a deadly weapon verdict under RCW 9.94A.825			
Any felony offense in effect at any time prior to December 2, 1993, that is comparable to a most serious offense under this subsection, or any federal or out-of-state conviction for an offense that under the laws of this state would be a felony classified as a most serious offense under this subsection			

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Statute (RCW)	Offense	Class	Seriousness Level
	A prior conviction for indecent liberties under **RCW 9A.88.100(1) (a), (b), and (c), chapter 260, Laws of 1975 1st ex. sess. as it existed until July 1, 1979, RCW 9A.44.100(1) (a), (b), and (c) as it existed from July 1, 1979, until June 11, 1986, and RCW 9A.44.100(1) (a), (b), and (d) as it existed from June 11, 1986, until July 1, 1988		
	A prior conviction for indecent liberties under RCW 9A.44.100(1)(c) as it existed from June 11, 1986, until July 1, 1988, if: (A) The crime was committed against a child under the age of fourteen; or (B) the relationship between the victim and perpetrator is included in the definition of indecent liberties under RCW 9A.44.100(1)(c) as it existed from July 1, 1988, through July 27, 1997, or RCW 9A.44.100(1) (d) or (e) as it existed from July 25, 1993, through July 27, 1997		
	Any out-of-state conviction for a felony offense with a finding of sexual motivation if the minimum sentence imposed was ten years or more; provided that the out-of-state felony offense must be comparable to a felony offense under Title 9 or 9A RCW and the out-of-state definition of sexual motivation must be comparable to the definition of sexual motivation contained in this section		

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## PERSISTENT OFFENDER OFFENSES (“TWO STRIKES”)

RCW 9.94A.030(37)(b)

Statute (RCW)	Offense	Class	Seriousness Level
9A.36.011	Assault 1 With a Finding of Sexual Motivation	A	XII
9A.36.021(2)(b)	Assault 2 With a Finding of Sexual Motivation	A	IV
9A.36.120	Assault of a Child 1 With a Finding of Sexual Motivation	A	XII
9A.36.130	Assault of a Child 2 With a Finding of Sexual Motivation	B	IX
9A.52.020	Burglary 1 With a Finding of Sexual Motivation	A	VII
9A.44.083	Child Molestation 1 (where the offender was age 18 or older at the time of the offense)	A	X
9A.32.055	Homicide by Abuse With a Finding of Sexual Motivation	A	XV
9A.44.100(2)(b)	Indecent Liberties - With Forcible Compulsion	A	X
9A.40.020	Kidnapping 1 With a Finding of Sexual Motivation	A	X
9A.40.030(3)(b)	Kidnapping 2 With a Finding of Sexual Motivation	A	V
9A.32.030	Murder 1 With a Finding of Sexual Motivation	A	XV
9A.32.050	Murder 2 With a Finding of Sexual Motivation	A	XIV
9A.44.040	Rape 1	A	XII
9A.44.050	Rape 2	A	XI
Statute (RCW)	Offense	Class	Seriousness Level
9A.44.073	Rape of a Child 1 (where the offender was age 18 or older at the time of the offense)	A	XII
9A.44.076	Rape of a Child 2 (where the offender was age 18 or older at the time of the offense)	A	XI

Attempt to commit one of these felonies

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## CRIME AGAINST PERSONS OFFENSES

RCW 9.94A.411(2)

Statute (RCW)	Offense	Class	Seriousness Level
10.95.020	Aggravated Murder 1	A	XVI
9A.48.020	Arson 1	A	VIII
9A.36.011	Assault 1	A	XII
9A.36.021(2)(a)	Assault 2	B	IV
9A.36.031(1)(a)-(g) & (i)-(j)	Assault 3 – Excluding Assault 3 of a Peace Officer with a Projectile Stun Gun	C	III
9A.36.031(1)(h)	Assault 3 - Of a Peace Officer with a Projectile Stun Gun	C	IV
9A.36.120	Assault of a Child 1	A	XII
9A.36.130	Assault of a Child 2	B	IX
9A.36.140	Assault of a Child 3	C	III
9A.52.020	Burglary 1	A	VII
9A.44.083	Child Molestation 1	A	X
9A.44.086	Child Molestation 2	B	VII
9A.44.089	Child Molestation 3	C	V
9.68A.090(2)	Communication with Minor for Immoral Purposes (Subsequent Violation or Prior Sex Offense Conviction)	C	III
9.16.035(4)	Counterfeiting – Endanger Public Health or Safety	C	IV
9A.36.100	Custodial Assault	C	III
26.50.110	Domestic Violence Court Order Violation	C	V
46.61.502(6)	Driving While Under the Influence of Intoxicating Liquor or any Drug (Effective 7/1/2007)	C	V
9A.56.120	Extortion 1	B	V
9A.56.130	Extortion 2	C	III
9.35.020(2)	Identity Theft 1	B	IV
9.35.020(3)	Identity Theft 2	C	II
9A.64.020(1)	Incest 1	B	VI
9A.64.020(2)	Incest 2	C	V
9A.44.100(2)(b)	Indecent Liberties - With Forcible Compulsion	A	X
9A.44.100(2)(a)	Indecent Liberties - Without Forcible Compulsion	B	VII
9A.72.130	Intimidating a Juror	B	VI
9A.76.180	Intimidating a Public Servant	B	III

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9A.72.110	Intimidating a Witness	B	VI
9A.40.020	Kidnapping 1	A	X
9A.40.030(3)(a)	Kidnapping 2	B	V
9A.32.060	Manslaughter 1	A	XI
9A.32.070	Manslaughter 2	B	VIII
9A.32.030	Murder 1	A	XV
9A.32.050	Murder 2	A	XIV
46.61.504(6)	Physical Control of a Vehicle While Under the Influence of Intoxicating Liquor or any Drug (Effective 7/1/2007)	C	V
9A.36.060	Promoting a Suicide Attempt	C	Unranked
9A.88.070	Promoting Prostitution 1	B	VIII
9A.44.040	Rape 1	A	XII
9A.44.050	Rape 2	A	XI
9A.44.060	Rape 3	C	V
9A.44.073	Rape of a Child 1	A	XII
9A.44.076	Rape of a Child 2	A	XI
9A.44.079	Rape of a Child 3	C	VI
9A.84.010(2)(b)	Riot (If Against Person)	C	Unranked
9A.56.200	Robbery 1	A	IX
9A.56.210	Robbery 2	B	IV
9A.46.110	Stalking	B	V
9.61.160	Threats to Bomb (If Against Person)	B	IV
9A.40.040	Unlawful Imprisonment	C	III
46.61.522(1)(c)	Vehicular Assault - Disregard for the Safety of Others	B	III
46.61.522(1)(a) & (b)	Vehicular Assault – In a Reckless Manner or While Under the Influence of Intoxicating Liquor or any Drug	B	IV
46.61.520(1)(c)	Vehicular Homicide - Disregard for the Safety of Others	A	VII
46.61.520(1)(b)	Vehicular Homicide – In a Reckless Manner	A	VIII
46.61.520(1)(a)	Vehicular Homicide – While Under the Influence of Intoxicating Liquor or any Drug	A	XI

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## PATTERN OF CRIMINAL STREET GANG ACTIVITY OFFENSES

RCW 9.94A.030(36)

Defined as:

- The commission, attempt, conspiracy, or solicitation of, or any prior juvenile adjudication of or adult conviction of, two or more of the following criminal street gang-related offenses;
- That at least one of the offenses listed shall have occurred after July 1, 2008;
- That the most recent committed offense listed occurred within three years of a prior offense listed; and
- Of the offenses that were committed in this list, the offenses occurred on separate occasions or were committed by two or more persons.

<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
10.95.020	Aggravated Murder 1	A	XVI
9.41.171	Alien Possession of a Firearm	C	Unranked
9A.48.020	Arson 1	A	VIII
9A.48.030	Arson 2	B	IV
9A.36.011	Assault 1	A	XII
9A.36.021(2)(a)	Assault 2	B	IV
9A.36.021(2)(b)	Assault 2 With a Finding of Sexual Motivation	A	IV
9A.76.170(3)(a)	Bail Jumping with Murder 1	A	VI
9A.52.020	Burglary 1	A	VII
9A.52.030	Burglary 2	B	III
9A.44.083	Child Molestation 1	A	X
70.245.200(2)	Coerce Patient to Request Life-ending Medication	A	Unranked
9A.46.120	Criminal Gang Intimidation	C	III
Chapter 69.50 RCW	Deliver or Possess with Intent to Deliver a Controlled Substance	*	*
9.41.110(8)	Delivery of Firearm by Dealer to Ineligible Person	C	Unranked
9.41.080	Delivery of Firearms to Ineligible Person	C	Unranked
9A.36.045	Drive-by Shooting	B	VII
70.74.180	Explosive Devices Prohibited	A	IX
9A.56.120	Extortion 1	B	V
9A.56.130	Extortion 2	C	III
70.245.200(1)	Forging Request for Medication	A	Unranked
9A.46.020(2)(b)	Harassment (Subsequent Conviction or Threat of Death)	C	III

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
79A.60.050(1)(c)	Homicide by Watercraft - Disregard for the Safety of Others	A	VII
79A.60.050(1)(b)	Homicide by Watercraft – In a Reckless Manner	A	VIII
79A.60.050(1)(a)	Homicide by Watercraft – While Under the Influence of Intoxicating Liquor or any Drug	A	IX
9A.44.100(2)(b)	Indecent Liberties - With Forcible Compulsion	A	X
9A.72.110	Intimidating a Witness	B	VI
9A.40.020	Kidnapping 1	A	X
9A.40.030(3)(a)	Kidnapping 2	B	V
9A.40.030(3)(b)	Kidnapping 2 With a Finding of Sexual Motivation	A	V
9A.82.060(1)(a)	Leading Organized Crime – Organizing Criminal Profiteering	A	X
70.74.280(1)	Malicious Explosion of a Substance 1	A	XV
70.74.280(2)	Malicious Explosion of a Substance 2	A	XIII
9A.36.080	Malicious Harassment	C	IV
9A.48.070	Malicious Mischief 1	B	II
9A.48.080	Malicious Mischief 2	C	I
70.74.270(1)	Malicious Placement of an Explosive 1	A	XIII
9A.32.060	Manslaughter 1	A	XI
9A.32.070	Manslaughter 2	B	VIII
9A.32.030	Murder 1	A	XV
9A.32.050	Murder 2	A	XIV
69.50.406(1)	Over 18 and Deliver Heroin, Methamphetamine, a Narcotic from Schedule I or II, or Flunitrazepam from Schedule IV to Someone Under 18	A	DG-III
9A.56.310	Possession of a Stolen Firearm	B	V
9A.56.068	Possession of a Stolen Vehicle	B	II
9.41.190	Possession of Machine Gun, Short-barreled Shotgun or Short-barreled Rifle	C	III
9.68A.101	Promoting Commercial Sexual Abuse of a Minor	A	XII
9A.44.040	Rape 1	A	XII
9A.44.050	Rape 2	A	XI
9A.44.073	Rape of a Child 1	A	XII
9A.44.076	Rape of a Child 2	A	XI
9A.52.025	Residential Burglary	B	IV
9A.56.200	Robbery 1	A	IX
9A.56.210	Robbery 2	B	IV
9A.76.115	Sexually Violent Predator Escape	A	X
9A.56.070	Taking Motor Vehicle Without Permission 1	B	V

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9A.56.075	Taking Motor Vehicle Without Permission 2	C	I
9A.72.120	Tampering with a Witness	C	III
9A.56.300	Theft of a Firearm	B	VI
9A.56.065	Theft of a Motor Vehicle	B	II
9A.40.100(1)	Trafficking 1	A	XIV
9A.40.100(2)	Trafficking 2	A	XII
9.82.010	Treason	A	Unranked
9.41.040(1)	Unlawful Possession of a Firearm 1	B	VII
9.41.040(2)	Unlawful Possession of a Firearm 2	C	III
9.41.225	Use of Machine Gun in Commission of a Felony	A	VII
46.61.522(1)(a) & (b)	Vehicular Assault – In a Reckless Manner or While Under the Influence of Intoxicating Liquor or any Drug	B	IV
46.61.520(1)(c)	Vehicular Homicide - Disregard for the Safety of Others	A	VII
46.61.520(1)(b)	Vehicular Homicide – In a Reckless Manner	A	VIII
46.61.520(1)(a)	Vehicular Homicide – While Under the Influence of Intoxicating Liquor or any Drug	A	XI

Any felony conviction by a person 18 years of age or older with a special finding involving a juvenile in a felony offense under RCW 9.94A.833

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## REGISTRABLE OFFENSES

### SEX OFFENDER REGISTRATION (9A.44.140)

For further information on duration of registration and relief from registration, refer to RCW 9A.44.140 through RCW 9A.44.143. If the offender is required to register for a federal or out-of-state conviction, when the offender has spent 15 consecutive years in the community without being convicted of a disqualifying offense during that time, the offender may petition the court for relief from registration.

Statute (RCW)	Offense	Class	Seriousness Level
<b>LIFETIME REGISTRATION</b>			
9A.36.021(2)(b)	Assault 2 With a Finding of Sexual Motivation	A	IV
9A.44.083	Child Molestation 1	A	X
9A.28.020(3)(a)	Child Molestation 1 – Criminal Attempt	A	X
9A.28.030(2)	Child Molestation 1 – Criminal Solicitation	A	X
9A.28.030(2)	Indecent Liberties - With Forcible Compulsion – Criminal Solicitation	A	*
9A.44.100(2)(b)	Indecent Liberties - With Forcible Compulsion	A	X
9A.28.020(3)(a)	Indecent Liberties - With Forcible Compulsion – Criminal Attempt	A	*
9A.40.030(3)(b)	Kidnapping 2 With a Finding of Sexual Motivation	A	V
9.68A.101	Promoting Commercial Sexual Abuse of a Minor	A	XII
9A.44.040	Rape 1	A	XII
9A.28.020(3)(a)	Rape 1 – Criminal Attempt	A	XII
9A.28.030(2)	Rape 1 – Criminal Solicitation	A	XII
9A.44.050	Rape 2	A	XI
9A.28.020(3)(a)	Rape 2 – Criminal Attempt	A	XI
9A.28.030(2)	Rape 2 – Criminal Solicitation	A	XI
9A.44.073	Rape of a Child 1	A	XII
9A.28.020(3)(a)	Rape of a Child 1 – Criminal Attempt	A	XII
9A.28.030(2)	Rape of a Child 1 – Criminal Solicitation	A	XII
9A.44.076	Rape of a Child 2	A	XI
9A.28.020(3)(a)	Rape of a Child 2 – Criminal Attempt	A	XI
9A.28.030(2)	Rape of a Child 2 – Criminal Solicitation	A	XI
Any offense listed under RCW 9A.44.142(5)			
Any sex or kidnapping offense when the defendant already has one or more prior convictions for a sex or kidnapping offense			

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
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### 15 YEAR REGISTRATION

Duty to register shall end fifteen years after the last date of release from confinement, if any, (including full-time residential treatment) pursuant to the conviction, or entry of the judgment and sentence, if the person has spent fifteen consecutive years in the community without being convicted of a disqualifying offense during that time period.

9A.44.086	Child Molestation 2	B	VII
9.68A.100	Commercial Sexual Abuse of a Minor	B	VIII
9.68A.050(1)	Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 1 (Effective 6/10/2010)	B	VII
9A.44.132(1)(b)	Failure to Register as a Sex Offender (Third or Subsequent Violation Committed on or After 6/10/2010)	B	II
9A.64.020(1)	Incest 1	B	VI
9A.44.100(2)(a)	Indecent Liberties - Without Forcible Compulsion	B	VII
9.68A.070(1)	Possession of Depictions of Minor Engaged in Sexually Explicit Conduct 1	B	VI
9A.88.070	Promoting Prostitution 1*	B	VIII
9.68A.060(1)	Sending, Bringing into the State Depictions of Minor Engaged in Sexually Explicit Conduct 1	B	VII
9.68A.040	Sexual Exploitation of a Minor	B	IX
9.68A.075(1)	Viewing Depictions of Minor Engaged in Sexually Explicit Conduct 1 (Effective 6/10/2010)	B	IV

No prior convictions for a sex or kidnapping offense

Current offense is not listed in RCW 9A.44.142(5)

### 10 Year Registration

Duty to register shall end ten years after the last date of release from confinement, if any, (including full-time residential treatment) pursuant to the conviction, or entry of the judgment and sentence, if the person has spent fifteen consecutive years in the community without being convicted of a disqualifying offense during that time period.

9A.44.089	Child Molestation 3	C	V
9.68A.090(2)	Communication with Minor for Immoral Purposes (Subsequent Violation or Prior Sex Offense Conviction)	C	III
9A.44.196	Criminal Trespass Against Children	C	Unranked
9A.44.160	Custodial Sexual Misconduct 1	C	V
9.68A.050(2)	Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (Effective 6/10/2010)	C	V
9A.44.132(1)(a)	Failure to Register as a Sex Offender (Second Violation Committed on or After 6/10/2010)	C	II
9A.64.020(2)	Incest 2	C	V
9.68A.070(2)	Possession of Depictions of Minor Engaged in Sexually Explicit Conduct 2	C	IV

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9A.88.080	Promoting Prostitution 2*	C	III
9.68A.102	Promoting Travel for Commercial Sexual Abuse of a Minor	C	Unranked
9A.44.060	Rape 3	C	V
9A.44.079	Rape of a Child 3	C	VI
9.68A.060(2)	Sending, Bringing into the State Depictions of Minor Engaged in Sexually Explicit Conduct 2	C	V
9A.44.093	Sexual Misconduct with a Minor 1	C	V
9A.44.105	Sexually Violating Human Remains	C	V
9.68A.075(2)	Viewing Depictions of Minor Engaged in Sexually Explicit Conduct 2 (6/10/2010)	C	Unranked
9A.44.115	Voyeurism	C	II
Violation of RCW 9.68A.090			
Violation of RCW 9A.44.096			
Attempt, solicitation or conspiracy to commit a class C sex offense			
Current offense is not listed in RCW 9A.44.142(5)			

\*Only subsequent violations of Promoting Prostitution 1 and Promoting Prostitution 2 are considered registrable per RCW 9A.44.128.

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## FELONY FIREARM OFFENDER REGISTRATION (RCW 9A.41.330)

For further information on felony firearm registration, refer to RCW 9.41.010(7) and (8), and RCW 9.41.330 through RCW 9.41.335.

Statute (RCW)	Offense	Class	Seriousness Level
9.41.040(1)	Unlawful Possession of a Firearm 1	B	VII
9.41.040(2)	Unlawful Possession of a Firearm 2	C	III
9.41.080	Delivery of Firearms to Ineligible Person	C	Unranked
9.41.110(8)	Delivery of Firearm by Dealer to Ineligible Person	C	Unranked
9.41.171	Alien Possession of a Firearm	C	Unranked
9.41.190	Possession of Machine Gun, Short-barreled Shotgun or Short-barreled Rifle	C	III
9.41.225	Use of Machine Gun in Commission of a Felony	A	VII
9A.36.045	Drive-by Shooting	B	VII
9A.56.300	Theft of a Firearm	B	VI
9A.56.310	Possession of a Stolen Firearm	B	V
Any felony offense if the offender was armed with a firearm in the commission of the offense			

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## NONVIOLENT OFFENSES

Statute (RCW)	Offense	Class	Seriousness Level
9A.42.060	Abandonment of Dependent Persons 1	B	IX
9A.42.070	Abandonment of Dependent Persons 2	C	V
29A.84.680(1)	Absentee Voting Violation	C	Unranked
46.52.130(5)(b)	Abstracts of Driving Records – Intentional Misuse	C	Unranked
20.01.460(2)	Acting as Commission Merchant, Dealer, Cash Buyer Without License	C	Unranked
9A.82.030(3)	Advancing Money or Property for Extortionate Extension of Credit	B	V
69.52.030	Advertising Imitation Controlled Substances	C	Unranked
30.42.290(3)	Alien Bank or Bureau – Destroy or Secrete Records	B	Unranked
30.42.290(2)	Alien Bank or Bureau – False Entry, Statements, etc.	B	Unranked
9.41.171	Alien Possession of a Firearm	C	Unranked
9.45.210	Altering Sample or Certificate of Assay	C	Unranked
9A.76.177	Amber Alert – Making False Statements to a Public Servant	C	Unranked
68.64.160	Anatomical Gift - Illegal Financial Gain	C	Unranked
68.64.150	Anatomical Gifts - Illegal Purchase or Sale	C	Unranked
16.52.205(2)	Animal Cruelty 1	C	Unranked
16.52.205(3)	Animal Cruelty 1 - Sexual Contact or Conduct	C	III
16.52.117	Animal Fighting	C	Unranked
9A.36.031(1)(a)-(g) & (i)-(j)	Assault 3 – Excluding Assault 3 of a Peace Officer with a Projectile Stun Gun	C	III
9A.36.031(1)(h)	Assault 3 - Of a Peace Officer with a Projectile Stun Gun	C	IV
79A.60.060	Assault by Watercraft	B	IV
9A.36.140	Assault of a Child 3	C	III
9.05.030	Assembly of Saboteurs	B	Unranked
72.23.170	Assist Escape of Mental Patient	C	Unranked
9A.82.080(3)	Attempt or Conspiracy to Violation 9A.82.080(1) or (2)	C	Unranked
46.61.024	Attempting to Elude Pursuing Police Vehicle	C	I
9A.76.170(3)(b)	Bail Jumping with Class A Felony	B	V
9A.76.170(3)(c)	Bail Jumping with Class B or C Felony	C	III
30.12.100	Bank or Trust Company - Destroy or Secrete Records	B	Unranked
30.12.090	Bank or Trust Company - False Entry, Statements, etc.	B	Unranked
30.44.120	Bank or Trust Company - Receiving Deposits When Insolvent	B	Unranked
30.44.110	Bank or Trust Company - Transfer of Assets Prior to Insolvency	B	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9A.64.010	Bigamy	C	Unranked
9A.72.100	Bribe Received by Witness	B	IV
9A.68.010	Bribery	B	VI
9A.72.090	Bribing a Witness	B	IV
9.46.155	Bribing to Obtain a License From Public Officials, Employees, Agents	C	Unranked
72.23.300	Bringing Narcotics, Liquor, or Weapons into State Institution or Grounds	B	Unranked
9.47.120	Bunco Steering	B	Unranked
9A.52.030	Burglary 2	B	III
46.87.260	Cab Card Forgery	B	Unranked
9.46.180	Causing Person to Violate Gambling Laws	B	Unranked
9.46.1961	Cheating 1	C	IV
9A.64.030(3)(b)	Child Buying	C	Unranked
49.12.410(2)	Child Labor Law Violation – Death/Disability	C	Unranked
9A.44.086	Child Molestation 2	B	VII
9A.44.089	Child Molestation 3	C	V
9A.64.030(3)(a)	Child Selling	C	Unranked
9A.48.120	Civil Disorder Training	B	VII
9A.82.045	Collection of Unlawful Debt	C	Unranked
9A.68.060	Commercial Bribery	B	IV
77.15.500(3)(b)	Commercial Fishing Without a License 1	C	II
9.68A.100	Commercial Sexual Abuse of a Minor	B	VIII
19.158.160	Commercial Telephone Solicitor Deception (Value of \$250 or More)	C	Unranked
30.04.240	Commingling of Funds or Securities	B	Unranked
21.30.140	Commodity Transaction Violation	B	Unranked
9.68A.090(2)	Communication with Minor for Immoral Purposes (Subsequent Violation or Prior Sex Offense Conviction)	C	III
9A.52.110	Computer Trespass 1	C	II
19.144.100(2)	Control of Real Property Resulting from Mortgage Fraud Activities	B	Unranked
69.50.415	Controlled Substance Homicide	B	DG-III
69.50.416	Controlled Substance Label Violation	C	Unranked
9.16.035(4)	Counterfeiting - Endanger Public Health or Safety	C	IV
9.16.035(3)	Counterfeiting – Third Conviction and Value \$10,000 or More	C	II
69.50.4011(2) (a-b)	Create, Deliver or Possess a Counterfeit Controlled Substance – Schedule I or II Narcotic or Flunitrazepam or Methamphetamine	B	DG-II
69.50.4011(2)	Create, Deliver or Possess a Counterfeit Controlled Substance – Schedule I-	C	DG-II

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
(c-e)	II Nonnarcotic, Schedule III-V except Flunitrazepam or Methamphetamine		
31.12.724(3)	Credit Union - Fraudulent Receipt of Credit Union Deposit	B	Unranked
31.12.724(2)	Credit Union - Transfer of Credit Union Assets Prior to Insolvency	B	Unranked
9.08.090	Crimes Against Animal Facilities	C	Unranked
9A.46.120	Criminal Gang Intimidation	C	III
9A.60.040	Criminal Impersonation 1	C	Unranked
9A.42.020	Criminal Mistreatment 1	B	X
9A.42.030	Criminal Mistreatment 2	C	V
9A.82.160	Criminal Profiteering Lien After Service of Notice	C	Unranked
9.05.060(2)	Criminal Sabotage	B	Unranked
9A.44.196	Criminal Trespass Against Children	C	Unranked
9A.36.100	Custodial Assault	C	III
9A.40.060	Custodial Interference 1	C	Unranked
9A.40.070	Custodial Interference 2 (Subsequent Offense)	C	Unranked
9A.44.160	Custodial Sexual Misconduct 1	C	V
9.61.260(3)	Cyberstalking (With Prior Harassment Conviction or Threat of Death)	C	III
43.06.230	Damage Property or Cause Personal Injury after State of Emergency Proclaimed	B	Unranked
16.08.100(2)	Dangerous Dog Attack (Subsequent Offense)	C	Unranked
16.08.100(3)	Dangerous Dog Attack Resulting in Severe Injury or Death	C	Unranked
9.68A.050(1)	Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 1 (Effective 6/10/2010)	B	VII
9.68A.050(2)	Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (Effective 6/10/2010)	C	V
22.09.310	Dealing in Unauthorized Warehouse Receipts for Agricultural Commodities	C	Unranked
39.44.101	Defraud a Facsimile Signature on Bonds and Coupons	B	Unranked
87.03.200	Defraud Facsimile Signatures on Bonds and Coupons – Irrigation Districts	B	Unranked
19.110.120	Defraud or Provide Misleading or Untrue Documents Related to a Business Opportunity Sale	B	Unranked
9A.61.030	Defrauding a Public Utility 1	B	Unranked
9A.61.040	Defrauding a Public Utility 2	C	Unranked
19.48.110(1)(b)	Defrauding an Innkeeper (Value of \$75.00 or More)	B	Unranked
69.50.401(2)(b)	Deliver or Possess with Intent to Deliver - Methamphetamine	B	DG-II
69.50.4012	Delivery of a Material in Lieu of a Controlled Substance	C	DG-II
9.41.110(8)	Delivery of Firearm by Dealer to Ineligible Person	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9.41.080	Delivery of Firearms to Ineligible Person	C	Unranked
69.52.030(2)	Delivery of Imitation Controlled Substance by Person 18 or Over to Person Under 18	B	DG-III
35A.36.040	Designation of Bonds – Violation (Code Cities)	B	Unranked
35.36.040	Designation of Bonds – Violation (First Class Cities)	B	Unranked
27.44.040(1)	Destroying, Removing or Defacing Indian Graves	C	Unranked
68.60.040(1)	Destruction of Tomb, Plot, Marker, or Cemetery Property	C	Unranked
9.38.060	Digital Signatures Fraud	C	Unranked
9A.76.023(2)(a)	Disarming a Law Enforcement or Corrections Officer	C	Unranked
9A.76.023(2)(b)	Disarming a Law Enforcement or Corrections Officer and Firearm is Discharged	B	Unranked
19.110.075(2)	Disclosures Knowingly Not Provided at Sale of Business Opportunity (Violation of RCW 19.110.070)	B	Unranked
69.50.402	Dispensing Violation (VUCSA)	C	Unranked
82.26.190	Distributors and Retailer of Tobacco Products License Violation	C	Unranked
27.53.060	Disturbing Archaeological Resources or Site	C	Unranked
43.43.856	Divulging Confidential Investigative Information Pertaining to Organized Crime	B	Unranked
26.50.110	Domestic Violence Court Order Violation	C	V
46.61.502(6)	Driving While Under the Influence of Intoxicating Liquor or any Drug (Effective 7/1/2007)	C	V
29A.84.270	Duplication of Name – Conspiracy to Mislead	B	Unranked
29A.84.320	Duplication of Names on Declaration of Candidacy	B	Unranked
29A.84.655	Election Officer Permits Repeat Vote	C	Unranked
29A.84.720	Election Officers – Violation	C	Unranked
29A.84.030	Election or Mail Ballot Violation	C	Unranked
19.300.020	Electronic Communication Devices – Illegal Scanning	C	Unranked
79A.60.090	Eluding a Law Enforcement Vessel	C	Unranked
18.39.350	Embalmers/Funeral Directors Violation	C	Unranked
43.08.140	Embezzlement by State Treasurer	B	Unranked
9A.42.100	Endangerment With a Controlled Substance	B	IV
46.80.020(b)	Engage in Business of Wrecking Vehicles Without a License (Subsequent Offense)	C	Unranked
51.48.103(2)	Engaging in Business after Certificate of Coverage Revocation	C	Unranked
77.15.620(3)(b)	Engaging in Fish Dealing Activity Unlicensed 1	C	II
16.08.100(4)	Entering Dog in a Dog Fight	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
61.34.030	Equity Skimming	B	II
9.68.060	Erotic Material (Third or Subsequent Offense)	B	Unranked
9A.76.110	Escape 1	B	IV
9A.76.120	Escape 2	C	III
72.09.310	Escape from Community Custody	C	II
51.48.020(1)	Evading Industrial Insurance Premiums	C	Unranked
82.42.085	Evading the Collection of Aircraft Fuel Tax	C	Unranked
74.09.260	Excessive Charges, Payments	C	Unranked
48.06.190	Exhibiting False Accounts of Insurer	B	Unranked
9A.56.130	Extortion 2	C	III
9A.82.020	Extortionate Extension of Credit	B	V
9A.82.040	Extortionate Means to Collect Extensions of Credit	B	V
19.25.040(2)(a)	Failure to Disclose Origin of Certain Recordings (At Least 100 Recordings or Subsequent Conviction)	B	Unranked
19.25.040(2)(b)	Failure to Disclose Origin of Certain Recordings (More than 10 but Less Than 100 Recordings)	C	Unranked
36.18.170	Failure to Pay Over Fees to County Treasurer	C	Unranked
9A.44.132(3)	Failure to Register as a Kidnapping Offender	C	Unranked
9A.44.132(1)(a)	Failure to Register as a Sex Offender (First Violation)	C	Unranked
9A.44.132(1)(a)	Failure to Register as a Sex Offender (Second Violation Committed on or After 6/10/2010)	C	II
9A.44.132(1)(a)	Failure to Register as a Sex Offender (Subsequent Violation Committed on or After 6/7/2006 but Before 6/10/2010)	C	II
9A.44.132(1)(b)	Failure to Register as a Sex Offender (Third or Subsequent Violation Committed on or After 6/10/2010)	B	II
19.146.050	Failure to Use a Trust Account	C	Unranked
19.142.080	Failure to Use a Trust Account or Furnish Bond for Health Studio	C	Unranked
38.42.050	False Affidavit Under Service Member Civil Relief Act	C	Unranked
74.08.100	False Age and Residency Public Assistance Verification	B	Unranked
42.24.100	False Claim from Municipal Corporation (Charged as Perjury 2)	C	Unranked
42.17A.750	False Documents Registered with Public Disclosure Commission (Effective 1/1/2012)	C	Unranked
51.48.020(2)	False Information in Industrial Insurance Claim (Charged as Theft)	*	*
48.30.230	False Insurance Claims (Value in Excess of \$1,500)	C	Unranked
9.24.050	False Report of Corporation	B	Unranked
74.09.230	False Statement for Medical Assistance	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
69.43.080	False Statement in Report of Precursor Drugs	C	Unranked
82.32.290(2)	False Statement to Department of Revenue	C	Unranked
19.230.300	False Statement, Misrepresentation or False Certification of Uniform Money services Record	C	Unranked
41.26.062	False Statements or Records to Defraud Law Enforcement Officers and Firefighters Retirement System	B	Unranked
41.32.055(1)	False Statements or Records to Defraud Teachers Retirement System	B	Unranked
74.09.250	False Statements Regarding Institutions, Facilities	C	Unranked
46.12.750(1)	False Statements, Illegal Transfers, Alterations or Forgeries of Vehicle Title	B	Unranked
65.12.740	False Swearing - Registration of Land Title (Charged as Perjury)	*	*
74.08.055(2)	False Verification for Welfare	B	I
26.20.030	Family Abandonment	C	Unranked
69.41.020	Forged Prescription - Legend Drug	B	DG-I
69.50.403	Forged Prescription for a Controlled Substance	C	DG-I
9A.60.020	Forgery	C	I
76.36.120	Forgery of Forest Product Mark	B	Unranked
65.12.760	Forgery of Registrar's Signature or Seal	B	Unranked
82.24.100	Forgery or Counterfeit Cigarette Tax Stamp	B	Unranked
19.100.210	Franchise Investment Protection Violation	B	Unranked
29A.84.711	Fraud in Certification of Nomination or Ballot	C	Unranked
9.45.170	Fraud in Liquor Warehouse Receipts	C	Unranked
9.45.124	Fraud in Measurement of Goods	B	Unranked
9.26A.110(3)	Fraud in Obtaining Telecommunications Services (Value Exceeds \$250)	C	Unranked
67.24.010	Fraud in Sporting Contest	B	Unranked
9A.60.060	Fraudulent Creation or Revocation of Mental Health Advance Directive	C	I
76.48.141(1)(a)	Fraudulent Document as Specialized Forest Products Permit, Sales Invoice, Bill of Lading, etc.	C	Unranked
76.48.141(2)	Fraudulent Document for Specialized Forest Products Buyer	C	Unranked
9.45.270(3)	Fraudulent Filing of Vehicle Report of Sale (Value Exceeds \$1,500)	B	Unranked
9.45.270(2)	Fraudulent Filing of Vehicle Report of Sale (Value Exceeds \$250)	C	Unranked
9.24.020	Fraudulent Issue of Stock, Scrip, etc.	B	Unranked
48.102.160(3)	Fraudulent Life Insurance Settlement	B	Unranked
65.12.750	Fraudulent Procurement or False Entry on Land Title Registration	C	Unranked
76.48.141(1)(b)	Fraudulent Representation of Authority to Harvest Specialized Forest Products	C	Unranked

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82.36.380	Fuel Tax Evasion	C	Unranked
9.46.160	Gambling Without License	B	Unranked
9.46.039	Greyhound Racing	B	Unranked
9A.46.020(2)(b)	Harassment (Subsequent Conviction or Threat of Death)	C	III
9A.76.200	Harming a Police Dog/Horse or an Accelerate Detection Dog	C	Unranked
48.80.030	Health Care False Claims	C	II
46.52.020(4)(a)	Hit and Run - Death	B	IX
46.52.020(4)(b)	Hit and Run - Injury	C	IV
79A.60.200(3)	Hit and Run with Vessel - Injury Accident	C	IV
9.94.030	Holding Hostages or Interfering with Officer's Duty	B	Unranked
9.35.020(2)	Identity Theft 1	B	IV
9.35.020(3)	Identity Theft 2	C	II
69.41.040	Illegal Issuance of Legend Drug Prescription	B	Unranked
9.16.020	Imitating Lawful Brands With Intent	C	Unranked
19.146.235(9)	Impairing Mortgage Broker Investigation	B	Unranked
19.144.090(2)	Impairing Mortgage Fraud Investigation	B	Unranked
9.35.010	Improperly Obtaining Financial Information	C	II
9A.64.020(1)	Incest 1	B	VI
9A.64.020(2)	Incest 2	C	V
9A.88.010(2)(c)	Indecent Exposure to a Person Under Age 14 (Subsequent Conviction or Has Prior Sex Offense Conviction)	C	IV
9A.44.100(2)(a)	Indecent Liberties - Without Forcible Compulsion	B	VII
9.45.126	Inducing Fraud in Measurement of Goods	B	Unranked
9A.82.070	Influencing Outcome of Sporting Event	C	IV
40.16.010	Injury to a Public Record	C	Unranked
40.16.020	Injury to and Misappropriation of Public Record by Officer	B	Unranked
88.08.050(1)	Injury to Lighthouses or United States Light	B	Unranked
9.24.030	Insolvent Bank Receiving Deposit	B	Unranked
48.06.030	Insurance Solicitation Permit Violation	B	Unranked
9.91.170(5)	Intentional Infliction, Injury or Death to a Guide Dog or Service Animal	C	Unranked
9.91.175(3)	Intentionally Injures, Disables or Causes Death of an On-Duty Search and Rescue Dog	C	Unranked
9.73.230	Intercepting, Transmitting or Recording Conversations Concerning Controlled Substances	C	Unranked
69.25.155(1)	Interference with Person Performing Official Duties	C	Unranked

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69.25.155(2)	Interference with Person Performing Official Duties With a Deadly Weapon	B	Unranked
9A.72.160	Intimidating a Judge	B	VI
9A.72.130	Intimidating a Juror	B	VI
9A.76.180	Intimidating a Public Servant	B	III
9A.72.110	Intimidating a Witness	B	VI
70.74.275	Intimidation or Harassment With an Explosive	C	Unranked
9A.76.140	Introducing Contraband 1	B	VII
9A.76.150	Introducing Contraband 2	C	III
69.50.4015	Involving a Minor in Drug Dealing	C	DG-III
9A.60.070	Issuing a False Academic Credential	C	Unranked
16.52.320	Kill or Cause Substantial Harm With Malice to Livestock (Effective 7/22/2011)	C	Unranked
9A.82.060(1)(b)	Leading Organized Crime - Inciting Criminal Profiteering	B	IX
46.70.021	Licensing Violation for Car Dealers or Manufacturers (Subsequent Violation)	C	Unranked
30.12.120	Loan to Officer or Employee from Trust Fund	B	Unranked
67.70.130	Lottery Fraud	B	Unranked
9A.40.090	Luring of a Child or Developmentally Disabled Person	C	Unranked
9A.56.370	Mail Theft (Effective 7/22/2011)	C	Unranked
9.47.090	Maintaining a Bucket Shop	C	Unranked
69.50.402	Maintaining a Dwelling or Place for Controlled Substances	C	DG-II
9.45.220	Making False Sample or Assay of Ore	C	Unranked
70.74.280(3)	Malicious Explosion of a Substance 3	B	X
9A.36.080	Malicious Harassment	C	IV
81.60.070	Malicious Injury to Railroad Property	B	III
9A.48.070	Malicious Mischief 1	B	II
9A.48.080	Malicious Mischief 2	C	I
70.74.270(2)	Malicious Placement of an Explosive 2	B	IX
70.74.270(3)	Malicious Placement of an Explosive 3	B	VII
70.74.272(1)(a)	Malicious Placement of an Imitation Device 1	B	XII
70.74.272(1)(b)	Malicious Placement of an Imitation Device 2	C	VI
9.62.010(1)	Malicious Prosecution	C	Unranked
9.45.260	Malicious Sprinkler Contractor Work	C	Unranked
69.50.401(2)(b)	Manufacture Methamphetamine	B	DG-III
69.50.401(2)(b)	Manufacture, Deliver or Possess with Intent to Deliver - Amphetamine	B	DG-II

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
69.50.401(2)(c)	Manufacture, Deliver or Possess with Intent to Deliver - Marijuana	C	DG-I
69.50.401(2)(a)	Manufacture, Deliver or Possess with Intent to Deliver - Narcotics from Schedule I or II or Flunitrazepam from Schedule IV	B	DG-II
69.50.401(2)(c-e)	Manufacture, Deliver or Possess with Intent to Deliver - Narcotics from Schedule III, IV, or V or Nonnarcotics from Schedule I-V (except Marijuana, Amphetamine, Methamphetamine, or Flunitrazepam)	C	DG-II
69.52.030(1)	Manufacture, Distribute or Possess with Intent to Distribute an Imitation Controlled Substance	C	DG-II
70.74.022(1)	Manufacture, Purchase, Sell or Store Explosive Device Without License	C	Unranked
46.20.0921(3)(a)	Manufacture, Sell or Deliver Forged Driver's License or Identocard	C	Unranked
82.24.570(2)	Manufacture, Sell or Possess Counterfeit Cigarettes	C	Unranked
82.24.570(3)	Manufacture, Sell or Possess Counterfeit Cigarettes (Subsequent Violation)	B	Unranked
69.51A.060	Medical Marijuana Fraudulent Records	C	Unranked
9.81.030	Member of Subversive Organization	C	Unranked
78.44.330	Mineral Trespass	C	I
42.20.070	Misappropriating and Falsifying Accounts by Public Officer	B	Unranked
42.20.090	Misappropriating and Falsifying Accounts by Treasurer	C	Unranked
9.82.030	Misprision of Treason	C	Unranked
29A.08.740	Misuse of Registered Voter Data	C	Unranked
29A.84.150	Misuse or Alteration of Registration Database	C	Unranked
9.45.070	Mock Auction	C	Unranked
9A.83.020	Money Laundering	B	Unranked
19.144.080	Mortgage Fraud	B	III
32.04.110	Mutual Savings Bank - Conceal or Destroy Evidence	B	Unranked
32.04.100	Mutual Savings Bank - Falsify Savings Book, Document or Statement	B	Unranked
32.24.080	Mutual Savings Bank - Transfer Bank Assets After Insolvency	B	Unranked
46.37.675	Negligently Causing Death By Use of a Signal Preemption Device	B	VII
46.37.674	Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device	B	III
69.50.403	Obtain Controlled Substance by Fraud or Forged Prescription	C	DG-I
9A.60.030	Obtaining Signature by Deception or Duress	C	Unranked
46.70.180(5)	Odometer Offense	C	Unranked
40.16.030	Offering False Instrument for Filing or Record	C	Unranked
68.50.140(3)	Opening Graves With Intent to Sell or Remove Personal Effects or Human Remains	C	Unranked

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90.56.540	Operation of a Vessel While Under the Influence of Intoxicating Liquor or Drugs	C	Unranked
9A.56.350(2)	Organized Retail Theft 1	B	III
9A.56.350(3)	Organized Retail Theft 2	C	II
69.50.406(2)	Over 18 and Deliver Narcotic from Schedule III, IV or V, or a Nonnarcotic, Except Flunitrazepam or Methamphetamine, from Schedule I-V to Someone Under 18 and 3 Years Junior	B	DG-III
9.46.215	Ownership or Interest in Gambling Device	C	Unranked
69.30.085	Participation in Shellfish Operation or Activities While License is Denied, Revoked or Suspended (Effective 7/22/2011)	C	Unranked
74.09.240(2)	Paying or Offering Bribes, Kickbacks or Rebates	C	Unranked
9A.72.020	Perjury 1	B	V
9A.72.030	Perjury 2	C	III
9.94.070	Persistent Prison Misbehavior	C	V
82.32.290(4)	Phantomware Violation	C	Unranked
46.61.504(6)	Physical Control of a Vehicle While Under the Influence of Intoxicating Liquor or any Drug (Effective 7/1/2007)	C	V
69.40.030	Placing Poison or Other Harmful Object or Substance in Food, Drinks, Medicine or Water	B	Unranked
69.40.020	Poison in Milk or Food Product	C	Unranked
9A.58.020	Possessing or Capturing Personal Identification Document	C	Unranked
9A.56.310	Possession of a Stolen Firearm	B	V
9A.56.068	Possession of a Stolen Vehicle	B	II
9.94.041(2)	Possession of Controlled Substance by Prisoner (County or Local Facility)	C	Unranked
9.94.041(1)	Possession of Controlled Substance by Prisoner (State Facility)	C	Unranked
9.94.045	Possession of Controlled Substance in Prison by Non-prisoner	C	Unranked
69.50.4013	Possession of Controlled Substance That is a Narcotic from Schedule III, IV or V or Nonnarcotic from Schedule I-V (Except Phencyclidine or Flunitrazepam), e.g. Methamphetamine, Marijuana	C	DG-I
69.50.4013	Possession of Controlled Substance That is Either Heroin or Narcotics from Schedule I or II or Flunitrazepam from Schedule IV, e.g. Cocaine, PCP	C	DG-I
9.68A.070(1)	Possession of Depictions of Minor Engaged in Sexually Explicit Conduct 1	B	VI
9.68A.070(2)	Possession of Depictions of Minor Engaged in Sexually Explicit Conduct 2	C	IV
69.50.440	Possession of Ephedrine, Pseudoephedrine or Anhydrous Ammonia with Intent to Manufacture Methamphetamine	B	DG-III
9.40.120	Possession of Incendiary Device	B	III
9.41.190	Possession of Machine Gun, Short-barreled Shotgun or Short-barreled Rifle	C	III

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69.41.350	Possession of Steroids in Excess of 200 tablets or (8) 2cc Bottles Without a Valid Prescription	C	Unranked
9A.56.380	Possession of Stolen Mail (Effective 7/22/2011)	C	Unranked
9A.56.150	Possession of Stolen Property 1 (Other Than Firearm or Motor Vehicle)	B	II
9A.56.160	Possession of Stolen Property 2 (Other Than Firearm or Motor Vehicle)	C	I
9.94.040(2)	Possession of Weapons by Prisoners (County or Local Facility)	C	Unranked
9.94.040(1)	Possession of Weapons by Prisoners (State Facility)	B	Unranked
9.94.043	Possession of Weapons in Prison by Non-prisoner	B	Unranked
9.94.010	Prison Riot	B	Unranked
9.46.220	Professional Gambling 1	B	Unranked
9.46.221	Professional Gambling 2	C	Unranked
9A.36.060	Promoting a Suicide Attempt	C	Unranked
67.08.015	Promoting Illegal Boxing, Martial Arts and Wrestling	C	Unranked
9.68.140	Promoting Pornography	C	Unranked
9A.88.070	Promoting Prostitution 1	B	VIII
9A.88.080	Promoting Prostitution 2	C	III
9.68A.102	Promoting Travel for Commercial Sexual Abuse of a Minor	C	Unranked
9A.88.085	Promoting Travel for Prostitution	C	Unranked
29A.84.311	Provides False Information or Conceals or Destroys Candidacy Declaration or Nominating Petition	C	Unranked
26.04.210	Providing False Statements in Affidavits for Marriage	C	Unranked
68.50.140(2)	Purchasing or Receiving Human Remains	C	Unranked
9A.44.060	Rape 3	C	V
9A.44.079	Rape of a Child 3	C	VI
74.09.240(1)	Receiving or Asking for Bribes, Kickbacks or Rebates	C	Unranked
9A.68.030	Receiving or Granting Unlawful Compensation	C	Unranked
81.60.080(2)	Receiving Stolen Railroad Property	C	Unranked
9A.48.040	Reckless Burning 1	C	I
90.56.530	Reckless Operation of a Tank Vessel	C	Unranked
19.110.075(2)	Registration Knowingly Not Obtained Prior to Sale of Business Opportunity (Violation of RCW 19.110.050)	B	Unranked
70.94.430(3)	Releasing Into Ambient Air Hazardous Air Pollutant	C	Unranked
46.12.560	Removal of Sticker on Vehicle Stating Previously Destroyed or Title 1 Loss	C	Unranked
68.50.140(4)	Removal, Disinterment or Mutilation of Human Remains	C	Unranked
68.60.050	Removes, Defaces or Destroys any Historic Grave	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
68.50.140(1)	Removing Human Remains	C	Unranked
9.16.010	Removing Lawful Brands	C	Unranked
9A.76.070(2)(a)	Rendering Criminal Assistance 1	B	V
19.25.020(2)(a)	Reproduction of Sound Recording Without Consent of Owner - Recording Fixed Before 2/15/1972 (At Least 1,000 Recordings or Subsequent Conviction)	B	Unranked
19.25.020(2)(b)	Reproduction of Sound Recording Without Consent of Owner - Recording Fixed Before 2/15/1972 (More Than 100 but Less Than 1,000 Recordings)	C	Unranked
9A.68.020	Requesting Unlawful Compensation	C	Unranked
9A.52.025	Residential Burglary	B	IV
9A.56.360(2)	Retail Theft with Special Circumstances 1	B	III
9A.56.360(3)	Retail Theft with Special Circumstances 2	C	II
9A.56.360(4)	Retail Theft with Special Circumstances 3	C	Unranked
9A.84.010(2)(b)	Riot	C	Unranked
81.60.080(1)	Sabotaging Rolling Stock	C	Unranked
69.41.030(2)(a)	Sale, Delivery or Possession With Intent to Sell Legend Drug Without Prescription	B	Unranked
33.36.040	Savings and Loan Association - Making False Statement of Assets or Liabilities	C	Unranked
33.36.030	Savings and Loan Association - Preference in Case of Insolvency	C	Unranked
33.36.060	Savings and Loan Association - Suppressing, Secreting or Destroying Evidence or Records	C	Unranked
19.290.100	Scrap Processing, Recycling, or Supplying Without a License (Second or Subsequent Offense)	C	II
19.60.067(2)	Second-hand Precious Metal Dealer Violations (Subsequent Violation) (Effective 7/22/2011)	C	Unranked
21.20.400	Securities Act Violation	B	III
46.20.0921(2)	Sell or Deliver a Stolen Driver's License or Identocard	C	Unranked
27.44.040(2)	Selling Artifacts or Human Remains from Indian Graves	C	Unranked
69.50.410	Selling for Profit (Controlled or Counterfeit) any Controlled Substance in Schedule I	C	DG-III
48.160.080	Sells Guaranteed Asset Protection Waivers Without Registration	B	Unranked
9.68A.060(1)	Sending, Bringing into the State Depictions of Minor Engaged in Sexually Explicit Conduct 1	B	VII
9.68A.060(2)	Sending, Bringing into the State Depictions of Minor Engaged in Sexually Explicit Conduct 2	C	V
9.68A.040	Sexual Exploitation of a Minor	B	IX
9A.44.093	Sexual Misconduct with a Minor 1	C	V

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9A.44.105	Sexually Violating Human Remains	C	V
70.155.140	Shipping or Transporting Tobacco Products Ordered Through Mail or Internet	C	Unranked
82.38.270	Special Fuel Violations	C	Unranked
77.15.450(3)(b)	Spotlighting Big Game 1	C	I
9A.46.110	Stalking	B	V
67.70.160	State Lottery Violations Except Lottery fraud and Unlicensed Lottery Activity	C	Unranked
9.45.020	Substitution of Child	B	Unranked
9.81.020	Subversive Acts	B	Unranked
77.15.670(3)(b)	Suspension of Department Privileges 1	C	I
9A.56.070	Taking Motor Vehicle Without Permission 1	B	V
9A.56.075	Taking Motor Vehicle Without Permission 2	C	I
9A.72.120	Tampering with a Witness	C	III
29A.84.550	Tampering with Election Materials	C	Unranked
9.40.105	Tampering with Fire Alarm, Emergency Signal, or Fire-fighting Equipment with Intent to Commit Arson	B	Unranked
88.08.020	Tampering with Lights or Signals	B	Unranked
29A.84.560	Tampering with Voting Machine	C	Unranked
9.61.230(2)	Telephone Harassment (With Prior Harassment Conviction or Threat of Death)	C	III
9A.56.030	Theft 1 (Excluding Firearm and Motor Vehicle)	B	II
9A.56.040	Theft 2 (Excluding Firearm and Motor Vehicle)	C	I
9A.56.300	Theft of a Firearm	B	VI
9A.56.065	Theft of a Motor Vehicle	B	II
69.55.010	Theft of Ammonia	C	VIII
9A.56.080	Theft of Livestock 1	B	IV
9A.56.083	Theft of Livestock 2	C	III
9A.56.096(5)(a)	Theft of Rental, Leased, Lease-purchased or Loaned Property (Valued at \$5,000 or More)	B	II
9A.56.096(5)(b)	Theft of Rental, Leased, Lease-purchased or Loaned Property (Valued at \$750 or More but Less Than \$5,000)	C	I
9A.56.262	Theft of Telecommunication Service	C	Unranked
9A.56.340(2)	Theft with Intent to Resell 1	B	III
9A.56.340(3)	Theft with Intent to Resell 2	C	II
9A.36.090	Threats Against Governor or Family	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9.61.160	Threats to Bomb	B	IV
64.36.210	Timeshare Fraud	C	Unranked
64.36.020(5)(b)	Timeshare Registration Requirement Violation	C	Unranked
9A.68.040	Trading in Public Office	C	Unranked
9A.68.050	Trading in Special Influence	C	Unranked
48.30A.015	Trafficking in Insurance Claims (Subsequent Violation)	C	II
9A.82.050	Trafficking in Stolen Property 1	B	IV
9A.82.055	Trafficking in Stolen Property 2	C	III
48.17.063(4)	Transaction of Insurance Business Beyond the Scope of Licensure (Violation of RCW 48.17.060)	B	I
9.46.240	Transmission or Receiving Gambling Information by Internet	C	Unranked
70.105.085(1)(a)	Transport, Disposal or Export of Hazardous Waste That Places Another Person in Danger of Injury or Death	B	Unranked
70.105.085(1)(b)	Transport, Disposal or Export of Hazardous Waste That Places Another Person's Property in Danger of Harm	C	Unranked
82.24.110(2)	Transportation of More Than 10,000 Cigarettes Without Proper Stamps	C	Unranked
68.60.040(3)	Transports Removed Human Remains, Opens a Grave or Removes Personal Effects from Grave	C	Unranked
9.91.150(1)	Tree Spiking	C	Unranked
9.02.120	Unauthorized Abortion	C	Unranked
68.44.060	Unauthorized Loans to Cemetery Authority	C	Unranked
29A.84.545	Unauthorized Removal of Paper Record from Electronic Voting Device	C	Unranked
39.62.040	Unauthorized Use of Public Official Facsimile Signature or Seal	B	Unranked
68.05.330	Unfair Practice of Funeral or Cemetery Board	C	Unranked
19.225.110	Uniform Athlete Agent Act Violation	C	Unranked
69.43.070(1)	Unlawful Delivery of Precursor Drug with Intent to Use	B	Unranked
9A.49.020	Unlawful Discharge of a Laser 1	C	Unranked
74.09.290	Unlawful Disclosure of Patient Records or DSHS Information	C	Unranked
9A.56.290(4)(a)	Unlawful Factoring of a Credit or Payment Card Transaction	C	II
9A.56.290(4)(b)	Unlawful Factoring of a Credit or Payment Card Transaction (Subsequent Violation)	B	IV
69.53.020	Unlawful Fortification of Building for Drug Purposes	C	Unranked
77.15.410(3)(b)	Unlawful Hunting of Big Game 1	C	III
9A.40.040	Unlawful Imprisonment	C	III
9A.56.060(4)	Unlawful Issuance of Checks or Drafts (Value Greater Than \$750)	C	I
9A.56.264	Unlawful Manufacture of a Telecommunication Device	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
69.04.938(3)	Unlawful Misbranding of Food Fish or Shellfish 1	C	III
88.46.080(2)(b)	Unlawful Operation of a Covered Vessel (Subsequent Violation)	C	Unranked
90.56.300(2)(b)	Unlawful Operation of Onshore or Offshore Facility (Subsequent Conviction)	C	Unranked
77.15.570(2)	Unlawful Participation on Non-Indians in Indian Fishery	C	II
9.41.040(1)	Unlawful Possession of a Firearm 1	B	VII
9.41.040(2)	Unlawful Possession of a Firearm 2	C	III
9A.56.320(3)	Unlawful Possession of a Personal Identification Device	C	I
9A.56.320(4)	Unlawful Possession of Fictitious Identification	C	I
9A.56.320(5)	Unlawful Possession of Instruments of Financial Fraud	C	I
9A.56.320(2)	Unlawful Possession of Payment Instruments	C	I
2.48.180	Unlawful Practice of Law (Subsequent Violation)	C	II
9A.56.320(1)	Unlawful Production of Payment Instruments	C	I
77.15.650(3)(b)	Unlawful Purchase or Use of a License 1	C	II
69.43.070(2)	Unlawful Receipt of Precursor Drug with Intent to Use	B	Unranked
9.91.144	Unlawful Redemption of Food Stamps	C	I
77.15.250(2)(b)	Unlawful Release of Deleterious Exotic Wildlife	C	I
9A.56.266	Unlawful Sale of a Telecommunication Device	C	Unranked
9A.56.230	Unlawful Sale of Subscription Television Services	C	Unranked
46.12.750(3)	Unlawful Sale of Vehicle Certificate of Ownership	C	Unranked
18.64.046(7)	Unlawful Selling of Ephedrine, Pseudoephedrine or Phenylpropanolamine by a Wholesaler	C	Unranked
65.12.730	Unlawful Stealing or Carrying Away Certification of Land Registration (Charged as Theft)	*	*
69.55.020	Unlawful Storage of Ammonia	C	VI
19.116.080(1)	Unlawful Subleasing of Motor Vehicle	C	Unranked
77.15.120(3)(b)	Unlawful Taking of Endangered Fish or Wildlife 1	C	III
77.15.770(2)	Unlawful Trade in Shark Fins 1 (Effective 7/22/2011)	C	Unranked
77.15.260(3)(b)	Unlawful Trafficking in Fish, Shellfish or Wildlife 1	B	III
77.15.260(3)(a)	Unlawful Trafficking in Fish, Shellfish or Wildlife 2	C	II
9.91.142(1)	Unlawful Trafficking in Food Stamps	C	I
48.44.016(3)	Unlawful Transaction of Health Coverage as Health Care Service Contractor	B	IV
48.46.033(3)	Unlawful Transaction of Health Coverage as Health Maintenance Organization	B	IV
48.15.023(3)	Unlawful Transaction of Insurance Business	B	IV

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
19.116.080(2)	Unlawful Transfer of Ownership of Motor Vehicle	C	Unranked
77.15.530(4)	Unlawful Use of a Nondesignated Vessel	C	III
18.04.370(1)(b)	Unlawful Use of a Professional Title	C	Unranked
69.53.010	Unlawful Use of Building for Drug Purposes	C	DG-I
18.04.370(1)(c)	Unlawful Use of CPA Title After Suspension	C	Unranked
77.15.630	Unlawful Use of Fish Buying and Dealing License 1	C	Unranked
69.53.030	Unlawful Use of Fortified Building	C	Unranked
66.44.120(2)(b)	Unlawful Use of Liquor Board Seal (Third or Subsequent Offense)	C	Unranked
77.15.580(3)(b)	Unlawful Use of Net to Take Fish	C	I
77.15.253(3)	Unlawful Use of Prohibited Aquatic Animal Species (Subsequent Violation)	C	I
19.310.120	Unlawfully Engaging in Business as an Exchange Facilitator (RCW 19.310.100(1)-(9))	B	Unranked
82.24.500	Unlawfully Purchase, Sell, Consign or Distribute Cigarettes	C	Unranked
48.102.160(4)	Unlicensed Life Insurance Provider	B	Unranked
67.70.140	Unlicensed Lottery Activity	B	Unranked
48.17.063(2)	Unlicensed Practice as an Insurance Professional	B	IV
18.130.190(7)(b)	Unlicensed Practice of a Profession or Business (Subsequent Violation)	C	II
48.102.160(5)	Unlicensed Settlement Broker	B	Unranked
29A.84.660	Unqualified Person Voting	C	Unranked
29A.84.140	Unqualified Voting Registration	C	Unranked
19.210.040	Unused Property, Merchants –Prohibited Sales (Third or Subsequent Offense Within 5 Years)	C	Unranked
46.37.673	Use of a Signal Preemption Device Resulting in Property Damage or Less Substantial Bodily Harm	C	Unranked
9A.82.080(1-2)	Use of Proceeds of Criminal Profiteering	B	IV
19.25.030(2)(a)	Use of Recording of Live Performance Without Consent of Owner (At Least 1,000 Recordings or at Least 100 Unauthorized Audiovisual Recordings or Subsequent Offense)	B	Unranked
19.25.030(2)(b)	Use of Recording of Live Performance Without Consent of Owner (At Least 100 but Less Than 1,000 Recordings or More than 10 but Less Than 100 Unauthorized Audiovisual Recording or Subsequent Offense)	C	Unranked
19.144.100(1)	Use or Investment of Proceeds from Mortgage Fraud Activities	B	Unranked
9A.52.095	Vehicle Prowl 1	C	I
9A.52.100(3)	Vehicle Prowling 2 (Third or Subsequent Offense)	C	IV
46.61.522(1)(c)	Vehicular Assault - Disregard for the Safety of Others	B	III

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9.68A.075(1)	Viewing Depictions of Minor Engaged in Sexually Explicit Conduct 1 (Effective 6/10/2010)	B	IV
9.68A.075(2)	Viewing Depictions of Minor Engaged in Sexually Explicit Conduct 2 (Effective 6/10/2010)	C	Unranked
77.15.550(3)(b)	Violating Commercial Fishing Area or Time 1	C	I
29A.84.230(1)	Violation by Signer – Initiative or Referendum with False Name	C	Unranked
26.50.110(5)	Violation of a Foreign Protection Order (Third or Subsequent Violation)	C	Unranked
29A.84.240(1)	Violations By Signers – Recall Petition With False Name	B	Unranked
29A.84.130	Voter Violation of Registration Law	C	Unranked
29A.84.650(1)	Voting Repeater – More Than One Vote at Any Election	C	Unranked
9A.44.115	Voyeurism	C	II
48.30.220	Willful Destruction, Injury, Secretion of Insured Property	C	Unranked
10.66.090	Willfully Disobeys an Off-limits Order (Subsequent Violation or Enters Protected Against Drug Trafficking Area)	C	Unranked

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## UNRANKED OFFENSES

Statute (RCW)	Offense	Class	Seriousness Level
29A.84.680(1)	Absentee Voting Violation	C	Unranked
46.52.130(5)(b)	Abstracts of Driving Records – Intentional Misuse	C	Unranked
20.01.460(2)	Acting as Commission Merchant, Dealer, Cash Buyer Without License	C	Unranked
69.52.030(3)	Advertising Imitation Controlled Substances	C	Unranked
30.42.290(3)	Alien Bank or Bureau – Destroy or Secrete Records	B	Unranked
30.42.290(2)	Alien Bank or Bureau – False Entry, Statements, etc.	B	Unranked
9.41.171	Alien Possession of a Firearm	C	Unranked
9.45.210	Altering Sample or Certificate of Assay	C	Unranked
9A.76.177	Amber Alert – Making False Statements to a Public Servant	C	Unranked
68.64.160	Anatomical Gift - Illegal Financial Gain	C	Unranked
68.64.150	Anatomical Gifts - Illegal Purchase or Sale	C	Unranked
<b>16.52.205(2)</b>	Animal Cruelty 1	C	Unranked
16.52.117	Animal Fighting	C	Unranked
9.05.030	Assembly of Saboteurs	B	Unranked
72.23.170	Assist Escape of Mental Patient	C	Unranked
9A.82.080(3)	Attempt or Conspiracy to Violate RCW 9A.82.080(1) or (2)	C	Unranked
30.12.100	Bank or Trust Company - Destroy or Secrete Records	B	Unranked
30.12.090	Bank or Trust Company - False Entry, Statements, etc.	B	Unranked
30.44.120	Bank or Trust Company - Receiving Deposits When Insolvent	B	Unranked
30.44.110	Bank or Trust Company - Transfer of Assets Prior to Insolvency	B	Unranked
9A.64.010	Bigamy	C	Unranked
9.46.155	Bribing to Obtain a License From Public Officials, Employees, Agents	C	Unranked
72.23.300	Bringing Narcotics, Liquor, or Weapons into State Institution or Grounds	B	Unranked
9.47.120	Bunco Steering	B	Unranked
46.87.260	Cab Card Forgery	B	Unranked
9.46.180	Causing Person to Violate Gambling Laws	B	Unranked
9A.64.030(3)(b)	Child Buying	C	Unranked
49.12.410(2)	Child Labor Law Violation – Death/Disability	C	Unranked
9A.64.030(3)(a)	Child Selling	C	Unranked
70.245.200(2)	Coerce Patient to Request Life-ending Medication	A	Unranked
9A.82.045	Collection of Unlawful Debt	C	Unranked
19.158.160	Commercial Telephone Solicitor Deception (Value of \$250 or More)	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
30.04.240	Commingling of Funds or Securities	B	Unranked
21.30.140	Commodity Transaction Violation	B	Unranked
19.144.100(2)	Control of Real Property Resulting from Mortgage Fraud Activities	B	Unranked
69.50.416	Controlled Substance Label Violation	C	Unranked
31.12.724(3)	Credit Union - Fraudulent Receipt of Credit Union Deposit	B	Unranked
31.12.724(2)	Credit Union - Transfer of Credit Union Assets Prior to Insolvency	B	Unranked
9.08.090	Crimes Against Animal Facilities	C	Unranked
9A.60.040	Criminal Impersonation 1	C	Unranked
9A.82.160	Criminal Profiteering Lien After Service of Notice	C	Unranked
9.05.060(2)	Criminal Sabotage	B	Unranked
9A.44.196	Criminal Trespass Against Children	C	Unranked
9A.40.060	Custodial Interference 1	C	Unranked
9A.40.070	Custodial Interference 2 (Subsequent Offense)	C	Unranked
43.06.230	Damage Property or Cause Personal Injury after State of Emergency Proclaimed	B	Unranked
16.08.100(2)	Dangerous Dog Attack (Subsequent Offense)	C	Unranked
16.08.100(3)	Dangerous Dog Attack Resulting in Severe Injury or Death	C	Unranked
22.09.310	Dealing in Unauthorized Warehouse Receipts for Agricultural Commodities	C	Unranked
39.44.101	Defraud a Facsimile Signature on Bonds and Coupons	B	Unranked
87.03.200	Defraud Facsimile Signatures on Bonds and Coupons – Irrigation Districts	B	Unranked
19.110.120	Defraud or Provide Misleading or Untrue Documents Related to a Business Opportunity Sale	B	Unranked
9A.61.030	Defrauding a Public Utility 1	B	Unranked
9A.61.040	Defrauding a Public Utility 2	C	Unranked
19.48.110(1)(b)	Defrauding an Innkeeper (Value of \$75.00 or More)	B	Unranked
9.41.110(8)	Delivery of Firearm by Dealer to Ineligible Person	C	Unranked
9.41.080	Delivery of Firearms to Ineligible Person	C	Unranked
35A.36.040	Designation of Bonds – Violation (Code Cities)	B	Unranked
35.36.040	Designation of Bonds – Violation (First Class Cities)	B	Unranked
27.44.040(1)	Destroying, Removing or Defacing Indian Graves	C	Unranked
68.60.040(1)	Destruction of Tomb, Plot, Marker, or Cemetery Property	C	Unranked
9.38.060	Digital Signatures Fraud	C	Unranked
9A.76.023(2)(a)	Disarming a Law Enforcement or Corrections Officer	C	Unranked
9A.76.023(2)(b)	Disarming a Law Enforcement or Corrections Officer and Firearm is Discharged	B	Unranked

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19.110.075(2)	Disclosures Knowingly Not Provided at Sale of Business Opportunity (Violation of RCW 19.110.070)	B	Unranked
69.50.402	Dispensing Violation (VUCSA)	C	Unranked
82.26.190	Distributors and Retailer of Tobacco Products License Violation	C	Unranked
27.53.060	Disturbing Archaeological Resources or Site	C	Unranked
43.43.856	Divulging Confidential Investigative Information Pertaining to Organized Crime	B	Unranked
29A.84.270	Duplication of Name – Conspiracy to Mislead	B	Unranked
29A.84.320	Duplication of Names on Declaration of Candidacy	B	Unranked
29A.84.655	Election Officer Permits Repeat Vote	C	Unranked
29A.84.720	Election Officers – Violation	C	Unranked
29A.84.030	Election or Mail Ballot Violation	C	Unranked
19.300.020	Electronic Communication Devices – Illegal Scanning	C	Unranked
79A.60.090	Eluding a Law Enforcement Vessel	C	Unranked
18.39.350	Embalmers/Funeral Directors Violation	C	Unranked
43.08.140	Embezzlement by State Treasurer	B	Unranked
46.80.020(b)	Engage in Business of Wrecking Vehicles Without a License (Subsequent Offense)	C	Unranked
51.48.103(2)	Engaging in Business after Certificate of Coverage Revocation	C	Unranked
16.08.100(4)	Entering Dog in a Dog Fight	C	Unranked
9.68.060	Erotic Material (Third or Subsequent Offense)	B	Unranked
51.48.020(1)	Evading Industrial Insurance Premiums	C	Unranked
82.42.085	Evading the Collection of Aircraft Fuel Tax	C	Unranked
74.09.260	Excessive Charges, Payments	C	Unranked
48.06.190	Exhibiting False Accounts of Insurer	B	Unranked
19.25.040(2)(a)	Failure to Disclose Origin of Certain Recordings (At Least 100 Recordings or Subsequent Conviction)	B	Unranked
19.25.040(2)(b)	Failure to Disclose Origin of Certain Recordings (More than 10 but Less Than 100 Recordings)	C	Unranked
36.18.170	Failure to Pay Over Fees to County Treasurer	C	Unranked
9A.44.132(3)	Failure to Register as a Kidnapping Offender	C	Unranked
9A.44.132(1)(a)	Failure to Register as a Sex Offender (First Violation)	C	Unranked
19.146.050	Failure to Use a Trust Account	C	Unranked
19.142.080	Failure to Use a Trust Account or Furnish Bond for Health Studio	C	Unranked
38.42.050	False Affidavit Under Service Member Civil Relief Act	C	Unranked
74.08.100	False Age and Residency Public Assistance Verification	B	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
42.24.100	False Claim from Municipal Corporation (Charged as Perjury 2)	C	Unranked
42.17A.750	False Documents Registered with Public Disclosure Commission (Effective 1/1/2012)	C	Unranked
48.30.230	False Insurance Claims (Value in Excess of \$1,500)	C	Unranked
9.24.050	False Report of Corporation	B	Unranked
74.09.230	False Statement for Medical Assistance	C	Unranked
69.43.080	False Statement in Report of Precursor Drugs	C	Unranked
82.32.290(2)	False Statement to Department of Revenue	C	Unranked
19.230.300	False Statement, Misrepresentation or False Certification of Uniform Money services Record	C	Unranked
41.26.062	False Statements or Records to Defraud Law Enforcement Officers and Firefighters Retirement System	B	Unranked
41.32.055(1)	False Statements or Records to Defraud Teachers Retirement System	B	Unranked
74.09.250	False Statements Regarding Institutions, Facilities	C	Unranked
46.12.750(1)	False Statements, Illegal Transfers, Alterations or Forgeries of Vehicle Title	B	Unranked
26.20.030	Family Abandonment	C	Unranked
76.36.120	Forgery of Forest Product Mark	B	Unranked
65.12.760	Forgery of Registrar's Signature or Seal	B	Unranked
82.24.100	Forgery or Counterfeit Cigarette Tax Stamp	B	Unranked
70.245.200(1)	Forging Request for Medication	A	Unranked
19.100.210	Franchise Investment Protection Violation	B	Unranked
29A.84.711	Fraud in Certification of Nomination or Ballot	C	Unranked
9.45.170	Fraud in Liquor Warehouse Receipts	C	Unranked
9.45.124	Fraud in Measurement of Goods	B	Unranked
9.26A.110(3)	Fraud in Obtaining Telecommunications Services (Value Exceeds \$250)	C	Unranked
67.24.010	Fraud in Sporting Contest	B	Unranked
76.48.141(1)(a)	Fraudulent Document as Specialized Forest Products Permit, Sales Invoice, Bill of Lading, etc.	C	Unranked
76.48.141(2)	Fraudulent Document for Specialized Forest Products Buyer	C	Unranked
9.45.270(3)	Fraudulent Filing of Vehicle Report of Sale (Value Exceeds \$1,500)	B	Unranked
9.45.270(2)	Fraudulent Filing of Vehicle Report of Sale (Value Exceeds \$250)	C	Unranked
9.24.020	Fraudulent Issue of Stock, Scrip, etc.	B	Unranked
48.102.160(3)	Fraudulent Life Insurance Settlement	B	Unranked
65.12.750	Fraudulent Procurement or False Entry on Land Title Registration	C	Unranked
76.48.141(1)(b)	Fraudulent Representation of Authority to Harvest Specialized Forest Products	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
82.36.380	Fuel Tax Evasion	C	Unranked
9.46.160	Gambling Without License	B	Unranked
9.46.039	Greyhound Racing	B	Unranked
9A.76.200	Harming a Police Dog/Horse or an Accelerate Detection Dog	C	Unranked
9.94.030	Holding Hostages or Interfering with Officer's Duty	B	Unranked
69.41.040	Illegal Issuance of Legend Drug Prescription	B	Unranked
9.16.020	Imitating Lawful Brands With Intent	C	Unranked
19.146.235(9)	Impairing Mortgage Broker Investigation	B	Unranked
19.144.090(2)	Impairing Mortgage Fraud Investigation	B	Unranked
9.45.126	Inducing Fraud in Measurement of Goods	B	Unranked
40.16.010	Injury to a Public Record	C	Unranked
40.16.020	Injury to and Misappropriation of Public Record by Officer	B	Unranked
88.08.050(1)	Injury to Lighthouses or United States Light	B	Unranked
9.24.030	Insolvent Bank Receiving Deposit	B	Unranked
48.06.030	Insurance Solicitation Permit Violation	B	Unranked
9.91.170(5)	Intentional Infliction, Injury or Death to a Guide Dog or Service Animal	C	Unranked
9.91.175(3)	Intentionally Injures, Disables or Causes Death of an On-Duty Search and Rescue Dog	C	Unranked
9.73.230	Intercepting, Transmitting or Recording Conversations Concerning Controlled Substances	C	Unranked
69.25.155(1)	Interference with Person Performing Official Duties	C	Unranked
69.25.155(2)	Interference with Person Performing Official Duties With a Deadly Weapon	B	Unranked
70.74.275	Intimidation or Harassment With an Explosive	C	Unranked
9A.60.070	Issuing a False Academic Credential	C	Unranked
16.52.320	Kill or Cause Substantial Harm With Malice to Livestock (Effective 7/22/2011)	C	Unranked
46.70.021	Licensing Violation for Car Dealers or Manufacturers (Subsequent Violation)	C	Unranked
30.12.120	Loan to Officer or Employee from Trust Fund	B	Unranked
67.70.130	Lottery Fraud	B	Unranked
9A.40.090	Luring of a Child or Developmentally Disabled Person	C	Unranked
9A.56.370	Mail Theft (Effective 7/22/2011)	C	Unranked
9.47.090	Maintaining a Bucket Shop	C	Unranked
9.45.220	Making False Sample or Assay of Ore	C	Unranked
9.62.010(1)	Malicious Prosecution	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9.45.260	Malicious Sprinkler Contractor Work	C	Unranked
70.74.022(1)	Manufacture, Purchase, Sell or Store Explosive Device Without License	C	Unranked
46.20.0921(3)(a)	Manufacture, Sell or Deliver Forged Driver's License or Identocard	C	Unranked
82.24.570(2)	Manufacture, Sell or Possess Counterfeit Cigarettes	C	Unranked
82.24.570(3)	Manufacture, Sell or Possess Counterfeit Cigarettes (Subsequent Violation)	B	Unranked
69.51A.060	Medical Marijuana Fraudulent Records	C	Unranked
9.81.030	Member of Subversive Organization	C	Unranked
42.20.070	Misappropriating and Falsifying Accounts by Public Officer	B	Unranked
42.20.090	Misappropriating and Falsifying Accounts by Treasurer	C	Unranked
9.82.030	Misprision of Treason	C	Unranked
29A.08.740	Misuse of Registered Voter Data	C	Unranked
29A.84.150	Misuse or Alteration of Registration Database	C	Unranked
9.45.070	Mock Auction	C	Unranked
9A.83.020	Money Laundering	B	Unranked
32.04.110	Mutual Savings Bank - Conceal or Destroy Evidence	B	Unranked
32.04.100	Mutual Savings Bank - Falsify Savings Book, Document or Statement	B	Unranked
32.24.080	Mutual Savings Bank - Transfer Bank Assets After Insolvency	B	Unranked
9A.60.030	Obtaining Signature by Deception or Duress	C	Unranked
46.70.180(5)	Odometer Offense	C	Unranked
40.16.030	Offering False Instrument for Filing or Record	C	Unranked
68.50.140(3)	Opening Graves With Intent to Sell or Remove Personal Effects or Human Remains	C	Unranked
90.56.540	Operation of a Vessel While Under the Influence of Intoxicating Liquor or Drugs	C	Unranked
9.46.215	Ownership or Interest in Gambling Device	C	Unranked
69.30.085	Participation in Shellfish Operation or Activities While License is Denied, Revoked or Suspended (Effective 7/22/2011)	C	Unranked
74.09.240(2)	Paying or Offering Bribes, Kickbacks or Rebates	C	Unranked
82.32.290(4)	Phantomware Violation	C	Unranked
69.40.030	Placing Poison or Other Harmful Object or Substance in Food, Drinks, Medicine or Water	B	Unranked
69.40.020	Poison in Milk or Food Product	C	Unranked
9A.58.020	Possessing or Capturing Personal Identification Document	C	Unranked
9.94.041(2)	Possession of Controlled Substance by Prisoner (County or Local Facility)	C	Unranked
9.94.041(1)	Possession of Controlled Substance by Prisoner (State Facility)	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9.94.045	Possession of Controlled Substance in Prison by Non-prisoner	C	Unranked
69.41.350	Possession of Steroids in Excess of 200 tablets or (8) 2cc Bottles Without a Valid Prescription	C	Unranked
9A.56.380	Possession of Stolen Mail (Effective 7/22/2011)	C	Unranked
9.94.040(2)	Possession of Weapons by Prisoners (County or Local Facility)	C	Unranked
9.94.040(1)	Possession of Weapons by Prisoners (State Facility)	B	Unranked
9.94.043	Possession of Weapons in Prison by Non-prisoner	B	Unranked
9.94.010	Prison Riot	B	Unranked
9.46.220	Professional Gambling 1	B	Unranked
9.46.221	Professional Gambling 2	C	Unranked
9A.36.060	Promoting a Suicide Attempt	C	Unranked
67.08.015	Promoting Illegal Boxing, Martial Arts and Wrestling	C	Unranked
9.68.140	Promoting Pornography	C	Unranked
9.68A.102	Promoting Travel for Commercial Sexual Abuse of a Minor	C	Unranked
9A.88.085	Promoting Travel for Prostitution	C	Unranked
29A.84.311	Provides False Information or Conceals or Destroys Candidacy Declaration or Nominating Petition	C	Unranked
26.04.210	Providing False Statements in Affidavits for Marriage	C	Unranked
68.50.140(2)	Purchasing or Receiving Human Remains	C	Unranked
74.09.240(1)	Receiving or Asking for Bribes, Kickbacks or Rebates	C	Unranked
9A.68.030	Receiving or Granting Unlawful Compensation	C	Unranked
81.60.080(2)	Receiving Stolen Railroad Property	C	Unranked
90.56.530	Reckless Operation of a Tank Vessel	C	Unranked
19.110.075(2)	Registration Knowingly Not Obtained Prior to Sale of Business Opportunity (Violation of RCW 19.110.050)	B	Unranked
70.94.430(3)	Releasing Into Ambient Air Hazardous Air Pollutant	C	Unranked
46.12.560	Removal of Sticker on Vehicle Stating Previously Destroyed or Title 1 Loss	C	Unranked
68.50.140(4)	Removal, Disinterment or Mutilation of Human Remains	C	Unranked
68.60.050	Removes, Defaces or Destroys any Historic Grave	C	Unranked
68.50.140(1)	Removing Human Remains	C	Unranked
9.16.010	Removing Lawful Brands	C	Unranked
19.25.020(2)(a)	Reproduction of Sound Recording Without Consent of Owner - Recording Fixed Before 2/15/1972 (At Least 1,000 Recordings or Subsequent Conviction)	B	Unranked
19.25.020(2)(b)	Reproduction of Sound Recording Without Consent of Owner - Recording Fixed Before 2/15/1972 (More Than 100 but Less Than 1,000 Recordings)	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9A.68.020	Requesting Unlawful Compensation	C	Unranked
9A.56.360(4)	Retail Theft with Special Circumstances 3	C	Unranked
9A.84.010(2)(b)	Riot	C	Unranked
81.60.080(1)	Sabotaging Rolling Stock	C	Unranked
69.41.030(2)(a)	Sale, Delivery or Possession With Intent to Sell Legend Drug Without Prescription	B	Unranked
33.36.040	Savings and Loan Association - Making False Statement of Assets or Liabilities	C	Unranked
33.36.030	Savings and Loan Association - Preference in Case of Insolvency	C	Unranked
33.36.060	Savings and Loan Association - Suppressing, Secreting or Destroying Evidence or Records	C	Unranked
19.60.067(2)	Second-hand Precious Metal Dealer Violations (Subsequent Violation) (Effective 7/22/2011)	C	Unranked
46.20.0921(2)	Sell or Deliver a Stolen Driver's License or Identocard	C	Unranked
27.44.040(2)	Selling Artifacts or Human Remains from Indian Graves	C	Unranked
48.160.080	Sells Guaranteed Asset Protection Waivers Without Registration	B	Unranked
70.155.140	Shipping or Transporting Tobacco Products Ordered Through Mail or Internet	C	Unranked
82.38.270	Special Fuel Violations	C	Unranked
67.70.160	State Lottery Violations Except Lottery fraud and Unlicensed Lottery Activity	C	Unranked
9.45.020	Substitution of Child	B	Unranked
9.81.020	Subversive Acts	B	Unranked
29A.84.550	Tampering with Election Materials	C	Unranked
9.40.105	Tampering with Fire Alarm, Emergency Signal, or Fire-fighting Equipment with Intent to Commit Arson	B	Unranked
88.08.020	Tampering with Lights or Signals	B	Unranked
29A.84.560	Tampering with Voting Machine	C	Unranked
9A.56.262	Theft of Telecommunication Service	C	Unranked
9A.36.090	Threats Against Governor or Family	C	Unranked
64.36.210	Timeshare Fraud	C	Unranked
64.36.020(5)(b)	Timeshare Registration Requirement Violation	C	Unranked
9A.68.040	Trading in Public Office	C	Unranked
9A.68.050	Trading in Special Influence	C	Unranked
9.46.240	Transmission or Receiving Gambling Information by Internet	C	Unranked
70.105.085(1)(a)	Transport, Disposal or Export of Hazardous Waste That Places Another Person in Danger of Injury or Death	B	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
70.105.085(1)(b)	Transport, Disposal or Export of Hazardous Waste That Places Another Person's Property in Danger of Harm	C	Unranked
82.24.110(2)	Transportation of More Than 10,000 Cigarettes Without Proper Stamps	C	Unranked
68.60.040(3)	Transports Removed Human Remains, Opens a Grave or Removes Personal Effects from Grave	C	Unranked
9.82.010	Treason	A	Unranked
9.91.150(1)	Tree Spiking	C	Unranked
9.02.120	Unauthorized Abortion	C	Unranked
68.44.060	Unauthorized Loans to Cemetery Authority	C	Unranked
29A.84.545	Unauthorized Removal of Paper Record from Electronic Voting Device	C	Unranked
39.62.040	Unauthorized Use of Public Official Facsimile Signature or Seal	B	Unranked
68.05.330	Unfair Practice of Funeral or Cemetery Board	C	Unranked
19.225.110	Uniform Athlete Agent Act Violation	C	Unranked
69.43.070(1)	Unlawful Delivery of Precursor Drug with Intent to Use	B	Unranked
9A.49.020	Unlawful Discharge of a Laser 1	C	Unranked
74.09.290	Unlawful Disclosure of Patient Records or DSHS Information	C	Unranked
69.53.020	Unlawful Fortification of Building for Drug Purposes	C	Unranked
9A.56.264	Unlawful Manufacture of a Telecommunication Device	C	Unranked
88.46.080(2)(b)	Unlawful Operation of a Covered Vessel (Subsequent Violation)	C	Unranked
90.56.300(2)(b)	Unlawful Operation of Onshore or Offshore Facility (Subsequent Conviction)	C	Unranked
69.43.070(2)	Unlawful Receipt of Precursor Drug with Intent to Use	B	Unranked
9A.56.266	Unlawful Sale of a Telecommunication Device	C	Unranked
9A.56.230	Unlawful Sale of Subscription Television Services	C	Unranked
46.12.750(3)	Unlawful Sale of Vehicle Certificate of Ownership	C	Unranked
18.64.046(7)	Unlawful Selling of Ephedrine, Pseudoephedrine or Phenylpropanolamine by a Wholesaler	C	Unranked
19.116.080(1)	Unlawful Subleasing of Motor Vehicle	C	Unranked
77.15.770(2)	Unlawful Trade in Shark Fins 1 (Effective 7/22/2011)	C	Unranked
19.116.080(2)	Unlawful Transfer of Ownership of Motor Vehicle	C	Unranked
18.04.370(1)(b)	Unlawful Use of a Professional Title	C	Unranked
18.04.370(1)(c)	Unlawful Use of CPA Title After Suspension	C	Unranked
69.53.030	Unlawful Use of Fortified Building	C	Unranked
66.44.120(2)(b)	Unlawful Use of Liquor Board Seal (Third or Subsequent Offense)	C	Unranked
19.310.120	Unlawfully Engaging in Business as an Exchange Facilitator (RCW 19.310.100(1)-(9))	B	Unranked

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82.24.500	Unlawfully Purchase, Sell, Consign or Distribute Cigarettes	C	Unranked
48.102.160(4)	Unlicensed Life Insurance Provider	B	Unranked
67.70.140	Unlicensed Lottery Activity	B	Unranked
48.102.160(5)	Unlicensed Settlement Broker	B	Unranked
29A.84.660	Unqualified Person Voting	C	Unranked
29A.84.140	Unqualified Voting Registration	C	Unranked
19.210.040	Unused Property, Merchants –Prohibited Sales (Third or Subsequent Offense Within 5 Years)	C	Unranked
46.37.673	Use of a Signal Preemption Device Resulting in Property Damage or Less Substantial Bodily Harm	C	Unranked
19.25.030(2)(a)	Use of Recording of Live Performance Without Consent of Owner (At Least 1,000 Recordings or at Least 100 Unauthorized Audiovisual Recordings or Subsequent Offense)	B	Unranked
19.25.030(2)(b)	Use of Recording of Live Performance Without Consent of Owner (At Least 100 but Less Than 1,000 Recordings or More than 10 but Less Than 100 Unauthorized Audiovisual Recording or Subsequent Offense)	C	Unranked
19.144.100(1)	Use or Investment of Proceeds from Mortgage Fraud Activities	B	Unranked
9.68A.075(2)	Viewing Depictions of Minor Engaged in Sexually Explicit Conduct 2 (Effective 6/10/2010)	C	Unranked
29A.84.230(1)	Violation by Signer – Initiative or Referendum with False Name	C	Unranked
26.50.110(5)	Violation of a Foreign Protection Order (Third or Subsequent Violation)	C	Unranked
29A.84.240(1)	Violations By Signers – Recall Petition With False Name	B	Unranked
29A.84.130	Voter Violation of Registration Law	C	Unranked
29A.84.650(1)	Voting Repeater – More Than One Vote at Any Election	C	Unranked
48.30.220	Willful Destruction, Injury, Secretion of Insured Property	C	Unranked
10.66.090	Willfully Disobeys an Off-limits Order (Subsequent Violation or Enters Protected Against Drug Trafficking Area)	C	Unranked

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## MANDATORY REMAND OFFENSES

Statute (RCW)	Offense	Class	Seriousness Level
9A.36.021(2)(b)	Assault 2 With a Finding of Sexual Motivation	A	IV
9A.44.083	Child Molestation 1	A	X
9A.28.020(3)(a)	Child Molestation 1 – Criminal Attempt	A	X
9A.28.030(2)	Child Molestation 1 – Criminal Solicitation	A	X
9A.44.086	Child Molestation 2	B	VII
9A.44.089	Child Molestation 3	C	V
9.68A.090(2)	Communication with Minor for Immoral Purposes (Subsequent Violation or Prior Sex Offense Conviction)	C	III
9A.64.020(1)	Incest 1	B	VI
9A.64.020(2)	Incest 2	C	V
9A.28.030(2)	Indecent Liberties - With Forcible Compulsion – Criminal Solicitation	A	X
9A.44.100(2)(b)	Indecent Liberties - With Forcible Compulsion	A	X
9A.28.020(3)(a)	Indecent Liberties - With Forcible Compulsion – Criminal Attempt	A	X
9A.44.100(2)(a)	Indecent Liberties - Without Forcible Compulsion	B	VII
9A.40.030(3)(b)	Kidnapping 2 With a Finding of Sexual Motivation	A	V
9A.40.090	Luring of a Child or Developmentally Disabled Person	C	Unranked
9A.44.040	Rape 1	A	XII
9A.28.020(3)(a)	Rape 1 – Criminal Attempt	A	XII
9A.28.030(2)	Rape 1 – Criminal Solicitation	A	XII
9A.44.050	Rape 2	A	XI
9A.28.020(3)(a)	Rape 2 – Criminal Attempt	A	XI
9A.28.030(2)	Rape 2 – Criminal Solicitation	A	XI
9A.44.073	Rape of a Child 1	A	XII
9A.28.020(3)(a)	Rape of a Child 1 – Criminal Attempt	A	XII
9A.28.030(2)	Rape of a Child 1 – Criminal Solicitation	A	XII
9A.44.076	Rape of a Child 2	A	XI
9A.28.020(3)(a)	Rape of a Child 2 – Criminal Attempt	A	XI
9A.28.030(2)	Rape of a Child 2 – Criminal Solicitation	A	XI
9A.44.079	Rape of a Child 3	C	VI
9A.44.093	Sexual Misconduct with a Minor 1	C	V
Any class A or B felony with a finding of sexual motivation as defined in RCW 9.94A.030(47)			
A felony violation of RCW 9.68A.090			

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## FELONY INDEX BY OFFENSE

Statute (RCW)	Offense	Class	Seriousness Level
9A.42.060	Abandonment of Dependent Persons 1	B	IX
9A.42.070	Abandonment of Dependent Persons 2	C	V
29A.84.680(1)	Absentee Voting Violation	C	Unranked
46.52.130(5)(b)	Abstracts of Driving Records – Intentional Misuse	C	Unranked
20.01.460(2)	Acting as Commission Merchant, Dealer, Cash Buyer Without License	C	Unranked
9A.82.030	Advancing Money or Property for Extortionate Extension of Credit	B	V
69.52.030(3)	Advertising Imitation Controlled Substances	C	Unranked
10.95.020	Aggravated Murder 1	A	XVI
30.42.290(3)	Alien Bank or Bureau – Destroy or Secrete Records	B	Unranked
30.42.290(2)	Alien Bank or Bureau – False Entry, Statements, etc.	B	Unranked
9.41.171	Alien Possession of a Firearm	C	Unranked
9.45.210	Altering Sample or Certificate of Assay	C	Unranked
9A.76.177	Amber Alert – Making False Statements to a Public Servant	C	Unranked
68.64.160	Anatomical Gift - Illegal Financial Gain	C	Unranked
68.64.150	Anatomical Gifts - Illegal Purchase or Sale	C	Unranked
16.52.205(2)	Animal Cruelty 1	C	Unranked
16.52.205(3)	Animal Cruelty 1 - Sexual Contact or Conduct	C	III
16.52.117	Animal Fighting	C	Unranked
9A.48.020	Arson 1	A	VIII
9A.28.020(3)(a)	Arson 1 – Criminal Attempt	A	VIII
9A.28.030(2)	Arson 1 – Criminal Solicitation	A	VIII
9A.48.030	Arson 2	B	IV
9A.36.011	Assault 1	A	XII
9A.36.021(2)(a)	Assault 2	B	IV
9A.36.021(2)(b)	Assault 2 With a Finding of Sexual Motivation	A	IV
9A.36.031(1) (a)-(g) & (i)-(j)	Assault 3 – Excluding Assault 3 of a Peace Officer with a Projectile Stun Gun	C	III
9A.36.031(1)(h)	Assault 3 - Of a Peace Officer with a Projectile Stun Gun	C	IV
79A.60.060	Assault by Watercraft	B	IV
9A.36.120	Assault of a Child 1	A	XII
9A.36.130	Assault of a Child 2	B	IX
9A.36.140	Assault of a Child 3	C	III
9.05.030	Assembly of Saboteurs	B	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
72.23.170	Assist Escape of Mental Patient	C	Unranked
9A.82.080(3)	Attempt or Conspiracy to Violate RCW 9A.82.080(1) or (2)	C	Unranked
46.61.024	Attempting to Elude Pursuing Police Vehicle	C	I
9A.76.170(3)(b)	Bail Jumping with Class A Felony	B	V
9A.76.170(3)(c)	Bail Jumping with Class B or C Felony	C	III
9A.76.170(3)(a)	Bail Jumping with Murder 1	A	VI
30.12.100	Bank or Trust Company - Destroy or Secrete Records	B	Unranked
30.12.090	Bank or Trust Company - False Entry, Statements, etc.	B	Unranked
30.44.120	Bank or Trust Company - Receiving Deposits When Insolvent	B	Unranked
30.44.110	Bank or Trust Company - Transfer of Assets Prior to Insolvency	B	Unranked
9A.64.010	Bigamy	C	Unranked
9A.72.100	Bribe Received by Witness	B	IV
9A.68.010	Bribery	B	VI
9A.72.090	Bribing a Witness	B	IV
9.46.155	Bribing to Obtain a License From Public Officials, Employees, Agents	C	Unranked
72.23.300	Bringing Narcotics, Liquor, or Weapons into State Institution or Grounds	B	Unranked
9.47.120	Bunco Steering	B	Unranked
9A.52.020	Burglary 1	A	VII
9A.52.030	Burglary 2	B	III
46.87.260	Cab Card Forgery	B	Unranked
9.46.180	Causing Person to Violate Gambling Laws	B	Unranked
9.46.1961	Cheating 1	C	IV
9A.64.030(3)(b)	Child Buying	C	Unranked
49.12.410(2)	Child Labor Law Violation – Death/Disability	C	Unranked
9A.44.083	Child Molestation 1	A	X
9A.28.020(3)(a)	Child Molestation 1 – Criminal Attempt	A	X
9A.28.030(2)	Child Molestation 1 – Criminal Solicitation	A	X
9A.44.086	Child Molestation 2	B	VII
9A.44.089	Child Molestation 3	C	V
9A.64.030(3)(a)	Child Selling	C	Unranked
9A.48.120	Civil Disorder Training	B	VII
70.245.200(2)	Coerce Patient to Request Life-ending Medication	A	Unranked
9A.82.045	Collection of Unlawful Debt	C	Unranked
9A.68.060	Commercial Bribery	B	IV
77.15.500(3)(b)	Commercial Fishing Without a License 1	C	II

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9.68A.100	Commercial Sexual Abuse of a Minor	B	VIII
19.158.160	Commercial Telephone Solicitor Deception (Value of \$250 or More)	C	Unranked
30.04.240	Commingling of Funds or Securities	B	Unranked
21.30.140	Commodity Transaction Violation	B	Unranked
9.68A.090(2)	Communication with Minor for Immoral Purposes (Subsequent Violation or Prior Sex Offense Conviction)	C	III
9A.52.110	Computer Trespass 1	C	II
19.144.100(2)	Control of Real Property Resulting from Mortgage Fraud Activities	B	Unranked
69.50.415	Controlled Substance Homicide	B	DG-III
69.50.416	Controlled Substance Label Violation	C	Unranked
9.16.035(4)	Counterfeiting - Endanger Public Health or Safety	C	IV
9.16.035(3)	Counterfeiting – Third Conviction and Value \$10,000 or More	C	II
69.50.4011(2) (a-b)	Create, Deliver or Possess a Counterfeit Controlled Substance – Schedule I or II Narcotic or Flunitrazepam or Methamphetamine	B	DG-II
69.50.4011(2) (c-e)	Create, Deliver or Possess a Counterfeit Controlled Substance – Schedule I-II Nonnarcotic, Schedule III-V Except Flunitrazepam or Methamphetamine	C	DG-II
31.12.724(3)	Credit Union - Fraudulent Receipt of Credit Union Deposit	B	Unranked
31.12.724(2)	Credit Union - Transfer of Credit Union Assets Prior to Insolvency	B	Unranked
9.08.090	Crimes Against Animal Facilities	C	Unranked
9A.46.120	Criminal Gang Intimidation	C	III
9A.60.040	Criminal Impersonation 1	C	Unranked
9A.42.020	Criminal Mistreatment 1	B	X
9A.42.030	Criminal Mistreatment 2	C	V
9A.82.160	Criminal Profiteering Lien After Service of Notice	C	Unranked
9.05.060(2)	Criminal Sabotage	B	Unranked
9A.44.196	Criminal Trespass Against Children	C	Unranked
9A.36.100	Custodial Assault	C	III
9A.40.060	Custodial Interference 1	C	Unranked
9A.40.070	Custodial Interference 2 (Subsequent Offense)	C	Unranked
9A.44.160	Custodial Sexual Misconduct 1	C	V
9.61.260(3)	Cyberstalking (With Prior Harassment Conviction or Threat of Death)	C	III
43.06.230	Damage Property or Cause Personal Injury after State of Emergency Proclaimed	B	Unranked
16.08.100(2)	Dangerous Dog Attack (Subsequent Offense)	C	Unranked
16.08.100(3)	Dangerous Dog Attack Resulting in Severe Injury or Death	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9.68A.050(1)	Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 1 (Effective 6/10/2010)	B	VII
9.68A.050(2)	Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (Effective 6/10/2010)	C	V
22.09.310	Dealing in Unauthorized Warehouse Receipts for Agricultural Commodities	C	Unranked
39.44.101	Defraud a Facsimile Signature on Bonds and Coupons	B	Unranked
87.03.200	Defraud Facsimile Signatures on Bonds and Coupons – Irrigation Districts	B	Unranked
19.110.120	Defraud or Provide Misleading or Untrue Documents Related to a Business Opportunity Sale	B	Unranked
9A.61.030	Defrauding a Public Utility 1	B	Unranked
9A.61.040	Defrauding a Public Utility 2	C	Unranked
19.48.110(1)(b)	Defrauding an Innkeeper (Value of \$75.00 or More)	B	Unranked
69.50.401(2)(b)	Deliver or Possess with Intent to Deliver - Methamphetamine	B	DG-II
69.50.4012	Delivery of a Material in Lieu of a Controlled Substance	C	DG-II
9.41.110(8)	Delivery of Firearm by Dealer to Ineligible Person	C	Unranked
9.41.080	Delivery of Firearms to Ineligible Person	C	Unranked
69.52.030(2)	Delivery of Imitation Controlled Substance by Person 18 or Over to Person Under 18	B	DG-III
35A.36.040	Designation of Bonds – Violation (Code Cities)	B	Unranked
35.36.040	Designation of Bonds – Violation (First Class Cities)	B	Unranked
27.44.040(1)	Destroying, Removing or Defacing Indian Graves	C	Unranked
68.60.040(1)	Destruction of Tomb, Plot, Marker, or Cemetery Property	C	Unranked
9.38.060	Digital Signatures Fraud	C	Unranked
9A.76.023(2)(a)	Disarming a Law Enforcement or Corrections Officer	C	Unranked
9A.76.023(2)(b)	Disarming a Law Enforcement or Corrections Officer and Firearm is Discharged	B	Unranked
19.110.075(2)	Disclosures Knowingly Not Provided at Sale of Business Opportunity (Violation of RCW 19.110.070)	B	Unranked
69.50.402	Dispensing Violation (VUCSA)	C	Unranked
82.26.190	Distributors and Retailer of Tobacco Products License Violation	C	Unranked
27.53.060	Disturbing Archaeological Resources or Site	C	Unranked
43.43.856	Divulging Confidential Investigative Information Pertaining to Organized Crime	B	Unranked
26.50.110	Domestic Violence Court Order Violation	C	V
9A.36.045	Drive-by Shooting	B	VII
46.61.502(6)	Driving While Under the Influence of Intoxicating Liquor or any Drug (Effective 7/1/2007)	C	V

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29A.84.270	Duplication of Name – Conspiracy to Mislead	B	Unranked
29A.84.320	Duplication of Names on Declaration of Candidacy	B	Unranked
29A.84.655	Election Officer Permits Repeat Vote	C	Unranked
29A.84.720	Election Officers – Violation	C	Unranked
29A.84.030	Election or Mail Ballot Violation	C	Unranked
19.300.020	Electronic Communication Devices – Illegal Scanning	C	Unranked
79A.60.090	Eluding a Law Enforcement Vessel	C	Unranked
18.39.350	Embalmers/Funeral Directors Violation	C	Unranked
43.08.140	Embezzlement by State Treasurer	B	Unranked
9A.42.100	Endangerment With a Controlled Substance	B	IV
46.80.020(b)	Engage in Business of Wrecking Vehicles Without a License (Subsequent Offense)	C	Unranked
51.48.103(2)	Engaging in Business after Certificate of Coverage Revocation	C	Unranked
77.15.620(3)(b)	Engaging in Fish Dealing Activity Unlicensed 1	C	II
16.08.100(4)	Entering Dog in a Dog Fight	C	Unranked
61.34.030	Equity Skimming	B	II
9.68.060	Erotic Material (Third or Subsequent Offense)	B	Unranked
9A.76.110	Escape 1	B	IV
9A.76.120	Escape 2	C	III
72.09.310	Escape from Community Custody	C	II
51.48.020(1)	Evading Industrial Insurance Premiums	C	Unranked
82.42.085	Evading the Collection of Aircraft Fuel Tax	C	Unranked
74.09.260	Excessive Charges, Payments	C	Unranked
48.06.190	Exhibiting False Accounts of Insurer	B	Unranked
70.74.180	Explosive Devices Prohibited	A	IX
9A.56.120	Extortion 1	B	V
9A.56.130	Extortion 2	C	III
9A.82.020	Extortionate Extension of Credit	B	V
9A.82.040	Extortionate Means to Collect Extensions of Credit	B	V
19.25.040(2)(a)	Failure to Disclose Origin of Certain Recordings (At Least 100 Recordings or Subsequent Conviction)	B	Unranked
19.25.040(2)(b)	Failure to Disclose Origin of Certain Recordings (More than 10 but Less Than 100 Recordings)	C	Unranked
36.18.170	Failure to Pay Over Fees to County Treasurer	C	Unranked
9A.44.132(3)	Failure to Register as a Kidnapping Offender	C	Unranked
9A.44.132(1)(a)	Failure to Register as a Sex Offender (First Violation)	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9A.44.132(1)(a)	Failure to Register as a Sex Offender (Second Violation Committed on or After 6/10/2010)	C	II
9A.44.132(1)(a)	Failure to Register as a Sex Offender (Subsequent Violation Committed on or After 6/7/2006 but Before 6/10/2010)	C	II
9A.44.132(1)(b)	Failure to Register as a Sex Offender (Third or Subsequent Violation Committed on or After 6/10/2010)	B	II
19.146.050	Failure to Use a Trust Account	C	Unranked
19.142.080	Failure to Use a Trust Account or Furnish Bond for Health Studio	C	Unranked
38.42.050	False Affidavit Under Service Member Civil Relief Act	C	Unranked
74.08.100	False Age and Residency Public Assistance Verification	B	Unranked
42.24.100	False Claim from Municipal Corporation (Charged as Perjury 2)	C	Unranked
42.17A.750	False Documents Registered with Public Disclosure Commission (Effective 1/1/2012)	C	Unranked
51.48.020(2)	False Information in Industrial Insurance Claim (Charged as Theft)	*	*
48.30.230	False Insurance Claims (Value in Excess of \$1,500)	C	Unranked
9.24.050	False Report of Corporation	B	Unranked
74.09.230	False Statement for Medical Assistance	C	Unranked
69.43.080	False Statement in Report of Precursor Drugs	C	Unranked
82.32.290(2)	False Statement to Department of Revenue	C	Unranked
19.230.300	False Statement, Misrepresentation or False Certification of Uniform Money services Record	C	Unranked
41.26.062	False Statements or Records to Defraud Law Enforcement Officers and Firefighters Retirement System	B	Unranked
41.32.055(1)	False Statements or Records to Defraud Teachers Retirement System	B	Unranked
74.09.250	False Statements Regarding Institutions, Facilities	C	Unranked
46.12.750(1)	False Statements, Illegal Transfers, Alterations or Forgeries of Vehicle Title	B	Unranked
65.12.740	False Swearing - Registration of Land Title (Charged as Perjury)	*	*
74.08.055(2)	False Verification for Welfare	B	I
26.20.030	Family Abandonment	C	Unranked
69.41.020	Forged Prescription - Legend Drug	B	DG-I
69.50.403	Forged Prescription for a Controlled Substance	C	DG-I
9A.60.020	Forgery	C	I
76.36.120	Forgery of Forest Product Mark	B	Unranked
65.12.760	Forgery of Registrar's Signature or Seal	B	Unranked
82.24.100	Forgery or Counterfeit Cigarette Tax Stamp	B	Unranked
70.245.200(1)	Forging Request for Medication	A	Unranked

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19.100.210	Franchise Investment Protection Violation	B	Unranked
29A.84.711	Fraud in Certification of Nomination or Ballot	C	Unranked
9.45.170	Fraud in Liquor Warehouse Receipts	C	Unranked
9.45.124	Fraud in Measurement of Goods	B	Unranked
9.26A.110(3)	Fraud in Obtaining Telecommunications Services (Value Exceeds \$250)	C	Unranked
67.24.010	Fraud in Sporting Contest	B	Unranked
9A.60.060	Fraudulent Creation or Revocation of Mental Health Advance Directive	C	I
76.48.141(1)(a)	Fraudulent Document as Specialized Forest Products Permit, Sales Invoice, Bill of Lading, etc.	C	Unranked
76.48.141(2)	Fraudulent Document for Specialized Forest Products Buyer	C	Unranked
9.45.270(3)	Fraudulent Filing of Vehicle Report of Sale (Value Exceeds \$1,500)	B	Unranked
9.45.270(2)	Fraudulent Filing of Vehicle Report of Sale (Value Exceeds \$250)	C	Unranked
9.24.020	Fraudulent Issue of Stock, Scrip, etc.	B	Unranked
48.102.160(3)	Fraudulent Life Insurance Settlement	B	Unranked
65.12.750	Fraudulent Procurement or False Entry on Land Title Registration	C	Unranked
76.48.141(1)(b)	Fraudulent Representation of Authority to Harvest Specialized Forest Products	C	Unranked
82.36.380	Fuel Tax Evasion	C	Unranked
9.46.160	Gambling Without License	B	Unranked
9.46.039	Greyhound Racing	B	Unranked
9A.46.020(2)(b)	Harassment (Subsequent Conviction or Threat of Death)	C	III
9A.76.200	Harming a Police Dog/Horse or an Accelerate Detection Dog	C	Unranked
48.80.030	Health Care False Claims	C	II
46.52.020(4)(a)	Hit and Run - Death	B	IX
46.52.020(4)(b)	Hit and Run - Injury	C	IV
79A.60.200(3)	Hit and Run with Vessel - Injury Accident	C	IV
9.94.030	Holding Hostages or Interfering with Officer's Duty	B	Unranked
9A.32.055	Homicide by Abuse	A	XV
79A.60.050(1)(c)	Homicide by Watercraft - Disregard for the Safety of Others	A	VII
79A.60.050(1)(b)	Homicide by Watercraft – In a Reckless Manner	A	VIII
79A.60.050(1)(a)	Homicide by Watercraft – While Under the Influence of Intoxicating Liquor or any Drug	A	IX
9.35.020(2)	Identity Theft 1	B	IV
9.35.020(3)	Identity Theft 2	C	II
69.41.040	Illegal Issuance of Legend Drug Prescription	B	Unranked

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9.16.020	Imitating Lawful Brands With Intent	C	Unranked
19.146.235(9)	Impairing Mortgage Broker Investigation	B	Unranked
19.144.090(2)	Impairing Mortgage Fraud Investigation	B	Unranked
9.35.010	Improperly Obtaining Financial Information	C	II
9A.64.020(1)	Incest 1	B	VI
9A.64.020(2)	Incest 2	C	V
9A.88.010(2)(c)	Indecent Exposure to a Person Under Age 14 (Subsequent Conviction or Has Prior Sex Offense Conviction)	C	IV
9A.44.100(2)(b)	Indecent Liberties - With Forcible Compulsion	A	X
9A.28.020(3)(a)	Indecent Liberties - With Forcible Compulsion – Criminal Attempt	A	X
9A.28.030(2)	Indecent Liberties - With Forcible Compulsion – Criminal Solicitation	A	X
9A.44.100(2)(a)	Indecent Liberties - Without Forcible Compulsion	B	VII
9.45.126	Inducing Fraud in Measurement of Goods	B	Unranked
9A.82.070	Influencing Outcome of Sporting Event	C	IV
40.16.010	Injury to a Public Record	C	Unranked
40.16.020	Injury to and Misappropriation of Public Record by Officer	B	Unranked
88.08.050(1)	Injury to Lighthouses or United States Light	B	Unranked
9.24.030	Insolvent Bank Receiving Deposit	B	Unranked
48.06.030	Insurance Solicitation Permit Violation	B	Unranked
9.91.170(5)	Intentional Infliction, Injury or Death to a Guide Dog or Service Animal	C	Unranked
9.91.175(3)	Intentionally Injures, Disables or Causes Death of an On-Duty Search and Rescue Dog	C	Unranked
9.73.230	Intercepting, Transmitting or Recording Conversations Concerning Controlled Substances	C	Unranked
69.25.155(1)	Interference with Person Performing Official Duties	C	Unranked
69.25.155(2)	Interference with Person Performing Official Duties With a Deadly Weapon	B	Unranked
9A.72.160	Intimidating a Judge	B	VI
9A.72.130	Intimidating a Juror	B	VI
9A.76.180	Intimidating a Public Servant	B	III
9A.72.110	Intimidating a Witness	B	VI
70.74.275	Intimidation or Harassment With an Explosive	C	Unranked
9A.76.140	Introducing Contraband 1	B	VII
9A.76.150	Introducing Contraband 2	C	III
69.50.4015	Involving a Minor in Drug Dealing	C	DG-III
9A.60.070	Issuing a False Academic Credential	C	Unranked
9A.40.020	Kidnapping 1	A	X

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9A.40.030(3)(a)	Kidnapping 2	B	V
9A.40.030(3)(b)	Kidnapping 2 With a Finding of Sexual Motivation	A	V
16.52.320	Kill or Cause Substantial Harm With Malice to Livestock (Effective 7/22/2011)	C	Unranked
9A.82.060(1)(b)	Leading Organized Crime - Inciting Criminal Profiteering	B	IX
9A.82.060(1)(a)	Leading Organized Crime – Organizing Criminal Profiteering	A	X
46.70.021	Licensing Violation for Car Dealers or Manufacturers (Subsequent Violation)	C	Unranked
30.12.120	Loan to Officer or Employee from Trust Fund	B	Unranked
67.70.130	Lottery Fraud	B	Unranked
9A.40.090	Luring of a Child or Developmentally Disabled Person	C	Unranked
9A.56.370	Mail Theft (Effective 7/22/2011)	C	Unranked
9.47.090	Maintaining a Bucket Shop	C	Unranked
69.50.402	Maintaining a Dwelling or Place for Controlled Substances	C	DG-II
9.45.220	Making False Sample or Assay of Ore	C	Unranked
70.74.280(1)	Malicious Explosion of a Substance 1	A	XV
70.74.280(2)	Malicious Explosion of a Substance 2	A	XIII
70.74.280(3)	Malicious Explosion of a Substance 3	B	X
9A.36.080	Malicious Harassment	C	IV
81.60.070	Malicious Injury to Railroad Property	B	III
9A.48.070	Malicious Mischief 1	B	II
9A.48.080	Malicious Mischief 2	C	I
70.74.270(1)	Malicious Placement of an Explosive 1	A	XIII
70.74.270(2)	Malicious Placement of an Explosive 2	B	IX
70.74.270(3)	Malicious Placement of an Explosive 3	B	VII
70.74.272(1)(a)	Malicious Placement of an Imitation Device 1	B	XII
70.74.272(1)(b)	Malicious Placement of an Imitation Device 2	C	VI
9.62.010(1)	Malicious Prosecution	C	Unranked
9.45.260	Malicious Sprinkler Contractor Work	C	Unranked
9A.32.060	Manslaughter 1	A	XI
9A.32.070	Manslaughter 2	B	VIII
69.50.401(2)(b)	Manufacture Methamphetamine	B	DG-III
69.50.401(2)(b)	Manufacture, Deliver or Possess with Intent to Deliver - Amphetamine	B	DG-II
69.50.401(2)(c)	Manufacture, Deliver or Possess with Intent to Deliver - Marijuana	C	DG-I
69.50.401(2)(a)	Manufacture, Deliver or Possess with Intent to Deliver - Narcotics from Schedule I or II or Flunitrazepam from Schedule IV	B	DG-II

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
69.50.401(2) (c-e)	Manufacture, Deliver or Possess with Intent to Deliver - Narcotics from Schedule III, IV, or V or Nonnarcotics from Schedule I-V (except Marijuana, Amphetamine, Methamphetamine, or Flunitrazepam)	C	DG-II
69.52.030(1)	Manufacture, Distribute or Possess with Intent to Distribute an Imitation Controlled Substance	C	DG-II
70.74.022(1)	Manufacture, Purchase, Sell or Store Explosive Device Without License	C	Unranked
46.20.0921(3) (a)	Manufacture, Sell or Deliver Forged Driver's License or Identocard	C	Unranked
82.24.570(2)	Manufacture, Sell or Possess Counterfeit Cigarettes	C	Unranked
82.24.570(3)	Manufacture, Sell or Possess Counterfeit Cigarettes (Subsequent Violation)	B	Unranked
69.51A.060	Medical Marijuana Fraudulent Records	C	Unranked
9.81.030	Member of Subversive Organization	C	Unranked
78.44.330	Mineral Trespass	C	I
42.20.070	Misappropriating and Falsifying Accounts by Public Officer	B	Unranked
42.20.090	Misappropriating and Falsifying Accounts by Treasurer	C	Unranked
9.82.030	Misprision of Treason	C	Unranked
29A.08.740	Misuse of Registered Voter Data	C	Unranked
29A.84.150	Misuse or Alteration of Registration Database	C	Unranked
9.45.070	Mock Auction	C	Unranked
9A.83.020	Money Laundering	B	Unranked
19.144.080	Mortgage Fraud	B	III
9A.32.030	Murder 1	A	XV
9A.28.020(3)(a)	Murder 1 – Criminal Attempt	A	XV
9A.28.040(3)(a)	Murder 1 - Criminal Conspiracy	A	XV
9A.28.030(2)	Murder 1 – Criminal Solicitation	A	XV
9A.32.050	Murder 2	A	XIV
9A.28.020(3)(a)	Murder 2 – Criminal Attempt	A	XIV
9A.28.030(2)	Murder 2 – Criminal Solicitation	A	XIV
32.04.110	Mutual Savings Bank - Conceal or Destroy Evidence	B	Unranked
32.04.100	Mutual Savings Bank - Falsify Savings Book, Document or Statement	B	Unranked
32.24.080	Mutual Savings Bank - Transfer Bank Assets After Insolvency	B	Unranked
46.37.675	Negligently Causing Death By Use of a Signal Preemption Device	B	VII
46.37.674	Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device	B	III
69.50.403	Obtain Controlled Substance by Fraud or Forged Prescription	C	DG-I
9A.60.030	Obtaining Signature by Deception or Duress	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
46.70.180(5)	Odometer Offense	C	Unranked
40.16.030	Offering False Instrument for Filing or Record	C	Unranked
68.50.140(3)	Opening Graves With Intent to Sell or Remove Personal Effects or Human Remains	C	Unranked
90.56.540	Operation of a Vessel While Under the Influence of Intoxicating Liquor or Drugs	C	Unranked
9A.56.350(2)	Organized Retail Theft 1	B	III
9A.56.350(3)	Organized Retail Theft 2	C	II
69.50.406(1)	Over 18 and Deliver Heroin, Methamphetamine, a Narcotic from Schedule I or II, or Flunitrazepam from Schedule IV to Someone Under 18	A	DG-III
69.50.406(2)	Over 18 and Deliver Narcotic from Schedule III, IV or V, or a Nonnarcotic, Except Flunitrazepam or Methamphetamine, from Schedule I-V to Someone Under 18 and 3 Years Junior	B	DG-III
9.46.215	Ownership or Interest in Gambling Device	C	Unranked
69.30.085	Participation in Shellfish Operation or Activities While License is Denied, Revoked or Suspended (Effective 7/22/2011)	C	Unranked
74.09.240(2)	Paying or Offering Bribes, Kickbacks or Rebates	C	Unranked
9A.72.020	Perjury 1	B	V
9A.72.030	Perjury 2	C	III
9.94.070	Persistent Prison Misbehavior	C	V
82.32.290(4)	Phantomware Violation	C	Unranked
46.61.504(6)	Physical Control of a Vehicle While Under the Influence of Intoxicating Liquor or any Drug (Effective 7/1/2007)	C	V
69.40.030	Placing Poison or Other Harmful Object or Substance in Food, Drinks, Medicine or Water	B	Unranked
69.40.020	Poison in Milk or Food Product	C	Unranked
9A.58.020	Possessing or Capturing Personal Identification Document	C	Unranked
9A.56.310	Possession of a Stolen Firearm	B	V
9A.56.068	Possession of a Stolen Vehicle	B	II
9.94.041(2)	Possession of Controlled Substance by Prisoner (County or Local Facility)	C	Unranked
9.94.041(1)	Possession of Controlled Substance by Prisoner (State Facility)	C	Unranked
9.94.045	Possession of Controlled Substance in Prison by Non-prisoner	C	Unranked
69.50.4013	Possession of Controlled Substance That is a Narcotic from Schedule III, IV or V or Nonnarcotic from Schedule I-V (Except Phencyclidine or Flunitrazepam), e.g. Methamphetamine, Marijuana	C	DG-I
69.50.4013	Possession of Controlled Substance That is Either Heroin or Narcotics from Schedule I or II or Flunitrazepam from Schedule IV, e.g. Cocaine, PCP	C	DG-I
9.68A.070(1)	Possession of Depictions of Minor Engaged in Sexually Explicit Conduct 1	B	VI

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9.68A.070(2)	Possession of Depictions of Minor Engaged in Sexually Explicit Conduct 2	C	IV
69.50.440	Possession of Ephedrine, Pseudoephedrine or Anhydrous Ammonia with Intent to Manufacture Methamphetamine	B	DG-III
9.40.120	Possession of Incendiary Device	B	III
9.41.190	Possession of Machine Gun, Short-barreled Shotgun or Short-barreled Rifle	C	III
69.41.350	Possession of Steroids in Excess of 200 tablets or (8) 2cc Bottles Without a Valid Prescription	C	Unranked
9A.56.380	Possession of Stolen Mail (Effective 7/22/2011)	C	Unranked
9A.56.150	Possession of Stolen Property 1 (Other Than Firearm or Motor Vehicle)	B	II
9A.56.160	Possession of Stolen Property 2 (Other Than Firearm or Motor Vehicle)	C	I
9.94.040(2)	Possession of Weapons by Prisoners (County or Local Facility)	C	Unranked
9.94.040(1)	Possession of Weapons by Prisoners (State Facility)	B	Unranked
9.94.043	Possession of Weapons in Prison by Non-prisoner	B	Unranked
9.94.010	Prison Riot	B	Unranked
9.46.220	Professional Gambling 1	B	Unranked
9.46.221	Professional Gambling 2	C	Unranked
9A.36.060	Promoting a Suicide Attempt	C	Unranked
9.68A.101	Promoting Commercial Sexual Abuse of a Minor	A	XII
67.08.015	Promoting Illegal Boxing, Martial Arts and Wrestling	C	Unranked
9.68.140	Promoting Pornography	C	Unranked
9A.88.070	Promoting Prostitution 1	B	VIII
9A.88.080	Promoting Prostitution 2	C	III
9.68A.102	Promoting Travel for Commercial Sexual Abuse of a Minor	C	Unranked
9A.88.085	Promoting Travel for Prostitution	C	Unranked
29A.84.311	Provides False Information or Conceals or Destroys Candidacy Declaration or Nominating Petition	C	Unranked
26.04.210	Providing False Statements in Affidavits for Marriage	C	Unranked
68.50.140(2)	Purchasing or Receiving Human Remains	C	Unranked
9A.44.040	Rape 1	A	XII
9A.28.020(3)(a)	Rape 1 – Criminal Attempt	A	XII
9A.28.030(2)	Rape 1 – Criminal Solicitation	A	XII
9A.44.050	Rape 2	A	XI
9A.28.020(3)(a)	Rape 2 – Criminal Attempt	A	XI
9A.28.030(2)	Rape 2 – Criminal Solicitation	A	XI
9A.44.060	Rape 3	C	V
9A.44.073	Rape of a Child 1	A	XII

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9A.28.020(3)(a)	Rape of a Child 1 – Criminal Attempt	A	XII
9A.28.030(2)	Rape of a Child 1 – Criminal Solicitation	A	XII
9A.44.076	Rape of a Child 2	A	XI
9A.28.020(3)(a)	Rape of a Child 2 – Criminal Attempt	A	XI
9A.28.030(2)	Rape of a Child 2 – Criminal Solicitation	A	XI
9A.44.079	Rape of a Child 3	C	VI
74.09.240(1)	Receiving or Asking for Bribes, Kickbacks or Rebates	C	Unranked
9A.68.030	Receiving or Granting Unlawful Compensation	C	Unranked
81.60.080(2)	Receiving Stolen Railroad Property	C	Unranked
9A.48.040	Reckless Burning 1	C	I
90.56.530	Reckless Operation of a Tank Vessel	C	Unranked
19.110.075(2)	Registration Knowingly Not Obtained Prior to Sale of Business Opportunity (Violation of RCW 19.110.050)	B	Unranked
70.94.430(3)	Releasing Into Ambient Air Hazardous Air Pollutant	C	Unranked
46.12.560	Removal of Sticker on Vehicle Stating Previously Destroyed or Title 1 Loss	C	Unranked
68.50.140(4)	Removal, Disinterment or Mutilation of Human Remains	C	Unranked
68.60.050	Removes, Defaces or Destroys any Historic Grave	C	Unranked
68.50.140(1)	Removing Human Remains	C	Unranked
9.16.010	Removing Lawful Brands	C	Unranked
9A.76.070(2)(a)	Rendering Criminal Assistance 1	B	V
19.25.020(2)(a)	Reproduction of Sound Recording Without Consent of Owner - Recording Fixed Before 2/15/1972 (At Least 1,000 Recordings or Subsequent Conviction)	B	Unranked
19.25.020(2)(b)	Reproduction of Sound Recording Without Consent of Owner - Recording Fixed Before 2/15/1972 (More Than 100 but Less Than 1,000 Recordings)	C	Unranked
9A.68.020	Requesting Unlawful Compensation	C	Unranked
9A.52.025	Residential Burglary	B	IV
9A.56.360(2)	Retail Theft with Special Circumstances 1	B	III
9A.56.360(3)	Retail Theft with Special Circumstances 2	C	II
9A.56.360(4)	Retail Theft with Special Circumstances 3	C	Unranked
9A.84.010(2)(b)	Riot	C	Unranked
9A.56.200	Robbery 1	A	IX
9A.56.210	Robbery 2	B	IV
81.60.080(1)	Sabotaging Rolling Stock	C	Unranked
69.41.030(2)(a)	Sale, Delivery or Possession With Intent to Sell Legend Drug Without Prescription	B	Unranked
33.36.040	Savings and Loan Association - Making False Statement of Assets or	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
	Liabilities		
33.36.030	Savings and Loan Association - Preference in Case of Insolvency	C	Unranked
33.36.060	Savings and Loan Association - Suppressing, Secreting or Destroying Evidence or Records	C	Unranked
19.290.100	Sexrap Processing, Recycling, or Supplying Without a License (Second or Subsequent Offense)	C	II
19.60.067(2)	Second-hand Precious Metal Dealer Violations (Subsequent Violation) (Effective 7/22/2011)	C	Unranked
21.20.400	Securities Act Violation	B	III
46.20.0921(2)	Sell or Deliver a Stolen Driver's License or Identocard	C	Unranked
27.44.040(2)	Selling Artifacts or Human Remains from Indian Graves	C	Unranked
69.50.410	Selling for Profit (Controlled or Counterfeit) any Controlled Substance in Schedule I	C	DG-III
48.160.080	Sells Guaranteed Asset Protection Waivers Without Registration	B	Unranked
9.68A.060(2)	Sending, Bringing into the State Depictions of Minor Engaged in Sexually Explicit Conduct 2	C	V
9.68A.060(1)	Sending, Bringing into the State Depictions of Minor Engaged in Sexually Explicit Conduct 1	B	VII
9.68A.040	Sexual Exploitation of a Minor	B	IX
9A.44.093	Sexual Misconduct with a Minor 1	C	V
9A.44.105	Sexually Violating Human Remains	C	V
9A.76.115	Sexually Violent Predator Escape	A	X
70.155.140	Shipping or Transporting Tobacco Products Ordered Through Mail or Internet	C	Unranked
82.38.270	Special Fuel Violations	C	Unranked
77.15.450(3)(b)	Spotlighting Big Game 1	C	I
9A.46.110	Stalking	B	V
67.70.160	State Lottery Violations Except Lottery fraud and Unlicensed Lottery Activity	C	Unranked
9.45.020	Substitution of Child	B	Unranked
9.81.020	Subversive Acts	B	Unranked
77.15.670(3)(b)	Suspension of Department Privileges 1	C	I
9A.56.070	Taking Motor Vehicle Without Permission 1	B	V
9A.56.075	Taking Motor Vehicle Without Permission 2	C	I
9A.72.120	Tampering with a Witness	C	III
29A.84.550	Tampering with Election Materials	C	Unranked
9.40.105	Tampering with Fire Alarm, Emergency Signal, or Fire-fighting Equipment with Intent to Commit Arson	B	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
88.08.020	Tampering with Lights or Signals	B	Unranked
29A.84.560	Tampering with Voting Machine	C	Unranked
9.61.230(2)	Telephone Harassment (With Prior Harassment Conviction or Threat of Death)	C	III
9A.56.030	Theft 1 (Excluding Firearm and Motor Vehicle)	B	II
9A.56.040	Theft 2 (Excluding Firearm and Motor Vehicle)	C	I
9A.56.300	Theft of a Firearm	B	VI
9A.56.065	Theft of a Motor Vehicle	B	II
69.55.010	Theft of Ammonia	C	VIII
9A.56.080	Theft of Livestock 1	B	IV
9A.56.083	Theft of Livestock 2	C	III
9A.56.096(5)(b)	Theft of Rental, Leased, Lease-purchased or Loaned Property (Valued at \$750 or More but Less Than \$5,000)	C	I
9A.56.096(5)(a)	Theft of Rental, Leased, Lease-purchased or Loaned Property (Valued at \$5,000 or More)	B	II
9A.56.262	Theft of Telecommunication Service	C	Unranked
9A.56.340(2)	Theft with Intent to Resell 1	B	III
9A.56.340(3)	Theft with Intent to Resell 2	C	II
9A.36.090	Threats Against Governor or Family	C	Unranked
9.61.160	Threats to Bomb	B	IV
64.36.210	Timeshare Fraud	C	Unranked
64.36.020(5)(b)	Timeshare Registration Requirement Violation	C	Unranked
9A.68.040	Trading in Public Office	C	Unranked
9A.68.050	Trading in Special Influence	C	Unranked
9A.40.100(1)	Trafficking 1	A	XIV
9A.40.100(2)	Trafficking 2	A	XII
48.30A.015	Trafficking in Insurance Claims (Subsequent Violation)	C	II
9A.82.050	Trafficking in Stolen Property 1	B	IV
9A.82.055	Trafficking in Stolen Property 2	C	III
48.17.063(4)	Transaction of Insurance Business Beyond the Scope of Licensure (Violation of RCW 48.17.060)	B	I
9.46.240	Transmission or Receiving Gambling Information by Internet	C	Unranked
70.105.085(1)(a)	Transport, Disposal or Export of Hazardous Waste That Places Another Person in Danger of Injury or Death	B	Unranked
70.105.085(1)(b)	Transport, Disposal or Export of Hazardous Waste That Places Another Person's Property in Danger of Harm	C	Unranked
82.24.110(2)	Transportation of More Than 10,000 Cigarettes Without Proper Stamps	C	Unranked

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68.60.040(3)	Transports Removed Human Remains, Opens a Grave or Removes Personal Effects from Grave	C	Unranked
9.82.010	Treason	A	Unranked
9.91.150(1)	Tree Spiking	C	Unranked
9.02.120	Unauthorized Abortion	C	Unranked
68.44.060	Unauthorized Loans to Cemetery Authority	C	Unranked
29A.84.545	Unauthorized Removal of Paper Record from Electronic Voting Device	C	Unranked
39.62.040	Unauthorized Use of Public Official Facsimile Signature or Seal	B	Unranked
68.05.330	Unfair Practice of Funeral or Cemetery Board	C	Unranked
19.225.110	Uniform Athlete Agent Act Violation	C	Unranked
69.43.070(1)	Unlawful Delivery of Precursor Drug with Intent to Use	B	Unranked
9A.49.020	Unlawful Discharge of a Laser 1	C	Unranked
74.09.290	Unlawful Disclosure of Patient Records or DSHS Information	C	Unranked
9A.56.290(4)(a)	Unlawful Factoring of a Credit or Payment Card Transaction	C	II
9A.56.290(4)(b)	Unlawful Factoring of a Credit or Payment Card Transaction (Subsequent Violation)	B	IV
69.53.020	Unlawful Fortification of Building for Drug Purposes	C	Unranked
77.15.410(3)(b)	Unlawful Hunting of Big Game 1	C	III
9A.40.040	Unlawful Imprisonment	C	III
9A.56.060(4)	Unlawful Issuance of Checks or Drafts (Value Greater Than \$750)	C	I
9A.56.264	Unlawful Manufacture of a Telecommunication Device	C	Unranked
69.04.938(3)	Unlawful Misbranding of Food Fish or Shellfish 1	C	III
88.46.080(2)(b)	Unlawful Operation of a Covered Vessel (Subsequent Violation)	C	Unranked
90.56.300(2)(b)	Unlawful Operation of Onshore or Offshore Facility (Subsequent Conviction)	C	Unranked
77.15.570(2)	Unlawful Participation on Non-Indians in Indian Fishery	C	II
9.41.040(1)	Unlawful Possession of a Firearm 1	B	VII
9.41.040(2)	Unlawful Possession of a Firearm 2	C	III
9A.56.320(3)	Unlawful Possession of a Personal Identification Device	C	I
9A.56.320(4)	Unlawful Possession of Fictitious Identification	C	I
9A.56.320(5)	Unlawful Possession of Instruments of Financial Fraud	C	I
9A.56.320(2)	Unlawful Possession of Payment Instruments	C	I
2.48.180	Unlawful Practice of Law (Subsequent Violation)	C	II
9A.56.320(1)	Unlawful Production of Payment Instruments	C	I
77.15.650(3)(b)	Unlawful Purchase or Use of a License 1	C	II

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
69.43.070(2)	Unlawful Receipt of Precursor Drug with Intent to Use	B	Unranked
9.91.144	Unlawful Redemption of Food Stamps	C	I
77.15.250(2)(b)	Unlawful Release of Deleterious Exotic Wildlife	C	I
9A.56.266	Unlawful Sale of a Telecommunication Device	C	Unranked
9A.56.230	Unlawful Sale of Subscription Television Services	C	Unranked
46.12.750(3)	Unlawful Sale of Vehicle Certificate of Ownership	C	Unranked
18.64.046(7)	Unlawful Selling of Ephedrine, Pseudoephedrine or Phenylpropanolamine by a Wholesaler	C	Unranked
65.12.730	Unlawful Stealing or Carrying Away Certification of Land Registration (Charged as Theft)	*	*
69.55.020	Unlawful Storage of Ammonia	C	VI
19.116.080(1)	Unlawful Subleasing of Motor Vehicle	C	Unranked
77.15.120(3)(b)	Unlawful Taking of Endangered Fish or Wildlife 1	C	III
77.15.770(2)	Unlawful Trade in Shark Fins 1 (Effective 7/22/2011)	C	Unranked
77.15.260(3)(b)	Unlawful Trafficking in Fish, Shellfish or Wildlife 1	B	III
77.15.260(3)(a)	Unlawful Trafficking in Fish, Shellfish or Wildlife 2	C	II
9.91.142(1)	Unlawful Trafficking in Food Stamps	C	I
48.44.016(3)	Unlawful Transaction of Health Coverage as Health Care Service Contractor	B	IV
48.46.033(3)	Unlawful Transaction of Health Coverage as Health Maintenance Organization	B	IV
48.15.023(3)	Unlawful Transaction of Insurance Business	B	IV
19.116.080(2)	Unlawful Transfer of Ownership of Motor Vehicle	C	Unranked
77.15.530(4)	Unlawful Use of a Nondesignated Vessel	C	III
18.04.370(1)(b)	Unlawful Use of a Professional Title	C	Unranked
69.53.010	Unlawful Use of Building for Drug Purposes	C	DG-I
18.04.370(1)(c)	Unlawful Use of CPA Title After Suspension	C	Unranked
77.15.630(3)(b)	Unlawful Fish and Shellfish Catch Accounting 1	C	I
69.53.030	Unlawful Use of Fortified Building	C	Unranked
66.44.120(2)(b)	Unlawful Use of Liquor Board Seal (Third or Subsequent Offense)	C	Unranked
77.15.580(3)(b)	Unlawful Use of Net to Take Fish	C	I
77.15.253(3)	Unlawful Use of Prohibited Aquatic Animal Species (Subsequent Violation)	C	I
19.310.120	Unlawfully Engaging in Business as an Exchange Facilitator (RCW 19.310.100(1)-(9))	B	Unranked
82.24.500	Unlawfully Purchase, Sell, Consign or Distribute Cigarettes	C	Unranked
48.102.160(4)	Unlicensed Life Insurance Provider	B	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
67.70.140	Unlicensed Lottery Activity	B	Unranked
48.17.063(2)	Unlicensed Practice as an Insurance Professional	B	IV
18.130.190(7)(b)	Unlicensed Practice of a Profession or Business (Subsequent Violation)	C	II
48.102.160(5)	Unlicensed Settlement Broker	B	Unranked
29A.84.660	Unqualified Person Voting	C	Unranked
29A.84.140	Unqualified Voting Registration	C	Unranked
19.210.040	Unused Property, Merchants –Prohibited Sales (Third or Subsequent Offense Within 5 Years)	C	Unranked
46.37.673	Use of a Signal Preemption Device Resulting in Property Damage or Less Substantial Bodily Harm	C	Unranked
9.41.225	Use of Machine Gun in Commission of a Felony	A	VII
9A.82.080(1-2)	Use of Proceeds of Criminal Profiteering	B	IV
19.25.030(2)(a)	Use of Recording of Live Performance Without Consent of Owner (At Least 1,000 Recordings or at Least 100 Unauthorized Audiovisual Recordings or Subsequent Offense)	B	Unranked
19.25.030(2)(b)	Use of Recording of Live Performance Without Consent of Owner (At Least 100 but Less Than 1,000 Recordings or More than 10 but Less Than 100 Unauthorized Audiovisual Recording or Subsequent Offense)	C	Unranked
19.144.100(1)	Use or Investment of Proceeds from Mortgage Fraud Activities	B	Unranked
9A.52.095	Vehicle Prowl 1	C	I
9A.52.100(3)	Vehicle Prowling 2 (Third or Subsequent Offense)	C	IV
46.61.522(1)(c)	Vehicular Assault - Disregard for the Safety of Others	B	III
46.61.522(1)(a) & (b)	Vehicular Assault – In a Reckless Manner or While Under the Influence of Intoxicating Liquor or any Drug	B	IV
46.61.520(1)(c)	Vehicular Homicide - Disregard for the Safety of Others	A	VII
46.61.520(1)(b)	Vehicular Homicide – In a Reckless Manner	A	VIII
46.61.520(1)(a)	Vehicular Homicide – While Under the Influence of Intoxicating Liquor or any Drug	A	XI
9.68A.075(1)	Viewing Depictions of Minor Engaged in Sexually Explicit Conduct 1 (Effective 6/10/2010)	B	IV
9.68A.075(2)	Viewing Depictions of Minor Engaged in Sexually Explicit Conduct 2 (Effective 6/10/2010)	C	Unranked
77.15.550(3)(b)	Violating Commercial Fishing Area or Time 1	C	I
29A.84.230(1)	Violation by Signer – Initiative or Referendum with False Name	C	Unranked
26.50.110(5)	Violation of a Foreign Protection Order (Third or Subsequent Violation)	C	Unranked
29A.84.240(1)	Violations By Signers – Recall Petition With False Name	B	Unranked
29A.84.130	Voter Violation of Registration Law	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
29A.84.650(1)	Voting Repeater – More Than One Vote at Any Election	C	Unranked
9A.44.115	Voyeurism	C	II
48.30.220	Willful Destruction, Injury, Secretion of Insured Property	C	Unranked
10.66.090	Willfully Disobeys an Off-limits Order (Subsequent Violation or Enters Protected Against Drug Trafficking Area)	C	Unranked

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## FELONY INDEX BY CLASSIFICATION

Statute (RCW)	Offense	Class	Seriousness Level
51.48.020(2)	False Information in Industrial Insurance Claim (Charged as Theft)	*	*
65.12.740	False Swearing - Registration of Land Title (Charged as Perjury)	*	*
65.12.730	Unlawful Stealing or Carrying Away Certification of Land Registration (Charged as Theft)	*	*
10.95.020	Aggravated Murder 1	A	XVI
9A.48.020	Arson 1	A	VIII
9A.28.020(3)(a)	Arson 1 – Criminal Attempt	A	VIII
9A.28.030(2)	Arson 1 – Criminal Solicitation	A	VIII
9A.36.011	Assault 1	A	XII
9A.36.021(2)(b)	Assault 2 With a Finding of Sexual Motivation	A	IV
9A.36.120	Assault of a Child 1	A	XII
9A.76.170(3)(a)	Bail Jumping with Murder 1	A	VI
9A.52.020	Burglary 1	A	VII
9A.44.083	Child Molestation 1	A	X
9A.28.020(3)(a)	Child Molestation 1 – Criminal Attempt	A	X
9A.28.030(2)	Child Molestation 1 – Criminal Solicitation	A	X
70.245.200(2)	Coerce Patient to Request Life-ending Medication	A	Unranked
70.74.180	Explosive Devices Prohibited	A	IX
70.245.200(1)	Forging Request for Medication	A	Unranked
9A.32.055	Homicide by Abuse	A	XV
79A.60.050(1)(c)	Homicide by Watercraft - Disregard for the Safety of Others	A	VII
79A.60.050(1)(b)	Homicide by Watercraft – In a Reckless Manner	A	VIII
79A.60.050(1)(a)	Homicide by Watercraft – While Under the Influence of Intoxicating Liquor or any Drug	A	IX
9A.28.030(2)	Indecent Liberties - With Forcible Compulsion – Criminal Solicitation	A	X
9A.44.100(2)(b)	Indecent Liberties - With Forcible Compulsion	A	X
9A.28.020(3)(a)	Indecent Liberties - With Forcible Compulsion – Criminal Attempt	A	X
9A.40.020	Kidnapping 1	A	X
9A.40.030(3)(b)	Kidnapping 2 With a Finding of Sexual Motivation	A	V
9A.82.060(1)(a)	Leading Organized Crime – Organizing Criminal Profiteering	A	X
70.74.280(1)	Malicious Explosion of a Substance 1	A	XV
70.74.280(2)	Malicious Explosion of a Substance 2	A	XIII

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
70.74.270(1)	Malicious Placement of an Explosive 1	A	XIII
9A.32.060	Manslaughter 1	A	XI
9A.32.030	Murder 1	A	XV
9A.28.020(3)(a)	Murder 1 – Criminal Attempt	A	XV
9A.28.040(3)(a)	Murder 1 - Criminal Conspiracy	A	XV
9A.28.030(2)	Murder 1 – Criminal Solicitation	A	XV
9A.32.050	Murder 2	A	XIV
9A.28.020(3)(a)	Murder 2 – Criminal Attempt	A	XIV
9A.28.030(2)	Murder 2 – Criminal Solicitation	A	XIV
69.50.406(1)	Over 18 and Deliver Heroin, Methamphetamine, a Narcotic from Schedule I or II, or Flunitrazepam from Schedule IV to Someone Under 18	A	DG-III
9.68A.101	Promoting Commercial Sexual Abuse of a Minor	A	XII
9A.44.040	Rape 1	A	XII
9A.28.020(3)(a)	Rape 1 – Criminal Attempt	A	XII
9A.28.030(2)	Rape 1 – Criminal Solicitation	A	XII
9A.44.050	Rape 2	A	XI
9A.28.020(3)(a)	Rape 2 – Criminal Attempt	A	XI
9A.28.030(2)	Rape 2 – Criminal Solicitation	A	XI
9A.44.073	Rape of a Child 1	A	XII
9A.28.020(3)(a)	Rape of a Child 1 – Criminal Attempt	A	XII
9A.28.030(2)	Rape of a Child 1 – Criminal Solicitation	A	XII
9A.44.076	Rape of a Child 2	A	XI
9A.28.020(3)(a)	Rape of a Child 2 – Criminal Attempt	A	XI
9A.28.030(2)	Rape of a Child 2 – Criminal Solicitation	A	XI
9A.56.200	Robbery 1	A	IX
9A.76.115	Sexually Violent Predator Escape	A	X
9A.40.100(1)	Trafficking 1	A	XIV
9A.40.100(2)	Trafficking 2	A	XII
9.82.010	Treason	A	Unranked
9.41.225	Use of Machine Gun in Commission of a Felony	A	VII
46.61.520(1)(c)	Vehicular Homicide - Disregard for the Safety of Others	A	VII
46.61.520(1)(b)	Vehicular Homicide – In a Reckless Manner	A	VIII
46.61.520(1)(a)	Vehicular Homicide – While Under the Influence of Intoxicating Liquor or any Drug	A	XI
9A.42.060	Abandonment of Dependent Persons 1	B	IX

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9A.82.030	Advancing Money or Property for Extortionate Extension of Credit	B	V
30.42.290(3)	Alien Bank or Bureau – Destroy or Secrete Records	B	Unranked
30.42.290(2)	Alien Bank or Bureau – False Entry, Statements, etc.	B	Unranked
9A.48.030	Arson 2	B	IV
9A.36.021(2)(a)	Assault 2	B	IV
79A.60.060	Assault by Watercraft	B	IV
9A.36.130	Assault of a Child 2	B	IX
9.05.030	Assembly of Saboteurs	B	Unranked
9A.76.170(3)(b)	Bail Jumping with Class A Felony	B	V
30.12.100	Bank or Trust Company - Destroy or Secrete Records	B	Unranked
30.12.090	Bank or Trust Company - False Entry, Statements, etc.	B	Unranked
30.44.120	Bank or Trust Company - Receiving Deposits When Insolvent	B	Unranked
30.44.110	Bank or Trust Company - Transfer of Assets Prior to Insolvency	B	Unranked
9A.72.100	Bribe Received by Witness	B	IV
9A.68.010	Bribery	B	VI
9A.72.090	Bribing a Witness	B	IV
72.23.300	Bringing Narcotics, Liquor, or Weapons into State Institution or Grounds	B	Unranked
9.47.120	Bunco Steering	B	Unranked
9A.52.030	Burglary 2	B	III
46.87.260	Cab Card Forgery	B	Unranked
9.46.180	Causing Person to Violate Gambling Laws	B	Unranked
9A.44.086	Child Molestation 2	B	VII
9A.48.120	Civil Disorder Training	B	VII
9A.68.060	Commercial Bribery	B	IV
9.68A.100	Commercial Sexual Abuse of a Minor	B	VIII
30.04.240	Commingling of Funds or Securities	B	Unranked
21.30.140	Commodity Transaction Violation	B	Unranked
19.144.100(2)	Control of Real Property Resulting from Mortgage Fraud Activities	B	Unranked
69.50.415	Controlled Substance Homicide	B	DG-III
69.50.4011(2) (a-b)	Create, Deliver or Possess a Counterfeit Controlled Substance – Schedule I or II Narcotic or Flunitrazepam or Methamphetamine	B	DG-II
31.12.724(3)	Credit Union - Fraudulent Receipt of Credit Union Deposit	B	Unranked
31.12.724(2)	Credit Union - Transfer of Credit Union Assets Prior to Insolvency	B	Unranked
9A.42.020	Criminal Mistreatment 1	B	X
9.05.060(2)	Criminal Sabotage	B	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
43.06.230	Damage Property or Cause Personal Injury after State of Emergency Proclaimed	B	Unranked
9.68A.050(1)	Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 1 (Effective 6/10/2010)	B	VII
39.44.101	Defraud a Facsimile Signature on Bonds and Coupons	B	Unranked
87.03.200	Defraud Facsimile Signatures on Bonds and Coupons – Irrigation Districts	B	Unranked
19.110.120	Defraud or Provide Misleading or Untrue Documents Related to a Business Opportunity Sale	B	Unranked
9A.61.030	Defrauding a Public Utility 1	B	Unranked
19.48.110(1)(b)	Defrauding an Innkeeper (Value of \$75.00 or More)	B	Unranked
69.50.401(2)(b)	Deliver or Possess with Intent to Deliver - Methamphetamine	B	DG-II
69.52.030(2)	Delivery of Imitation Controlled Substance by Person 18 or Over to Person Under 18	B	DG-III
35A.36.040	Designation of Bonds – Violation (Code Cities)	B	Unranked
35.36.040	Designation of Bonds – Violation (First Class Cities)	B	Unranked
9A.76.023(2)(b)	Disarming a Law Enforcement or Corrections Officer and Firearm is Discharged	B	Unranked
19.110.075(2)	Disclosures Knowingly Not Provided at Sale of Business Opportunity (Violation of RCW 19.110.070)	B	Unranked
43.43.856	Divulging Confidential Investigative Information Pertaining to Organized Crime	B	Unranked
9A.36.045	Drive-by Shooting	B	VII
29A.84.270	Duplication of Name – Conspiracy to Mislead	B	Unranked
29A.84.320	Duplication of Names on Declaration of Candidacy	B	Unranked
43.08.140	Embezzlement by State Treasurer	B	Unranked
9A.42.100	Endangerment With a Controlled Substance	B	IV
61.34.030	Equity Skimming	B	II
9.68.060	Erotic Material (Third or Subsequent Offense)	B	Unranked
9A.76.110	Escape 1	B	IV
48.06.190	Exhibiting False Accounts of Insurer	B	Unranked
9A.56.120	Extortion 1	B	V
9A.82.020	Extortionate Extension of Credit	B	V
9A.82.040	Extortionate Means to Collect Extensions of Credit	B	V
19.25.040(2)(a)	Failure to Disclose Origin of Certain Recordings (At Least 100 Recordings or Subsequent Conviction)	B	Unranked
9A.44.132(1)(b)	Failure to Register as a Sex Offender (Third or Subsequent Violation Committed on or After 6/10/2010)	B	II
74.08.100	False Age and Residency Public Assistance Verification	B	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9.24.050	False Report of Corporation	B	Unranked
41.26.062	False Statements or Records to Defraud Law Enforcement Officers and Firefighters Retirement System	B	Unranked
41.32.055(1)	False Statements or Records to Defraud Teachers Retirement System	B	Unranked
46.12.750(1)	False Statements, Illegal Transfers, Alterations or Forgeries of Vehicle Title	B	Unranked
74.08.055(2)	False Verification for Welfare	B	I
69.41.020	Forged Prescription - Legend Drug	B	DG-I
76.36.120	Forgery of Forest Product Mark	B	Unranked
65.12.760	Forgery of Registrar's Signature or Seal	B	Unranked
82.24.100	Forgery or Counterfeit Cigarette Tax Stamp	B	Unranked
19.100.210	Franchise Investment Protection Violation	B	Unranked
9.45.124	Fraud in Measurement of Goods	B	Unranked
67.24.010	Fraud in Sporting Contest	B	Unranked
9.45.270(3)	Fraudulent Filing of Vehicle Report of Sale (Value Exceeds \$1,500)	B	Unranked
9.24.020	Fraudulent Issue of Stock, Scrip, etc.	B	Unranked
48.102.160(3)	Fraudulent Life Insurance Settlement	B	Unranked
9.46.160	Gambling Without License	B	Unranked
9.46.039	Greyhound Racing	B	Unranked
46.52.020(4)(a)	Hit and Run - Death	B	IX
9.94.030	Holding Hostages or Interfering with Officer's Duty	B	Unranked
9.35.020(2)	Identity Theft 1	B	IV
69.41.040	Illegal Issuance of Legend Drug Prescription	B	Unranked
19.146.235(9)	Impairing Mortgage Broker Investigation	B	Unranked
19.144.090(2)	Impairing Mortgage Fraud Investigation	B	Unranked
9A.64.020(1)	Incest 1	B	VI
9A.44.100(2)(a)	Indecent Liberties - Without Forcible Compulsion	B	VII
9.45.126	Inducing Fraud in Measurement of Goods	B	Unranked
40.16.020	Injury to and Misappropriation of Public Record by Officer	B	Unranked
88.08.050(1)	Injury to Lighthouses or United States Light	B	Unranked
9.24.030	Insolvent Bank Receiving Deposit	B	Unranked
48.06.030	Insurance Solicitation Permit Violation	B	Unranked
69.25.155(2)	Interference with Person Performing Official Duties With a Deadly Weapon	B	Unranked
9A.72.160	Intimidating a Judge	B	VI
9A.72.130	Intimidating a Juror	B	VI
9A.76.180	Intimidating a Public Servant	B	III

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9A.72.110	Intimidating a Witness	B	VI
9A.76.140	Introducing Contraband 1	B	VII
9A.40.030(3)(a)	Kidnapping 2	B	V
9A.82.060(1)(b)	Leading Organized Crime - Inciting Criminal Profiteering	B	IX
30.12.120	Loan to Officer or Employee from Trust Fund	B	Unranked
67.70.130	Lottery Fraud	B	Unranked
70.74.280(3)	Malicious Explosion of a Substance 3	B	X
81.60.070	Malicious Injury to Railroad Property	B	III
9A.48.070	Malicious Mischief 1	B	II
70.74.270(2)	Malicious Placement of an Explosive 2	B	IX
70.74.270(3)	Malicious Placement of an Explosive 3	B	VII
70.74.272(1)(a)	Malicious Placement of an Imitation Device 1	B	XII
9A.32.070	Manslaughter 2	B	VIII
69.50.401(2)(b)	Manufacture Methamphetamine	B	DG-III
69.50.401(2)(b)	Manufacture, Deliver or Possess with Intent to Deliver - Amphetamine	B	DG-II
69.50.401(2)(a)	Manufacture, Deliver or Possess with Intent to Deliver - Narcotics from Schedule I or II or Flunitrazepam from Schedule IV	B	DG-II
82.24.570(3)	Manufacture, Sell or Possess Counterfeit Cigarettes (Subsequent Violation)	B	Unranked
42.20.070	Misappropriating and Falsifying Accounts by Public Officer	B	Unranked
9A.83.020	Money Laundering	B	Unranked
19.144.080	Mortgage Fraud	B	III
32.04.110	Mutual Savings Bank - Conceal or Destroy Evidence	B	Unranked
32.04.100	Mutual Savings Bank - Falsify Savings Book, Document or Statement	B	Unranked
32.24.080	Mutual Savings Bank - Transfer Bank Assets After Insolvency	B	Unranked
46.37.675	Negligently Causing Death By Use of a Signal Preemption Device	B	VII
46.37.674	Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device	B	III
9A.56.350(2)	Organized Retail Theft 1	B	III
69.50.406(2)	Over 18 and Deliver Narcotic from Schedule III, IV or V, or a Nonnarcotic, Except Flunitrazepam or Methamphetamine, from Schedule I-V to Someone Under 18 and 3 Years Junior	B	DG-III
9A.72.020	Perjury 1	B	V
69.40.030	Placing Poison or Other Harmful Object or Substance in Food, Drinks, Medicine or Water	B	Unranked
9A.56.310	Possession of a Stolen Firearm	B	V
9A.56.068	Possession of a Stolen Vehicle	B	II
9.68A.070(1)	Possession of Depictions of Minor Engaged in Sexually Explicit Conduct 1	B	VI

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
69.50.440	Possession of Ephedrine, Pseudoephedrine or Anhydrous Ammonia with Intent to Manufacture Methamphetamine	B	DG-III
9.40.120	Possession of Incendiary Device	B	III
9A.56.150	Possession of Stolen Property 1 (Other Than Firearm or Motor Vehicle)	B	II
9.94.040(1)	Possession of Weapons by Prisoners (State Facility)	B	Unranked
9.94.043	Possession of Weapons in Prison by Non-prisoner	B	Unranked
9.94.010	Prison Riot	B	Unranked
9.46.220	Professional Gambling 1	B	Unranked
9A.88.070	Promoting Prostitution 1	B	VIII
19.110.075(2)	Registration Knowingly Not Obtained Prior to Sale of Business Opportunity (Violation of RCW 19.110.050)	B	Unranked
9A.76.070(2)(a)	Rendering Criminal Assistance 1	B	V
19.25.020(2)(a)	Reproduction of Sound Recording Without Consent of Owner - Recording Fixed Before 2/15/1972 (At Least 1,000 Recordings or Subsequent Conviction)	B	Unranked
9A.52.025	Residential Burglary	B	IV
9A.56.360(2)	Retail Theft with Special Circumstances 1	B	III
9A.56.210	Robbery 2	B	IV
69.41.030(2)(a)	Sale, Delivery or Possession With Intent to Sell Legend Drug Without Prescription	B	Unranked
21.20.400	Securities Act Violation	B	III
48.160.080	Sells Guaranteed Asset Protection Waivers Without Registration	B	Unranked
9.68A.060(1)	Sending, Bringing into the State Depictions of Minor Engaged in Sexually Explicit Conduct 1	B	VII
9.68A.040	Sexual Exploitation of a Minor	B	IX
9A.46.110	Stalking	B	V
9.45.020	Substitution of Child	B	Unranked
9.81.020	Subversive Acts	B	Unranked
9A.56.070	Taking Motor Vehicle Without Permission 1	B	V
9.40.105	Tampering with Fire Alarm, Emergency Signal, or Fire-fighting Equipment with Intent to Commit Arson	B	Unranked
88.08.020	Tampering with Lights or Signals	B	Unranked
9A.56.030	Theft 1 (Excluding Firearm and Motor Vehicle)	B	II
9A.56.300	Theft of a Firearm	B	VI
9A.56.065	Theft of a Motor Vehicle	B	II
9A.56.080	Theft of Livestock 1	B	IV
9A.56.096(5)(a)	Theft of Rental, Leased, Lease-purchased or Loaned Property (Valued at	B	II

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
	\$5,000 or More)		
9A.56.340(2)	Theft with Intent to Resell 1	B	III
9.61.160	Threats to Bomb	B	IV
9A.82.050	Trafficking in Stolen Property 1	B	IV
48.17.063(4)	Transaction of Insurance Business Beyond the Scope of Licensure (Violation of RCW 48.17.060)	B	I
70.105.085(1)(a)	Transport, Disposal or Export of Hazardous Waste That Places Another Person in Danger of Injury or Death	B	Unranked
39.62.040	Unauthorized Use of Public Official Facsimile Signature or Seal	B	Unranked
69.43.070(1)	Unlawful Delivery of Precursor Drug with Intent to Use	B	Unranked
9A.56.290(4)(b)	Unlawful Factoring of a Credit or Payment Card Transaction (Subsequent Violation)	B	IV
9.41.040(1)	Unlawful Possession of a Firearm 1	B	VII
69.43.070(2)	Unlawful Receipt of Precursor Drug with Intent to Use	B	Unranked
77.15.260(3)(b)	Unlawful Trafficking in Fish, Shellfish or Wildlife 1	B	III
48.44.016(3)	Unlawful Transaction of Health Coverage as Health Care Service Contractor	B	IV
48.46.033(3)	Unlawful Transaction of Health Coverage as Health Maintenance Organization	B	IV
48.15.023(3)	Unlawful Transaction of Insurance Business	B	IV
19.310.120	Unlawfully Engaging in Business as an Exchange Facilitator (RCW 19.310.100(1)-(9))	B	Unranked
48.102.160(4)	Unlicensed Life Insurance Provider	B	Unranked
67.70.140	Unlicensed Lottery Activity	B	Unranked
48.17.063(2)	Unlicensed Practice as an Insurance Professional	B	IV
48.102.160(5)	Unlicensed Settlement Broker	B	Unranked
9A.82.080(1-2)	Use of Proceeds of Criminal Profiteering	B	IV
19.25.030(2)(a)	Use of Recording of Live Performance Without Consent of Owner (At Least 1,000 Recordings or at Least 100 Unauthorized Audiovisual Recordings or Subsequent Offense)	B	Unranked
19.144.100(1)	Use or Investment of Proceeds from Mortgage Fraud Activities	B	Unranked
46.61.522(1)(c)	Vehicular Assault - Disregard for the Safety of Others	B	III
46.61.522(1)(a) & (b)	Vehicular Assault – In a Reckless Manner or While Under the Influence of Intoxicating Liquor or any Drug	B	IV
9.68A.075(1)	Viewing Depictions of Minor Engaged in Sexually Explicit Conduct 1 (Effective 6/10/2010)	B	IV
29A.84.240(1)	Violations By Signers – Recall Petition With False Name	B	Unranked
9A.42.070	Abandonment of Dependent Persons 2	C	V

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
29A.84.680(1)	Absentee Voting Violation	C	Unranked
46.52.130(5)(b)	Abstracts of Driving Records – Intentional Misuse	C	Unranked
20.01.460(2)	Acting as Commission Merchant, Dealer, Cash Buyer Without License	C	Unranked
69.52.030(3)	Advertising Imitation Controlled Substances	C	Unranked
9.41.171	Alien Possession of a Firearm	C	Unranked
9.45.210	Altering Sample or Certificate of Assay	C	Unranked
9A.76.177	Amber Alert – Making False Statements to a Public Servant	C	Unranked
68.64.160	Anatomical Gift - Illegal Financial Gain	C	Unranked
68.64.150	Anatomical Gifts - Illegal Purchase or Sale	C	Unranked
<b>16.52.205(2)</b>	Animal Cruelty 1	C	Unranked
16.52.205(3)	Animal Cruelty 1 - Sexual Contact or Conduct	C	III
16.52.117	Animal Fighting	C	Unranked
9A.36.031(1)(a)-(g) & (i)-(j)	Assault 3 – Excluding Assault 3 of a Peace Officer with a Projectile Stun Gun	C	III
9A.36.031(1)(h)	Assault 3 - Of a Peace Officer with a Projectile Stun Gun	C	IV
9A.36.140	Assault of a Child 3	C	III
72.23.170	Assist Escape of Mental Patient	C	Unranked
9A.82.080(3)	Attempt or Conspiracy to Violate RCW 9A.82.080(1) or (2)	C	Unranked
46.61.024	Attempting to Elude Pursuing Police Vehicle	C	I
9A.76.170(3)(c)	Bail Jumping with Class B or C Felony	C	III
9A.64.010	Bigamy	C	Unranked
9.46.155	Bribing to Obtain a License From Public Officials, Employees, Agents	C	Unranked
9.46.1961	Cheating 1	C	IV
9A.64.030(3)(b)	Child Buying	C	Unranked
49.12.410(2)	Child Labor Law Violation – Death/Disability	C	Unranked
9A.44.089	Child Molestation 3	C	V
9A.64.030(3)(a)	Child Selling	C	Unranked
9A.82.045	Collection of Unlawful Debt	C	Unranked
77.15.500(3)(b)	Commercial Fishing Without a License 1	C	II
19.158.160	Commercial Telephone Solicitor Deception (Value of \$250 or More)	C	Unranked
9.68A.090(2)	Communication with Minor for Immoral Purposes (Subsequent Violation or Prior Sex Offense Conviction)	C	III
9A.52.110	Computer Trespass 1	C	II
69.50.416	Controlled Substance Label Violation	C	Unranked
9.16.035(4)	Counterfeiting – Endanger Public Health or Safety	C	IV

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9.16.035(3)	Counterfeiting – Third Conviction and Value \$10,000 or More	C	II
69.50.4011(2) (c-e)	Create, Deliver or Possess a Counterfeit Controlled Substance – Schedule I-II Nonnarcotic, Schedule III-V Except Flunitrazepam or Methamphetamine	C	DG-II
9.08.090	Crimes Against Animal Facilities	C	Unranked
9A.46.120	Criminal Gang Intimidation	C	III
9A.60.040	Criminal Impersonation 1	C	Unranked
9A.42.030	Criminal Mistreatment 2	C	V
9A.82.160	Criminal Profiteering Lien After Service of Notice	C	Unranked
9A.44.196	Criminal Trespass Against Children	C	Unranked
9A.36.100	Custodial Assault	C	III
9A.40.060	Custodial Interference 1	C	Unranked
9A.40.070	Custodial Interference 2 (Subsequent Offense)	C	Unranked
9A.44.160	Custodial Sexual Misconduct 1	C	V
9.61.260(3)	Cyberstalking (With Prior Harassment Conviction or Threat of Death)	C	III
16.08.100(2)	Dangerous Dog Attack (Subsequent Offense)	C	Unranked
16.08.100(3)	Dangerous Dog Attack Resulting in Severe Injury or Death	C	Unranked
9.68A.050(2)	Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (Effective 6/10/2010)	C	V
22.09.310	Dealing in Unauthorized Warehouse Receipts for Agricultural Commodities	C	Unranked
9A.61.040	Defrauding a Public Utility 2	C	Unranked
69.50.4012	Delivery of a Material in Lieu of a Controlled Substance	C	DG-II
9.41.110(8)	Delivery of Firearm by Dealer to Ineligible Person	C	Unranked
9.41.080	Delivery of Firearms to Ineligible Person	C	Unranked
27.44.040(1)	Destroying, Removing or Defacing Indian Graves	C	Unranked
68.60.040(1)	Destruction of Tomb, Plot, Marker, or Cemetery Property	C	Unranked
9.38.060	Digital Signatures Fraud	C	Unranked
9A.76.023(2)(a)	Disarming a Law Enforcement or Corrections Officer	C	Unranked
69.50.402	Dispensing Violation (VUCSA)	C	Unranked
82.26.190	Distributors and Retailer of Tobacco Products License Violation	C	Unranked
27.53.060	Disturbing Archaeological Resources or Site	C	Unranked
26.50.110	Domestic Violence Court Order Violation	C	V
46.61.502(6)	Driving While Under the Influence of Intoxicating Liquor or any Drug (Effective 7/1/2007)	C	V
29A.84.655	Election Officer Permits Repeat Vote	C	Unranked
29A.84.720	Election Officers – Violation	C	Unranked

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29A.84.030	Election or Mail Ballot Violation	C	Unranked
19.300.020	Electronic Communication Devices – Illegal Scanning	C	Unranked
79A.60.090	Eluding a Law Enforcement Vessel	C	Unranked
18.39.350	Embalmers/Funeral Directors Violation	C	Unranked
46.80.020(b)	Engage in Business of Wrecking Vehicles Without a License (Subsequent Offense)	C	Unranked
51.48.103(2)	Engaging in Business after Certificate of Coverage Revocation	C	Unranked
77.15.620(3)(b)	Engaging in Fish Dealing Activity Unlicensed 1	C	II
16.08.100(4)	Entering Dog in a Dog Fight	C	Unranked
9A.76.120	Escape 2	C	III
72.09.310	Escape from Community Custody	C	II
51.48.020(1)	Evading Industrial Insurance Premiums	C	Unranked
82.42.085	Evading the Collection of Aircraft Fuel Tax	C	Unranked
74.09.260	Excessive Charges, Payments	C	Unranked
9A.56.130	Extortion 2	C	III
19.25.040(2)(b)	Failure to Disclose Origin of Certain Recordings (More than 10 but Less Than 100 Recordings)	C	Unranked
36.18.170	Failure to Pay Over Fees to County Treasurer	C	Unranked
9A.44.132(3)	Failure to Register as a Kidnapping Offender	C	Unranked
9A.44.132(1)(a)	Failure to Register as a Sex Offender (First Violation)	C	Unranked
9A.44.132(1)(a)	Failure to Register as a Sex Offender (Second Violation Committed on or After 6/10/2010)	C	II
9A.44.132(1)(a)	Failure to Register as a Sex Offender (Subsequent Violation Committed on or After 6/7/2006 but Before 6/10/2010)	C	II
19.146.050	Failure to Use a Trust Account	C	Unranked
19.142.080	Failure to Use a Trust Account or Furnish Bond for Health Studio	C	Unranked
38.42.050	False Affidavit Under Service Member Civil Relief Act	C	Unranked
42.24.100	False Claim from Municipal Corporation (Charged as Perjury 2)	C	Unranked
42.17A.750	False Documents Registered with Public Disclosure Commission (Effective 1/1/2012)	C	Unranked
48.30.230	False Insurance Claims (Value in Excess of \$1,500)	C	Unranked
74.09.230	False Statement for Medical Assistance	C	Unranked
69.43.080	False Statement in Report of Precursor Drugs	C	Unranked
82.32.290(2)	False Statement to Department of Revenue	C	Unranked
19.230.300	False Statement, Misrepresentation or False Certification of Uniform Money services Record	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
74.09.250	False Statements Regarding Institutions, Facilities	C	Unranked
26.20.030	Family Abandonment	C	Unranked
69.50.403	Forged Prescription for a Controlled Substance	C	DG-I
9A.60.020	Forgery	C	I
29A.84.711	Fraud in Certification of Nomination or Ballot	C	Unranked
9.45.170	Fraud in Liquor Warehouse Receipts	C	Unranked
9.26A.110(3)	Fraud in Obtaining Telecommunications Services (Value Exceeds \$250)	C	Unranked
9A.60.060	Fraudulent Creation or Revocation of Mental Health Advance Directive	C	I
76.48.141(1)(a)	Fraudulent Document as Specialized Forest Products Permit, Sales Invoice, Bill of Lading, etc.	C	Unranked
76.48.141(2)	Fraudulent Document for Specialized Forest Products Buyer	C	Unranked
9.45.270(2)	Fraudulent Filing of Vehicle Report of Sale (Value Exceeds \$250)	C	Unranked
65.12.750	Fraudulent Procurement or False Entry on Land Title Registration	C	Unranked
76.48.141(1)(b)	Fraudulent Representation of Authority to Harvest Specialized Forest Products	C	Unranked
82.36.380	Fuel Tax Evasion	C	Unranked
9A.46.020(2)(b)	Harassment (Subsequent Conviction or Threat of Death)	C	III
9A.76.200	Harming a Police Dog/Horse or an Accelerate Detection Dog	C	Unranked
48.80.030	Health Care False Claims	C	II
46.52.020(4)(b)	Hit and Run - Injury	C	IV
79A.60.200(3)	Hit and Run with Vessel - Injury Accident	C	IV
9.35.020(3)	Identity Theft 2	C	II
9.16.020	Imitating Lawful Brands With Intent	C	Unranked
9.35.010	Improperly Obtaining Financial Information	C	II
9A.64.020(2)	Incest 2	C	V
9A.88.010(2)(c)	Indecent Exposure to a Person Under Age 14 (Subsequent Conviction or Has Prior Sex Offense Conviction)	C	IV
9A.82.070	Influencing Outcome of Sporting Event	C	IV
40.16.010	Injury to a Public Record	C	Unranked
9.91.170(5)	Intentional Infliction, Injury or Death to a Guide Dog or Service Animal	C	Unranked
9.91.175(3)	Intentionally Injures, Disables or Causes Death of an On-Duty Search and Rescue Dog	C	Unranked
9.73.230	Intercepting, Transmitting or Recording Conversations Concerning Controlled Substances	C	Unranked
69.25.155(1)	Interference with Person Performing Official Duties	C	Unranked
70.74.275	Intimidation or Harassment With an Explosive	C	Unranked
9A.76.150	Introducing Contraband 2	C	III

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69.50.4015	Involving a Minor in Drug Dealing	C	DG-III
9A.60.070	Issuing a False Academic Credential	C	Unranked
16.52.320	Kill or Cause Substantial Harm With Malice to Livestock (Effective 7/22/2011)	C	Unranked
46.70.021	Licensing Violation for Car Dealers or Manufacturers (Subsequent Violation)	C	Unranked
9A.40.090	Luring of a Child or Developmentally Disabled Person	C	Unranked
9A.56.370	Mail Theft (Effective 7/22/2011)	C	Unranked
9.47.090	Maintaining a Bucket Shop	C	Unranked
69.50.402	Maintaining a Dwelling or Place for Controlled Substances	C	DG-II
9.45.220	Making False Sample or Assay of Ore	C	Unranked
9A.36.080	Malicious Harassment	C	IV
9A.48.080	Malicious Mischief 2	C	I
70.74.272(1)(b)	Malicious Placement of an Imitation Device 2	C	VI
9.62.010(1)	Malicious Prosecution	C	Unranked
9.45.260	Malicious Sprinkler Contractor Work	C	Unranked
69.50.401(2)(c)	Manufacture, Deliver or Possess with Intent to Deliver - Marijuana	C	DG-I
69.50.401(2)(c-e)	Manufacture, Deliver or Possess with Intent to Deliver - Narcotics from Schedule III, IV, or V or Nonnarcotics from Schedule I-V (except Marijuana, Amphetamine, Methamphetamine, or Flunitrazepam)	C	DG-II
69.52.030(1)	Manufacture, Distribute or Possess with Intent to Distribute an Imitation Controlled Substance	C	DG-II
70.74.022(1)	Manufacture, Purchase, Sell or Store Explosive Device Without License	C	Unranked
46.20.0921(3)(a)	Manufacture, Sell or Deliver Forged Driver's License or Identocard	C	Unranked
82.24.570(2)	Manufacture, Sell or Possess Counterfeit Cigarettes	C	Unranked
69.51A.060	Medical Marijuana Fraudulent Records	C	Unranked
9.81.030	Member of Subversive Organization	C	Unranked
78.44.330	Mineral Trespass	C	I
42.20.090	Misappropriating and Falsifying Accounts by Treasurer	C	Unranked
9.82.030	Misprision of Treason	C	Unranked
29A.08.740	Misuse of Registered Voter Data	C	Unranked
29A.84.150	Misuse or Alteration of Registration Database	C	Unranked
9.45.070	Mock Auction	C	Unranked
69.50.403	Obtain Controlled Substance by Fraud or Forged Prescription	C	DG-I
9A.60.030	Obtaining Signature by Deception or Duress	C	Unranked
46.70.180(5)	Odometer Offense	C	Unranked

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40.16.030	Offering False Instrument for Filing or Record	C	Unranked
68.50.140(3)	Opening Graves With Intent to Sell or Remove Personal Effects or Human Remains	C	Unranked
90.56.540	Operation of a Vessel While Under the Influence of Intoxicating Liquor or Drugs	C	Unranked
9A.56.350(3)	Organized Retail Theft 2	C	II
9.46.215	Ownership or Interest in Gambling Device	C	Unranked
69.30.085	Participation in Shellfish Operation or Activities While License is Denied, Revoked or Suspended (Effective 7/22/2011)	C	Unranked
74.09.240(2)	Paying or Offering Bribes, Kickbacks or Rebates	C	Unranked
9A.72.030	Perjury 2	C	III
9.94.070	Persistent Prison Misbehavior	C	V
82.32.290(4)	Phantomware Violation	C	Unranked
46.61.504(6)	Physical Control of a Vehicle While Under the Influence of Intoxicating Liquor or any Drug (Effective 7/1/2007)	C	V
69.40.020	Poison in Milk or Food Product	C	Unranked
9A.58.020	Possessing or Capturing Personal Identification Document	C	Unranked
9.94.041(2)	Possession of Controlled Substance by Prisoner (County or Local Facility)	C	Unranked
9.94.041(1)	Possession of Controlled Substance by Prisoner (State Facility)	C	Unranked
9.94.045	Possession of Controlled Substance in Prison by Non-prisoner	C	Unranked
69.50.4013	Possession of Controlled Substance That is a Narcotic from Schedule III, IV or V or Nonnarcotic from Schedule I-V (Except Phencyclidine or Flunitrazepam), <i>e.g.</i> Methamphetamine, Marijuana	C	DG-I
69.50.4013	Possession of Controlled Substance That is Either Heroin or Narcotics from Schedule I or II or Flunitrazepam from Schedule IV, <i>e.g.</i> Cocaine, PCP	C	DG-I
9.68A.070(2)	Possession of Depictions of Minor Engaged in Sexually Explicit Conduct 2	C	IV
9.41.190	Possession of Machine Gun, Short-barreled Shotgun or Short-barreled Rifle	C	III
69.41.350	Possession of Steroids in Excess of 200 tablets or (8) 2cc Bottles Without a Valid Prescription	C	Unranked
9A.56.380	Possession of Stolen Mail (Effective 7/22/2011)	C	Unranked
9A.56.160	Possession of Stolen Property 2 (Other Than Firearm or Motor Vehicle)	C	I
9.94.040(2)	Possession of Weapons by Prisoners (County or Local Facility)	C	Unranked
9.46.221	Professional Gambling 2	C	Unranked
9A.36.060	Promoting a Suicide Attempt	C	Unranked
67.08.015	Promoting Illegal Boxing, Martial Arts and Wrestling	C	Unranked
9.68.140	Promoting Pornography	C	Unranked
9A.88.080	Promoting Prostitution 2	C	III
9.68A.102	Promoting Travel for Commercial Sexual Abuse of a Minor	C	Unranked

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9A.88.085	Promoting Travel for Prostitution	C	Unranked
29A.84.311	Provides False Information or Conceals or Destroys Candidacy Declaration or Nominating Petition	C	Unranked
26.04.210	Providing False Statements in Affidavits for Marriage	C	Unranked
68.50.140(2)	Purchasing or Receiving Human Remains	C	Unranked
9A.44.060	Rape 3	C	V
9A.44.079	Rape of a Child 3	C	VI
74.09.240(1)	Receiving or Asking for Bribes, Kickbacks or Rebates	C	Unranked
9A.68.030	Receiving or Granting Unlawful Compensation	C	Unranked
81.60.080(2)	Receiving Stolen Railroad Property	C	Unranked
9A.48.040	Reckless Burning 1	C	I
90.56.530	Reckless Operation of a Tank Vessel	C	Unranked
70.94.430(3)	Releasing Into Ambient Air Hazardous Air Pollutant	C	Unranked
46.12.560	Removal of Sticker on Vehicle Stating Previously Destroyed or Title 1 Loss	C	Unranked
68.50.140(4)	Removal, Disinterment or Mutilation of Human Remains	C	Unranked
68.60.050	Removes, Defaces or Destroys any Historic Grave	C	Unranked
68.50.140(1)	Removing Human Remains	C	Unranked
9.16.010	Removing Lawful Brands	C	Unranked
19.25.020(2)(b)	Reproduction of Sound Recording Without Consent of Owner - Recording Fixed Before 2/15/1972 (More Than 100 but Less Than 1,000 Recordings)	C	Unranked
9A.68.020	Requesting Unlawful Compensation	C	Unranked
9A.56.360(3)	Retail Theft with Special Circumstances 2	C	II
9A.56.360(4)	Retail Theft with Special Circumstances 3	C	Unranked
9A.84.010(2)(b)	Riot	C	Unranked
81.60.080(1)	Sabotaging Rolling Stock	C	Unranked
33.36.040	Savings and Loan Association - Making False Statement of Assets or Liabilities	C	Unranked
33.36.030	Savings and Loan Association - Preference in Case of Insolvency	C	Unranked
33.36.060	Savings and Loan Association - Suppressing, Secreting or Destroying Evidence or Records	C	Unranked
19.290.100	Scrap Processing, Recycling, or Supplying Without a License (Second or Subsequent Offense)	C	II
19.60.067(2)	Second-hand Precious Metal Dealer Violations (Subsequent Violation) (Effective 7/22/2011)	C	Unranked
46.20.0921(2)	Sell or Deliver a Stolen Driver's License or Identocard	C	Unranked
27.44.040(2)	Selling Artifacts or Human Remains from Indian Graves	C	Unranked
69.50.410	Selling for Profit (Controlled or Counterfeit) any Controlled Substance in	C	DG-III

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	Schedule I		
9.68A.060(2)	Sending, Bringing into the State Depictions of Minor Engaged in Sexually Explicit Conduct 2	C	V
9A.44.093	Sexual Misconduct with a Minor 1	C	V
9A.44.105	Sexually Violating Human Remains	C	V
70.155.140	Shipping or Transporting Tobacco Products Ordered Through Mail or Internet	C	Unranked
82.38.270	Special Fuel Violations	C	Unranked
77.15.450(3)(b)	Spotlighting Big Game 1	C	I
67.70.160	State Lottery Violations Except Lottery fraud and Unlicensed Lottery Activity	C	Unranked
77.15.670(3)(b)	Suspension of Department Privileges 1	C	I
9A.56.075	Taking Motor Vehicle Without Permission 2	C	I
9A.72.120	Tampering with a Witness	C	III
29A.84.550	Tampering with Election Materials	C	Unranked
29A.84.560	Tampering with Voting Machine	C	Unranked
9.61.230(2)	Telephone Harassment (With Prior Harassment Conviction or Threat of Death)	C	III
9A.56.040	Theft 2 (Excluding Firearm and Motor Vehicle)	C	I
69.55.010	Theft of Ammonia	C	VIII
9A.56.083	Theft of Livestock 2	C	III
9A.56.096(5)(b)	Theft of Rental, Leased, Lease-purchased or Loaned Property (Valued at \$750 or More but Less Than \$5,000)	C	I
9A.56.262	Theft of Telecommunication Service	C	Unranked
9A.56.340(3)	Theft with Intent to Resell 2	C	II
9A.36.090	Threats Against Governor or Family	C	Unranked
64.36.210	Timeshare Fraud	C	Unranked
64.36.020(5)(b)	Timeshare Registration Requirement Violation	C	Unranked
9A.68.040	Trading in Public Office	C	Unranked
9A.68.050	Trading in Special Influence	C	Unranked
48.30A.015	Trafficking in Insurance Claims (Subsequent Violation)	C	II
9A.82.055	Trafficking in Stolen Property 2	C	III
9.46.240	Transmission or Receiving Gambling Information by Internet	C	Unranked
70.105.085(1)(b)	Transport, Disposal or Export of Hazardous Waste That Places Another Person's Property in Danger of Harm	C	Unranked
82.24.110(2)	Transportation of More Than 10,000 Cigarettes Without Proper Stamps	C	Unranked
68.60.040(3)	Transports Removed Human Remains, Opens a Grave or Removes Personal	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
	Effects from Grave		
9.91.150(1)	Tree Spiking	C	Unranked
9.02.120	Unauthorized Abortion	C	Unranked
68.44.060	Unauthorized Loans to Cemetery Authority	C	Unranked
29A.84.545	Unauthorized Removal of Paper Record from Electronic Voting Device	C	Unranked
68.05.330	Unfair Practice of Funeral or Cemetery Board	C	Unranked
19.225.110	Uniform Athlete Agent Act Violation	C	Unranked
9A.49.020	Unlawful Discharge of a Laser 1	C	Unranked
74.09.290	Unlawful Disclosure of Patient Records or DSHS Information	C	Unranked
9A.56.290(4)(a)	Unlawful Factoring of a Credit or Payment Card Transaction	C	II
69.53.020	Unlawful Fortification of Building for Drug Purposes	C	Unranked
77.15.410(3)(b)	Unlawful Hunting of Big Game 1	C	III
9A.40.040	Unlawful Imprisonment	C	III
9A.56.060(4)	Unlawful Issuance of Checks or Drafts (Value Greater Than \$750)	C	I
9A.56.264	Unlawful Manufacture of a Telecommunication Device	C	Unranked
69.04.938(3)	Unlawful Misbranding of Food Fish or Shellfish 1	C	III
88.46.080(2)(b)	Unlawful Operation of a Covered Vessel (Subsequent Violation)	C	Unranked
90.56.300(2)(b)	Unlawful Operation of Onshore or Offshore Facility (Subsequent Conviction)	C	Unranked
77.15.570(2)	Unlawful Participation on Non-Indians in Indian Fishery	C	II
9.41.040(2)	Unlawful Possession of a Firearm 2	C	III
9A.56.320(3)	Unlawful Possession of a Personal Identification Device	C	I
9A.56.320(4)	Unlawful Possession of Fictitious Identification	C	I
9A.56.320(5)	Unlawful Possession of Instruments of Financial Fraud	C	I
9A.56.320(2)	Unlawful Possession of Payment Instruments	C	I
2.48.180	Unlawful Practice of Law (Subsequent Violation)	C	II
9A.56.320(1)	Unlawful Production of Payment Instruments	C	I
77.15.650(3)(b)	Unlawful Purchase or Use of a License 1	C	II
9.91.144	Unlawful Redemption of Food Stamps	C	I
77.15.250(2)(b)	Unlawful Release of Deleterious Exotic Wildlife	C	I
9A.56.266	Unlawful Sale of a Telecommunication Device	C	Unranked
9A.56.230	Unlawful Sale of Subscription Television Services	C	Unranked
46.12.750(3)	Unlawful Sale of Vehicle Certificate of Ownership	C	Unranked
18.64.046(7)	Unlawful Selling of Ephedrine, Pseudoephedrine or Phenylpropanolamine by a Wholesaler	C	Unranked
69.55.020	Unlawful Storage of Ammonia	C	VI

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19.116.080(1)	Unlawful Subleasing of Motor Vehicle	C	Unranked
77.15.120(3)(b)	Unlawful Taking of Endangered Fish or Wildlife 1	C	III
77.15.770(2)	Unlawful Trade in Shark Fins 1 (Effective 7/22/2011)	C	Unranked
77.15.260(3)(a)	Unlawful Trafficking in Fish, Shellfish or Wildlife 2	C	II
9.91.142(1)	Unlawful Trafficking in Food Stamps	C	I
19.116.080(2)	Unlawful Transfer of Ownership of Motor Vehicle	C	Unranked
77.15.530(4)	Unlawful Use of a Nondesignated Vessel	C	III
18.04.370(1)(b)	Unlawful Use of a Professional Title	C	Unranked
69.53.010	Unlawful Use of Building for Drug Purposes	C	DG-I
18.04.370(1)(c)	Unlawful Use of CPA Title After Suspension	C	Unranked
77.15.630(3)(b)	Unlawful Fish and Shellfish Catch Accounting 1	C	I
69.53.030	Unlawful Use of Fortified Building	C	Unranked
66.44.120(2)(b)	Unlawful Use of Liquor Board Seal (Third or Subsequent Offense)	C	Unranked
77.15.580(3)(b)	Unlawful Use of Net to Take Fish	C	I
77.15.253(3)	Unlawful Use of Prohibited Aquatic Animal Species (Subsequent Violation)	C	I
82.24.500	Unlawfully Purchase, Sell, Consign or Distribute Cigarettes	C	Unranked
18.130.190(7)(b)	Unlicensed Practice of a Profession or Business (Subsequent Violation)	C	II
29A.84.660	Unqualified Person Voting	C	Unranked
29A.84.140	Unqualified Voting Registration	C	Unranked
19.210.040	Unused Property, Merchants –Prohibited Sales (Third or Subsequent Offense Within 5 Years)	C	Unranked
46.37.673	Use of a Signal Preemption Device Resulting in Property Damage or Less Substantial Bodily Harm	C	Unranked
19.25.030(2)(b)	Use of Recording of Live Performance Without Consent of Owner (At Least 100 but Less Than 1,000 Recordings or More than 10 but Less Than 100 Unauthorized Audiovisual Recording or Subsequent Offense)	C	Unranked
9A.52.095	Vehicle Prowl 1	C	I
9A.52.100(3)	Vehicle Prowling 2 (Third or Subsequent Offense)	C	IV
9.68A.075(2)	Viewing Depictions of Minor Engaged in Sexually Explicit Conduct 2 (Effective 6/10/2010)	C	Unranked
77.15.550(3)(b)	Violating Commercial Fishing Area or Time 1	C	I
29A.84.230(1)	Violation by Signer – Initiative or Referendum with False Name	C	Unranked
26.50.110(5)	Violation of a Foreign Protection Order (Third or Subsequent Violation)	C	Unranked
29A.84.130	Voter Violation of Registration Law	C	Unranked
29A.84.650(1)	Voting Repeater – More Than One Vote at Any Election	C	Unranked
9A.44.115	Voyeurism	C	II

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
48.30.220	Willful Destruction, Injury, Secretion of Insured Property	C	Unranked
10.66.090	Willfully Disobeys an Off-limits Order (Subsequent Violation or Enters Protected Against Drug Trafficking Area)	C	Unranked

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Statute (RCW)	Offense	Class	Seriousness Level
10.66.090	Willfully Disobeys an Off-limits Order (Subsequent Violation or Enters Protected Against Drug Trafficking Area)	C	Unranked
10.95.020	Aggravated Murder 1	A	XVI
16.08.100(2)	Dangerous Dog Attack (Subsequent Offense)	C	Unranked
16.08.100(3)	Dangerous Dog Attack Resulting in Severe Injury or Death	C	Unranked
16.08.100(4)	Entering Dog in a Dog Fight	C	Unranked
16.52.117	Animal Fighting	C	Unranked
16.52.205(2)	Animal Cruelty 1	C	Unranked
16.52.205(3)	Animal Cruelty 1 - Sexual Contact or Conduct	C	III
16.52.320	Kill or Cause Substantial Harm With Malice to Livestock (Effective 7/22/2011)	C	Unranked
18.04.370(1)(b)	Unlawful Use of a Professional Title	C	Unranked
18.04.370(1)(c)	Unlawful Use of CPA Title After Suspension	C	Unranked
18.130.190(7)(b)	Unlicensed Practice of a Profession or Business (Subsequent Violation)	C	II
18.39.350	Embalmers/Funeral Directors Violation	C	Unranked
18.64.046(7)	Unlawful Selling of Ephedrine, Pseudoephedrine or Phenylpropanolamine by a Wholesaler	C	Unranked
19.100.210	Franchise Investment Protection Violation	B	Unranked
19.110.075(2)	Disclosures Knowingly Not Provided at Sale of Business Opportunity (Violation of RCW 19.110.070)	B	Unranked
19.110.075(2)	Registration Knowingly Not Obtained Prior to Sale of Business Opportunity (Violation of RCW 19.110.050)	B	Unranked
19.110.120	Defraud or Provide Misleading or Untrue Documents Related to a Business Opportunity Sale	B	Unranked
19.116.080(1)	Unlawful Subleasing of Motor Vehicle	C	Unranked
19.116.080(2)	Unlawful Transfer of Ownership of Motor Vehicle	C	Unranked
19.142.080	Failure to Use a Trust Account or Furnish Bond for Health Studio	C	Unranked
19.144.080	Mortgage Fraud	B	III
19.144.090(2)	Impairing Mortgage Fraud Investigation	B	Unranked
19.144.100(1)	Use or Investment of Proceeds from Mortgage Fraud Activities	B	Unranked
19.144.100(2)	Control of Real Property Resulting from Mortgage Fraud Activities	B	Unranked
19.146.050	Failure to Use a Trust Account	C	Unranked
19.146.235(9)	Impairing Mortgage Broker Investigation	B	Unranked
19.158.160	Commercial Telephone Solicitor Deception (Value of \$250 or More)	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
19.210.040	Unused Property, Merchants –Prohibited Sales (Third or Subsequent Offense Within 5 Years)	C	Unranked
19.225.110	Uniform Athlete Agent Act Violation	C	Unranked
19.230.300	False Statement, Misrepresentation or False Certification of Uniform Money services Record	C	Unranked
19.25.020(2)(a)	Reproduction of Sound Recording Without Consent of Owner - Recording Fixed Before 2/15/1972 (At Least 1,000 Recordings or Subsequent Conviction)	B	Unranked
19.25.020(2)(b)	Reproduction of Sound Recording Without Consent of Owner - Recording Fixed Before 2/15/1972 (More Than 100 but Less Than 1,000 Recordings)	C	Unranked
19.25.030(2)(a)	Use of Recording of Live Performance Without Consent of Owner (At Least 1,000 Recordings or at Least 100 Unauthorized Audiovisual Recordings or Subsequent Offense)	B	Unranked
19.25.030(2)(b)	Use of Recording of Live Performance Without Consent of Owner (At Least 100 but Less Than 1,000 Recordings or More than 10 but Less Than 100 Unauthorized Audiovisual Recording or Subsequent Offense)	C	Unranked
19.25.040(2)(a)	Failure to Disclose Origin of Certain Recordings (At Least 100 Recordings or Subsequent Conviction)	B	Unranked
19.25.040(2)(b)	Failure to Disclose Origin of Certain Recordings (More than 10 but Less Than 100 Recordings)	C	Unranked
19.290.100	Scrap Processing, Recycling, or Supplying Without a License (Second or Subsequent Offense)	C	II
19.300.020	Electronic Communication Devices – Illegal Scanning	C	Unranked
19.310.120	Unlawfully Engaging in Business as an Exchange Facilitator (RCW 19.310.100(1)-(9))	B	Unranked
19.48.110(1)(b)	Defrauding an Innkeeper (Value of \$75.00 or More)	B	Unranked
19.60.067(2)	Second-hand Precious Metal Dealer Violations (Subsequent Violation) (Effective 7/22/2011)	C	Unranked
2.48.180	Unlawful Practice of Law (Subsequent Violation)	C	II
20.01.460(2)	Acting as Commission Merchant, Dealer, Cash Buyer Without License	C	Unranked
21.20.400	Securities Act Violation	B	III
21.30.140	Commodity Transaction Violation	B	Unranked
22.09.310	Dealing in Unauthorized Warehouse Receipts for Agricultural Commodities	C	Unranked
26.04.210	Providing False Statements in Affidavits for Marriage	C	Unranked
26.20.030	Family Abandonment	C	Unranked
26.50.110	Domestic Violence Court Order Violation	C	V
26.50.110(5)	Violation of a Foreign Protection Order (Third or Subsequent Violation)	C	Unranked
27.44.040(1)	Destroying, Removing or Defacing Indian Graves	C	Unranked
27.44.040(2)	Selling Artifacts or Human Remains from Indian Graves	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
27.53.060	Disturbing Archaeological Resources or Site	C	Unranked
29A.08.740	Misuse of Registered Voter Data	C	Unranked
29A.84.030	Election or Mail Ballot Violation	C	Unranked
29A.84.130	Voter Violation of Registration Law	C	Unranked
29A.84.140	Unqualified Voting Registration	C	Unranked
29A.84.150	Misuse or Alteration of Registration Database	C	Unranked
29A.84.230(1)	Violation by Signer – Initiative or Referendum with False Name	C	Unranked
29A.84.240(1)	Violations By Signers – Recall Petition With False Name	B	Unranked
29A.84.270	Duplication of Name – Conspiracy to Mislead	B	Unranked
29A.84.311	Provides False Information or Conceals or Destroys Candidacy Declaration or Nominating Petition	C	Unranked
29A.84.320	Duplication of Names on Declaration of Candidacy	B	Unranked
29A.84.545	Unauthorized Removal of Paper Record from Electronic Voting Device	C	Unranked
29A.84.550	Tampering with Election Materials	C	Unranked
29A.84.560	Tampering with Voting Machine	C	Unranked
29A.84.650(1)	Voting Repeater – More Than One Vote at Any Election	C	Unranked
29A.84.655	Election Officer Permits Repeat Vote	C	Unranked
29A.84.660	Unqualified Person Voting	C	Unranked
29A.84.680(1)	Absentee Voting Violation	C	Unranked
29A.84.711	Fraud in Certification of Nomination or Ballot	C	Unranked
29A.84.720	Election Officers – Violation	C	Unranked
30.04.240	Commingling of Funds or Securities	B	Unranked
30.12.090	Bank or Trust Company - False Entry, Statements, etc.	B	Unranked
30.12.100	Bank or Trust Company - Destroy or Secrete Records	B	Unranked
30.12.120	Loan to Officer or Employee from Trust Fund	B	Unranked
30.42.290(2)	Alien Bank or Bureau – False Entry, Statements, etc.	B	Unranked
30.42.290(3)	Alien Bank or Bureau – Destroy or Secrete Records	B	Unranked
30.44.110	Bank or Trust Company - Transfer of Assets Prior to Insolvency	B	Unranked
30.44.120	Bank or Trust Company - Receiving Deposits When Insolvent	B	Unranked
31.12.724(2)	Credit Union - Transfer of Credit Union Assets Prior to Insolvency	B	Unranked
31.12.724(3)	Credit Union - Fraudulent Receipt of Credit Union Deposit	B	Unranked
32.04.100	Mutual Savings Bank - Falsify Savings Book, Document or Statement	B	Unranked
32.04.110	Mutual Savings Bank - Conceal or Destroy Evidence	B	Unranked
32.24.080	Mutual Savings Bank - Transfer Bank Assets After Insolvency	B	Unranked
33.36.030	Savings and Loan Association - Preference in Case of Insolvency	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
33.36.040	Savings and Loan Association - Making False Statement of Assets or Liabilities	C	Unranked
33.36.060	Savings and Loan Association - Suppressing, Secreting or Destroying Evidence or Records	C	Unranked
35.36.040	Designation of Bonds – Violation (First Class Cities)	B	Unranked
35A.36.040	Designation of Bonds – Violation (Code Cities)	B	Unranked
36.18.170	Failure to Pay Over Fees to County Treasurer	C	Unranked
38.42.050	False Affidavit Under Service Member Civil Relief Act	C	Unranked
39.44.101	Defraud a Facsimile Signature on Bonds and Coupons	B	Unranked
39.62.040	Unauthorized Use of Public Official Facsimile Signature or Seal	B	Unranked
40.16.010	Injury to a Public Record	C	Unranked
40.16.020	Injury to and Misappropriation of Public Record by Officer	B	Unranked
40.16.030	Offering False Instrument for Filing or Record	C	Unranked
41.26.062	False Statements or Records to Defraud Law Enforcement Officers and Firefighters Retirement System	B	Unranked
41.32.055(1)	False Statements or Records to Defraud Teachers Retirement System	B	Unranked
42.17A.750	False Documents Registered with Public Disclosure Commission (Effective 1/1/2012)	C	Unranked
42.20.070	Misappropriating and Falsifying Accounts by Public Officer	B	Unranked
42.20.090	Misappropriating and Falsifying Accounts by Treasurer	C	Unranked
42.24.100	False Claim from Municipal Corporation (Charged as Perjury 2)	C	Unranked
43.06.230	Damage Property or Cause Personal Injury after State of Emergency Proclaimed	B	Unranked
43.08.140	Embezzlement by State Treasurer	B	Unranked
43.43.856	Divulging Confidential Investigative Information Pertaining to Organized Crime	B	Unranked
46.12.560	Removal of Sticker on Vehicle Stating Previously Destroyed or Title 1 Loss	C	Unranked
46.12.750(1)	False Statements, Illegal Transfers, Alterations or Forgeries of Vehicle Title	B	Unranked
46.12.750(3)	Unlawful Sale of Vehicle Certificate of Ownership	C	Unranked
46.20.0921(2)	Sell or Deliver a Stolen Driver’s License or Identocard	C	Unranked
46.20.0921(3)	Manufacture, Sell or Deliver Forged Driver’s License or Identocard	C	Unranked
(a)			
46.37.673	Use of a Signal Preemption Device Resulting in Property Damage or Less Substantial Bodily Harm	C	Unranked
46.37.674	Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device	B	III
46.37.675	Negligently Causing Death By Use of a Signal Preemption Device	B	VII
46.52.020(4)(a)	Hit and Run - Death	B	IX

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
46.52.020(4)(b)	Hit and Run - Injury	C	IV
46.52.130(5)(b)	Abstracts of Driving Records – Intentional Misuse	C	Unranked
46.61.024	Attempting to Elude Pursuing Police Vehicle	C	I
46.61.502(6)	Driving While Under the Influence of Intoxicating Liquor or any Drug (Effective 7/1/2007)	C	V
46.61.504(6)	Physical Control of a Vehicle While Under the Influence of Intoxicating Liquor or any Drug (Effective 7/1/2007)	C	V
46.61.520(1)(a)	Vehicular Homicide – While Under the Influence of Intoxicating Liquor or any Drug	A	XI
46.61.520(1)(b)	Vehicular Homicide – In a Reckless Manner	A	VIII
46.61.520(1)(c)	Vehicular Homicide - Disregard for the Safety of Others	A	VII
46.61.522(1)(a) & (b)	Vehicular Assault – In a Reckless Manner or While Under the Influence of Intoxicating Liquor or any Drug	B	IV
46.61.522(1)(c)	Vehicular Assault - Disregard for the Safety of Others	B	III
46.70.021	Licensing Violation for Car Dealers or Manufacturers (Subsequent Violation)	C	Unranked
46.70.180(5)	Odometer Offense	C	Unranked
46.80.020(b)	Engage in Business of Wrecking Vehicles Without a License (Subsequent Offense)	C	Unranked
46.87.260	Cab Card Forgery	B	Unranked
48.06.030	Insurance Solicitation Permit Violation	B	Unranked
48.06.190	Exhibiting False Accounts of Insurer	B	Unranked
48.102.160(3)	Fraudulent Life Insurance Settlement	B	Unranked
48.102.160(4)	Unlicensed Life Insurance Provider	B	Unranked
48.102.160(5)	Unlicensed Settlement Broker	B	Unranked
48.15.023(3)	Unlawful Transaction of Insurance Business	B	IV
48.160.080	Sells Guaranteed Asset Protection Waivers Without Registration	B	Unranked
48.17.063(2)	Unlicensed Practice as an Insurance Professional	B	IV
48.17.063(4)	Transaction of Insurance Business Beyond the Scope of Licensure (Violation of RCW 48.17.060)	B	I
48.30.220	Willful Destruction, Injury, Secretion of Insured Property	C	Unranked
48.30.230	False Insurance Claims (Value in Excess of \$1,500)	C	Unranked
48.30A.015	Trafficking in Insurance Claims (Subsequent Violation)	C	II
48.44.016(3)	Unlawful Transaction of Health Coverage as Health Care Service Contractor	B	IV
48.46.033(3)	Unlawful Transaction of Health Coverage as Health Maintenance Organization	B	IV
48.80.030	Health Care False Claims	C	II

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
49.12.410(2)	Child Labor Law Violation – Death/Disability	C	Unranked
51.48.020(1)	Evading Industrial Insurance Premiums	C	Unranked
51.48.020(2)	False Information in Industrial Insurance Claim (Charged as Theft)	*	*
51.48.103(2)	Engaging in Business after Certificate of Coverage Revocation	C	Unranked
61.34.030	Equity Skimming	B	II
64.36.020(5)(b)	Timeshare Registration Requirement Violation	C	Unranked
64.36.210	Timeshare Fraud	C	Unranked
65.12.730	Unlawful Stealing or Carrying Away Certification of Land Registration (Charged as Theft)	*	*
65.12.740	False Swearing - Registration of Land Title (Charged as Perjury)	*	*
65.12.750	Fraudulent Procurement or False Entry on Land Title Registration	C	Unranked
65.12.760	Forgery of Registrar's Signature or Seal	B	Unranked
66.44.120(2)(b)	Unlawful Use of Liquor Board Seal (Third or Subsequent Offense)	C	Unranked
67.08.015	Promoting Illegal Boxing, Martial Arts and Wrestling	C	Unranked
67.24.010	Fraud in Sporting Contest	B	Unranked
67.70.130	Lottery Fraud	B	Unranked
67.70.140	Unlicensed Lottery Activity	B	Unranked
67.70.160	State Lottery Violations Except Lottery fraud and Unlicensed Lottery Activity	C	Unranked
68.05.330	Unfair Practice of Funeral or Cemetery Board	C	Unranked
68.44.060	Unauthorized Loans to Cemetery Authority	C	Unranked
68.50.140(1)	Removing Human Remains	C	Unranked
68.50.140(2)	Purchasing or Receiving Human Remains	C	Unranked
68.50.140(3)	Opening Graves With Intent to Sell or Remove Personal Effects or Human Remains	C	Unranked
68.50.140(4)	Removal, Disinterment or Mutilation of Human Remains	C	Unranked
68.60.040(1)	Destruction of Tomb, Plot, Marker, or Cemetery Property	C	Unranked
68.60.040(3)	Transports Removed Human Remains, Opens a Grave or Removes Personal Effects from Grave	C	Unranked
68.60.050	Removes, Defaces or Destroys any Historic Grave	C	Unranked
68.64.150	Anatomical Gifts - Illegal Purchase or Sale	C	Unranked
68.64.160	Anatomical Gift - Illegal Financial Gain	C	Unranked
69.04.938(3)	Unlawful Misbranding of Food Fish or Shellfish 1	C	III
69.25.155(1)	Interference with Person Performing Official Duties	C	Unranked
69.25.155(2)	Interference with Person Performing Official Duties With a Deadly Weapon	B	Unranked
69.30.085	Participation in Shellfish Operation or Activities While License is Denied, Revoked or Suspended (Effective 7/22/2011)	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
69.40.020	Poison in Milk or Food Product	C	Unranked
69.40.030	Placing Poison or Other Harmful Object or Substance in Food, Drinks, Medicine or Water	B	Unranked
69.41.020	Forged Prescription - Legend Drug	B	DG-I
69.41.030(2)(a)	Sale, Delivery or Possession With Intent to Sell Legend Drug Without Prescription	B	Unranked
69.41.040	Illegal Issuance of Legend Drug Prescription	B	Unranked
69.41.350	Possession of Steroids in Excess of 200 tablets or (8) 2cc Bottles Without a Valid Prescription	C	Unranked
69.43.070(1)	Unlawful Delivery of Precursor Drug with Intent to Use	B	Unranked
69.43.070(2)	Unlawful Receipt of Precursor Drug with Intent to Use	B	Unranked
69.43.080	False Statement in Report of Precursor Drugs	C	Unranked
69.50.401(2)(c-e)	Manufacture, Deliver or Possess with Intent to Deliver - Narcotics from Schedule III, IV, or V or Nonnarcotics from Schedule I-V (except Marijuana, Amphetamine, Methamphetamine, or Flunitrazepam)	C	DG-II
69.50.401(2)(a)	Manufacture, Deliver or Possess with Intent to Deliver - Narcotics from Schedule I or II or Flunitrazepam from Schedule IV	B	DG-II
69.50.401(2)(b)	Deliver or Possess with Intent to Deliver - Methamphetamine	B	DG-II
69.50.401(2)(b)	Manufacture Methamphetamine	B	DG-III
69.50.401(2)(b)	Manufacture, Deliver or Possess with Intent to Deliver - Amphetamine	B	DG-II
69.50.401(2)(c)	Manufacture, Deliver or Possess with Intent to Deliver - Marijuana	C	DG-I
69.50.4011(2)(a-b)	Create, Deliver or Possess a Counterfeit Controlled Substance – Schedule I or II Narcotic or Flunitrazepam or Methamphetamine	B	DG-II
69.50.4011(2)(c-e)	Create, Deliver or Possess a Counterfeit Controlled Substance – Schedule I-II Nonnarcotic, Schedule III-V Except Flunitrazepam or Methamphetamine	C	DG-II
69.50.4012	Delivery of a Material in Lieu of a Controlled Substance	C	DG-II
69.50.4013	Possession of Controlled Substance That is a Narcotic from Schedule III, IV or V or Nonnarcotic from Schedule I-V (Except Phencyclidine or Flunitrazepam), e.g. Methamphetamine, Marijuana	C	DG-I
69.50.4013	Possession of Controlled Substance That is Either Heroin or Narcotics from Schedule I or II or Flunitrazepam from Schedule IV, e.g. Cocaine, PCP	C	DG-I
69.50.4015	Involving a Minor in Drug Dealing	C	DG-III
69.50.402	Dispensing Violation (VUCSA)	C	Unranked
69.50.402	Maintaining a Dwelling or Place for Controlled Substances	C	DG-II
69.50.403	Forged Prescription for a Controlled Substance	C	DG-I
69.50.403	Obtain Controlled Substance by Fraud or Forged Prescription	C	DG-I
69.50.406(1)	Over 18 and Deliver Heroin, Methamphetamine, a Narcotic from Schedule I or II, or Flunitrazepam from Schedule IV to Someone Under 18	A	DG-III

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
69.50.406(2)	Over 18 and Deliver Narcotic from Schedule III, IV or V, or a Nonnarcotic, Except Flunitrazepam or Methamphetamine, from Schedule I-V to Someone Under 18 and 3 Years Junior	B	DG-III
69.50.410	Selling for Profit (Controlled or Counterfeit) any Controlled Substance in Schedule I	C	DG-III
69.50.415	Controlled Substance Homicide	B	DG-III
69.50.416	Controlled Substance Label Violation	C	Unranked
69.50.440	Possession of Ephedrine, Pseudoephedrine or Anhydrous Ammonia with Intent to Manufacture Methamphetamine	B	DG-III
69.51A.060	Medical Marijuana Fraudulent Records	C	Unranked
69.52.030(1)	Manufacture, Distribute or Possess with Intent to Distribute an Imitation Controlled Substance	C	DG-II
69.52.030(2)	Delivery of Imitation Controlled Substance by Person 18 or Over to Person Under 18	B	DG-III
69.52.030(3)	Advertising Imitation Controlled Substances	C	Unranked
69.53.010	Unlawful Use of Building for Drug Purposes	C	DG-I
69.53.020	Unlawful Fortification of Building for Drug Purposes	C	Unranked
69.53.030	Unlawful Use of Fortified Building	C	Unranked
69.55.010	Theft of Ammonia	C	VIII
69.55.020	Unlawful Storage of Ammonia	C	VI
70.105.085(1)(a)	Transport, Disposal or Export of Hazardous Waste That Places Another Person in Danger of Injury or Death	B	Unranked
70.105.085(1)(b)	Transport, Disposal or Export of Hazardous Waste That Places Another Person's Property in Danger of Harm	C	Unranked
70.155.140	Shipping or Transporting Tobacco Products Ordered Through Mail or Internet	C	Unranked
70.245.200(1)	Forging Request for Medication	A	Unranked
70.245.200(2)	Coerce Patient to Request Life-ending Medication	A	Unranked
70.74.022(1)	Manufacture, Purchase, Sell or Store Explosive Device Without License	C	Unranked
70.74.180	Explosive Devices Prohibited	A	IX
70.74.270(1)	Malicious Placement of an Explosive 1	A	XIII
70.74.270(2)	Malicious Placement of an Explosive 2	B	IX
70.74.270(3)	Malicious Placement of an Explosive 3	B	VII
70.74.272(1)(a)	Malicious Placement of an Imitation Device 1	B	XII
70.74.272(1)(b)	Malicious Placement of an Imitation Device 2	C	VI
70.74.275	Intimidation or Harassment With an Explosive	C	Unranked
70.74.280(1)	Malicious Explosion of a Substance 1	A	XV
70.74.280(2)	Malicious Explosion of a Substance 2	A	XIII

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
70.74.280(3)	Malicious Explosion of a Substance 3	B	X
70.94.430(3)	Releasing Into Ambient Air Hazardous Air Pollutant	C	Unranked
72.09.310	Escape from Community Custody	C	II
72.23.170	Assist Escape of Mental Patient	C	Unranked
72.23.300	Bringing Narcotics, Liquor, or Weapons into State Institution or Grounds	B	Unranked
74.08.055(2)	False Verification for Welfare	B	I
74.08.100	False Age and Residency Public Assistance Verification	B	Unranked
74.09.230	False Statement for Medical Assistance	C	Unranked
74.09.240(1)	Receiving or Asking for Bribes, Kickbacks or Rebates	C	Unranked
74.09.240(2)	Paying or Offering Bribes, Kickbacks or Rebates	C	Unranked
74.09.250	False Statements Regarding Institutions, Facilities	C	Unranked
74.09.260	Excessive Charges, Payments	C	Unranked
74.09.290	Unlawful Disclosure of Patient Records or DSHS Information	C	Unranked
76.36.120	Forgery of Forest Product Mark	B	Unranked
76.48.141(1)(a)	Fraudulent Document as Specialized Forest Products Permit, Sales Invoice, Bill of Lading, etc.	C	Unranked
76.48.141(1)(b)	Fraudulent Representation of Authority to Harvest Specialized Forest Products	C	Unranked
76.48.141(2)	Fraudulent Document for Specialized Forest Products Buyer	C	Unranked
77.15.120(3)(b)	Unlawful Taking of Endangered Fish or Wildlife 1	C	III
77.15.250(2)(b)	Unlawful Release of Deleterious Exotic Wildlife	C	I
77.15.253(3)	Unlawful Use of Prohibited Aquatic Animal Species (Subsequent Violation)	C	I
77.15.260(3)(a)	Unlawful Trafficking in Fish, Shellfish or Wildlife 2	C	II
77.15.260(3)(b)	Unlawful Trafficking in Fish, Shellfish or Wildlife 1	B	III
77.15.410(3)(b)	Unlawful Hunting of Big Game 1	C	III
77.15.450(3)(b)	Spotlighting Big Game 1	C	I
77.15.500(3)(b)	Commercial Fishing Without a License 1	C	II
77.15.530(4)	Unlawful Use of a Nondesignated Vessel	C	III
77.15.550(3)(b)	Violating Commercial Fishing Area or Time 1	C	I
77.15.570(2)	Unlawful Participation on Non-Indians in Indian Fishery	C	II
77.15.580(3)(b)	Unlawful Use of Net to Take Fish	C	I
77.15.620(3)(b)	Engaging in Fish Dealing Activity Unlicensed 1	C	II
77.15.630(3)(b)	Unlawful Fish and Shellfish Catch Accounting 1	C	I
77.15.650(3)(b)	Unlawful Purchase or Use of a License 1	C	II
77.15.670(3)(b)	Suspension of Department Privileges 1	C	I

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77.15.770(2)	Unlawful Trade in Shark Fins 1 (Effective 7/22/2011)	C	Unranked
78.44.330	Mineral Trespass	C	I
79A.60.050(1)(a)	Homicide by Watercraft – While Under the Influence of Intoxicating Liquor or any Drug	A	IX
79A.60.050(1)(b)	Homicide by Watercraft – In a Reckless Manner	A	VIII
79A.60.050(1)(c)	Homicide by Watercraft - Disregard for the Safety of Others	A	VII
79A.60.060	Assault by Watercraft	B	IV
79A.60.090	Eluding a Law Enforcement Vessel	C	Unranked
79A.60.200(3)	Hit and Run with Vessel - Injury Accident	C	IV
81.60.070	Malicious Injury to Railroad Property	B	III
81.60.080(1)	Sabotaging Rolling Stock	C	Unranked
81.60.080(2)	Receiving Stolen Railroad Property	C	Unranked
82.24.100	Forgery or Counterfeit Cigarette Tax Stamp	B	Unranked
82.24.110(2)	Transportation of More Than 10,000 Cigarettes Without Proper Stamps	C	Unranked
82.24.500	Unlawfully Purchase, Sell, Consign or Distribute Cigarettes	C	Unranked
82.24.570(2)	Manufacture, Sell or Possess Counterfeit Cigarettes	C	Unranked
82.24.570(3)	Manufacture, Sell or Possess Counterfeit Cigarettes (Subsequent Violation)	B	Unranked
82.26.190	Distributors and Retailer of Tobacco Products License Violation	C	Unranked
82.32.290(2)	False Statement to Department of Revenue	C	Unranked
82.32.290(4)	Phantomware Violation	C	Unranked
82.42.085	Evading the Collection of Aircraft Fuel Tax	C	Unranked
82.36.380	Fuel Tax Evasion	C	Unranked
82.38.270	Special Fuel Violations	C	Unranked
87.03.200	Defraud Facsimile Signatures on Bonds and Coupons – Irrigation Districts	B	Unranked
88.08.020	Tampering with Lights or Signals	B	Unranked
88.08.050(1)	Injury to Lighthouses or United States Light	B	Unranked
88.46.080(2)(b)	Unlawful Operation of a Covered Vessel (Subsequent Violation)	C	Unranked
9.02.120	Unauthorized Abortion	C	Unranked
9.05.030	Assembly of Saboteurs	B	Unranked
9.05.060(2)	Criminal Sabotage	B	Unranked
9.08.090	Crimes Against Animal Facilities	C	Unranked
9.16.010	Removing Lawful Brands	C	Unranked
9.16.020	Imitating Lawful Brands With Intent	C	Unranked
9.16.035(3)	Counterfeiting – Third Conviction and Value \$10,000 or More	C	II

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9.16.035(4)	Counterfeiting – Endanger Public Health or Safety	C	IV
9.24.020	Fraudulent Issue of Stock, Scrip, etc.	B	Unranked
9.24.030	Insolvent Bank Receiving Deposit	B	Unranked
9.24.050	False Report of Corporation	B	Unranked
9.26A.110(3)	Fraud in Obtaining Telecommunications Services (Value Exceeds \$250)	C	Unranked
9.35.010	Improperly Obtaining Financial Information	C	II
9.35.020(2)	Identity Theft 1	B	IV
9.35.020(3)	Identity Theft 2	C	II
9.38.060	Digital Signatures Fraud	C	Unranked
9.40.105	Tampering with Fire Alarm, Emergency Signal, or Fire-fighting Equipment with Intent to Commit Arson	B	Unranked
9.40.120	Possession of Incendiary Device	B	III
9.41.040(1)	Unlawful Possession of a Firearm 1	B	VII
9.41.040(2)	Unlawful Possession of a Firearm 2	C	III
9.41.080	Delivery of Firearms to Ineligible Person	C	Unranked
9.41.110(8)	Delivery of Firearm by Dealer to Ineligible Person	C	Unranked
9.41.171	Alien Possession of a Firearm	C	Unranked
9.41.190	Possession of Machine Gun, Short-barreled Shotgun or Short-barreled Rifle	C	III
9.41.225	Use of Machine Gun in Commission of a Felony	A	VII
9.45.020	Substitution of Child	B	Unranked
9.45.070	Mock Auction	C	Unranked
9.45.124	Fraud in Measurement of Goods	B	Unranked
9.45.126	Inducing Fraud in Measurement of Goods	B	Unranked
9.45.170	Fraud in Liquor Warehouse Receipts	C	Unranked
9.45.210	Altering Sample or Certificate of Assay	C	Unranked
9.45.220	Making False Sample or Assay of Ore	C	Unranked
9.45.260	Malicious Sprinkler Contractor Work	C	Unranked
9.45.270(2)	Fraudulent Filing of Vehicle Report of Sale (Value Exceeds \$250)	C	Unranked
9.45.270(3)	Fraudulent Filing of Vehicle Report of Sale (Value Exceeds \$1,500)	B	Unranked
9.46.039	Greyhound Racing	B	Unranked
9.46.155	Bribing to Obtain a License From Public Officials, Employees, Agents	C	Unranked
9.46.160	Gambling Without License	B	Unranked
9.46.180	Causing Person to Violate Gambling Laws	B	Unranked
9.46.1961	Cheating 1	C	IV
9.46.215	Ownership or Interest in Gambling Device	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9.46.220	Professional Gambling 1	B	Unranked
9.46.221	Professional Gambling 2	C	Unranked
9.46.240	Transmission or Receiving Gambling Information by Internet	C	Unranked
9.47.090	Maintaining a Bucket Shop	C	Unranked
9.47.120	Bunco Steering	B	Unranked
9.61.160	Threats to Bomb	B	IV
9.61.230(2)	Telephone Harassment (With Prior Harassment Conviction or Threat of Death)	C	III
9.61.260(3)	Cyberstalking (With Prior Harassment Conviction or Threat of Death)	C	III
9.62.010(1)	Malicious Prosecution	C	Unranked
9.68.060	Erotic Material (Third or Subsequent Offense)	B	Unranked
9.68.140	Promoting Pornography	C	Unranked
9.68A.040	Sexual Exploitation of a Minor	B	IX
9.68A.050(1)	Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 1 (Effective 6/10/2010)	B	VII
9.68A.050(2)	Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (Effective 6/10/2010)	C	V
9.68A.060(1)	Sending, Bringing into the State Depictions of Minor Engaged in Sexually Explicit Conduct 1	B	VII
9.68A.060(2)	Sending, Bringing into the State Depictions of Minor Engaged in Sexually Explicit Conduct 2	C	V
9.68A.070(1)	Possession of Depictions of Minor Engaged in Sexually Explicit Conduct 1	B	VI
9.68A.070(2)	Possession of Depictions of Minor Engaged in Sexually Explicit Conduct 2	C	IV
9.68A.075(1)	Viewing Depictions of Minor Engaged in Sexually Explicit Conduct 1 (Effective 6/10/2010)	B	IV
9.68A.075(2)	Viewing Depictions of Minor Engaged in Sexually Explicit Conduct 2 (Effective 6/10/2010)	C	Unranked
9.68A.090(2)	Communication with Minor for Immoral Purposes (Subsequent Violation or Prior Sex Offense Conviction)	C	III
9.68A.100	Commercial Sexual Abuse of a Minor	B	VIII
9.68A.101	Promoting Commercial Sexual Abuse of a Minor	A	XII
9.68A.102	Promoting Travel for Commercial Sexual Abuse of a Minor	C	Unranked
9.73.230	Intercepting, Transmitting or Recording Conversations Concerning Controlled Substances	C	Unranked
9.81.020	Subversive Acts	B	Unranked
9.81.030	Member of Subversive Organization	C	Unranked
9.82.010	Treason	A	Unranked

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9.82.030	Misprision of Treason	C	Unranked
9.91.142(1)	Unlawful Trafficking in Food Stamps	C	I
9.91.144	Unlawful Redemption of Food Stamps	C	I
9.91.150(1)	Tree Spiking	C	Unranked
9.91.170(5)	Intentional Infliction, Injury or Death to a Guide Dog or Service Animal	C	Unranked
9.91.175(3)	Intentionally Injures, Disables or Causes Death of an On-Duty Search and Rescue Dog	C	Unranked
9.94.010	Prison Riot	B	Unranked
9.94.030	Holding Hostages or Interfering with Officer's Duty	B	Unranked
9.94.040(1)	Possession of Weapons by Prisoners (State Facility)	B	Unranked
9.94.040(2)	Possession of Weapons by Prisoners (County or Local Facility)	C	Unranked
9.94.041(1)	Possession of Controlled Substance by Prisoner (State Facility)	C	Unranked
9.94.041(2)	Possession of Controlled Substance by Prisoner (County or Local Facility)	C	Unranked
9.94.043	Possession of Weapons in Prison by Non-prisoner	B	Unranked
9.94.045	Possession of Controlled Substance in Prison by Non-prisoner	C	Unranked
9.94.070	Persistent Prison Misbehavior	C	V
90.56.300(2)(b)	Unlawful Operation of Onshore or Offshore Facility (Subsequent Conviction)	C	Unranked
90.56.530	Reckless Operation of a Tank Vessel	C	Unranked
90.56.540	Operation of a Vessel While Under the Influence of Intoxicating Liquor or Drugs	C	Unranked
9A.28.020(3)(a)	Arson 1 – Criminal Attempt	A	VIII
9A.28.020(3)(a)	Child Molestation 1 – Criminal Attempt	A	X
9A.28.020(3)(a)	Indecent Liberties - With Forcible Compulsion – Criminal Attempt	A	X
9A.28.020(3)(a)	Murder 1 – Criminal Attempt	A	XV
9A.28.020(3)(a)	Murder 2 – Criminal Attempt	A	XIV
9A.28.020(3)(a)	Rape 1 – Criminal Attempt	A	XII
9A.28.020(3)(a)	Rape 2 – Criminal Attempt	A	XI
9A.28.020(3)(a)	Rape of a Child 1 – Criminal Attempt	A	XII
9A.28.020(3)(a)	Rape of a Child 2 – Criminal Attempt	A	XI
9A.28.030(2)	Arson 1 – Criminal Solicitation	A	VIII
9A.28.030(2)	Child Molestation 1 – Criminal Solicitation	A	X
9A.28.030(2)	Indecent Liberties - With Forcible Compulsion – Criminal Solicitation	A	X
9A.28.030(2)	Murder 1 – Criminal Solicitation	A	XV
9A.28.030(2)	Murder 2 – Criminal Solicitation	A	XIV
9A.28.030(2)	Rape 1 – Criminal Solicitation	A	XII

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9A.28.030(2)	Rape 2 – Criminal Solicitation	A	XI
9A.28.030(2)	Rape of a Child 1 – Criminal Solicitation	A	XII
9A.28.030(2)	Rape of a Child 2 – Criminal Solicitation	A	XI
9A.28.040(3)(a)	Murder 1 - Criminal Conspiracy	A	XV
9A.32.030	Murder 1	A	XV
9A.32.050	Murder 2	A	XIV
9A.32.055	Homicide by Abuse	A	XV
9A.32.060	Manslaughter 1	A	XI
9A.32.070	Manslaughter 2	B	VIII
9A.36.011	Assault 1	A	XII
9A.36.021(2)(a)	Assault 2	B	IV
9A.36.021(2)(b)	Assault 2 With a Finding of Sexual Motivation	A	IV
9A.36.031(1)(a)-(g) & (i)-(j)	Assault 3 – Excluding Assault 3 of a Peace Officer with a Projectile Stun Gun	C	III
9A.36.031(1)(h)	Assault 3 - Of a Peace Officer with a Projectile Stun Gun	C	IV
9A.36.045	Drive-by Shooting	B	VII
9A.36.060	Promoting a Suicide Attempt	C	Unranked
9A.36.080	Malicious Harassment	C	IV
9A.36.090	Threats Against Governor or Family	C	Unranked
9A.36.100	Custodial Assault	C	III
9A.36.120	Assault of a Child 1	A	XII
9A.36.130	Assault of a Child 2	B	IX
9A.36.140	Assault of a Child 3	C	III
9A.40.020	Kidnapping 1	A	X
9A.40.030(3)(a)	Kidnapping 2	B	V
9A.40.030(3)(b)	Kidnapping 2 With a Finding of Sexual Motivation	A	V
9A.40.040	Unlawful Imprisonment	C	III
9A.40.060	Custodial Interference 1	C	Unranked
9A.40.070	Custodial Interference 2 (Subsequent Offense)	C	Unranked
9A.40.090	Luring of a Child or Developmentally Disabled Person	C	Unranked
9A.40.100(1)	Trafficking 1	A	XIV
9A.40.100(2)	Trafficking 2	A	XII
9A.42.020	Criminal Mistreatment 1	B	X
9A.42.030	Criminal Mistreatment 2	C	V
9A.42.060	Abandonment of Dependent Persons 1	B	IX

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9A.42.070	Abandonment of Dependent Persons 2	C	V
9A.42.100	Endangerment With a Controlled Substance	B	IV
9A.44.040	Rape 1	A	XII
9A.44.050	Rape 2	A	XI
9A.44.060	Rape 3	C	V
9A.44.073	Rape of a Child 1	A	XII
9A.44.076	Rape of a Child 2	A	XI
9A.44.079	Rape of a Child 3	C	VI
9A.44.083	Child Molestation 1	A	X
9A.44.086	Child Molestation 2	B	VII
9A.44.089	Child Molestation 3	C	V
9A.44.093	Sexual Misconduct with a Minor 1	C	V
9A.44.100(2)(a)	Indecent Liberties - Without Forcible Compulsion	B	VII
9A.44.100(2)(b)	Indecent Liberties - With Forcible Compulsion	A	X
9A.44.105	Sexually Violating Human Remains	C	V
9A.44.115	Voyeurism	C	II
9A.44.132(1)(a)	Failure to Register as a Sex Offender (First Violation)	C	Unranked
9A.44.132(1)(a)	Failure to Register as a Sex Offender (Second Violation Committed on or After 6/10/2010)	C	II
9A.44.132(1)(a)	Failure to Register as a Sex Offender (Subsequent Violation Committed on or After 6/7/2006 but Before 6/10/2010)	C	II
9A.44.132(1)(b)	Failure to Register as a Sex Offender (Third or Subsequent Violation Committed on or After 6/10/2010)	B	II
9A.44.132(3)	Failure to Register as a Kidnapping Offender	C	Unranked
9A.44.160	Custodial Sexual Misconduct 1	C	V
9A.44.196	Criminal Trespass Against Children	C	Unranked
9A.46.020(2)(b)	Harassment (Subsequent Conviction or Threat of Death)	C	III
9A.46.110	Stalking	B	V
9A.46.120	Criminal Gang Intimidation	C	III
9A.48.020	Arson 1	A	VIII
9A.48.030	Arson 2	B	IV
9A.48.040	Reckless Burning 1	C	I
9A.48.070	Malicious Mischief 1	B	II
9A.48.080	Malicious Mischief 2	C	I
9A.48.120	Civil Disorder Training	B	VII
9A.49.020	Unlawful Discharge of a Laser 1	C	Unranked

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9A.52.020	Burglary 1	A	VII
9A.52.025	Residential Burglary	B	IV
9A.52.030	Burglary 2	B	III
9A.52.095	Vehicle Prowl 1	C	I
9A.52.100(3)	Vehicle Prowling 2 (Third or Subsequent Offense)	C	IV
9A.52.110	Computer Trespass 1	C	II
9A.56.030	Theft 1 (Excluding Firearm and Motor Vehicle)	B	II
9A.56.040	Theft 2 (Excluding Firearm and Motor Vehicle)	C	I
9A.56.060(4)	Unlawful Issuance of Checks or Drafts (Value Greater Than \$750)	C	I
9A.56.065	Theft of a Motor Vehicle	B	II
9A.56.068	Possession of a Stolen Vehicle	B	II
9A.56.070	Taking Motor Vehicle Without Permission 1	B	V
9A.56.075	Taking Motor Vehicle Without Permission 2	C	I
9A.56.080	Theft of Livestock 1	B	IV
9A.56.083	Theft of Livestock 2	C	III
9A.56.096(5)(a)	Theft of Rental, Leased, Lease-purchased or Loaned Property (Valued at \$5,000 or More)	B	II
9A.56.096(5)(b)	Theft of Rental, Leased, Lease-purchased or Loaned Property (Valued at \$750 or More but Less Than \$5,000)	C	I
9A.56.120	Extortion 1	B	V
9A.56.130	Extortion 2	C	III
9A.56.150	Possession of Stolen Property 1 (Other Than Firearm or Motor Vehicle)	B	II
9A.56.160	Possession of Stolen Property 2 (Other Than Firearm or Motor Vehicle)	C	I
9A.56.200	Robbery 1	A	IX
9A.56.210	Robbery 2	B	IV
9A.56.230	Unlawful Sale of Subscription Television Services	C	Unranked
9A.56.262	Theft of Telecommunication Service	C	Unranked
9A.56.264	Unlawful Manufacture of a Telecommunication Device	C	Unranked
9A.56.266	Unlawful Sale of a Telecommunication Device	C	Unranked
9A.56.290(4)(a)	Unlawful Factoring of a Credit or Payment Card Transaction	C	II
9A.56.290(4)(b)	Unlawful Factoring of a Credit or Payment Card Transaction (Subsequent Violation)	B	IV
9A.56.300	Theft of a Firearm	B	VI
9A.56.310	Possession of a Stolen Firearm	B	V
9A.56.320(1)	Unlawful Production of Payment Instruments	C	I

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9A.56.320(2)	Unlawful Possession of Payment Instruments	C	I
9A.56.320(3)	Unlawful Possession of a Personal Identification Device	C	I
9A.56.320(4)	Unlawful Possession of Fictitious Identification	C	I
9A.56.320(5)	Unlawful Possession of Instruments of Financial Fraud	C	I
9A.56.340(2)	Theft with Intent to Resell 1	B	III
9A.56.340(3)	Theft with Intent to Resell 2	C	II
9A.56.350(2)	Organized Retail Theft 1	B	III
9A.56.350(3)	Organized Retail Theft 2	C	II
9A.56.360(2)	Retail Theft with Special Circumstances 1	B	III
9A.56.360(3)	Retail Theft with Special Circumstances 2	C	II
9A.56.360(4)	Retail Theft with Special Circumstances 3	C	Unranked
9A.56.370	Mail Theft (Effective 7/22/2011)	C	Unranked
9A.56.380	Possession of Stolen Mail (Effective 7/22/2011)	C	Unranked
9A.58.020	Possessing or Capturing Personal Identification Document	C	Unranked
9A.60.020	Forgery	C	I
9A.60.030	Obtaining Signature by Deception or Duress	C	Unranked
9A.60.040	Criminal Impersonation 1	C	Unranked
9A.60.060	Fraudulent Creation or Revocation of Mental Health Advance Directive	C	I
9A.60.070	Issuing a False Academic Credential	C	Unranked
9A.61.030	Defrauding a Public Utility 1	B	Unranked
9A.61.040	Defrauding a Public Utility 2	C	Unranked
9A.64.010	Bigamy	C	Unranked
9A.64.020(1)	Incest 1	B	VI
9A.64.020(2)	Incest 2	C	V
9A.64.030(3)(a)	Child Selling	C	Unranked
9A.64.030(3)(b)	Child Buying	C	Unranked
9A.68.010	Bribery	B	VI
9A.68.020	Requesting Unlawful Compensation	C	Unranked
9A.68.030	Receiving or Granting Unlawful Compensation	C	Unranked
9A.68.040	Trading in Public Office	C	Unranked
9A.68.050	Trading in Special Influence	C	Unranked
9A.68.060	Commercial Bribery	B	IV
9A.72.020	Perjury 1	B	V
9A.72.030	Perjury 2	C	III
9A.72.090	Bribing a Witness	B	IV

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9A.72.100	Bribe Received by Witness	B	IV
9A.72.110	Intimidating a Witness	B	VI
9A.72.120	Tampering with a Witness	C	III
9A.72.130	Intimidating a Juror	B	VI
9A.72.160	Intimidating a Judge	B	VI
9A.76.023(2)(a)	Disarming a Law Enforcement or Corrections Officer	C	Unranked
9A.76.023(2)(b)	Disarming a Law Enforcement or Corrections Officer and Firearm is Discharged	B	Unranked
9A.76.070(2)(a)	Rendering Criminal Assistance 1	B	V
9A.76.110	Escape 1	B	IV
9A.76.115	Sexually Violent Predator Escape	A	X
9A.76.120	Escape 2	C	III
9A.76.140	Introducing Contraband 1	B	VII
9A.76.150	Introducing Contraband 2	C	III
9A.76.170(3)(a)	Bail Jumping with Murder 1	A	VI
9A.76.170(3)(b)	Bail Jumping with Class A Felony	B	V
9A.76.170(3)(c)	Bail Jumping with Class B or C Felony	C	III
9A.76.177	Amber Alert – Making False Statements to a Public Servant	C	Unranked
9A.76.180	Intimidating a Public Servant	B	III
9A.76.200	Harming a Police Dog/Horse or an Accelerate Detection Dog	C	Unranked
9A.82.020	Extortionate Extension of Credit	B	V
9A.82.030	Advancing Money or Property for Extortionate Extension of Credit	B	V
9A.82.040	Extortionate Means to Collect Extensions of Credit	B	V
9A.82.045	Collection of Unlawful Debt	C	Unranked
9A.82.050	Trafficking in Stolen Property 1	B	IV
9A.82.055	Trafficking in Stolen Property 2	C	III
9A.82.060(1)(a)	Leading Organized Crime – Organizing Criminal Profiteering	A	X
9A.82.060(1)(b)	Leading Organized Crime - Inciting Criminal Profiteering	B	IX
9A.82.070	Influencing Outcome of Sporting Event	C	IV
9A.82.080(1-2)	Use of Proceeds of Criminal Profiteering	B	IV
9A.82.080(3)	Attempt or Conspiracy to Violate RCW 9A.82.080(1) or (2)	C	Unranked
9A.82.160	Criminal Profiteering Lien After Service of Notice	C	Unranked
9A.83.020	Money Laundering	B	Unranked
9A.84.010(2)(b)	Riot	C	Unranked
9A.88.010(2)(c)	Indecent Exposure to a Person Under Age 14 (Subsequent Conviction or Has Prior Sex Offense Conviction)	C	IV

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<b>Statute (RCW)</b>	<b>Offense</b>	<b>Class</b>	<b>Seriousness Level</b>
9A.88.070	Promoting Prostitution 1	B	VIII
9A.88.080	Promoting Prostitution 2	C	III
9A.88.085	Promoting Travel for Prostitution	C	Unranked

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## SECTION 6 - QUICK REFERENCE SHEETS

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### SENTENCING ALTERNATIVES

#### FIRST TIME OFFENDER WAIVER (FTOW) (RCW 9.94A.650)

##### Offender Eligibility

- No prior conviction of a felony in this state, federal court, or another state; and
- Never participated in a program of deferred prosecution for a felony.

Certain felony offenses are *not* eligible for a FTOW sentence.

- Any offense classified as violent or sex under this chapter;
- Manufacture, delivery, or possession with intent to manufacture or deliver a controlled substance classified in Schedule I or II that is a narcotic drug or flunitrazepam classified in Schedule IV;
- Manufacture, delivery, or possession with intent to deliver a methamphetamine, its salts, isomers, and salts of its isomers as defined in RCW 69.50.206(d)(2);
- Selling for profit of any controlled substance or counterfeit substance classified in Schedule I, RCW 69.50.204, except leaves and flowering tops of marijuana;
- Felony driving while under the influence of intoxicating liquor or any drug; or
- Felony physical control of a vehicle while under the influence of intoxicating liquor or any drug.

##### Sentencing

- The court may waive the imposition of a sentence within the standard sentence range and impose a sentence which may include up to ninety days of confinement in a facility operated or utilized under contract by the county and a requirement that the offender refrain from committing new offenses.

##### Community Custody

In 2011, the legislature reduced the duration of community custody for FTOW sentences.

- Up to 6 months of community custody;
- Up to 12 months of community custody if treatment is ordered.

For further information on community custody conditions of an FTOW, see RCW 9.94A.703.

#### PARENTING SENTENCING ALTERNATIVE (RCW 9.94A.655)

##### Offender Eligibility

- The high end of the standard sentence range for the current offense is greater than one year;
- No prior or current conviction for a felony that is a sex offense or a violent offense;
- Not subject to a deportation detainer order and does not become subject to a deportation order during the period of the sentence;
- The offender signs any release of information waivers required to allow information regarding current or prior child welfare cases to be shared with the department and the court; and

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- The offender has physical custody of his or her minor child or is a legal guardian or custodian with physical custody of a child under the age of eighteen at the time of the current offense.

In making its determination, the court may order the department to complete either a risk assessment report or a chemical dependency screening report as provided in RCW 9.94A.500, or both reports prior to sentencing.

Open or prior child welfare cases:

- If the offender has an open child welfare case, the children’s administration or the tribal child welfare agency shall provide a report within seven business days. See RCW 9.94A.655(3)(a) for minimum requirements of the report.
- Prior child welfare case: If the offender has a prior child welfare case with the children’s administration or with a tribal child welfare agency, the department will obtain information from the children’s administration on the number and type of past substantiated referrals of abuse or neglect and report that information to the court.

### Sentencing

- Imposing The Parenting Sentencing Alternative:
  - The court shall waive imposition of a sentence within the standard sentence range and impose a sentence consisting of twelve months of community custody.
  - The court shall consider the offender’s criminal history when determining if the alternative is appropriate.
- When a Court Imposes a Sentence Of Community Custody Under This Section:
  - The court may impose conditions as provided in RCW 9.94A.703 and may impose other affirmative conditions as the court considers appropriate.
  - The department may impose conditions as authorized in RCW 9.94A.704 that may include, but are not limited to:
    - Parenting classes;
    - Chemical dependency treatment;
    - Mental health treatment;
    - Vocational training;
    - Offender change programs;
    - Life skills classes.
  - The department shall report to the court if the offender commits any violations of his or her sentence conditions.

### Community Custody

- The department shall provide the court with quarterly progress reports regarding the offender’s progress in required programming, treatment, and other supervision conditions. When an offender has an open child welfare case, the department will seek to coordinate services with the children’s administration.
- Violations and Sanctions
  - If the offender is brought back to court, the court may modify the conditions of community custody or impose sanctions under RCW 9.94A.655(7)(c).

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- The court may order the offender to serve a term of total confinement within the standard range of the offender's current offense at any time during the period of community custody. RCW 9.94A.655(7)(c).

Alternative to Sentencing Under RCW 9.94A.6551: Partial Confinement As Part Of A Parenting Program

For offenders not sentenced under RCW 9.94A.655, but otherwise eligible under this section, no more than the final twelve months of the offender's term of confinement may be served in partial confinement as home detention as part of the parenting program developed by the department.

- Eligibility requirements - The secretary may transfer an offender from a correctional facility to home detention in the community if it is determined that the parenting program is an appropriate placement and when all of the following conditions exist:
  - The offender is serving a sentence in which the high end of the range is greater than one year;
  - The offender has no current conviction for a felony that is a sex offense or a violent offense;
  - The offender has not been found by the United States attorney general to be subject to a deportation detainer or order and does not become subject to a deportation order during the period of the sentence;
  - The offender signs any release of information waivers required to allow information regarding current or prior child welfare cases to be shared with the department and the court;
  - The offender:
    - Has physical or legal custody of a minor child;
    - Has a proven, established, ongoing, and substantial relationship with his or her minor child that existed prior to the commission of the current offense; or
    - Is a legal guardian of a child that was under the age of eighteen at the time of the current offense; and
    - The department determines that such a placement is in the best interests of the child.

When the department is considering partial confinement as part of the parenting program for an offender, the department shall inquire of the individual and the children's administration with the Washington state department of social and health services whether the agency has an open child welfare case or prior substantiated referral for abuse or neglect involving the offender. If the children's administration or a tribal jurisdiction has an open child welfare case, the department will seek input from the children's administration or the involved tribal jurisdiction as to: (a) The status of the child welfare case; and (b) recommendations regarding placement of the offender and services required of the department and the court governing the individual's child welfare case. The department and its officers, agents, and employees are not liable for the acts of offenders participating in the parenting program unless the department or its officers, agents, and employees acted with willful and wanton disregard.

- Conditions for partial confinement
  - All offenders placed on home detention as part of the parenting program shall provide an approved residence and living arrangement prior to transfer to home detention.
  - While in the community on home detention as part of the parenting program, the department shall:
    - Require the offender to be placed on electronic home monitoring;

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- Require the offender to participate in programming and treatment that the department determines is needed;
  - Assign a community corrections officer who will monitor the offender's compliance with conditions of partial confinement and programming requirements; and
  - If the offender has an open child welfare case with the children's administration, collaborate and communicate with the identified social worker in the provision of services.
- The department has the authority to return any offender serving partial confinement in the parenting program to total confinement if the offender is not complying with sentence requirements.

## **DRUG OFFENDER SENTENCING ALTERNATIVE (DOSA) (RCW 9.94A.660)**

### **Prison – Based Option (RCW 9.94A.662) or Residential-Based Treatment Option (RCW 9.94A.664)**

#### Offender Eligibility

An offender is eligible for the special drug offender sentencing alternative if:

- The offender is convicted of a felony that is not a violent offense or sex offense and the violation does not involve a sentence enhancement under RCW 9.94A.533(3) or (4);
- The offender is convicted of a felony that is not a felony Driving While Under the Influence of Intoxicating Liquor or Any Drug (RCW 46.61.502(6)) or felony Physical Control of a Vehicle While Under The Influence of Intoxicating Liquor or Any Drug (RCW 46.61.504(6));
- The offender has no current or prior convictions for a sex offense at any time or violent offense within ten years before conviction of the current offense, in this state, another state, or the United States;
- For a violation of the Uniform Controlled Substances Act under Chapter 69.50 RCW or a criminal solicitation to commit such a violation under Chapter 9A.28 RCW, the offense involved only a small quantity of the particular controlled substance as determined by the judge upon consideration of such factors as the weight, purity, packaging, sale price, and street value of the controlled substance;
- The offender has not been found by the United States attorney general to be subject to a deportation detainer or order and does not become subject to a deportation order during the period of the sentence;
- The standard range meets certain qualifications:
  - Prison-based option - the end of the standard sentence range for the current offense is greater than one year;
  - Residential-based option – the end of the standard sentence range for the current offense is greater than one year and the midpoint of the standard range is 24 months or less; and
- The offender has not received a drug offender sentencing alternative more than once in the prior ten years before the current offense.

#### Sentencing

- If the sentencing court determines that the offender is eligible for an alternative sentence under this section and that the alternative sentence is appropriate, the court shall:
  - Waive imposition of a sentence within the standard sentence range; and
  - Impose a sentence consisting of either a prison-based alternative or a residential chemical dependency treatment-based alternative.

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- To assist the court in making its determination, the court may order the department to complete a risk assessment report, a chemical dependency screening report or both. Refer to RCW 9.94A.500 for minimum requirements of both prison-based and residential treatment examinations.
- Prison-based option will include a period of total confinement in a state facility for one-half the midpoint of the standard sentence range or 12 months, whichever is greater.

#### Community Custody

- The court may bring any offender sentenced under this section back into court at any time on its own initiative to evaluate the offender's progress in treatment or to determine if any violations of the conditions of the sentence have occurred.
- If the offender is brought back to court, the court may modify the conditions of the community custody or impose sanctions under RCW 9.94A.660(7)(c).
- The court may order the offender to serve a term of total confinement within the standard range of the offender's current offense at any time during the period of community custody if the offender violates the conditions or requirements of the sentence or if the offender is failing to make satisfactory progress in treatment. RCW 9.94A.660(7)(c).
- Prison-based option includes:
  - A term of community custody equal to one-half of the midpoint of the standard sentence range;
  - Appropriate substance abuse treatment in a program approved by DSHS-DASA;
  - Crime-related prohibitions, including a condition not to use illegal controlled substances;
  - A requirement to submit to urinalysis or other testing;
  - Upon failure to complete or administrative termination from the program, a term of community custody pursuant to RCW 9.94A.701 is to be imposed.
- Residential-based option includes:
  - A term of community custody equal to one-half of the midpoint of the standard range or two years, whichever is greater;
  - Entrance and remaining in residential chemical dependency treatment certified under Chapter 70.96A RCW for a period between three and six months as set by the court.

### **SPECIAL SEX OFFENDER SENTENCING ALTERNATIVE (SSOSA) (RCW 9.94A.670)**

#### Offender Eligibility

An offender is eligible for the special sex offender sentencing alternative if:

- The offender is convicted of a sex offense that is not:
  - Serious violent offense
  - Rape 2<sup>nd</sup> degree; and
- The offender has no prior:
  - Convictions for a felony sex offense in this or any other state; and
  - Adult conviction for a violent offense in the five years prior to the date the current offense was committed; and
- The offense did not result in substantial bodily harm to the victim; and
- There was an established relationship/connection to the victim other than that resulting from the crime; and
- If the conviction results from a guilty plea, the offender must voluntarily and affirmatively admit to committing all of the elements of the crime (Alford and Newton pleas are not eligible); and
- The standard sentence range for the offense includes the possibility of confinement of less than 11 years.

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If the court finds the offender is eligible for this alternative, it may order an examination to determine whether the offender is amenable to treatment. After receipt of the reports, the court shall determine whether this alternative is appropriate. If the sentencing court determines that the offender is eligible for an alternative sentence under this section and that the alternative sentence is appropriate, the court shall impose a sentence or minimum term (RCW 9.94A.507) within the standard range. If the sentencing imposed is less than 11 years, the court may suspend the execution of the sentence.

#### Suspended Sentence Sentencing

- The court must impose:
  - A term of confinement up to 12 months or the maximum term within the standard range, whichever is less.
  - A term of confinement greater than 12 months or the maximum term within the standard range if an aggravating circumstance is present.
- The court may order the offender to serve all or part of the sentence in partial confinement.
- SSOSA sentences are not eligible for earned release.
- The court may revoke the suspended sentence at any time during the period of community custody and order execution of the sentence if:
  - The offender violate conditions of suspended sentence; or
  - The court finds the offender is failing to make satisfactory progress in treatment.

#### Suspended Sentencing Treatment

The court must impose outpatient or inpatient sex offender treatment for any period up to five years.

#### Suspended Sentence Community Custody

- The court must impose:
  - A term of community custody equal to the length of the suspended sentence, the length of the maximum term imposed per RCW 9.94A.507, or three years, whichever is greater; and
  - Specific prohibitions and affirmative conditions related to precursor behaviors or activities.
- Conditions of the suspended sentence may include one or more of the following:
  - Crime-related prohibitions;
  - Require the offender to devote time to a specific employment or occupation;
  - Remain within prescribed geographical boundaries and
  - Notify the court or community corrections officer prior to any address or employment change;
  - Report as directed to the court and a community corrections officer;
  - Pay all court-ordered legal financial obligations;
  - Perform community restitution work; or
  - Reimburse victim for any counseling costs as a result of the crime.
- The Department of Corrections may impose sanctions for a violation of a requirement that is not a condition of the suspended sentence.
- For violations of the prohibited or affirmative conditions relating to precursor behaviors or activities, the Department of Corrections shall:
  - First violation
    - Impose sanctions per RCW 9.94A.633(1) or
    - Refer violation to the court and recommend revocation of suspended sentence

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- Second violation – refer the violation to the court and recommend revocation of suspended sentence.
- If the suspended sentence is revoked, all confinement time served during community custody shall be credited to the offender.

## SENTENCING ENHANCEMENTS

### Felony Traffic Enhancements

- Vehicular Homicide While Under the Influence of Intoxicating Liquor or Any Drug (RCW 9.94A.533(7))
  - Enhancement duration of 24 months for each prior offense under RCW 46.61.5055 in a person’s criminal history.
  - These prior offenses used to enhance a sentence do not count towards the offender’s score.
  - The enhancement portion is subject to earned release time.
  - Shall be served in total confinement and shall run consecutive to all other sentencing provisions.
- Attempting to Elude a Police Vehicle (RCW 9.94A.533(11))
  - Resulting in the threat of physical injury or harm to one or more persons other than the defendant or the pursuing law enforcement officer .
  - Enhancement duration is a *12 months and 1 day enhancement* to the presumptive sentence.
  - In order to obtain the enhancement, the State must file a special allegation and a judge or jury must find that it occurred beyond a reasonable doubt.
- Minor Child (RCW 9.94A.533(13))
  - Applies to the following traffic offenses:
    - Vehicular Homicide While Under the Influence of Intoxicating Liquor or Any Drug;
    - Vehicular Assault While Under the Influence of Intoxicating Liquor or Any Drug;
    - Any Felony Driving Under the Influence; or
    - Felony Physical Control Under the Influence.
  - 12 month enhancement for each child passenger under 16 in the defendant’s vehicle.
  - Shall be served in total confinement and shall run consecutively to all other sentencing provisions.
  - If the minor child enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion representing the enhancement may not be reduced.

### Firearm and Deadly Weapon Enhancements

All felony offenses, except where the use of a firearm is an element of the offense, are eligible for firearm (RCW 9.94A.533(3)) and deadly weapon (RCW 9.94A.533(4)) enhancements.

- Anytime a court makes a finding of fact or a jury returns a special verdict that the accused or accomplice was armed with a deadly weapon at the time of the commission of the crime, the court must apply the enhancement to the sentence.
- Enhancements apply to both the accused and any accomplice(s).

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- All firearm and deadly weapon enhancements shall be served in total confinement, and shall run consecutively to all other offenses included in the sentence.
- This applies to anticipatory offenses, including attempts, conspiracies and solicitations to commit a crime.
- If the addition of a firearm enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced. RCW 9.94A.599.

For the amounts of each enhancement and the applicable offenses by effective date, please go to the Deadly Weapon Enhancement scoring form under General Scoring Forms in Section 7.

### **Drug-Related Enhancements**

Certain drug offenses are subject to enhancements when the offense takes place in a protected zone, in the presence of a child, or in a correctional facility.

- Protected Zone (RCW 9.94A.533(6))
  - If an offender is sentenced for committing certain drug offenses committed in a protected zone; and
  - Committed in a protected zones:
    - Schools or school buses;
    - 1,000 feet of a school bus route or a school ground perimeter;
    - Public parks;
    - Public transit vehicles or public transit stops;
    - Civic centers designated as a drug-free zone by the governing authority or 1,000 feet of the perimeter of the facility, if the local governing authority specifically designates the 1,000 foot perimeter;
    - In a public housing project designated by a local governing authority as a drug-free zone.
  - Enhancement duration of 24 months is added to the presumptive sentence and the maximum imprisonment and fine are doubled (RCW 69.50.406 offenses are excluded).
- Presence of a Child (RCW 9.94A.533(6))
  - Convicted of manufacture of methamphetamine or of the possession of ephedrine or pseudo-ephedrine with intent to manufacture; and
  - There was a special allegation proven that a person under the age of 18 years old was present in or upon the premises.
  - Enhancement duration is 24 months to the presumptive sentence.
- Correctional Facility (RCW 9.94A.533(5))
  - If an offender or accomplice committed certain violations of the VUCSA statute while in county or state correctional facility, an enhancement must be added to the presumptive range.
  - **18 month enhancement for offenses under RCW 69.50.401(2)(a) or (b), 69.50.410:**
    - Manufacture, Possess w/Intent to Deliver Heroin or Cocaine;
    - Manufacture, Deliver, Possess with Intent to Deliver Schedule I or II Narcotics (Except Heroin or Cocaine) or Flunitrazepam from Schedule IV;
    - Selling for Profit (Controlled or Counterfeit) Any Controlled Substance; Deliver or Possess with Intent to Deliver Methamphetamine;

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- Manufacture of Methamphetamine; Manufacture, Deliver, Possess with Intent to Deliver Amphetamine.
- **15 month enhancement for offenses under RCW 69.50.401(c), (d) or (e):**
  - Manufacture, Deliver, Possess with Intent to Deliver Schedule III-V Narcotics or Schedule I-V Nonnarcotic (Except Marijuana, Amphetamine, Methamphetamine or Flunitrazepam);
  - Manufacture, Deliver, Possess with Intent to Deliver Marijuana;
- **12 month enhancement for offenses under RCW 69.50.4013:**
  - Possession of Controlled Substance that is either Heroin or Narcotics from Schedule I or II or Flunitrazepam from Schedule IV;
  - Possession of Phencyclidine (PCP);
  - Possession of a Controlled Substance that is a Narcotic from Schedule III-V or Nonnarcotic from Schedule I-V (Except Phencyclidine).

### **Sex Offense Enhancements**

- Sexual Conduct in Return for a Fee (RCW 9.94A.533(9))
  - Anticipatory offenses receive the same enhancement as if completed.
  - Rape of a Child or Child Molestation in exchange for a fee with the victim if committed after July 22, 2007.
  - Duration of enhancement is 12 months.
- Sexual Motivation (RCW 9.94A.533(8))
  - This enhancement is applicable to any felony offense committed after July 1, 2006.
  - Anticipatory offenses receive same enhancement as if completed.
  - Enhancement duration:
    - Class A = 24 mos.;
    - Class B = 18 mos.;
    - Class C = 12 mos.
  - Prior sexual motivation enhancements: if the offender has any prior SM enhancements after July 1, 2006, the subsequent sexual motivation enhancement duration is doubled.
  - Enhancement served in total confinement.
- If the addition of a sexual motivation enhancement increases the sentence so that it would exceed the statutory maximum for the offense, the portion of the sentence representing the enhancement may not be reduced.
- Sex offense enhancements shall run consecutively to all other sentencing provisions.

### **Law Enforcement Enhancement**

Assault of law enforcement officer or other employee of a law enforcement agency (RCW 9.94A.533(12))

- Any person found guilty of assaulting a law enforcement officer, or other employee of a law enforcement agency who was performing his or her duties at the time of the assault
- Duration of enhancement is 12 months.
- In order to obtain the enhancement, the State must file a special allegation and a judge or jury must find that it occurred beyond a reasonable doubt.

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### **Criminal Street Gang-Related Enhancement**

Felony offense involving the compensation, threatening, or solicitation of a minor in order to involve that minor in the commission of a felony offense (RCW 9.94A.533(10)).

- This enhancement increases the standard range sentence for the underlying crime.
- When the State files a special allegation and proves that a felony offense involved the compensation, threatening, or solicitation of a minor in order to involve that minor in the commission of the felony offense, the standard range for that felony is determined by multiplying the grid range by 125%. RCW 9.94A.533(10)(a).
- The enhancement does not apply to any criminal street gang-related felony for which involving a minor in the commission of the felony is already an element of the offense. RCW 9.94A.533(10)(b).
- This enhancement is unavailable in the event that the prosecution gives notice that it will seek an exceptional sentence based on an aggravating factor under RCW 9.94A.535.

### **Robbery of a Pharmacy Enhancement**

The robbery of a pharmacy special enhancement applies to convictions for first or second degree robbery where a special allegation is pleaded and proven beyond a reasonable doubt that the defendant committed a robbery of a pharmacy. This enhancement adds an additional 12 months to the standard range.

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## COMMUNITY CUSTODY

<b>Offense</b>	<b>Sentenced to a term of confinement for one year or less.</b>	<b>Sentenced to the Department of Corrections.</b>
	<i>See RCW 9.94A.702</i>	<i>See 9.94A.701</i>
Sex offenses (see page 108)	Up to 12 months	36 months (if not sentenced under RCW 9.94A.507)
Violent offenses (see page 106)	Up to 12 months	18 months
A crime against a person under RCW 9.94A.411(2) (see page 115)	Up to 12 months	12 months
A felony offense under Chapter 69.50 or 69.52 RCW	Up to 12 months (includes solicitation)	12 months (excludes solicitation)
A felony violation of RCW 9A.44.132(1)(Failure to Register)	Up to 12 months	12 months
A serious violent offense (see page 105)		36 months
Offense involving the Unlawful Possession of a Firearm (RCW 9.41.040) where the offender is a criminal street gang member/associate		12 months

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## SECTION 7 – GENERAL FELONY SCORING FORMS

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General scoring forms are provided at the beginning of this section and are followed by the individual offense scoring forms. The General scoring forms include scoring sheets intended to assist in the calculation of offender scores and sentence ranges for offenses imposed with a deadly weapon enhancement, a sexual motivation finding or a domestic violence finding.

Individual offense scoring forms are arranged alphabetically IN Section 8 and include forms for controlled substances, imitation controlled substances and legend drug crimes. Please note that the scoring forms do not present sentencing options eligibility (e.g. work release, work ethic camp). Please refer to Sentencing Alternatives in Section 6 of this manual for clarification of eligibility rules or conditions for each sentencing option.

In past manuals, if a sentence range extended past the statutory maximum of the offense, the sentence range was truncated and displayed an asterisk that referenced what the statutory maximum was. In this manual, the sentence range will still be truncated where available and display an asterisk. The corresponding asterisk will be next to the classification at the top of the page, i.e. Class C\*.

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# Deadly Weapon Enhancement

If offense was committed after July 23, 1995 with a firearm or other deadly weapon finding

### CLASS A FELONY

First Deadly Weapon/Firearm Offense	
Firearm	5 years
Other Deadly Weapon	2 years
Subsequent Deadly Weapon/Firearm Offense	
Firearm	10 years
Other Deadly Weapon	4 years

### CLASS B FELONY

First Deadly Weapon/Firearm Offense	
Firearm	3 years
Other Deadly Weapon	1 year
Subsequent Deadly Weapon/Firearm Offense	
Firearm	6 years
Other Deadly Weapon	2 years

### CLASS C FELONY

First Deadly Weapon/Firearm Offense	
Firearm	18 months
Other Deadly Weapon	6 months
Subsequent Deadly Weapon/Firearm Offense	
Firearm	3 years
Other Deadly Weapon	1 year

Excluded offenses: Possession of a Machine gun, Possessing a Stolen Firearm, Drive-by Shooting, Theft of a Firearm, Unlawful Possession of a Firearm 1 and 2, Use of a Machine Gun in a felony.

To be sentenced to a subsequent deadly weapon finding, the offense in history with a deadly weapon finding must also have been committed after July 23, 1995.

If offense was committed after June 12, 1994 and before July 24, 1995 with a deadly weapon finding

### OFFENSES ELIGIBLE FOR A SPECIFIC DEADLY WEAPON ENHANCEMENT:

Kidnapping 1	24 months
Rape 1	
Robbery 1	
Burglary 1	18 months
Assault 2	12 months
Assault of a Child 2	
Escape 1	
Kidnapping 2	
Burglary 2	
Drug offense	
Theft of Livestock 1	
Theft of Livestock 2	
Any Serious Violent or Violent Offense Not Listed Above.	

The standard range may in no case exceed the statutory maximum.

### STANDARD RANGE CALCULATION

OFFENDER SCORE .....

SERIOUSNESS LEVEL .....

STANDARD SENTENCE RANGE .....  Low to  High

DEADLY WEAPON ENHANCEMENT .....

STANDARD SENTENCE RANGE PLUS ENHANCEMENT .....  Low to  High

✓ ..... For anticipatory offenses, add the enhancement after reducing the standard sentence range

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# General Nonviolent Offense Where Domestic Violence Has Been Plead And Proven

## NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(21)

### CURRENT OFFENSE BEING SCORED:

#### ADULT HISTORY:

Enter number of domestic violence felony convictions as listed below\* ..... x 2 = \_\_\_\_\_

Enter number of repetitive domestic violence offense convictions (RCW 9.94A.030(41))  
plead and proven after 8/1/11 ..... x 1 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

#### JUVENILE HISTORY:

Enter number of subsequent domestic violence felony dispositions as listed below\* ..... x 1 = \_\_\_\_\_

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

#### OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other domestic violence felony convictions as listed below\* ..... x 2 = \_\_\_\_\_

Enter number of other repetitive domestic violence offense convictions plead and  
proven after 8/1/11 ..... x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

#### STATUS:

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

\*If domestic violence was plead and proven after 8/1/2011 for the following felony offenses:

Violation of a No-Contact Order, Violation of a Protection Order, Domestic Violence Harassment, Domestic Violence Stalking, Domestic Violence Burglary 1, Domestic Violence Kidnapping 1, Domestic Violence Kidnapping 2, Domestic Violence Unlawful Imprisonment, Domestic Violence Robbery 1, Domestic Violence Robbery 2, Domestic Violence Assault 1, Domestic Violence Assault 2, Domestic Violence Assault 3, Domestic Violence Arson 1, Domestic Violence Arson 2.

### STANDARD RANGE CALCULATION

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SERIOUSNESS LEVEL .....

STANDARD SENTENCE RANGE .....  to

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead And Proven

## NONVIOLENT/SEX

### OFFENDER SCORING RCW 9.94A.525(17)

#### CURRENT OFFENSE BEING SCORED:

##### ADULT HISTORY:

Enter number of sex offense felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of domestic violence felony convictions as listed below\* ..... x 2 = \_\_\_\_\_  
 Enter number of repetitive domestic violence offense convictions (RCW 9.94A.030(41))  
 plead and proven after 8/1/11..... x 1 = \_\_\_\_\_  
 Enter number of felony convictions ..... x 1 = \_\_\_\_\_

##### JUVENILE HISTORY:

Enter number of sex offense felony dispositions ..... x 3 = \_\_\_\_\_  
 Enter number of subsequent domestic violence felony dispositions as listed below\* ..... x 1 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

##### OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of other domestic violence felony convictions as listed below\* ..... x 2 = \_\_\_\_\_  
 Enter number of other repetitive domestic violence offense convictions plead and  
 proven after 8/1/11 ..... x 1 = \_\_\_\_\_  
 Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

##### STATUS:

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

\*If domestic violence was plead and proven after 8/1/2011 for the following felony offenses:

Violation of a No-Contact Order, Violation of a Protection Order, Domestic Violence Harassment, Domestic Violence Stalking, Domestic Violence Burglary 1, Domestic Violence Kidnapping 1, Domestic Violence Kidnapping 2, Domestic Violence Unlawful Imprisonment, Domestic Violence Robbery 1, Domestic Violence Robbery 2, Domestic Violence Assault 1, Domestic Violence Assault 2, Domestic Violence Assault 3, Domestic Violence Arson 1, Domestic Violence Arson 2.

#### STANDARD RANGE CALCULATION

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SERIOUSNESS LEVEL .....

STANDARD SENTENCE RANGE .....

 to 

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# General Nonviolent Offense With A Sexual Motivation Finding

## NONVIOLENT/SEX OFFENDER SCORING RCW 9.94A.525(17)

### CURRENT OFFENSE BEING SCORED:

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#### ADULT HISTORY:

Enter number of sex offense felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of felony convictions ..... x 1 = \_\_\_\_\_

#### JUVENILE HISTORY:

Enter number of sex offense felony dispositions ..... x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

#### OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

#### STATUS:

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

### STANDARD RANGE CALCULATION

Total the last column to get the **Offender Score** (Round down to the nearest whole number)  

SERIOUSNESS LEVEL .....  

STANDARD SENTENCE RANGE ..... Low to High

SEXUAL MOTIVATION ENHANCEMENT (Per Sexual Motivation Enhancement, page 217)  

STANDARD SENTENCE RANGE PLUS ENHANCEMENT ..... Low to High

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# General Drug Offense Where Domestic Violence Has Been Plead And Proven

NONVIOLENT/DRUG  
OFFENDER SCORING RCW 9.94A.525(21)

CURRENT OFFENSE BEING SCORED:

ADULT HISTORY:

Enter number of domestic violence felony convictions as listed below\* ..... x 2 = \_\_\_\_\_

Enter number of repetitive domestic violence offense convictions (RCW 9.94A.030(41))  
plead and proven after 8/1/11 ..... x 1 = \_\_\_\_\_

Does the offender have a prior sex or serious violent offense in history?

**YES** Enter number of felony drug convictions ..... x 3 = \_\_\_\_\_

**NO** Enter number of felony drug convictions ..... x 1 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

JUVENILE HISTORY:

Enter number of subsequent domestic violence felony dispositions as listed below\* ..... x 1 = \_\_\_\_\_

Does the offender have a prior sex or serious violent offense in history?

**YES** Enter number of felony drug dispositions ..... x 2 = \_\_\_\_\_

**NO** Enter number of felony drug dispositions ..... x 1/2 = \_\_\_\_\_

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other domestic violence felony convictions as listed below\* ..... x 2 = \_\_\_\_\_

Enter number of other repetitive domestic violence offense convictions plead and  
proven after 8/1/11 ..... x 1 = \_\_\_\_\_

Does the offender have other prior sex or serious violent offense in history?

**YES** Enter number of other felony drug convictions ..... x 3 = \_\_\_\_\_

**NO** Enter number of other felony drug convictions ..... x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

STATUS:

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

\*If domestic violence was plead and proven after 8/1/2011 for the following felony offenses:

Violation of a No-Contact Order, Violation of a Protection Order, Domestic Violence Harassment, Domestic Violence Stalking, Domestic Violence Burglary 1, Domestic Violence Kidnapping 1, Domestic Violence Kidnapping 2, Domestic Violence Unlawful Imprisonment, Domestic Violence Robbery 1, Domestic Violence Robbery 2, Domestic Violence Assault 1, Domestic Violence Assault 2, Domestic Violence Assault 3, Domestic Violence Arson 1, Domestic Violence Arson 2.

STANDARD RANGE CALCULATION

Total the last column to get the **Offender Score** (Round down to the nearest whole number) .....

SERIOUSNESS LEVEL .....

STANDARD SENTENCE RANGE .....

to

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# General Drug Offense With A Sexual Motivation Finding

NONVIOLENT/DRUG/SEX

OFFENDER SCORING RCW 9.94A.525(17)

## CURRENT OFFENSE BEING SCORED:

### ADULT HISTORY:

Enter number of sex offense felony convictions ..... x 3 = \_\_\_\_\_

Does the offender have a prior sex or serious violent offense in history?

**YES** Enter number of felony drug convictions ..... x 3 = \_\_\_\_\_

**NO** Enter number of felony drug convictions ..... x 1 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

### JUVENILE HISTORY:

Enter number of sex offense felony dispositions ..... x 3 = \_\_\_\_\_

Does the offender have a prior sex or serious violent offense in history?

**YES** Enter number of felony drug dispositions ..... x 2 = \_\_\_\_\_

**NO** Enter number of felony drug dispositions ..... x ½ = \_\_\_\_\_

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

### OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... x 3 = \_\_\_\_\_

Does the offender have other prior sex or serious violent offense in history?

**YES** Enter number of other felony drug convictions ..... x 3 = \_\_\_\_\_

**NO** Enter number of other felony drug convictions ..... x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

### STATUS:

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

### STANDARD RANGE CALCULATION

Total the last column to get the **Offender Score** (Round down to the nearest whole number) .....

SERIOUSNESS LEVEL .....

STANDARD SENTENCE RANGE .....  Low to  High

SEXUAL MOTIVATION ENHANCEMENT (Per Sexual Motivation Enhancement, page 217) .....

STANDARD SENTENCE RANGE PLUS ENHANCEMENT .....  Low to  High

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# General Serious Violent Offense Where Domestic Violence Has Been Plead And Proven

## SERIOUS VIOLENT

OFFENDER SCORING RCW 9.94A.525(21)

### CURRENT OFFENSE BEING SCORED:

#### ADULT HISTORY:

Enter number of domestic violence felony convictions as listed below\* ..... x 2 = \_\_\_\_\_  
 Enter number of repetitive domestic violence offense convictions (RCW 9.94A.030(41))  
 plead and proven after 8/1/11 ..... x 1 = \_\_\_\_\_  
 Enter number of serious violent felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

#### JUVENILE HISTORY:

Enter number of subsequent domestic violence felony dispositions as listed below\* ..... x 1 = \_\_\_\_\_  
 Enter number of serious violent felony dispositions ..... x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

#### OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other domestic violence felony convictions as listed below\* ..... x 2 = \_\_\_\_\_  
 Enter number of other repetitive domestic violence offense convictions plead and  
 proven after 8/1/11 ..... x 1 = \_\_\_\_\_  
 Enter number of other violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

#### STATUS:

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

\*If domestic violence was plead and proven after 8/1/2011 for the following felony offenses:

Violation of a No-Contact Order, Violation of a Protection Order, Domestic Violence Harassment, Domestic Violence Stalking, Domestic Violence Burglary 1, Domestic Violence Kidnapping 1, Domestic Violence Kidnapping 2, Domestic Violence Unlawful Imprisonment, Domestic Violence Robbery 1, Domestic Violence Robbery 2, Domestic Violence Assault 1, Domestic Violence Assault 2, Domestic Violence Assault 3, Domestic Violence Arson 1, Domestic Violence Arson 2.

### STANDARD RANGE CALCULATION

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SERIOUSNESS LEVEL .....

STANDARD SENTENCE RANGE .....

 to 

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# General Serious Violent/Sex Offense Where Domestic Violence Has Been Pleaded and Proven

## SERIOUS VIOLENT/SEX OFFENDER SCORING RCW 9.94A.525(17)

### CURRENT OFFENSE BEING SCORED:

#### ADULT HISTORY:

Enter number of sex offense convictions ..... x 3 = \_\_\_\_\_  
 Enter number of domestic violence felony convictions as listed below\* ..... x 2 = \_\_\_\_\_  
 Enter number of repetitive domestic violence offense convictions (RCW 9.94A.030(41))  
 plead and proven after 8/1/11 ..... x 1 = \_\_\_\_\_  
 Enter number of serious violent felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

#### JUVENILE HISTORY:

Enter number of sex offense dispositions ..... x 3 = \_\_\_\_\_  
 Enter number of subsequent domestic violence felony dispositions as listed below\* ..... x 1 = \_\_\_\_\_  
 Enter number of serious violent felony dispositions ..... x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

#### OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense convictions ..... x 3 = \_\_\_\_\_  
 Enter number of other domestic violence felony convictions as listed below\* ..... x 2 = \_\_\_\_\_  
 Enter number of other repetitive domestic violence offense convictions plead and  
 proven after 8/1/11 ..... x 1 = \_\_\_\_\_  
 Enter number of other violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

#### STATUS:

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

\*If domestic violence was plead and proven after 8/1/2011 for the following felony offenses:

Violation of a No-Contact Order, Violation of a Protection Order, Domestic Violence Harassment, Domestic Violence Stalking, Domestic Violence Burglary 1, Domestic Violence Kidnapping 1, Domestic Violence Kidnapping 2, Domestic Violence Unlawful Imprisonment, Domestic Violence Robbery 1, Domestic Violence Robbery 2, Domestic Violence Assault 1, Domestic Violence Assault 2, Domestic Violence Assault 3, Domestic Violence Arson 1, Domestic Violence Arson 2.

### STANDARD RANGE CALCULATION

Total the last column to get the **Offender Score** (Round down to the nearest whole number) .....

SERIOUSNESS LEVEL .....

STANDARD SENTENCE RANGE .....  to

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# General Serious Violent Offense With A Sexual Motivation Finding

## SERIOUS VIOLENT/SEX OFFENDER SCORING RCW 9.94A.525(17)

### CURRENT OFFENSE BEING SCORED:

---

#### ADULT HISTORY:

Enter number of sex offense convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

#### JUVENILE HISTORY:

Enter number of sex offense dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

#### OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

#### STATUS:

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

#### STANDARD RANGE CALCULATION

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SERIOUSNESS LEVEL .....

STANDARD SENTENCE RANGE ..... Low to High

SEXUAL MOTIVATION ENHANCEMENT (Per Sexual Motivation Enhancement, page 217)

STANDARD SENTENCE RANGE PLUS ENHANCEMENT ..... Low to High

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# General Violent Offense Where Domestic Violence Has Been Plead And Proven

## VIOLENT

### OFFENDER SCORING RCW 9.94A.525(21)

#### CURRENT OFFENSE BEING SCORED:

#### ADULT HISTORY:

Enter number of domestic violence felony convictions as listed below\* ..... x 2 = \_\_\_\_\_

Enter number of repetitive domestic violence offense convictions  
(RCW 9.94A.030(41)) plead and proven after 8/1/11 ..... x 1 = \_\_\_\_\_

Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

#### JUVENILE HISTORY:

Enter number of subsequent domestic violence felony dispositions as listed below\* ..... x 1 = \_\_\_\_\_

Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

#### OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other domestic violence felony convictions as listed below\* ..... x 2 = \_\_\_\_\_

Enter number of repetitive domestic violence offense convictions plead and  
proven after 8/1/11 ..... x 1 = \_\_\_\_\_

Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

#### STATUS:

Was the offender on community custody on the date the current offense was committed?... + 1 = \_\_\_\_\_

\*If domestic violence was plead and proven after 8/1/2011 for the following felony offenses:

Violation of a No-Contact Order, Violation of a Protection Order, Domestic Violence Harassment, Domestic Violence Stalking, Domestic Violence Burglary 1, Domestic Violence Kidnapping 1, Domestic Violence Kidnapping 2, Domestic Violence Unlawful Imprisonment, Domestic Violence Robbery 1, Domestic Violence Robbery 2, Domestic Violence Assault 1, Domestic Violence Assault 2, Domestic Violence Assault 3, Domestic Violence Arson 1, Domestic Violence Arson 2.

#### STANDARD RANGE CALCULATION

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SERIOUSNESS LEVEL .....

STANDARD SENTENCE RANGE .....  to

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# General Violent/Sex Offense Where Domestic Violence Has Been Plead And Proven

## VIOLENT/SEX

### OFFENDER SCORING RCW 9.94A.525(17)

#### CURRENT OFFENSE BEING SCORED:

#### ADULT HISTORY:

Enter number of sex offense convictions ..... x 3 = \_\_\_\_\_

Enter number of domestic violence felony convictions as listed below\* ..... x 2 = \_\_\_\_\_

Enter number of repetitive domestic violence offense convictions (RCW 9.94A.030(41))  
plead and proven after 8/1/11..... x 1 = \_\_\_\_\_

Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

#### JUVENILE HISTORY:

Enter number of sex offense dispositions ..... x 3 = \_\_\_\_\_

Enter number of subsequent domestic violence felony dispositions as listed below\* ..... x 1 = \_\_\_\_\_

Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

#### OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense convictions ..... x 3 = \_\_\_\_\_

Enter number of other domestic violence felony convictions as listed below\* ..... x 2 = \_\_\_\_\_

Enter number of repetitive domestic violence offense convictions plead and  
proven after 8/1/11 ..... x 1 = \_\_\_\_\_

Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

#### STATUS:

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

\*If domestic violence was plead and proven after 8/1/2011 for the following felony offenses:

Violation of a No-Contact Order, Violation of a Protection Order, Domestic Violence Harassment, Domestic Violence Stalking, Domestic Violence Burglary 1, Domestic Violence Kidnapping 1, Domestic Violence Kidnapping 2, Domestic Violence Unlawful Imprisonment, Domestic Violence Robbery 1, Domestic Violence Robbery 2, Domestic Violence Assault 1, Domestic Violence Assault 2, Domestic Violence Assault 3, Domestic Violence Arson 1, Domestic Violence Arson 2.

#### STANDARD RANGE CALCULATION

Total the last column to get the **Offender Score** (Round down to the nearest whole number) .....

SERIOUSNESS LEVEL .....

STANDARD SENTENCE RANGE ..... Low to High

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# General Violent Offense With A Sexual Motivation Finding

## VIOLENT/SEX

### OFFENDER SCORING RCW 9.94A.525(17)

#### CURRENT OFFENSE BEING SCORED:

---

#### ADULT HISTORY:

Enter number of sex offense convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

#### JUVENILE HISTORY:

Enter number of sex offense dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

#### OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

#### STATUS:

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

#### STANDARD RANGE CALCULATION

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SERIOUSNESS LEVEL .....

STANDARD SENTENCE RANGE .....  to

SEXUAL MOTIVATION ENHANCEMENT (Per Sexual Motivation Enhancement, page 217)

STANDARD SENTENCE RANGE PLUS ENHANCEMENT .....

 to 

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# General Burglary First Degree Offense Where Domestic Violence Has Been Plead And Proven

## VIOLENT

OFFENDER SCORING RCW 9.94A.525(21)

### CURRENT OFFENSE BEING SCORED:

#### ADULT HISTORY:

Enter number of domestic violence felony convictions as listed below\* ..... x 2 = \_\_\_\_\_  
 Enter number of repetitive domestic violence offense convictions (RCW 9.94A.030(41))  
 plead and proven after 8/1/11 ..... x 1 = \_\_\_\_\_  
 Enter number of Burglary 2 and Residential Burglary felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

#### JUVENILE HISTORY:

Enter number of subsequent domestic violence felony dispositions as listed below\* ..... x 1 = \_\_\_\_\_  
 Enter number of Burglary 2 and Residential Burglary felony dispositions ..... x 1 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

#### OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other domestic violence felony convictions as listed below\* ..... x 2 = \_\_\_\_\_  
 Enter number of repetitive domestic violence offense convictions plead and  
 proven after 8/1/11 ..... x 1 = \_\_\_\_\_  
 Enter number of Burglary 2 and Residential Burglary felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

#### STATUS:

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

\*If domestic violence was plead and proven after 8/1/2011 for the following felony offenses:

Violation of a No-Contact Order, Violation of a Protection Order, Domestic Violence Harassment, Domestic Violence Stalking, Domestic Violence Burglary 1, Domestic Violence Kidnapping 1, Domestic Violence Kidnapping 2, Domestic Violence Unlawful Imprisonment, Domestic Violence Robbery 1, Domestic Violence Robbery 2, Domestic Violence Assault 1, Domestic Violence Assault 2, Domestic Violence Assault 3, Domestic Violence Arson 1, Domestic Violence Arson 2.

#### STANDARD RANGE CALCULATION

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SERIOUSNESS LEVEL .....

STANDARD SENTENCE RANGE .....  to

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# General Burglary Second Degree Or Residential Burglary Offense Where Domestic Violence Has Been Plead and Proven

## NONVIOLENT

### OFFENDER SCORING RCW 9.94A.525(21)

#### CURRENT OFFENSE BEING SCORED:

#### ADULT HISTORY:

Enter number of domestic violence felony convictions as listed below\* ..... x 2 = \_\_\_\_\_

Enter number of repetitive domestic violence offense convictions (RCW 9.94A.030(41))  
plead and proven after 8/1/11 ..... x 1 = \_\_\_\_\_

Enter number of Burglary 1 felony convictions ..... x 2 = \_\_\_\_\_

Enter number of Burglary 2 and Residential Burglary felony convictions ..... x 2 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

#### JUVENILE HISTORY:

Enter number of subsequent domestic violence felony dispositions as listed below\* ..... x 1 = \_\_\_\_\_

Enter number of Burglary 1 felony dispositions ..... x 2 = \_\_\_\_\_

Enter number of Burglary 2 and Residential Burglary felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

#### OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other domestic violence felony convictions as listed below\* ..... x 2 = \_\_\_\_\_

Enter number of other repetitive domestic violence offense convictions plead and  
proven after 8/1/11 ..... x 1 = \_\_\_\_\_

Enter number of Burglary 1 felony convictions ..... x 2 = \_\_\_\_\_

Enter number of Burglary 2 and Residential Burglary felony convictions ..... x 2 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

#### STATUS:

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

\*If domestic violence was plead and proven after 8/1/2011 for the following felony offenses:

Violation of a No-Contact Order, Violation of a Protection Order, Domestic Violence Harassment, Domestic Violence Stalking, Domestic Violence Burglary 1, Domestic Violence Kidnapping 1, Domestic Violence Kidnapping 2, Domestic Violence Unlawful Imprisonment, Domestic Violence Robbery 1, Domestic Violence Robbery 2, Domestic Violence Assault 1, Domestic Violence Assault 2, Domestic Violence Assault 3, Domestic Violence Arson 1, Domestic Violence Arson 2.

#### STANDARD RANGE CALCULATION

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SERIOUSNESS LEVEL .....

STANDARD SENTENCE RANGE .....  to

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# General Unranked Offense With A Sexual Motivation Finding

NONVIOLENT/SEX  
OFFENDER SCORING RCW 9.94A.525(17)

CURRENT OFFENSE BEING SCORED:

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ADULT HISTORY:

Not scored

JUVENILE HISTORY:

Not scored

OTHER CURRENT OFFENSES:

Not scored

STATUS:

Not scored

## STANDARD RANGE CALCULATION

STANDARD SENTENCE RANGE .....  to

SEXUAL MOTIVATION ENHANCEMENT (Per Sexual Motivation Enhancement, page 217)

STANDARD SENTENCE RANGE PLUS ENHANCEMENT .....  to

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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## SECTION 8 – ALPHABETIZED FELONY SCORING FORMS

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General scoring forms are provided at the beginning of this section and are followed by the individual offense scoring forms. The individual offense scoring forms are arranged alphabetically and include forms for controlled substances, imitation controlled substances and legend drug crimes. Please note that the scoring forms do not present sentencing options eligibility (e.g. work release, work ethic camp). Please refer to Sentencing Alternatives in Section 6 of this manual for clarification of eligibility rules or conditions for each sentencing option.

In past manuals, if a sentence range extended past the statutory maximum of the offense, the sentence range was truncated and displayed an asterisk that referenced what the statutory maximum was. In this manual, the sentence range will still be truncated where available and display an asterisk. The corresponding asterisk will be next to the classification at the top of the page, i.e. Class C\*.

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# Abandonment Of Dependent Persons First Degree

RCW 9A.42.060  
CLASS B\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
	36m	42m	47.5m	53.5m	59.5m	66m	89.5m	101.5m	114m	
<b>LEVEL IX</b>	31 - 41	36 - 48	41 - 54	46 - 61	51 - 68	57 - 75	77 - 102	87 - 116	108 - 120*	120- 120*

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Abandonment Of Dependent Persons Second Degree

RCW 9A.42.070  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	47.5m 41 - 54	55.5m 51 - 60*	60 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Advancing Money Or Property For Extortionate Extension Of Credit

RCW 9A.82.030  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	47.5m 41 - 54	59.5m 51 - 68	72m 62 - 82	84m 72 - 96

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Aggravated Murder First Degree

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RCW 10.95.020 & RCW 10.95.030(1)

CLASS A – SERIOUS VIOLENT

OFFENDER SCORING

ADULT HISTORY: Not scored

JUVENILE HISTORY: Not scored

OTHER CURRENT OFFENSES: Not scored

STATUS: Not scored

## SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
LEVEL XVI	LIFE SENTENCE WITHOUT PAROLE/DEATH PENALTY									

- ✓ A person found to be intellectually disabled under RCW 10.95.030 may in no case be sentenced to death (RCW 10.95.070).

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# Animal Cruelty First Degree Sexual Contact Or Conduct

RCW 16.52.205(3)  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	55.5m 51 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Arson First Degree

RCW 9A.48.020  
 CLASS A – VIOLENT  
 ATTEMPT/SOLICITATION = CLASS A  
 CONSPIRACY = CLASS B  
 OFFENDER SCORING RCW 9.94A.525(8)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Violent Offense with a Sexual Motivation Finding scoring form on page 233.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 231.*

**ADULT HISTORY:**

Enter number of serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VIII</b>	24m	30m	36m	42m	47.5m	53.5m	78m	89.5m	101.5m	126m
	21 - 27	26 - 34	31 - 41	36 - 48	41 - 54	46 - 61	67 - 89	77 - 102	87 - 116	108 - 144

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Arson Second Degree

RCW 9A.48.030  
CLASS B – VIOLENT

OFFENDER SCORING RCW 9.94A.525(8)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Violent Offense with a Sexual Motivation Finding scoring form on page 233.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 231.*

**ADULT HISTORY:**

Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	61.5m 53 - 70	73.5m 63 - 84

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Assault First Degree

RCW 9A.36.011  
CLASS A – SERIOUS VIOLENT  
OFFENDER SCORING RCW 9.94A.525(9)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Serious Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 228.*

**ADULT HISTORY:**

Enter number of serious violent felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL XII</b>	108m	119m	129m	140m	150m	161m	189m	207m	243m	279m
	93 - 123	102 - 136	111 - 147	120 - 160	129 - 171	138 - 184	162 - 216	178 - 236	209 - 277	240 - 318

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Multiple current serious violent offenses shall have consecutive sentences imposed per the rules of RCW 9.94A.589(1)(b).
- ✓ Statutory minimum sentence is 60 months (RCW 9.94A.540) if the offender used force or means likely to result in death or intended to kill the victim. The statutory minimum sentence shall not be varied or modified under RCW 9.94A.535.

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# Assault First Degree With A Finding Of Sexual Motivation

RCW 9A.36.011

CLASS A – SERIOUS VIOLENT/SEX

OFFENDER SCORING RCW 9.94A.525(17)

**ADULT HISTORY:**

Enter number of sex offense convictions ..... x 3 = \_\_\_\_\_  
 Enter number of serious violent felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense dispositions ..... x 3 = \_\_\_\_\_  
 Enter number of serious violent felony dispositions ..... x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense convictions ..... x 3 = \_\_\_\_\_  
 Enter number of other violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
	108m	119m	129m	140m	150m	161m	189m	207m	243m	279m
<b>LEVEL XII</b>	93 - 123	102 - 136	111 - 147	120 - 160	129 - 171	138 - 184	162 - 216	178 - 236	209 - 277	240 - 318

Add Sexual Motivation Enhancement (see page 217)

Standard Range =

to

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and the current offense was committed on or after 9/1/2001, then the offender is subject to the requirements under RCW 9.94A.507.
- ✓ Multiple current serious violent offenses shall have consecutive sentences imposed per the rules of RCW 9.94A.589(1)(b).
- ✓ Statutory minimum sentence is 60 months per RCW 9.94A.540 if the offender used force or means likely to result in death or intended to kill the victim. The statutory minimum sentence shall not be varied or modified under RCW 9.94A.535.

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# Assault Second Degree

RCW 9A.36.021(2)(a)  
CLASS B – VIOLENT

OFFENDER SCORING RCW 9.94A.525(8)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 231.*

**ADULT HISTORY:**

Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	61.5m 53 - 70	73.5m 63 - 84

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Assault Second Degree With A Finding Of Sexual Motivation

RCW 9A.36.021(2)(b)  
CLASS A – VIOLENT/SEX

OFFENDER SCORING RCW 9.94A.525(17)

**ADULT HISTORY:**

Enter number of sex offense convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	61.5m 53 - 70	73.5m 63 - 84

Add Sexual Motivation Enhancement (see page 217)

o Standard Range =

to

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and the current offense was committed on or after 9/1/2001, then the offender is subject to the requirements under RCW 9.94A.507.

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# Assault Third Degree Excluding Assault 3 Of A Peace Officer With A Projectile Stun Gun (Rcw 9a.36.031(1)(H))

RCW 9A.36.031(1)(a)-(g) & (i)-(j)  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	55.5m 51 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Assault Third Degree Of A Peace Officer With A Projectile Stun Gun

RCW 9A.36.031(1)(h)  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	56.5m 53 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Assault By Watercraft

RCW 79A.60.060  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(12)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of Homicide by Watercraft and Assault by Watercraft convictions ..... x 2 = \_\_\_\_\_  
 Enter number of Driving Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control of a Motor Vehicle While Under the Influence of Intoxicating Liquor or Any Drug and Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug convictions..... x 1 = \_\_\_\_\_  
 Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of Homicide by Watercraft and Assault by Watercraft convictions ..... x 2 = \_\_\_\_\_  
 Enter number of Driving Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control of a Motor Vehicle While Under the Influence of Intoxicating Liquor or Any Drug and Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug convictions..... x 1/2 = \_\_\_\_\_  
 Enter number of felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other Homicide by Watercraft and Assault by Watercraft convictions ..... x 2 = \_\_\_\_\_  
 Enter number of Driving Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control of a Motor Vehicle While Under the Influence of Intoxicating Liquor or Any Drug and Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug convictions..... x 1 = \_\_\_\_\_  
 Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	61.5m 53 - 70	73.5m 63 - 84

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Assault Of A Child First Degree

RCW 9A.36.120  
 CLASS A – SERIOUS VIOLENT  
 OFFENDER SCORING RCW 9.94A.525(9)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Serious Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 228.*

**ADULT HISTORY:**

Enter number of serious violent felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL XII</b>	108m 93 - 123	119m 102 - 136	129m 111 - 147	140m 120 - 160	150m 129 - 171	161m 138 - 184	189m 162 - 216	207m 178 - 236	243m 209 - 277	279m 240 - 318

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Multiple current serious violent offenses shall have consecutive sentences imposed per the rules of RCW 9.94A.589(1)(b).
- ✓ Statutory minimum sentence is 60 months (RCW 9.94A.540) if the offender used force or means likely to result in death or intended to kill the victim. The statutory minimum sentence shall not be varied or modified under RCW 9.94A.535.

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# Assault Of A Child First Degree With A Finding Of Sexual Motivation

RCW 9A.36.120  
 CLASS A – SERIOUS VIOLENT/SEX  
 OFFENDER SCORING RCW 9.94A.525(17)

**ADULT HISTORY:**

Enter number of sex offense convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
	108m	119m	129m	140m	150m	161m	189m	207m	243m	279m
<b>LEVEL XII</b>	93 - 123	102 - 136	111 - 147	120 - 160	129 - 171	138 - 184	162 - 216	178 - 236	209 - 277	240 - 318

Add Sexual Motivation Enhancement (see page 217)

to Standard Range =

Low

to

High

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and the current offense was committed on or after 9/1/2001, then the offender is subject to the requirements under RCW 9.94A.507.
- ✓ Multiple current serious violent offenses shall have consecutive sentences imposed per the rules of RCW 9.94A.589(1)(b).
- ✓ Statutory minimum sentence is 60 months per RCW 9.94A.540 if the offender used force or means likely to result in death or intended to kill the victim. The statutory minimum sentence shall not be varied or modified under RCW 9.94A.535.

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# Assault Of A Child Second Degree

RCW 9A.36.130  
CLASS B\* – VIOLENT

OFFENDER SCORING RCW 9.94A.525(8)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 231.*

**ADULT HISTORY:**

Enter number of serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IX</b>	36m 31 - 41	42m 36 - 48	47.5m 41 - 54	53.5m 46 - 61	59.5m 51 - 68	66m 57 - 75	89.5m 77 - 102	101.5m 87 - 116	114m 108 - 120*	120 - 120*

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Assault Of A Child Second Degree With A Finding Of Sexual Motivation

RCW 9A.36.130  
CLASS B\* – VIOLENT/SEX  
OFFENDER SCORING RCW 9.94A.525(17)

**ADULT HISTORY:**

Enter number of sex offense convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IX</b>	36m	42m	47.5m	53.5m	59.5m	66m	89.5m	101.5m	114m	
	31 - 41	36 - 48	41 - 54	46 - 61	51 - 68	57 - 75	77 - 102	87 - 116	108 - 120*	120 - 120*

Add Sexual Motivation Enhancement (see page 217)  to Standard Range = Low to High

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and the current offense was committed on or after 9/1/2001, then the offender is subject to the requirements under RCW 9.94A.507.

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# Assault Of A Child Third Degree

RCW 9A.36.140  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	59.5m 51 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Attempting To Elude Pursuing Police Vehicle

RCW 46.61.024  
 CLASS C – FELONY TRAFFIC OFFENSE  
 OFFENDER SCORING RCW 9.94A.525(11)

**ADULT HISTORY:**

Enter number of Vehicular Homicide and Vehicular Assault convictions ..... x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... x 1 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of Vehicular Homicide and Vehicular Assault dispositions ..... x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony dispositions ..... x 1/2 = \_\_\_\_\_

Enter number of felony dispositions ..... x 1/2 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of Vehicular Homicide and Vehicular Assault convictions ..... x 2 = \_\_\_\_\_

Enter number of other Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL I</b>	0-60 days	0-90 days	3m	4m	5.5m	8m	13m	16m	19.5m	25.5m
			2 - 5	2 - 6	3 - 8	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the conviction includes a finding by special allegation of ‘endangering one or more persons’ under RCW 9.94A.834, add 12 months and 1 day to the entire standard sentencing range for the current offense. Effective 06/12/2008.

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# Bail Jumping With Class A Felony

RCW 9A.76.170(3)(b)  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	47.5m 41 - 54	59.5m 51 - 68	72m 62 - 82	84m 72 - 96

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Bail Jumping With Class B Or C Felony

RCW 9A.76.170(3)(c)  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	59.5m 51 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Bail Jumping With Murder 1

RCW 9A.76.170(3)(a)

CLASS A – VIOLENT

OFFENDER SCORING RCW 9.94A.525(8)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Violent Offense with a Sexual Motivation Finding scoring form on page 233.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 231.*

**ADULT HISTORY:**

Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

	<b>Offender Score</b>									
	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9+</b>
<b>LEVEL VI</b>	13m 12+ - 14	17.5m 15 - 20	24m 21 - 27	30m 26 - 34	36m 31 - 41	42m 36 - 48	53.5m 46 - 61	66m 57 - 75	78m 67 - 89	89.5m 77 - 102

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Bribe Received By Witness Bribing A Witness

RCW 9A.72.100 & 9A.72.090

CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	61.5m 53 - 70	73.5m 63 - 84

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Bribery

RCW 9A.68.010  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VI</b>	13m 12+ - 14	17.5m 15 - 20	24m 21 - 27	30m 26 - 34	36m 31 - 41	42m 36 - 48	53.5m 46 - 61	66m 57 - 75	78m 67 - 89	89.5m 77 - 102

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Burglary First Degree

RCW 9A.52.020  
CLASS A – VIOLENT

OFFENDER SCORING RCW 9.94A.525(10)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Burglary 1 Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 234.*

**ADULT HISTORY:**

Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of Burglary 2 and Residential Burglary felony convictions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_

Enter number of Burglary 2 and Residential Burglary felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of other Burglary 2 and Residential Burglary felony convictions ..... x 2 = \_\_\_\_\_

Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VII</b>	17.5m 15 - 20	24m 21 - 27	30m 26 - 34	36m 31 - 41	42m 36 - 48	47.5m 41 - 54	66m 57 - 75	78m 67 - 89	89.5m 77 - 102	101.5m 87 - 116

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Burglary First Degree With A Finding Of Sexual Motivation

RCW 9A.52.020  
CLASS A – VIOLENT/SEX

## OFFENDER SCORING RCW 9.94A.525(17)

### ADULT HISTORY:

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of Burglary 2 and Residential Burglary felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

### JUVENILE HISTORY:

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of Burglary 2 and Residential Burglary felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

### OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other Burglary 2 and Residential Burglary felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

### STATUS:

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

### SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VII</b>	17.5m 15 - 20	24m 21 - 27	30m 26 - 34	36m 31 - 41	42m 36 - 48	47.5m 41 - 54	66m 57 - 75	78m 67 - 89	89.5m 77 - 102	101.5m 87 - 116

Add Sexual Motivation Enhancement (see page 217)

to Standard Range =

to

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and the current offense was committed on or after 9/1/2001, then the offender is subject to the requirements under RCW 9.94A.507.

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# Burglary Second Degree

RCW 9A.52.030  
CLASS B – NONVIOLENT  
OFFENDER SCORING RCW 9.94A.525(16)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Burglary Second Degree or Residential Burglary Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 235.*

**ADULT HISTORY:**

Enter number of Burglary 1 felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of Burglary 2 and Residential Burglary felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of Burglary 1 felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of Burglary 2 and Residential Burglary felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other Burglary 1 felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other Burglary 2 and Residential Burglary felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
	2m	5m	8m	11m	14m	19.5m	25.5m	38m	50m	59.5m
LEVEL III	1 - 3	3 - 8	4 - 12	9 - 12	12+ - 16	17 - 22	22 - 29	33 - 43	43 - 57	51 - 68

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Burglary Second Degree With A Finding Of Sexual Motivation

RCW 9A.52.030

CLASS B – NONVIOLENT/SEX

OFFENDER SCORING RCW 9.94A.525(17)

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of Burglary 1 felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of Burglary 2 and Residential Burglary felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... x 3 = \_\_\_\_\_  
 Enter number of Burglary 1 felony dispositions ..... x 2 = \_\_\_\_\_  
 Enter number of Burglary 2 and Residential Burglary felony dispositions ..... x 1 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of other Burglary 1 felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of other Burglary 2 and Residential Burglary felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	59.5m 51 - 68

Add Sexual Motivation Enhancement (see page 217)

to Standard Range =

Low

to

High

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Cheating First Degree

RCW 9.46.1961  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	56.5m 53 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Child Molestation First Degree

RCW 9A.44.083  
 CLASS A – VIOLENT/SEX  
 ATTEMPT/SOLICITATION = CLASS A  
 CONSPIRACY = CLASS B  
 OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 232.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL X</b>	59.5m	66m	72m	78m	84m	89.5m	114m	126m	150m	230.5m
	51 - 68	57 - 75	62 - 82	67 - 89	72 - 96	77 - 102	98 - 130	108 - 144	129 - 171	149 - 198

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is greater than 17 years of age and is not a persistent offender and the current offense was committed on or after 9/1/2001, then the offender is subject to the requirements under RCW 9.94A.507.
- ✓ If the offender engaged the victim in sexual conduct in exchange for a fee, an additional 12 months shall be added to the standard sentence range (RCW 9.94A.533(9)).
- ✓ Per RCW 9.94A.507(3)(c)(ii), excluding attempt, solicitation and conspiracy convictions, the minimum term shall be either the maximum of the standard sentence range for the offense or 25 years, whichever is greater, for a finding that the offense was **predatory**.

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# Child Molestation Second Degree

RCW 9A.44.086  
 CLASS B – NONVIOLENT/SEX  
 OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 224.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VII</b>	17.5m	24m	30m	36m	42m	47.5m	66m	78m	89.5m	101.5m
	15 - 20	21 - 27	26 - 34	31 - 41	36 - 48	41 - 54	57 - 75	67 - 89	77 - 102	87 - 116

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.
- ✓ If the offender engaged the victim in sexual conduct in exchange for a fee, an additional 12 months shall be added to the standard sentence range (RCW 9.94A.533(9)).

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# Child Molestation Third Degree

RCW 9A.44.089

CLASS C\* – NONVIOLENT/SEX

OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 224.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	47.5m 41 - 54	55.5m 51 - 60*	60 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.
- ✓ If the offender engaged the victim in sexual conduct in exchange for a fee, an additional 12 months shall be added to the standard sentence range (RCW 9.94A.533(9)).

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# Civil Disorder Training

RCW 9A.48.120  
CLASS B – NONVIOLENT  
OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VII</b>	17.5m 15 - 20	24m 21 - 27	30m 26 - 34	36m 31 - 41	42m 36 - 48	47.5m 41 - 54	66m 57 - 75	78m 67 - 89	89.5m 77 - 102	101.5m 87 - 116

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Commercial Bribery

RCW 9A.68.060  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	61.5m 53 - 70	73.5m 63 - 84

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Commercial Sexual Abuse Of A Minor Known As Patronizing A Juvenile Prostitute Prior To 7/22/2007

RCW 9.68A.100  
 CLASS B\* – NONVIOLENT/SEX  
 OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 224.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

	<b>Offender Score</b>									
	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9+</b>
<b>LEVEL VIII</b>	24m 21 - 27	30m 26 - 34	36m 31 - 41	42m 36 - 48	47.5m 41 - 54	53.5m 46 - 61	78m 67 - 89	89.5m 77 - 102	101.5m 87 - 116	114m 108 - 120*

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Communication With A Minor For Immoral Purposes Subsequent Violation Or Prior Sex Offense Conviction

RCW 9.68A.090(2)  
CLASS C – NONVIOLENT/SEX

OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 224.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... x 3 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... x 3 = \_\_\_\_\_

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... x 3 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	59.5m 51 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Computer Trespass First Degree

RCW 9A.52.110  
 CLASS C – NONVIOLENT  
 OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>	0-90 days	4m 2 - 6	6m 3 - 9	8m 4 - 12	13m 12+ - 14	16m 14 - 18	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Controlled Substance Homicide

RCW 69.50.415

CLASS B – NONVIOLENT/DRUG

OFFENDER SCORING RCW 9.94A.525(13)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Drug Offense with a Sexual Motivation Finding scoring form on page 227.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Drug Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 226.*

**ADULT HISTORY:**

Does the offender have a prior sex or serious violent offense in history?

**YES** Enter number of felony drug convictions ..... x 3 = \_\_\_\_\_

**NO** Enter number of felony drug convictions ..... x 1 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Does the offender have a prior sex or serious violent offense in history?

**YES** Enter number of felony drug dispositions ..... x 2 = \_\_\_\_\_

**NO** Enter number of felony drug dispositions ..... x 1/2 = \_\_\_\_\_

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Does the offender have other prior sex or serious violent offense in history?

**YES** Enter number of other felony drug convictions ..... x 3 = \_\_\_\_\_

**NO** Enter number of other felony drug convictions ..... x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE – DRUG**

	Offender Score		
	0 to 2	3 to 5	6 to 9+
<b>LEVEL III</b>	59.5m 51 - 68	84m 68+ - 100	110m 100+ - 120

- ✓ For attempt, solicitation or conspiracy drug felonies see page 64 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ Per RCW 9.94A.518, any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under RCW 9.94A.602 becomes a level III offense.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Per RCW 69.50.408, the statutory maximum for a **subsequent conviction** under chapter 69.50 RCW is 240 months.

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# Counterfeiting Third Conviction And Value \$10,000 Or More

RCW 9.16.035(3)  
CLASS C- NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>	0-90 days	4m 2 - 6	6m 3 - 9	8m 4 - 12	13m 12+ - 14	16m 14 - 18	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Counterfeiting - Endanger Public Health Or Safety

RCW 9.16.035(4)  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	56.5m 53 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Create, Deliver Or Possess A Counterfeit Controlled Substance Schedule I Or II Narcotic Or Flunitrazepam Or Methamphetamine

RCW 69.50.4011(2)(a-b)  
CLASS B – NONVIOLENT/DRUG  
OFFENDER SCORING RCW 9.94A.525(13)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Drug Offense with a Sexual Motivation Finding scoring form on page 227.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Drug Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 226.*

**ADULT HISTORY:**

Does the offender have a prior sex or serious violent offense in history?

**YES** Enter number of felony drug convictions ..... x 3 = \_\_\_\_\_

**NO** Enter number of felony drug convictions ..... x 1 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Does the offender have a prior sex or serious violent offense in history?

**YES** Enter number of felony drug dispositions ..... x 2 = \_\_\_\_\_

**NO** Enter number of felony drug dispositions ..... x 1/2 = \_\_\_\_\_

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Does the offender have other prior sex or serious violent offense in history?

**YES** Enter number of other felony drug convictions ..... x 3 = \_\_\_\_\_

**NO** Enter number of other felony drug convictions ..... x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE – DRUG**

Offender Score			
	0 to 2	3 to 5	6 to 9+
<b>LEVEL II</b>	16m	40m	90m
	12+ - 20	20+ - 60	60+ - 120

- ✓ For attempt, solicitation or conspiracy drug felonies see page 64 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ Per RCW 9.94A.518, any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under RCW 9.94A.602 becomes a level III offense.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Per RCW 69.50.408, the statutory maximum for a **subsequent conviction** under chapter 69.50 RCW is 240 months.

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# Create, Deliver Or Possess A Counterfeit Controlled Substance Schedule I-II Nonnarcotic, Schedule III-V Except Flunitrazepam Or Methamphetamine

RCW 69.50.4011(2)(c-e)  
CLASS C – NONVIOLENT/DRUG

OFFENDER SCORING RCW 9.94A.525(13)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Drug Offense with a Sexual Motivation Finding scoring form on page 227.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Drug Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 226.*

**ADULT HISTORY:**

Does the offender have a prior sex or serious violent offense in history?

**YES** Enter number of felony drug convictions ..... x 3 = \_\_\_\_\_

**NO** Enter number of felony drug convictions ..... x 1 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Does the offender have a prior sex or serious violent offense in history?

**YES** Enter number of felony drug dispositions ..... x 2 = \_\_\_\_\_

**NO** Enter number of felony drug dispositions ..... x ½ = \_\_\_\_\_

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Does the offender have other prior sex or serious violent offense in history?

**YES** Enter number of other felony drug convictions ..... x 3 = \_\_\_\_\_

**NO** Enter number of other felony drug convictions ..... x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE – DRUG**

Offender Score			
	0 to 2	3 to 5	6 to 9+
<b>LEVEL II</b>	16m	40m	90m
	12+ - 20	20+ - 60	60+ - 120

- ✓ For attempt, solicitation or conspiracy drug felonies see page 64 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ Per RCW 9.94A.518, any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under RCW 9.94A.602 becomes a level III offense.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Per RCW 69.50.408, the statutory maximum for a **subsequent conviction** under chapter 69.50 RCW is 120 months.

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# Criminal Gang Intimidation

RCW 9A.46.120  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	55.5m 51 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Criminal Mistreatment First Degree

RCW 9A.42.020  
CLASS B\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
	59.5m	66m	72m	78m	84m	89.5m	109m			
<b>LEVEL X</b>	51 - 68	57 - 75	62 - 82	67 - 89	72 - 96	77 - 102	98 - 120*	120 - 120*	120 - 120*	120 - 120*

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Criminal Mistreatment Second Degree

RCW 9A.42.030  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
	9m	13m	15m	17.5m	25.5m	38m	47.5m	55.5m		
<b>LEVEL V</b>	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	41 - 54	51 - 60*	60 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Custodial Assault

RCW 9A.36.100  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	55.5m 51 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Custodial Sexual Misconduct First Degree

RCW 9A.44.160  
 CLASS C\* – NONVIOLENT/SEX  
 OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 224.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
	9m	13m	15m	17.5m	25.5m	38m	47.5m	55.5m		
<b>LEVEL V</b>	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	41 - 54	51 - 60*	60 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Cyberstalking With Prior Harassment Conviction Or Threat Of Death

RCW 9.61.260(3)  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
	2m	5m	8m	11m	14m	19.5m	25.5m	38m	50m	55.5m
<b>LEVEL III</b>	1 - 3	3 - 8	4 - 12	9 - 12	12+ - 16	17 - 22	22 - 29	33 - 43	43 - 57	51 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Dealing In Depictions Of A Minor Engaged In Sexually Explicit Conduct First Degree Effective 6/10/2010

RCW 9.68A.050(1)  
 CLASS B – NONVIOLENT/SEX  
 OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 224.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VII</b>	17.5m 15 - 20	24m 21 - 27	30m 26 - 34	36m 31 - 41	42m 36 - 48	47.5m 41 - 54	66m 57 - 75	78m 67 - 89	89.5m 77 - 102	101.5m 87 - 116

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Dealing In Depictions Of A Minor Engaged In Sexually Explicit Conduct Second Degree Effective 6/10/2010

RCW 9.68A.050(2)  
CLASS C\* – NONVIOLENT/SEX

OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 224.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

	<b>Offender Score</b>									
	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9+</b>
<b>LEVEL V</b>	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	47.5m 41 - 54	55.5m 51 - 60*	60 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Deliver Or Possess With Intent To Deliver Methamphetamine

RCW 69.50.401(2)(b)  
 CLASS B – NONVIOLENT/DRUG  
 OFFENDER SCORING RCW 9.94A.525(13)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Drug Offense with a Sexual Motivation Finding scoring form on page 227.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Drug Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 226.*

**ADULT HISTORY:**

Does the offender have a prior sex or serious violent offense in history?

**YES** Enter number of felony drug convictions..... x 3 = \_\_\_\_\_

**NO** Enter number of felony drug convictions..... x 1 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Does the offender have a prior sex or serious violent offense in history?

**YES** Enter number of felony drug dispositions ..... x 2 = \_\_\_\_\_

**NO** Enter number of felony drug dispositions ..... x ½ = \_\_\_\_\_

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Does the offender have other prior sex or serious violent offense in history?

**YES** Enter number of other felony drug convictions..... x 3 = \_\_\_\_\_

**NO** Enter number of other felony drug convictions..... x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE – DRUG**

Offender Score			
	0 to 2	3 to 5	6 to 9+
<b>LEVEL II</b>	16m	40m	90m
	12+ - 20	20+ - 60	60+ - 120

- ✓ For attempt, solicitation or conspiracy drug felonies see page 64 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ Per RCW 9.94A.518, any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under RCW 9.94A.602 becomes a level III offense.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Per RCW 69.50.408, the statutory maximum for a **subsequent conviction** under chapter 69.50 RCW is 240 months.
- ✓ Per RCW 69.50.435, if the offense occurred within a **protected zone**, 24 months shall be added to the standard range and the statutory maximum is 240 months.

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# Delivery Of Imitation Controlled Substance By Person 18 Or Over To Person Under 18

RCW 69.52.030(2)  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE – DRUG

Offender Score			
	0 to 2	3 to 5	6 to 9+
LEVEL III	59.5m 51 - 68	84m 68+ - 100	110m 100+ - 120

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Delivery Of A Material In Lieu Of A Controlled Substance

RCW 69.50.4012  
CLASS C – NONVIOLENT/DRUG  
OFFENDER SCORING RCW 9.94A.525(13)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Drug Offense with a Sexual Motivation Finding scoring form on page 227.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Drug Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 226.*

**ADULT HISTORY:**

Does the offender have a prior sex or serious violent offense in history?

**YES** Enter number of felony drug convictions..... x 3 = \_\_\_\_\_

**NO** Enter number of felony drug convictions..... x 1 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Does the offender have a prior sex or serious violent offense in history?

**YES** Enter number of felony drug dispositions ..... x 2 = \_\_\_\_\_

**NO** Enter number of felony drug dispositions ..... x ½ = \_\_\_\_\_

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Does the offender have other prior sex or serious violent offense in history?

**YES** Enter number of other felony drug convictions..... x 3 = \_\_\_\_\_

**NO** Enter number of other felony drug convictions..... x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE – DRUG**

Offender Score			
	0 to 2	3 to 5	6 to 9+
<b>LEVEL II</b>	16m	40m	90m
	12+ - 20	20+ - 60	60+ - 120

- ✓ For attempt, solicitation or conspiracy drug felonies see page 64 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ Per RCW 9.94A.518, any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under RCW 9.94A.602 becomes a level III offense.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Per RCW 69.50.408, the statutory maximum for a **subsequent conviction** under chapter 69.50 RCW is 120 months.

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# Domestic Violence Court Order Violation

RCW 26.50.110  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(21)

If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent/Sex Offense where domestic violence has been plead and proven scoring form on page 224.

**ADULT HISTORY:**

Enter number of domestic violence felony convictions as listed below\* ..... x 2 = \_\_\_\_\_  
 Enter number of repetitive domestic violence offense convictions (RCW 9.94A.030(41))  
 plead and proven after 8/1/11 ..... x 1 = \_\_\_\_\_  
 Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of subsequent domestic violence felony dispositions as listed below\* ..... x 1 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other domestic violence felony convictions as listed below\* ..... x 2 = \_\_\_\_\_  
 Enter number of other repetitive domestic violence offense convictions plead and  
 proven after 8/1/11 ..... x 1 = \_\_\_\_\_  
 Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

\*If domestic violence was plead and proven after 8/1/2011 for the following felony offenses:

Violation of a No-Contact Order, Violation of a Protection Order, Domestic Violence Harassment, Domestic Violence Stalking, Domestic Violence Burglary 1, Domestic Violence Kidnapping 1, Domestic Violence Kidnapping 2, Domestic Violence Unlawful Imprisonment, Domestic Violence Robbery 1, Domestic Violence Robbery 2, Domestic Violence Assault 1, Domestic Violence Assault 2, Domestic Violence Assault 3, Domestic Violence Arson 1, Domestic Violence Arson 2.

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m	13m	15m	17.5m	25.5m	38m	47.5m	55.5m		
	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	41 - 54	51 - 60*	60 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Drive-By Shooting

RCW 9A.36.045  
CLASS B – VIOLENT

OFFENDER SCORING RCW 9.94A.525(8)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Violent Offense with a Sexual Motivation Finding scoring form on page 233.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 231.*

**ADULT HISTORY:**

Enter number of serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VII</b>	17.5m 15 - 20	24m 21 - 27	30m 26 - 34	36m 31 - 41	42m 36 - 48	47.5m 41 - 54	66m 57 - 75	78m 67 - 89	89.5m 77 - 102	101.5m 87 - 116

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Driving While Under The Influence Of Intoxicating Liquor Or Any Drug (Effective 7/1/2007)

RCW 46.61.502(6)  
CLASS C\* – NONVIOLENT/TRAFFIC OFFENSE  
OFFENDER SCORING RCW 9.94A.525(11)

**ADULT HISTORY:**

Enter number of Vehicular Homicide and Vehicular Assault felony convictions ..... x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... x 1 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of Vehicular Homicide and Vehicular Assault dispositions ..... x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony dispositions ..... x 1/2 = \_\_\_\_\_

Enter number of felony dispositions ..... x 1/2 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of Vehicular Homicide and Vehicular Assault convictions ..... x 2 = \_\_\_\_\_

Enter number of other Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m	13m	15m	17.5m	25.5m	38m	47.5m	55.5m		
	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	41 - 54	51 - 60*	60 - 60*	60 - 60*

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Endangerment With A Controlled Substance

RCW 9A.42.100  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	61.5m 53 - 70	73.5m 63 - 84

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Escape First Degree

RCW 9A.76.110  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(15)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	61.5m 53 - 70	73.5m 63 - 84

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Escape Second Degree

RCW 9A.76.120  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(15)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	55.5m 51 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Escape From Community Custody

RCW 72.09.310  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(14)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of Escape 1, Escape 2, Willful Failure to Return from Furlough,  
Willful Failure to Return from Work Release and Escape from Community Custody convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of Escape 1, Escape 2, Willful Failure to Return from Furlough,  
Willful Failure to Return from Work Release dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of Escape 1, Escape 2, Willful Failure to Return from Furlough,  
Willful Failure to Return from Work Release and Escape from Community Custody convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>	0-90 days	4m	6m	8m	13m	16m	19.5m	25.5m	38m	50m	
		2 - 6	3 - 9	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29	33 - 43	43 - 57	

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Explosive Devices Prohibited

RCW 70.74.180  
CLASS A – VIOLENT

OFFENDER SCORING RCW 9.94A.525(8)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Violent Offense with a Sexual Motivation Finding scoring form on page 233.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 231.*

**ADULT HISTORY:**

Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IX</b>	36m 31 - 41	42m 36 - 48	47.5m 41 - 54	53.5m 46 - 61	59.5m 51 - 68	66m 57 - 75	89.5m 77 - 102	101.5m 87 - 116	126m 108 - 144	150m 129 - 171

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Extortion First Degree

RCW 9A.56.120  
CLASS B – VIOLENT

OFFENDER SCORING RCW 9.94A.525(8)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Violent Offense with a Sexual Motivation Finding scoring form on page 233.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 231.*

**ADULT HISTORY:**

Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	47.5m 41 - 54	59.5m 51 - 68	72m 62 - 82	84m 72 - 96

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Extortion Second Degree

RCW 9A.56.130  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m	5m	8m	11m	14m	19.5m	25.5m	38m	50m	55.5m
	1 - 3	3 - 8	4 - 12	9 - 12	12+ - 16	17 - 22	22 - 29	33 - 43	43 - 57	51 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Extortionate Extension Of Credit Extortionate Means To Collect Extentions Of Credit

RCW 9A.82.020 & RCW 9A.82.040  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	47.5m 41 - 54	59.5m 51 - 68	72m 62 - 82	84m 72 - 96

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Failure To Register As A Sex Offender Second Or Subsequent Violation Committed On Or After 6/7/2006 But Before 6/10/2010

RCW 9A.44.132(1)(a)  
CLASS C – NONVIOLENT/SEX  
OFFENDER SCORING RCW 9.94A.525(18)

If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 224.

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of Failure to Register as a Sex Offender\* felony convictions ..... x 1 = \_\_\_\_\_  
 Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... x 3 = \_\_\_\_\_  
 Enter number of Failure to Register as a Sex Offender\* felony dispositions ..... x 1 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of other Failure to Register as a Sex Offender\* felony dispositions ..... x 1 = \_\_\_\_\_  
 Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>	0-90 days	4m 2 - 6	6m 3 - 9	8m 4 - 12	13m 12+ - 14	16m 14 - 18	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

\* **The first violation of Failure to Register as a Sex Offender (unranked level and class C felony) is NOT a sex offense per RCW 9.94A.030(46)(v).**

NOTE: In 2008 it was noted that Failure to Register as a Sex Offender would become a class B offense as of ninety days sine die 2010 Legislative Session. The statute was changed before this could take effect.

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# Failure To Register As A Sex Offender Second Violation Committed On Or After 6/10/2010

RCW 9A.44.132(1)(a)  
CLASS C – NONVIOLENT/SEX

OFFENDER SCORING RCW 9.94A.525(18)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 224.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of Failure to Register as a Sex Offender\* felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of Failure to Register as a Sex Offender\* felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other Failure to Register as a Sex Offender\* felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>		4m	6m	8m	13m	16m	19.5m	25.5m	38m	50m	
	0-90 days	2 - 6	3 - 9	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29	33 - 43	43 - 57	

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

\* **The first violation of Failure to Register as a Sex Offender (unranked level and class C felony) is NOT a sex offense per RCW 9.94A.030(46)(v).**

NOTE: In 2008 it was noted that Failure to Register as a Sex Offender would become a class B offense as of ninety days sine die 2010 Legislative Session. The statute was changed before this could take effect.

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# Failure To Register As A Sex Offender Third Or Subsequent Violation Committed On Or After 6/10/2010

RCW 9A.44.132(1)(b)  
CLASS B – NONVIOLENT/SEX  
OFFENDER SCORING RCW 9.94A.525(18)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 224.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of Failure to Register as a Sex Offender\* felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of Failure to Register as a Sex Offender\* felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other Failure to Register as a Sex Offender\* felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score									
0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>	4m	6m	8m	13m	16m	19.5m	25.5m	38m	50m
0-90 days	2 - 6	3 - 9	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29	33 - 43	43 - 57

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

\* **The first violation of Failure to Register as a Sex Offender (unranked level and class C felony) is NOT a sex offense per RCW 9.94A.030(46)(v).**

NOTE: In 2008 it was noted that Failure to Register as a Sex Offender would become a class B offense as of ninety days sine die 2010 Legislative Session. The statute was changed before this could take effect.

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# False Verification For Welfare

RCW 74.08.055(2)  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
				3m	4m	5.5m	8m	13m	16m	19.5m	25.5m
<b>LEVEL I</b>	0-60 days	0-90 days	2 - 5	2 - 6	3 - 8	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29	

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Forged Prescription Legend Drug

RCW 69.41.020  
 CLASS B – NONVIOLENT  
 OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE – DRUG

Offender Score			
	0 to 2	3 to 5	6 to 9+
<b>LEVEL I</b>	3m	9m	18m
	0 - 6	6+ - 12	12+ - 24

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Forged Prescription For A Controlled Substance

RCW 69.50.403  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE - DRUG

Offender Score			
	0 to 2	3 to 5	6 to 9+
<b>LEVEL I</b>	3m	9m	18m
	0 - 6	6+ - 12	12+ - 24

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ Per RCW 9.94A.518, any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under RCW 9.94A.602 becomes a level III offense.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Per RCW 69.50.408, the statutory maximum for a **subsequent conviction** under Chapter 69.50 RCW is 48 months.

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# Forgery

RCW 9A.60.020  
CLASS C – NONVIOLENT  
OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
			3m	4m	5.5m	8m	13m	16m	19.5m	25.5m
LEVEL I	0-60 days	0-90 days	2 - 5	2 - 6	3 - 8	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Harassment Subsequent Conviction Or Threat Of Death

RCW 9A.46.020(2)(b)  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	55.5m 51 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Health Care False Claims

RCW 48.80.030  
CLASS C – NONVIOLENT  
OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>	0-90 days	4m 2 - 6	6m 3 - 9	8m 4 - 12	13m 12+ - 14	16m 14 - 18	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Hit And Run - Death

RCW 46.52.020(4)(a)  
 CLASS B\* – NONVIOLENT/TRAFFIC OFFENSE  
 OFFENDER SCORING RCW 9.94A.525(11)

**ADULT HISTORY:**

Enter number of Vehicular Homicide and Vehicular Assault felony convictions ..... x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... x 1 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of Vehicular Homicide and Vehicular Assault dispositions ..... x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony dispositions ..... x 1/2 = \_\_\_\_\_

Enter number of felony dispositions ..... x 1/2 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of Vehicular Homicide and Vehicular Assault convictions ..... x 2 = \_\_\_\_\_

Enter number of other Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IX</b>	36m	42m	47.5m	53.5m	59.5m	66m	89.5m	101.5m	114m	
	31 - 41	36 - 48	41 - 54	46 - 61	51 - 68	57 - 75	77 - 102	87 - 116	108 - 120*	120 - 120*

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Hit And Run - Injury

RCW 46.52.020(4)(b)  
 CLASS C\* – NONVIOLENT/TRAFFIC OFFENSE  
 OFFENDER SCORING RCW 9.94A.525(11)

**ADULT HISTORY:**

Enter number of Vehicular Homicide and Vehicular Assault felony convictions ..... x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... x 1 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of Vehicular Homicide and Vehicular Assault dispositions ..... x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of felony dispositions ..... x 1/2 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of Vehicular Homicide and Vehicular Assault convictions ..... x 2 = \_\_\_\_\_

Enter number of other Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	56.5m 53 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Hit And Run With A Vessel – Injury Accident

RCW 79A.60.200(3)  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	56.5m 53 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Homicide By Abuse

RCW 9A.32.055  
CLASS A – SERIOUS VIOLENT  
OFFENDER SCORING RCW 9.94A.525(9)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Serious Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 228.*

**ADULT HISTORY:**

Enter number of serious violent felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL XV</b>	280m	291.5m	304m	316m	327.5m	339.5m	364m	394m	431.5m	479.5m
	240 - 320	250 - 333	261 - 347	271 - 361	281 - 374	291 - 388	312 - 416	338 - 450	370 - 493	411 - 548

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Multiple current serious violent offenses shall have consecutive sentences imposed per the rules of RCW 9.94A.589(1)(b).

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# Homicide By Abuse With A Finding Of Sexual Motivation

RCW 9A.32.055  
 CLASS A – SERIOUS VIOLENT/SEX  
 OFFENDER SCORING RCW 9.94A.525(17)

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

<b>Offender Score</b>										
	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9+</b>
<b>LEVEL XV</b>	280m	291.5m	304m	316m	327.5m	339.5m	364m	394m	431.5m	479.5m
	240 - 320	250 - 333	261 - 347	271 - 361	281 - 374	291 - 388	312 - 416	338 - 450	370 - 493	411 - 548

Add Sexual Motivation Enhancement (see page 217)   to Standard Range = Low to High

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and the current offense was committed on or after 9/1/2001, then the offender is subject to the requirements under RCW 9.94A.507.
- ✓ Multiple current serious violent offenses shall have consecutive sentences imposed per the rules of RCW 9.94A.589(1)(b).

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# Homicide By Watercraft While Under The Influence Of Intoxicating Liquor Or Any Drug

RCW 79A.60.050(1)(a)  
CLASS A – VIOLENT

## OFFENDER SCORING RCW 9.94A.525(12)

If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Violent Offense with a Sexual Motivation Finding scoring form on page 233.

If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 231.

### ADULT HISTORY:

Enter number of Homicide by Watercraft and Assault by Watercraft felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of Driving Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control of a Vehicle While Under the Influence of Intoxicating Liquor or Any Drug and Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... x 1 = \_\_\_\_\_  
 Enter number of felony convictions ..... x 1 = \_\_\_\_\_

### JUVENILE HISTORY:

Enter number of Homicide by Watercraft and Assault by Watercraft felony dispositions ..... x 2 = \_\_\_\_\_  
 Enter number of Driving Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control of a Vehicle While Under the Influence of Intoxicating Liquor or Any Drug and Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony dispositions ..... x 1/2 = \_\_\_\_\_  
 Enter number of felony dispositions ..... x 1/2 = \_\_\_\_\_

### OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other Homicide by Watercraft and Assault by Watercraft felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of Driving Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control of a Vehicle While Under the Influence of Intoxicating Liquor or Any Drug and Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... x 1 = \_\_\_\_\_  
 Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

### STATUS:

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

### SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IX</b>	36m 31 - 41	42m 36 - 48	47.5m 41 - 54	53.5m 46 - 61	59.5m 51 - 68	66m 57 - 75	89.5m 77 - 102	101.5m 87 - 116	126m 108 - 144	150m 129 - 171

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Homicide By Watercraft Disregard For The Safety Of Others

RCW 79A.60.050(1)(c)  
CLASS A – VIOLENT

## OFFENDER SCORING RCW 9.94A.525(12)

If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Violent Offense with a Sexual Motivation Finding scoring form on page 233.

If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 231.

### ADULT HISTORY:

Enter number of Homicide by Watercraft and Assault by Watercraft felony convictions ..... x 2 = \_\_\_\_\_

Enter number of Driving Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control of a Vehicle While Under the Influence of Intoxicating Liquor or Any Drug and Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug and felony convictions ..... x 1 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

### JUVENILE HISTORY:

Enter number of Homicide by Watercraft and Assault by Watercraft felony dispositions ..... x 2 = \_\_\_\_\_

Enter number of Driving Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control of a Vehicle While Under the Influence of Intoxicating Liquor or Any Drug and Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug and felony dispositions ..... x 1/2 = \_\_\_\_\_

Enter number of felony dispositions ..... x 1/2 = \_\_\_\_\_

### OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other Homicide by Watercraft and Assault by Watercraft felony convictions ..... x 2 = \_\_\_\_\_

Enter number of Driving Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control of a Vehicle While Under the Influence of Intoxicating Liquor or Any Drug and Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug and felony convictions ..... x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

### STATUS:

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

### SENTENCE RANGE



Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VII</b>	17.5m	24m	30m	36m	42m	47.5m	66m	78m	89.5m	101.5m
	15 - 20	21 - 27	26 - 34	31 - 41	36 - 48	41 - 54	57 - 75	67 - 89	77 - 102	87 - 116

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Homicide By Watercraft In A Reckless Manner

RCW 79A.60.050(1)(b)

CLASS A – VIOLENT

## OFFENDER SCORING RCW 9.94A.525(12)

If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Violent Offense with a Sexual Motivation Finding scoring form on page 233.

If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 231.

### ADULT HISTORY:

Enter number of Homicide by Watercraft and Assault by Watercraft felony convictions ..... x 2 = \_\_\_\_\_

Enter number of Driving Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control of a Vehicle While Under the Influence of Intoxicating Liquor or Any Drug and Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... x 1 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

### JUVENILE HISTORY:

Enter number of Homicide by Watercraft and Assault by Watercraft felony dispositions ..... x 2 = \_\_\_\_\_

Enter number of Driving Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control of a Vehicle While Under the Influence of Intoxicating Liquor or Any Drug and Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony dispositions ..... x 1/2 = \_\_\_\_\_

Enter number of felony dispositions ..... x 1/2 = \_\_\_\_\_

### OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other Homicide by Watercraft and Assault by Watercraft felony convictions ..... x 2 = \_\_\_\_\_

Enter number of Driving Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control of a Vehicle While Under the Influence of Intoxicating Liquor or Any Drug and Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

### STATUS:

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

### SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VIII</b>	24m	30m	36m	42m	47.5m	53.5m	78m	89.5m	101.5m	126m
	21 - 27	26 - 34	31 - 41	36 - 48	41 - 54	46 - 61	67 - 89	77 - 102	87 - 116	108 - 144

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Identity Theft First Degree

RCW 9.35.020(2)  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	61.5m 53 - 70	73.5m 63 - 84

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Identity Theft Second Degree

RCW 9.35.020(3)  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>	0-90 days	4m 2 - 6	6m 3 - 9	8m 4 - 12	13m 12+ - 14	16m 14 - 18	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Improperly Obtaining Financial Information

RCW 9.35.010  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>	0-90 days	4m	6m	8m	13m	16m	19.5m	25.5m	38m	50m	
		2 - 6	3 - 9	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29	33 - 43	43 - 57	

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Incest First Degree

RCW 9A.64.020(1)  
 CLASS B – NONVIOLENT/SEX  
 OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 224.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VI</b>	13m	17.5m	24m	30m	36m	42m	53.5m	66m	78m	89.5m
	12+ - 14	15 - 20	21 - 27	26 - 34	31 - 41	36 - 48	46 - 61	57 - 75	67 - 89	77 - 102

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Incest Second Degree

RCW 9A.64.020(2)

CLASS C\* – NONVIOLENT/SEX

OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 224.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	47.5m 41 - 54	55.5m 51 - 60*	60 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Indecent Exposure To A Person Under Age 14 Subsequent Conviction Or Has Prior Sex Offense Conviction

RCW 9A.88.010(2)(c)  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	56.5m 53 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Indecent Liberties Forcible Compulsion

RCW 9A.44.100(2)(b)  
 CLASS A – VIOLENT/SEX  
 ATTEMPT = CLASS A

OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 232.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
	59.5m	66m	72m	78m	84m	89.5m	114m	126m	150m	230.5m
<b>LEVEL X</b>	51 - 68	57 - 75	62 - 82	67 - 89	72 - 96	77 - 102	98 - 130	108 - 144	129 - 171	149 - 198

- ✓ For attempt, (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and the current offense was committed on or after 9/1/2001, then the offender is subject to the requirements under RCW 9.94A.507.
- ✓ Per RCW 9.94A.507(3)(c)(ii), excluding convictions for an attempt, the minimum term shall be either the maximum of the standard sentence range for the offense or 25 years, whichever is greater, for a finding that the victim was **under the age of 15** at the time of the offense under RCW 9.94A.837 or found to be **developmentally disabled, mentally disordered, a frail elder or vulnerable adult** at the time of the offense under RCW 9.94A.838.

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# Indecent Liberties Forcible Compulsion

RCW 9A.44.100(2)(b)  
 VIOLENT/SEX  
 SOLICITATION = CLASS A  
 CONSPIRACY = CLASS B

OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 232.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL X</b>	59.5m	66m	72m	78m	84m	89.5m	114m	126m	150m	230.5m
	51 - 68	57 - 75	62 - 82	67 - 89	72 - 96	77 - 102	98 - 130	108 - 144	129 - 171	149 - 198

- ✓ For solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Indecent Liberties Without Forcible Compulsion

RCW 9A.44.100(2)(a)  
CLASS B – NONVIOLENT/SEX

OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 224.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VII</b>	17.5m	17.5m	24m	30m	36m	42m	47.5m	66m	78m	89.5m	101.5m
	15 - 20	15 - 20	21 - 27	26 - 34	31 - 41	36 - 48	41 - 54	57 - 75	67 - 89	77 - 102	87 - 116

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Influencing Outcome Of Sporting Event

RCW 9A.82.070  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	56.5m 53 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
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# Intimidating A Judge, Intimidating A Juror, Intimidating A Witness

RCW 9A.72.160 & RCW 9A.72.130 & RCW 9A.72.110  
 CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VI</b>	13m	17.5m	24m	30m	36m	42m	53.5m	66m	78m	89.5m	
	12+ - 14	15 - 20	21 - 27	26 - 34	31 - 41	36 - 48	46 - 61	57 - 75	67 - 89	77 - 102	

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Intimidating A Public Servant

RCW 9A.76.180  
CLASS B – NONVIOLENT  
OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m	5m	8m	11m	14m	19.5m	25.5m	38m	50m	59.5m
	1 - 3	3 - 8	4 - 12	9 - 12	12+ - 16	17 - 22	22 - 29	33 - 43	43 - 57	51 - 68

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
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# Introducing Contraband First Degree

RCW 9A.76.140  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VII</b>	17.5m 15 - 20	24m 21 - 27	30m 26 - 34	36m 31 - 41	42m 36 - 48	47.5m 41 - 54	66m 57 - 75	78m 67 - 89	89.5m 77 - 102	101.5m 87 - 116

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Introducing Contraband Second Degree

RCW 9A.76.150  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	55.5m 51 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

The Caseload Forecast Council is not liable for errors or omissions in the manual, for sentences that may be inappropriately calculated as a result of a practitioner's or court's reliance on the manual, or for any other written or verbal information related to adult or juvenile sentencing. The scoring sheets are intended to provide assistance in most cases but do not cover all permutations of the scoring rules. If you find any errors or omissions, we encourage you to report them to the Caseload Forecast Council.

# Involving A Minor In Drug Dealing

RCW 69.50.4015

CLASS C – NONVIOLENT/DRUG

OFFENDER SCORING RCW 9.94A.525(13)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Drug Offense with a Sexual Motivation Finding scoring form on page 227.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Drug Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 226.*

**ADULT HISTORY:**

Does the offender have a prior sex or serious violent offense in history?

**YES** Enter number of felony drug convictions ..... x 3 = \_\_\_\_\_

**NO** Enter number of felony drug convictions ..... x 1 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Does the offender have a prior sex or serious violent offense in history?

**YES** Enter number of felony drug dispositions ..... x 2 = \_\_\_\_\_

**NO** Enter number of felony drug dispositions ..... x ½ = \_\_\_\_\_

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Does the offender have other prior sex or serious violent offense in history?

**YES** Enter number of other felony drug convictions ..... x 3 = \_\_\_\_\_

**NO** Enter number of other felony drug convictions ..... x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE – DRUG**

	Offender Score		
	0 to 2	3 to 5	6 to 9+
<b>LEVEL III</b>	59.5m 51 - 68	84m 68+ - 100	110m 100+ - 120

- ✓ For attempt, solicitation or conspiracy drug felonies see page 64 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ Per RCW 9.94A.518, any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under RCW 9.94A.602 becomes a level III offense.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Per RCW 69.50.408, the statutory maximum for a **subsequent conviction** under chapter 69.50 RCW is 120 months.

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# Kidnapping First Degree

RCW 9A.40.020  
 CLASS A – SERIOUS VIOLENT  
 OFFENDER SCORING RCW 9.94A.525(9)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Serious Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 228.*

**ADULT HISTORY:**

Enter number of serious violent felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL X</b>	59.5m	66m	72m	78m	84m	89.5m	114m	126m	150m	230.5m
	51 - 68	57 - 75	62 - 82	67 - 89	72 - 96	77 - 102	98 - 130	108 - 144	129 - 171	149 - 198

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Multiple current serious violent offenses shall have consecutive sentences imposed per the rules of RCW 9.94A.589(1)(b).

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# Kidnapping First Degree With A Finding Of Sexual Motivation

RCW 9A.40.020

CLASS A – SERIOUS VIOLENT/SEX  
ATTEMPT = CLASS B

OFFENDER SCORING RCW 9.94A.525(17)

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of serious violent felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... x 3 = \_\_\_\_\_  
 Enter number of serious violent felony dispositions ..... x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of other violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL X</b>	59.5m	66m	72m	78m	84m	89.5m	114m	126m	150m	230.5m
	51 - 68	57 - 75	62 - 82	67 - 89	72 - 96	77 - 102	98 - 130	108 - 144	129 - 171	149 - 198

Add Sexual Motivation Enhancement (see page 217)   to Standard Range = Low to High

- ✓ For attempt, (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Multiple current serious violent offenses shall have consecutive sentences imposed per the rules of RCW 9.94A.589(1)(b).
- ✓ If the offender is not a persistent offender and the current offense was committed on or after 9/1/2001, then the offender is subject to the requirements under RCW 9.94A.507.
- ✓ Per RCW 9.94A.507(3)(c)(ii), excluding convictions for an attempt, the minimum term shall be either the maximum of the standard sentence range for the offense or 25 years, whichever is greater, for a finding that the victim was **under the age of 15** at the time of the offense under RCW 9.94A.837 or found to be **developmentally disabled, mentally disordered, a frail elder or vulnerable adult** at the time of the offense under RCW 9.94A.838.

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# Kidnapping First Degree With A Finding Of Sexual Motivation

RCW 9A.40.020  
 SERIOUS VIOLENT/SEX  
 SOLICIATION/CONSPIRACY = CLASS B  
 OFFENDER SCORING RCW 9.94A.525(17)

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL X</b>	59.5m	66m	72m	78m	84m	89.5m	114m	126m	150m	230.5m
	51 - 68	57 - 75	62 - 82	67 - 89	72 - 96	77 - 102	98 - 130	108 - 144	129 - 171	149 - 198

Add Sexual Motivation Enhancement (see page 217)

to Standard Range =

Low

to

High

- ✓ For solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Multiple current serious violent offenses shall have consecutive sentences imposed per the rules of RCW 9.94A.589(1)(b).
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Kidnapping Second Degree

RCW 9A.40.030(3)(a)

CLASS B – VIOLENT

OFFENDER SCORING RCW 9.94A.525(8)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 231.*

**ADULT HISTORY:**

Enter number of serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_

Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_

Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	47.5m 41 - 54	59.5m 51 - 68	72m 62 - 82	84m 72 - 96

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Kidnapping Second Degree With A Finding Of Sexual Motivation

RCW 9A.40.030(3)(b)  
 CLASS A – VIOLENT/SEX  
 ATTEMPT = CLASS B

## OFFENDER SCORING RCW 9.94A.525(17)

### ADULT HISTORY:

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

### JUVENILE HISTORY:

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

### OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

### STATUS:

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

### SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	47.5m 41 - 54	59.5m 51 - 68	72m 62 - 82	84m 72 - 96

Add Sexual Motivation Enhancement (see page 217)

to Standard Range =

to

- ✓ For attempt, (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and the current offense was committed on or after 9/1/2001, then the offender is subject to the requirements under RCW 9.94A.507.

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# Kidnapping Second Degree With A Finding Of Sexual Motivation

RCW 9A.40.030(3)(b)  
 VIOLENT/SEX  
 SOLICITATION/CONSPIRACY = CLASS B  
 OFFENDER SCORING RCW 9.94A.525(17)

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m	13m	15m	17.5m	25.5m	38m	47.5m	59.5m	72m	84m
	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	41 - 54	51 - 68	62 - 82	72 - 96

Add Sexual Motivation Enhancement (see page 217)  to Standard Range = Low to High

- ✓ For solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Leading Organized Crime Inciting Criminal Profiteering

RCW 9A.82.060(1)(b)  
CLASS B\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IX</b>	36m 31 - 41	42m 36 - 48	47.5m 41 - 54	53.5m 46 - 61	59.5m 51 - 68	66m 57 - 75	89.5m 77 - 102	101.5m 87 - 116	114m 108 - 120*	120- 120*

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Leading Organized Crime Organizing Criminal Profiteering

RCW 9A.82.060(1)(a)

CLASS A – VIOLENT

OFFENDER SCORING RCW 9.94A.525(8)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Violent Offense with a Sexual Motivation Finding scoring form on page 233.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 231.*

**ADULT HISTORY:**

Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL X</b>	59.5m 51 - 68	66m 57 - 75	72m 62 - 82	78m 67 - 89	84m 72 - 96	89.5m 77 - 102	114m 98 - 130	126m 108 - 144	150m 129 - 171	230.5m 149 - 198

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Maintaining A Dwelling Or Place For Controlled Substances

RCW 69.50.402  
CLASS C\* – NONVIOLENT/DRUG  
OFFENDER SCORING RCW 9.94A.525(13)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Drug Offense with a Sexual Motivation Finding scoring form on page 227.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Drug Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 226.*

**ADULT HISTORY:**

Does the offender have a prior sex or serious violent offense in history?  
**YES** Enter number of felony drug convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
**NO** Enter number of felony drug convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Does the offender have a prior sex or serious violent offense in history?  
**YES** Enter number of felony drug dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
**NO** Enter number of felony drug dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Does the offender have other prior sex or serious violent offense in history?  
**YES** Enter number of other felony drug convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
**NO** Enter number of other felony drug convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE – DRUG

Offender Score			
	0 to 2	3 to 5	6 to 9+
<b>LEVEL II</b>	16m	22m	
	12+ - 20	20+ - 24*	24*

- ✓ For attempt, solicitation or conspiracy drug felonies see page 64 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ Per RCW 9.94A.518, any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under RCW 9.94A.602 becomes a level III offense.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓
- ✓ Per RCW 69.50.402, any person who violates this section may be imprisoned for not more than 24 months.
- ✓ Per RCW 69.50.408, the statutory maximum for a **subsequent conviction** under chapter 69.50 RCW is 48 months.

The Caseload Forecast Council is not liable for errors or omissions in the manual, for sentences that may be inappropriately calculated as a result of a practitioner's or court's reliance on the manual, or for any other written or verbal information related to adult or juvenile sentencing. The scoring sheets are intended to provide assistance in most cases but do not cover all permutations of the scoring rules. If you find any errors or omissions, we encourage you to report them to the Caseload Forecast Council.

# Maintaining A Dwelling Or Place For Controlled Substances (Subsequent)

RCW 69.50.402

CLASS C\* – NONVIOLENT/DRUG

OFFENDER SCORING RCW 9.94A.525(13)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Drug Offense with a Sexual Motivation Finding scoring form on page 227.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Drug Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 226.*

**ADULT HISTORY:**

Does the offender have a prior sex or serious violent offense in history?

**YES** Enter number of felony drug convictions ..... x 3 = \_\_\_\_\_

**NO** Enter number of felony drug convictions ..... x 1 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Does the offender have a prior sex or serious violent offense in history?

**YES** Enter number of felony drug dispositions ..... x 2 = \_\_\_\_\_

**NO** Enter number of felony drug dispositions ..... x 1/2 = \_\_\_\_\_

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Does the offender have other prior sex or serious violent offense in history?

**YES** Enter number of other felony drug convictions ..... x 3 = \_\_\_\_\_

**NO** Enter number of other felony drug convictions ..... x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE – DRUG

	Offender Score		
	0 to 2	3 to 5	6 to 9+
<b>LEVEL II</b>	16m 12+ - 20	34m 20+ - 48*	48*

- ✓ For attempt, solicitation or conspiracy drug felonies see page 64 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ Per RCW 9.94A.518, any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under RCW 9.94A.602 becomes a level III offense.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Per RCW 69.50.408, the statutory maximum for a **subsequent conviction** under chapter 69.50 RCW is 48 months.

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# Malicious Explosion Of A Substance First Degree

RCW 70.74.280(1)  
CLASS A – VIOLENT

OFFENDER SCORING RCW 9.94A.525(8)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Violent Offense with a Sexual Motivation Finding scoring form on page 233.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 231.*

**ADULT HISTORY:**

Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_  
Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_  
Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_  
Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL XV</b>	280m 240 - 320	291.5m 250 - 333	304m 261 - 347	316m 271 - 361	327.5m 281 - 374	339.5m 291 - 388	364m 312 - 416	394m 338 - 450	431.5m 370 - 493	479.5m 411 - 548

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Malicious Explosion Of A Substance Second Degree

RCW 70.74.280(2)  
CLASS A – VIOLENT

OFFENDER SCORING RCW 9.94A.525(8)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Violent Offense with a Sexual Motivation Finding scoring form on page 233.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 231.*

**ADULT HISTORY:**

Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL XIII</b>	143.5m 123 - 164	156m 134 - 178	168m 144 - 192	179.5m 154 - 205	192m 165 - 219	204m 175 - 233	227.5m 195 - 260	252m 216 - 288	299.5m 257 - 342	347.5m 298 - 397

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Malicious Explosion Of A Substance Third Degree

RCW 70.74.280(3)  
CLASS B\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL X</b>	59.5m 51 - 68	66m 57 - 75	72m 62 - 82	78m 67 - 89	84m 72 - 96	89.5m 77 - 102	109m 98 - 120*	114m 108 - 120*	120 - 120*	120 - 120*

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Malicious Harassment

RCW 9A.36.080  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	56.5m 53 - 60*	60 - 60*

- ✓ For or gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Malicious Injury To Railroad Property

RCW 81.60.070  
 CLASS B – NONVIOLENT  
 OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	59.5m 51 - 68

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Malicious Mischief First Degree

RCW 9A.48.070  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>	0-90 days	4m	6m	8m	13m	16m	19.5m	25.5m	38m	50m	
		2 - 6	3 - 9	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29	33 - 43	43 - 57	

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Malicious Mischief Second Degree

RCW 9A.48.080  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL I</b>	0-60 days	0-90 days	3m 2 - 5	4m 2 - 6	5.5m 3 - 8	8m 4 - 12	13m 12+ - 14	16m 14 - 18	19.5m 17 - 22	25.5m 22 - 29

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Malicious Placement Of An Explosive First Degree

RCW 70.74.270(1)

CLASS A – VIOLENT

OFFENDER SCORING RCW 9.94A.525(8)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Violent Offense with a Sexual Motivation Finding scoring form on page 233.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 231.*

**ADULT HISTORY:**

Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL XIII</b>	143.5m 123 - 164	156m 134 - 178	168m 144 - 192	179.5m 154 - 205	192m 165 - 219	204m 175 - 233	227.5m 195 - 260	252m 216 - 288	299.5m 257 - 342	347.5m 298 - 397

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Malicious Placement Of An Explosive Second Degree

RCW 70.74.270(2)  
CLASS B\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IX</b>	36m 31 - 41	42m 36 - 48	47.5m 41 - 54	53.5m 46 - 61	59.5m 51 - 68	66m 57 - 75	89.5m 77 - 102	101.5m 87 - 116	114m 108 - 120*	120 - 120*

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
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# Malicious Placement Of An Explosive Third Degree

RCW 70.74.270(3)  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VII</b>	17.5m 15 - 20	24m 21 - 27	30m 26 - 34	36m 31 - 41	42m 36 - 48	47.5m 41 - 54	66m 57 - 75	78m 67 - 89	89.5m 77 - 102	101.5m 87 - 116

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Malicious Placement Of An Imitation Device First Degree

RCW 70.74.272(1)(a)  
CLASS B\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL XII</b>	106.5m 93 - 120*	111m 102 - 120*	115.5m 111 - 120*	120 - 120*	120 - 120*	120 - 120*	120 - 120*	120 - 120*	120 - 120*	120 - 120*

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215..

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# Malicious Placement Of An Imitation Device Second Degree

RCW 70.74.272(1)(b)  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VI</b>		13m	17.5m	24m	30m	36m	42m	53m	58.5m		
		12+ - 14	15 - 20	21 - 27	26 - 34	31 - 41	36 - 48	46 - 60*	57 - 60*	60 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Manslaughter First Degree

RCW 9A.32.060  
CLASS A – SERIOUS VIOLENT  
OFFENDER SCORING RCW 9.94A.525(9)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Serious Violent Offense with a Sexual Motivation Finding scoring form on page 230.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Serious Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 228.*

**ADULT HISTORY:**

Enter number of serious violent felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
	90m	100m	110m	119m	129m	139m	170m	185m	215m	245m
LEVEL XI	78 - 102	86 - 114	95 - 125	102 - 136	111 - 147	120 - 158	146 - 194	159 - 211	185 - 245	210 - 280

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Multiple current serious violent offenses shall have consecutive sentences imposed per the rules of RCW 9.94A.589(1)(b).

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# Manslaughter Second Degree

RCW 9A.32.070  
CLASS B\* – VIOLENT

OFFENDER SCORING RCW 9.94A.525(8)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Violent Offense with a Sexual Motivation Finding scoring form on page 233.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 231.*

**ADULT HISTORY:**

Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VIII</b>	24m 21 - 27	30m 26 - 34	36m 31 - 41	42m 36 - 48	47.5m 41 - 54	53.5m 46 - 61	78m 67 - 89	89.5m 77 - 102	101.5m 87 - 116	114m 108 - 120*

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Manufacture, Deliver Or Possess With Intent To Deliver Amphetamine

RCW 69.50.401(2)(b)  
 CLASS B – NONVIOLENT/DRUG  
 OFFENDER SCORING RCW 9.94A.525(13)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Drug Offense with a Sexual Motivation Finding scoring form on page 227.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Drug Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 226.*

**ADULT HISTORY:**

Does the offender have a prior sex or serious violent offense in history?  
**YES** Enter number of felony drug convictions ..... x 3 = \_\_\_\_\_  
**NO** Enter number of felony drug convictions ..... x 1 = \_\_\_\_\_  
 Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Does the offender have a prior sex or serious violent offense in history?  
**YES** Enter number of felony drug dispositions ..... x 2 = \_\_\_\_\_  
**NO** Enter number of felony drug dispositions ..... x ½ = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Does the offender have other prior sex or serious violent offense in history?  
**YES** Enter number of other felony drug convictions ..... x 3 = \_\_\_\_\_  
**NO** Enter number of other felony drug convictions ..... x 1 = \_\_\_\_\_  
 Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE – DRUG**

Offender Score			
	0 to 2	3 to 5	6 to 9+
<b>LEVEL II</b>	16m	40m	90m
	12+ - 20	20+ - 60	60+ - 120

- ✓ For attempt, solicitation or conspiracy drug felonies see page 64 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ Per RCW 9.94A.518, any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under RCW 9.94A.602 becomes a level III offense.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Per RCW 69.50.408, the statutory maximum for a **subsequent conviction** under chapter 69.50 RCW is 240 months.
- ✓ Per RCW 69.50.435, if the offense occurred within a **protected zone**, 24 months shall be added to the standard range and the statutory maximum will be 240 months.

The Caseload Forecast Council is not liable for errors or omissions in the manual, for sentences that may be inappropriately calculated as a result of a practitioner's or court's reliance on the manual, or for any other written or verbal information related to adult or juvenile sentencing. The scoring sheets are intended to provide assistance in most cases but do not cover all permutations of the scoring rules. If you find any errors or omissions, we encourage you to report them to the Caseload Forecast Council.

# Manufacture, Deliver Or Possess With Intent To Deliver Marijuana

RCW 69.50.401(2)(c)  
CLASS C – NONVIOLENT/DRUG

OFFENDER SCORING RCW 9.94A.525(13)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Drug Offense with a Sexual Motivation Finding scoring form on page 227.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Drug Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 226.*

**ADULT HISTORY:**

Does the offender have a prior sex or serious violent offense in history?  
**YES** Enter number of felony drug convictions ..... x 3 = \_\_\_\_\_  
**NO** Enter number of felony drug convictions ..... x 1 = \_\_\_\_\_  
 Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Does the offender have a prior sex or serious violent offense in history?  
**YES** Enter number of felony drug dispositions ..... x 2 = \_\_\_\_\_  
**NO** Enter number of felony drug dispositions ..... x 1/2 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Does the offender have other prior sex or serious violent offense in history?  
**YES** Enter number of other felony drug convictions ..... x 3 = \_\_\_\_\_  
**NO** Enter number of other felony drug convictions ..... x 1 = \_\_\_\_\_  
 Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE – DRUG**

Offender Score			
	0 to 2	3 to 5	6 to 9+
<b>LEVEL I</b>	3m 0 - 6	9m 6+ - 12	18m 12+ - 24

- ✓ For attempt, solicitation or conspiracy drug felonies see page 64 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ Per RCW 9.94A.518, any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under RCW 9.94A.602 becomes a level III offense.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Per RCW 69.50.408, the statutory maximum for a **subsequent conviction** under chapter 69.50 RCW is 120 months.
- ✓ Per RCW 69.50.435, if the offense occurred within a **protected zone**, 24 months shall be added to the standard range and the statutory maximum will be 120 months.

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# Manufacture, Deliver Or Possess With Intent To Deliver Narcotics From Schedule I Or II Or Flunitrazepam From Schedule IV

RCW 69.50.401(2)(a)  
 CLASS B – NONVIOLENT/DRUG  
 OFFENDER SCORING RCW 9.94A.525(13)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Drug Offense with a Sexual Motivation Finding scoring form on page 227.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Drug Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 226.*

**ADULT HISTORY:**

Does the offender have a prior sex or serious violent offense in history?

**YES** Enter number of felony drug convictions ..... x 3 = \_\_\_\_\_  
**NO** Enter number of felony drug convictions ..... x 1 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Does the offender have a prior sex or serious violent offense in history?

**YES** Enter number of felony drug dispositions ..... x 2 = \_\_\_\_\_  
**NO** Enter number of felony drug dispositions ..... x 1/2 = \_\_\_\_\_

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Does the offender have other prior sex or serious violent offense in history?

**YES** Enter number of other felony drug convictions ..... x 3 = \_\_\_\_\_  
**NO** Enter number of other felony drug convictions ..... x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE – DRUG**

Offender Score			
	0 to 2	3 to 5	6 to 9+
<b>LEVEL II</b>	16m	40m	90m
	12+ - 20	20+ - 60	60+ - 120

- ✓ For attempt, solicitation or conspiracy drug felonies see page 64 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ Per RCW 9.94A.518, any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under RCW 9.94A.602 becomes a level III offense.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Per RCW 69.50.408, the statutory maximum for a **subsequent conviction** under chapter 69.50 RCW is 240 months.
- ✓ Per RCW 69.50.435, if the offense occurred within a **protected zone**, 24 months shall be added to the standard range and the statutory maximum will be 240 months.

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# Manufacture, Deliver Or Possess With Intent To Deliver Narcotics From Schedule III, IV Or V Or Nonnarcotics From Schedule IV Except Marijuana, Amphetamine, Methamphetamine Or Flunitrazepam

RCW 69.50.401(2)(c-e)  
CLASS C – NONVIOLENT/DRUG

OFFENDER SCORING RCW 9.94A.525(13)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Drug Offense with a Sexual Motivation Finding scoring form on page 227.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Drug Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 226.*

**ADULT HISTORY:**

Does the offender have a prior sex or serious violent offense in history?  
**YES** Enter number of felony drug convictions ..... x 3 = \_\_\_\_\_  
**NO** Enter number of felony drug convictions ..... x 1 = \_\_\_\_\_  
 Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Does the offender have a prior sex or serious violent offense in history?  
**YES** Enter number of felony drug dispositions ..... x 2 = \_\_\_\_\_  
**NO** Enter number of felony drug dispositions ..... x ½ = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Does the offender have other prior sex or serious violent offense in history?  
**YES** Enter number of other felony drug convictions ..... x 3 = \_\_\_\_\_  
**NO** Enter number of other felony drug convictions ..... x 1 = \_\_\_\_\_  
 Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE – DRUG**

Offender Score			
	0 to 2	3 to 5	6 to 9+
<b>LEVEL II</b>	16m	40m	90m
	12+ - 20	20+ - 60	60+ - 120

- ✓ For attempt, solicitation or conspiracy drug felonies see page 64 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ Per RCW 9.94A.518, any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under RCW 9.94A.602 becomes a level III offense.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Per RCW 69.50.408, the statutory maximum for a **subsequent conviction** under chapter 69.50 RCW is 120 months.
- ✓ Per RCW 69.50.435, if the offense occurred within a **protected zone**, 24 months shall be added to the standard range and the statutory maximum will be 120 months.

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# Manufacture, Distribute Or Possess With Intent To Distribute An Imitation Controlled Substance

RCW 69.52.030(1)  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE – DRUG

Offender Score			
	0 to 2	3 to 5	6 to 9+
	16m	40m	90m
<b>LEVEL II</b>	12+ - 20	20+ - 60	60* - 60*

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Manufacture, Distribute Or Possess With Intent To Distribute An Imitation Controlled Substance By A Person 18 Or Older To A Person Under 18

RCW 69.52.030(2)  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE – DRUG**

Offender Score			
	0 to 2	3 to 5	6 to 9+
<b>LEVEL III</b>	59.5m	84m	110m
	51 - 68	68+ - 100	100+ - 120

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Manufacture Methamphetamine

RCW 69.50.401(2)(b)  
 CLASS B – NONVIOLENT/DRUG  
 OFFENDER SCORING RCW 9.94A.525(13)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Drug Offense with a Sexual Motivation Finding scoring form on page 227.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Drug Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 226.*

**ADULT HISTORY:**

Enter number of Manufacture Methamphetamine felony convictions ..... x 3 = \_\_\_\_\_  
 Does the offender have a prior sex or serious violent offense in history?  
   **YES** Enter number of felony drug convictions ..... x 3 = \_\_\_\_\_  
   **NO** Enter number of felony drug convictions ..... x 1 = \_\_\_\_\_  
 Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of Manufacture Methamphetamine felony dispositions ..... x 2 = \_\_\_\_\_  
 Does the offender have a prior sex or serious violent offense in history?  
   **YES** Enter number of felony drug dispositions ..... x 2 = \_\_\_\_\_  
   **NO** Enter number of felony drug dispositions ..... x ½ = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other Manufacture Methamphetamine felony convictions ..... x 3 = \_\_\_\_\_  
 Does the offender have other prior sex or serious violent offense in history?  
   **YES** Enter number of other felony drug convictions ..... x 3 = \_\_\_\_\_  
   **NO** Enter number of other felony drug convictions ..... x 1 = \_\_\_\_\_  
 Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE – DRUG**

Offender Score			
	0 to 2	3 to 5	6 to 9+
<b>LEVEL III</b>	59.5m	84m	110m
	51 - 68	68+ - 100	100+ - 120

- ✓ For attempt, solicitation or conspiracy drug felonies see page 64 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ Per RCW 9.94A.518, any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under RCW 9.94A.602 becomes a level III offense.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Per RCW 69.50.408, the statutory maximum for a **subsequent conviction** under chapter 69.50 RCW is 240 months.
- ✓ Per RCW 69.50.435, if the offense occurred within a **protected zone**, 24 months shall be added to the standard range and the statutory maximum will be 240 months.
- ✓ Per RCW 9.94A.827, if the offense is also a violation of **Manufacture of Methamphetamine with a Child on Premise**, 24 months shall be added to the standard range.

The Caseload Forecast Council is not liable for errors or omissions in the manual, for sentences that may be inappropriately calculated as a result of a practitioner's or court's reliance on the manual, or for any other written or verbal information related to adult or juvenile sentencing. The scoring sheets are intended to provide assistance in most cases but do not cover all permutations of the scoring rules. If you find any errors or omissions, we encourage you to report them to the Caseload Forecast Council.

# Mortgage Fraud

RCW 19.144.080  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	59.5m 51 - 68

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Murder First Degree

RCW 9A.32.030  
 CLASS A – SERIOUS VIOLENT  
 ATTEMPT/SOLICITATION/CONSPIRACY = CLASS A  
 OFFENDER SCORING RCW 9.94A.525(9)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Serious Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 228.*

**ADULT HISTORY:**

Enter number of serious violent felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL XV</b>	280m	291.5m	304m	316m	327.5m	339.5m	364m	394m	431.5m	479.5m
	240 - 320	250 - 333	261 - 347	271 - 361	281 - 374	291 - 388	312 - 416	338 - 450	370 - 493	411 - 548

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Multiple current serious violent offenses shall have consecutive sentences imposed per the rules of RCW 9.94A.589(1)(b).
- ✓ Excluding attempt, solicitation and conspiracy convictions, the statutory minimum sentence is 240 months (RCW 9.94A.540). The statutory minimum sentence shall not be varied or modified under RCW 9.94A.535.
- ✓ Per RCW 9A.32.040, an offender convicted of Murder 1 shall be sentenced to life imprisonment.

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# Murder First Degree With A Finding Of Sexual Motivation

RCW 9A.32.030  
 CLASS A – SERIOUS VIOLENT/SEX  
 ATTEMPT = CLASS A

OFFENDER SCORING RCW 9.94A.525(17)

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL XV</b>	280m	291.5m	304m	316m	327.5m	339.5m	364m	394m	431.5m	479.5m
	240 - 320	250 - 333	261 - 347	271 - 361	281 - 374	291 - 388	312 - 416	338 - 450	370 - 493	411 - 548

Add Sexual Motivation Enhancement (see page 217)

to Standard Range =

Low

to

High

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and the current offense was committed on or after 9/1/2001, then the offender is subject to the requirements under RCW 9.94A.507.
- ✓ Multiple current serious violent offenses shall have consecutive sentences imposed per the rules of RCW 9.94A.589(1)(b).
- ✓ Excluding attempt convictions, the statutory minimum sentence is 240 months (RCW 9.94A.540). The statutory minimum sentence shall not be varied or modified under RCW 9.94A.535.
- ✓ Per RCW 9A.32.040, an offender convicted of Murder 1 shall be sentenced to life imprisonment.

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# Murder First Degree With A Finding Of Sexual Motivation

RCW 9A.32.030  
 SERIOUS VIOLENT/SEX  
 SOLICIATION/CONSPIRACY = CLASS A  
 OFFENDER SCORING RCW 9.94A.525(17)

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
	280m	291.5m	304m	316m	327.5m	339.5m	364m	394m	431.5m	479.5m
LEVEL XV	240 - 320	250 - 333	261 - 347	271 - 361	281 - 374	291 - 388	312 - 416	338 - 450	370 - 493	411 - 548

Add Sexual Motivation Enhancement (see page 217)

o Standard Range =

Low

to

High

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.
- ✓ Multiple current serious violent offenses shall have consecutive sentences imposed per the rules of RCW 9.94A.589(1)(b).

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# Murder Second Degree

RCW 9A.32.050  
 CLASS A – SERIOUS VIOLENT  
 ATTEMPT/SOLICIATION = CLASS A  
 CONSPIRACY = CLASS B

OFFENDER SCORING RCW 9.94A.525(9)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Serious Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 228.*

**ADULT HISTORY:**

Enter number of serious violent felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent felony dispositions ..... x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL XIV</b>	171.5m	184m	194m	204m	215m	225m	245m	266m	307m	347.5m
	123 - 220	134 - 234	144 - 244	154 - 254	165 - 265	175 - 275	195 - 295	216 - 316	257 - 357	298 - 397

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Multiple current serious violent offenses shall have consecutive sentences imposed per the rules of RCW 9.94A.589(1)(b).

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# Murder Second Degree With A Finding Of Sexual Motivation

RCW 9A.32.050  
 CLASS A – SERIOUS VIOLENT/SEX  
 ATTEMPT = CLASS A  
 OFFENDER SCORING RCW 9.94A.525(17)

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL XIV</b>	171.5m	184m	194m	204m	215m	225m	245m	266m	307m	347.5m
	123 - 220	134 - 234	144 - 244	154 - 254	165 - 265	175 - 275	195 - 295	216 - 316	257 - 357	298 - 397

Add Sexual Motivation Enhancement (see page 217)

to Standard Range =

Low

to

High

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and the current offense was committed on or after 9/1/2001, then the offender is subject to the requirements under RCW 9.94A.507.
- ✓ Multiple current serious violent offenses shall have consecutive sentences imposed per the rules of RCW 9.94A.589(1)(b).

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# Murder Second Degree With A Finding Of Sexual Motivation

RCW 9A.32.050  
 SERIOUS VIOLENT/SEX  
 SOLICITATION = CLASS A  
 CONSPIRACY = CLASS B

## OFFENDER SCORING RCW 9.94A.525(17)

### ADULT HISTORY:

Enter number of sex offense felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of serious violent felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

### JUVENILE HISTORY:

Enter number of sex offense felony dispositions ..... x 3 = \_\_\_\_\_  
 Enter number of serious violent felony dispositions ..... x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

### OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of other violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

### STATUS:

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

### SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL XIV</b>	171.5m	184m	194m	204m	215m	225m	245m	266m	307m	347.5m
	123 - 220	134 - 234	144 - 244	154 - 254	165 - 265	175 - 275	195 - 295	216 - 316	257 - 357	298 - 397

Add Sexual Motivation Enhancement (see page 217)

to Standard Range =

Low

to

High

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Multiple current serious violent offenses shall have consecutive sentences imposed per the rules of RCW 9.94A.589(1)(b).
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Organized Retail Theft First Degree

RCW 9A.56.350(2)  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	59.5m 51 - 68

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Organized Retail Theft Second Degree

RCW 9A.56.350(3)  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>	0-90 days	4m	6m	8m	13m	16m	19.5m	25.5m	38m	50m	
		2 - 6	3 - 9	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29	33 - 43	43 - 57	

- ✓ For or gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Over 18 And Deliver Heroin, Methamphetamine, A Narcotic From Schedule I Or II Or Flunitrazepam From Schedule IV To Someone Under 18

RCW 69.50.406(1)  
 CLASS A – VIOLENT/DRUG  
 OFFENDER SCORING RCW 9.94A.525(13)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Drug Offense with a Sexual Motivation Finding scoring form on page 227.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Drug Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 226.*

**ADULT HISTORY:**

Does the offender have a prior sex or serious violent offense in history?  
**YES** Enter number of felony drug convictions ..... x 3 = \_\_\_\_\_  
**NO** Enter number of felony drug convictions ..... x 1 = \_\_\_\_\_  
 Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Does the offender have a prior sex or serious violent offense in history?  
**YES** Enter number of felony drug dispositions ..... x 2 = \_\_\_\_\_  
**NO** Enter number of felony drug dispositions ..... x ½ = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Does the offender have other prior sex or serious violent offense in history?  
**YES** Enter number of other felony drug convictions ..... x 3 = \_\_\_\_\_  
**NO** Enter number of other felony drug convictions ..... x 1 = \_\_\_\_\_  
 Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE – DRUG**

Offender Score			
	0 to 2	3 to 5	6 to 9+
<b>LEVEL III</b>	59.5m	84m	110m
	51 - 68	68+ - 100	100+ - 120

- ✓ For attempt, solicitation or conspiracy drug felonies see page 64 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ Per RCW 9.94A.518, any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under RCW 9.94A.602 becomes a level III offense.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Per RCW 69.50.408, the statutory maximum for a **subsequent conviction** under chapter 69.50 RCW is 240 months (based on RCW 69.50.406(1)).
- ✓ Per RCW 69.50.406(1), the current offense is punishable by a term of imprisonment up to 480 months, i.e. twice that authorized by RCW 69.50.401(2)(a) or (b).

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# Over 18 And Deliver Narcotic From Schedule III, IV, Or V Or A Nonnarcotic, Except Flunitrazepam Or Methamphetamine, From Schedule IV To Someone Under 18 And 3 Years Junior

RCW 69.50.406(2)  
CLASS B – NONVIOLENT/DRUG

OFFENDER SCORING RCW 9.94A.525(13)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Drug Offense with a Sexual Motivation Finding scoring form on page 227.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Drug Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 226.*

**ADULT HISTORY:**

Does the offender have a prior sex or serious violent offense in history?  
**YES** Enter number of felony drug convictions ..... x 3 = \_\_\_\_\_  
**NO** Enter number of felony drug convictions ..... x 1 = \_\_\_\_\_  
 Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Does the offender have a prior sex or serious violent offense in history?  
**YES** Enter number of felony drug dispositions ..... x 2 = \_\_\_\_\_  
**NO** Enter number of felony drug dispositions ..... x ½ = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*  
 Does the offender have other prior sex or serious violent offense in history?  
**YES** Enter number of other felony drug convictions ..... x 3 = \_\_\_\_\_  
**NO** Enter number of other felony drug convictions ..... x 1 = \_\_\_\_\_  
 Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE – DRUG**

	Offender Score		
	0 to 2	3 to 5	6 to 9+
<b>LEVEL III</b>	59.5m 51 - 68	84m 68+ - 100	110m 100+ - 120

- ✓ For attempt, solicitation or conspiracy drug felonies see page 64 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ Per RCW 9.94A.518, any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under RCW 9.94A.602 becomes a level III offense.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Per RCW 69.50.408, the statutory maximum for a **subsequent conviction** under chapter 69-50 RCW is 240 months.
- ✓ Per RCW 69.50.406(1), the current offense is punishable by a term of imprisonment up to 120 months, i.e. twice that authorized by RCW 69.50.401(2)(c),(d) or (e).

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# Perjury First Degree

RCW 9A.72.020  
CLASS B – NONVIOLENT  
OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	47.5m 41 - 54	59.5m 51 - 68	72m 62 - 82	84m 72 - 96

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Perjury Second Degree

RCW 9A.72.030  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	55.5m 51 - 60*

- ✓ For or gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Persistent Prison Misbehavior

RCW 9.94.070  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	47.5m 41 - 54	55.5m 51 - 60*	60 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Physical Control Of A Vehicle While Under The Influence Of Intoxicating Liquor Or Any Drug (Effective 7/1/2007)

RCW 46.61.504(6)  
 CLASS C\* – NONVIOLENT/TRAFFIC OFFENSE  
 OFFENDER SCORING RCW 9.94A.525(11)

**ADULT HISTORY:**

Enter number of Vehicular Homicide and Vehicular Assault felony convictions ..... x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... x 1 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of Vehicular Homicide and Vehicular Assault dispositions ..... x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony dispositions ..... x ½ = \_\_\_\_\_

Enter number of felony dispositions ..... x ½ = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of Vehicular Homicide and Vehicular Assault convictions ..... x 2 = \_\_\_\_\_

Enter number of other Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m	13m	15m	17.5m	25.5m	38m	47.5m	55.5m		
	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	41 - 54	51 - 60*	60 - 60*	60 - 60*

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Possession Of Controlled Substance That Is Either Heroin Or Narcotics From Schedule I Or II Or Flunitrazepam From Schedule IV e.g. Cocaine, PCP

RCW 69.50.4013  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE - DRUG

Offender Score			
	0 to 2	3 to 5	6 to 9+
LEVEL I	3m 0 - 6	9m 6+ - 12	18m 12+ - 24

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ Per RCW 9.94A.518, any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under RCW 9.94A.602 becomes a level III offense.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Possession Of Controlled Substance That Is A Narcotic From Schedule III, IV Or V Or Nonnarcotic From Schedule IV (Except Phencyclidine Or Flunitrazepam) e.g. Methamphetamine, Marijuana

RCW 69.50.4013  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE - DRUG

Offender Score			
	0 to 2	3 to 5	6 to 9+
LEVEL I	3m 0 - 6	9m 6+ - 12	18m 12+ - 24

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ Per RCW 9.94A.518, any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under RCW 9.94A.602 becomes a level III offense.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Possession Of Depictions Of Minor Engaged In Sexually Explicit Conduct First Degree

RCW 9.68A.070(1)  
 CLASS B – NONVIOLENT/SEX  
 OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 224.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VI</b>	13m	17.5m	24m	30m	36m	42m	53.5m	66m	78m	89.5m
	12+ - 14	15 - 20	21 - 27	26 - 34	31 - 41	36 - 48	46 - 61	57 - 75	67 - 89	77 - 102

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Possession Of Depictions Of Minor Engaged In Sexually Explicit Conduct Second Degree

RCW 9.68A.070(2)  
CLASS C\* – NONVIOLENT/SEX

OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 224.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... x 3 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... x 3 = \_\_\_\_\_

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of sex offense felony convictions ..... x 3 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

	<b>Offender Score</b>									
	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9+</b>
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	56.5m 53 - 60*	60 - 60*

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Possession Of Ephedrine, Pseudoephedrine Or Anhydrous Ammonia With Intent To Manufacture Methamphetamine

RCW 69.50.440  
 CLASS B – NONVIOLENT/DRUG  
 OFFENDER SCORING RCW 9.94A.525(13)

If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Drug Offense with a Sexual Motivation Finding scoring form on page 227.

If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Drug Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 226.

**ADULT HISTORY:**

Does the offender have a prior sex or serious violent offense in history?  
**YES** Enter number of felony drug convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
**NO** Enter number of felony drug convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Does the offender have a prior sex or serious violent offense in history?  
**YES** Enter number of felony drug dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
**NO** Enter number of felony drug dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Does the offender have other prior sex or serious violent offense in history?  
**YES** Enter number of other felony drug convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
**NO** Enter number of other felony drug convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE – DRUG**

	Offender Score		
	0 to 2	3 to 5	6 to 9+
<b>LEVEL III</b>	59.5m	84m	110m
	51 - 68	68+ - 100	100+ - 120

- ✓ For attempt, solicitation or conspiracy drug felonies see page 64 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ Per RCW 9.94A.518, any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under RCW 9.94A.602 becomes a level III offense.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Per RCW 69.50.408, the statutory maximum for a **subsequent conviction** under chapter 69.50 RCW is 240 months.

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# Possession Of An Incendiary Device

RCW 9.40.120  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	59.5m 51 - 68

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Possession Of A Machine Gun, Short-Barreled Shotgun Or Short-Barreled Rifle

RCW 9.41.190  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
	2m	5m	8m	11m	14m	19.5m	25.5m	38m	50m	55.5m
<b>LEVEL III</b>	1 - 3	3 - 8	4 - 12	9 - 12	12+ - 16	17 - 22	22 - 29	33 - 43	43 - 57	51 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Possession Of A Stolen Firearm

RCW 9A.56.310  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	47.5m 41 - 54	59.5m 51 - 68	72m 62 - 82	84m 72 - 96

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Each firearm possessed under this section is a separate offense.
- ✓ The offender shall be sentenced according to RCW 9.94A.589(1)(c) if the offender is convicted of Unlawful Possession of a Firearm 1 or 2 (RCW 9.41.040) and for felonies Theft of a Firearm or Possession of a Stolen Firearm, or both, as current offenses.
- ✓ If the present conviction is for Unlawful Possession of a Firearm 1 or 2 and felonies Theft of a Firearm or Possession of a Stolen Firearm, or both, charged under RCW 9.41.040, other current convictions for Unlawful Possession of a Firearm 1 or 2, Possession of a Stolen Firearm or Theft of a Firearm may not be included in the computation of the offender score per RCW 9.94A.589(1)(c). The offender will serve consecutive sentences for these particular offenses.

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# Possession Of Stolen Property First Degree Other Than A Firearm Or Motor Vehicle

RCW 9A.56.150  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>	0-90 days	4m 2 - 6	6m 3 - 9	8m 4 - 12	13m 12+ - 14	16m 14 - 18	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Possession Of Stolen Property Second Degree Other Than A Firearm Or Motor Vehicle

RCW 9A.56.160  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
<b>LEVEL I</b>				3m	4m	5.5m	8m	13m	16m	19.5m	25.5m
		0-60 days	0-90 days	2 - 5	2 - 6	3 - 8	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Possession Of A Stolen Vehicle

RCW 9A.56.068  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(20)

If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.

If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.

## ADULT HISTORY:

Enter number of Theft of a Motor Vehicle, Theft 1 & 2 (of a Motor Vehicle),  
Possession of Stolen Property 1 & 2 (of a Motor Vehicle), Possession of a Stolen Vehicle and  
Taking a Motor Vehicle Without Permission 1 & 2 felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_

Enter number of Vehicle Prowling 2 convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

## JUVENILE HISTORY:

Enter number of Theft of a Motor Vehicle, Theft 1 & 2 (of a Motor Vehicle),  
Possession of Stolen Property 1 & 2 (of a Motor Vehicle), Possession of a Stolen Vehicle and  
Taking a Motor Vehicle Without Permission 1 & 2 felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_

Enter number of Vehicle Prowling 2 dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

## OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other Theft of a Motor Vehicle, Theft 1 & 2 (of a Motor Vehicle),  
Possession of Stolen Property 1 & 2 (of a Motor Vehicle), Possession of a Stolen Vehicle and  
Taking a Motor Vehicle Without Permission 1 & 2 felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_

Enter number of other Vehicle Prowling 2 convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

## STATUS:

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

## SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>	0-90 days	4m 2 - 6	6m 3 - 9	8m 4 - 12	13m 12+ - 14	16m 14 - 18	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Promoting Commercial Sexual Abuse Of A Minor

RCW 9.68A.101  
CLASS A – VIOLENT/SEX

OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 232.*

**ADULT HISTORY:**

Enter number of sex offense convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL XII</b>	108m 93 - 123	119m 102 - 136	129m 111 - 147	140m 120 - 160	150m 129 - 171	161m 138 - 184	189m 162 - 216	207m 178 - 236	243m 209 - 277	279m 240 - 318

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Promoting Prostitution First Degree

RCW 9A.88.070  
CLASS B\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VIII</b>	24m 21 - 27	30m 26 - 34	36m 31 - 41	42m 36 - 48	47.5m 41 - 54	53.5m 46 - 61	78m 67 - 89	89.5m 77 - 102	101.5m 87 - 116	114m 108 - 120*

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Promoting Prostitution Second Degree

RCW 9A.88.080  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	55.5m 51 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Rape First Degree

RCW 9A.44.040  
 CLASS A – SERIOUS VIOLENT/SEX  
 ATTEMPT = CLASS A

OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Serious Violent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 229.*

**ADULT HISTORY:**

Enter number of sex offense convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL XII</b>	108m	119m	129m	140m	150m	161m	189m	207m	243m	279m
	93 - 123	102 - 136	111 - 147	120 - 160	129 - 171	138 - 184	162 - 216	178 - 236	209 - 277	240 - 318

- ✓ For attempt (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and the current offense was committed on or after 9/1/2001, then the offender is subject to the requirements under RCW 9.94A.507.
- ✓ Multiple current serious violent offenses shall have consecutive sentences imposed per the rules of RCW 9.94A.589(1)(b).
- ✓ Excluding convictions for attempt, the statutory minimum sentence is 60 months per RCW 9.94A.540 and is imposed under the rules of RCW 9.94A.507
- ✓ Per RCW 9.94A.507(3)(c)(ii), excluding convictions for attempt, the minimum term shall be either the maximum of the standard sentence range for the offense or 25 years, whichever is greater, for a finding that the victim was **under the age of 15** at the time of the offense under RCW 9.94A.837 or found to be **developmentally disabled, mentally disordered, a frail elder or vulnerable adult** at the time of the offense under RCW 9.94A.838.

The Caseload Forecast Council is not liable for errors or omissions in the manual, for sentences that may be inappropriately calculated as a result of a practitioner's or court's reliance on the manual, or for any other written or verbal information related to adult or juvenile sentencing. The scoring sheets are intended to provide assistance in most cases but do not cover all permutations of the scoring rules. If you find any errors or omissions, we encourage you to report them to the Caseload Forecast Council.

# Rape First Degree

RCW 9A.44.040  
 SERIOUS VIOLENT/SEX  
 SOLICITATION = CLASS A  
 CONSPIRACY = CLASS B

## OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Serious Violent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 229.*

### ADULT HISTORY:

Enter number of sex offense convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

### JUVENILE HISTORY:

Enter number of sex offense dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

### OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

### STATUS:

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

### SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL XII</b>	108m 93 - 123	119m 102 - 136	129m 111 - 147	140m 120 - 160	150m 129 - 171	161m 138 - 184	189m 162 - 216	207m 178 - 236	243m 209 - 277	279m 240 - 318

- ✓ For solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.
- ✓ Multiple current serious violent offenses shall have consecutive sentences imposed per the rules of RCW 9.94A.589(1)(b)

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# Rape Second Degree

RCW 9A.44.050  
 CLASS A – VIOLENT/SEX  
 ATTEMPT = CLASS A

## OFFENDER SCORING RCW 9.94A.525(17)

If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 232.

### ADULT HISTORY:

Enter number of sex offense convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

### JUVENILE HISTORY:

Enter number of sex offense dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

### OTHER CURRENT OFFENSES:

(Other current offenses that do not encompass the same conduct count in offender score)

Enter number of other sex offense convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

### STATUS:

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

### SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL XI</b>	90m 78 - 102	100m 86 - 114	110m 95 - 125	119m 102 - 136	129m 111 - 147	139m 120 - 158	170m 146 - 194	185m 159 - 211	215m 185 - 245	245m 210 - 280

- ✓ For attempt (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and the current offense was committed on or after 9/1/2001, then the offender is subject to the requirements under RCW 9.94A.507.
- ✓ Per RCW 9.94A.507(3)(c)(ii), excluding convictions for attempt, the minimum term shall be either the maximum of the standard sentence range for the offense or 25 years, whichever is greater, for a finding that the victim was **under the age of 15** at the time of the offense under RCW 9.94A.837.
- ✓ For Rape 2 With Forcible Compulsion: Per RCW 9.94A.507(3)(c)(ii), excluding convictions for attempt, the minimum term shall be either the maximum of the standard sentence range for the offense or 25 years, whichever is greater, for a finding that the victim found to be **developmentally disabled, mentally disordered, a frail elder or vulnerable adult** at the time of the offense under RCW 9.94A.838.

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# Rape Second Degree

RCW 9A.44.050  
 VIOLENT/SEX  
 SOLICITATION = CLASS A  
 CONSPIRACY = CLASS B

OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 232.*

**ADULT HISTORY:**

Enter number of sex offense convictions ..... x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense dispositions ..... x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense convictions ..... x 3 = \_\_\_\_\_  
 Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
<b>LEVEL XI</b>		90m	100m	110m	119m	129m	139m	170m	185m	215m	245m
		78 - 102	86 - 114	95 - 125	102 - 136	111 - 147	120 - 158	146 - 194	159 - 211	185 - 245	210 - 280

- ✓ For solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Rape Third Degree

RCW 9A.44.060  
 CLASS C\* – NONVIOLENT/SEX  
 OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 224.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m	13m	15m	17.5m	25.5m	38m	47.5m	55.5m		
	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	41 - 54	51 - 60*	60 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Rape Of A Child First Degree

RCW 9A.44.073  
 CLASS A – VIOLENT/SEX  
 ATTEMPT = CLASS A

OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 232.*

**ADULT HISTORY:**

Enter number of sex offense convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL XII</b>	108m 93 - 123	119m 102 - 136	129m 111 - 147	140m 120 - 160	150m 129 - 171	161m 138 - 184	189m 162 - 216	207m 178 - 236	243m 209 - 277	279m 240 - 318

- ✓ For attempt (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is older than 17 years of age and is not a persistent offender and the current offense was committed on or after 9/1/2001, then the offender is subject to the requirements under RCW 9.94A.507.
- ✓ If the offender engaged the victim in sexual conduct in exchange for a fee, an additional 12 months shall be added to the standard sentence range (RCW 9.94A.533(9)).
- ✓ Per RCW 9.94A.507(3)(c)(ii), excluding convictions for attempt, the minimum term shall be either the maximum of the standard sentence range for the offense or 25 years, whichever is greater, for a finding that the offense was **predatory** under RCW 9.94A.836.

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# Rape Of A Child First Degree

RCW 9A.44.073  
 VIOLENT/SEX  
 SOLICITATION = CLASS A  
 CONSPIRACY = CLASS B

## OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 232.*

### ADULT HISTORY:

Enter number of sex offense convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

### JUVENILE HISTORY:

Enter number of sex offense dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

### OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other serious violent and violent felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

### STATUS:

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

### SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
	108m	119m	129m	140m	150m	161m	189m	207m	243m	279m
<b>LEVEL XII</b>	93 - 123	102 - 136	111 - 147	120 - 160	129 - 171	138 - 184	162 - 216	178 - 236	209 - 277	240 - 318

- ✓ For solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.
- ✓ If the offender engaged the victim in sexual conduct in exchange for a fee, an additional 12 months shall be added to the standard sentence range (RCW 9.94A.533(9)).

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# Rape Of A Child Second Degree

RCW 9A.44.076  
 CLASS A – VIOLENT/SEX  
 ATTEMPT = CLASS A

OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 232.*

**ADULT HISTORY:**

Enter number of sex offense convictions ..... x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense dispositions ..... x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense convictions ..... x 3 = \_\_\_\_\_  
 Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL XI</b>	90m 78 - 102	100m 86 - 114	110m 95 - 125	119m 102 - 136	129m 111 - 147	139m 120 - 158	170m 146 - 194	185m 159 - 211	215m 185 - 245	245m 210 - 280

- ✓ For attempt (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is older than 17 years of age and is not a persistent offender and the current offense was committed on or after 9/1/2001, then the offender is subject to the requirements under RCW 9.94A.507.
- ✓ If the offender engaged the victim in sexual conduct in exchange for a fee, an additional 12 months shall be added to the standard sentence range (RCW 9.94A.533(9)).
- ✓ Per RCW 9.94A.507(3)(c)(ii), excluding convictions for attempt, the minimum term shall be either the maximum of the standard sentence range for the offense or 25 years, whichever is greater, for a finding that the offense was **predatory** under RCW 9.94A.836.

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# Rape Of A Child Second Degree

RCW 9A.44.  
 VIOLENT/SEX  
 SOLICITATION = CLASS A  
 CONSPIRACY = CLASS B

OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 232.*

**ADULT HISTORY:**

Enter number of sex offense convictions ..... x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense dispositions ..... x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense convictions ..... x 3 = \_\_\_\_\_  
 Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL XI</b>	90m 78 - 102	100m 86 - 114	110m 95 - 125	119m 102 - 136	129m 111 - 147	139m 120 - 158	170m 146 - 194	185m 159 - 211	215m 185 - 245	245m 210 - 280

- ✓ For solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.
- ✓ If the offender engaged the victim in sexual conduct in exchange for a fee, an additional 12 months shall be added to the standard sentence range (RCW 9.94A.533(9)).

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# Rape Of A Child Third Degree

RCW 9A.44.079

CLASS C\* – NONVIOLENT/SEX

OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 224.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... x 3 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... x 3 = \_\_\_\_\_

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of sex offense felony convictions ..... x 3 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

	<b>Offender Score</b>									
	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9+</b>
<b>LEVEL VI</b>	13m 12+ - 14	17.5m 15 - 20	24m 21 - 27	30m 26 - 34	36m 31 - 41	42m 36 - 48	53m 46 - 60*	58.5m 57 - 60*	60 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.
- ✓ If the offender engaged the victim in sexual conduct in exchange for a fee, an additional 12 months shall be added to the standard sentence range (RCW 9.94A.533(9)).

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# Reckless Burning First Degree

RCW 9A.48.040  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL I</b>	0-60 days	0-90 days	3m	4m	5.5m	8m	13m	16m	19.5m	25.5m
			2 - 5	2 - 6	3 - 8	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Rendering Criminal Assistance First Degree

RCW 9A.76.070(2)(a)  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	47.5m 41 - 54	59.5m 51 - 68	72m 62 - 82	84m 72 - 96

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Residential Burglary

RCW 9A.52.025  
CLASS B – NONVIOLENT  
OFFENDER SCORING RCW 9.94A.525(16)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Burglary 2/Residential Burglary Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 235.*

**ADULT HISTORY:**

Enter number of Burglary 1 felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of Burglary 2 and Residential Burglary felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of Burglary 1 felony dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of Burglary 2 and Residential Burglary felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other Burglary 1 felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other Burglary 2 and Residential Burglary felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_  
 Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	61.5m 53 - 70	73.5m 63 - 84

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Residential Burglary With A Finding Of Sexual Motivation

RCW 9A.52.025

CLASS B – NONVIOLENT/SEX

OFFENDER SCORING RCW 9.94A.525(17)

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of Burglary 1 felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of Burglary 2 and Residential Burglary felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... x 3 = \_\_\_\_\_  
 Enter number of Burglary 1 felony dispositions ..... x 2 = \_\_\_\_\_  
 Enter number of Burglary 2 and Residential Burglary felony dispositions ..... x 1 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... x 3 = \_\_\_\_\_  
 Enter number of other Burglary 1 felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of other Burglary 2 and Residential Burglary felony convictions ..... x 2 = \_\_\_\_\_  
 Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	61.5m 53 - 70	73.5m 63 - 84

Add Sexual Motivation Enhancement (see page 217)

to Standard Range =

to

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Retail Theft With Special Circumstances First Degree

RCW 9A.56.360(2)  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	59.5m 51 - 68

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Retail Theft With Special Circumstances Second Degree

RCW 9A.56.360(3)  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>	0-90 days	4m 2 - 6	6m 3 - 9	8m 4 - 12	13m 12+ - 14	16m 14 - 18	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Robbery First Degree

RCW 9A.56.200  
CLASS A – VIOLENT

OFFENDER SCORING RCW 9.94A.525(8)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Violent Offense with a Sexual Motivation Finding scoring form on page 233.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 231.*

**ADULT HISTORY:**

Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IX</b>		36m	42m	47.5m	53.5m	59.5m	66m	89.5m	101.5m	126m	150m
		31 - 41	36 - 48	41 - 54	46 - 61	51 - 68	57 - 75	77 - 102	87 - 116	108 - 144	129 - 171

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Robbery Second Degree

RCW 9A.56.210  
CLASS B – VIOLENT

OFFENDER SCORING RCW 9.94A.525(8)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Violent Offense with a Sexual Motivation Finding scoring form on page 233.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 231.*

**ADULT HISTORY:**

Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	61.5m 53 - 70	73.5m 63 - 84

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Securities Act Violation

RCW 21.20.400  
CLASS B – NONVIOLENT  
OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	59.5m 51 - 68

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Selling For Profit (Controlled Or Counterfeit) Any Controlled Substance In Schedule I

RCW 69.50.410  
 CLASS C – NONVIOLENT/DRUG  
 OFFENDER SCORING RCW 9.94A.525(13)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Drug Offense with a Sexual Motivation Finding scoring form on page 227.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Drug Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 226.*

**ADULT HISTORY:**

Does the offender have a prior sex or serious violent offense in history?  
**YES** Enter number of felony drug convictions ..... x 3 = \_\_\_\_\_  
**NO** Enter number of felony drug convictions ..... x 1 = \_\_\_\_\_  
 Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Does the offender have a prior sex or serious violent offense in history?  
**YES** Enter number of felony drug dispositions ..... x 2 = \_\_\_\_\_  
**NO** Enter number of felony drug dispositions ..... x ½ = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Does the offender have other prior sex or serious violent offense in history?  
**YES** Enter number of other felony drug convictions ..... x 3 = \_\_\_\_\_  
**NO** Enter number of other felony drug convictions ..... x 1 = \_\_\_\_\_  
 Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE – DRUG**

Offender Score			
	0 to 2	3 to 5	6 to 9+
<b>LEVEL III</b>	59.5m	84m	110m
	51 - 68	68+ - 100	100+ - 120

- ✓ For attempt, solicitation or conspiracy drug felonies see page 64 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ Per RCW 9.94A.518, any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under RCW 9.94A.602 becomes a level III offense.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Per RCW 69.50.408, the statutory maximum for a **subsequent conviction** under chapter 69.50 RCW is 120 months.
- ✓ Per RCW 69.50.435, if the offense occurred within a **protected zone**, 24 months shall be added to the standard range and the statutory maximum will be 120 months.
- ✓ Per RCW 69.50.410, **subsequent convictions** under RCW 69.50.410(1) shall receive a mandatory sentence of 5 years which shall not be suspended or deferred.
- ✓ Per RCW 69.50.410, if the violation involved **selling heroin**, a mandatory sentence of 2 years shall be imposed and shall not be suspended or deferred. A **subsequent conviction of selling heroin** shall receive a mandatory sentence of 10 years which shall not be suspended or deferred.

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# Sending, Bringing Into The State Depictions Of Minor Engaged In Sexually Explicit Conduct First Degree

RCW 9.68A.060(1)  
 CLASS B – NONVIOLENT/SEX  
 OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 224.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VII</b>	17.5m 15 - 20	24m 21 - 27	30m 26 - 34	36m 31 - 41	42m 36 - 48	47.5m 41 - 54	66m 57 - 75	78m 67 - 89	89.5m 77 - 102	101.5m 87 - 116

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Sending, Bringing Into The State Depictions Of Minor Engaged In Sexually Explicit Conduct Second Degree

RCW 9.68A.060(2)  
CLASS C\* – NONVIOLENT/SEX

OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 224.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	47.5m 41 - 54	55.5m 51 - 60*	60 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Sexual Exploitation Of A Minor

RCW 9.68A.040  
 CLASS B\* – NONVIOLENT/SEX  
 OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 224.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IX</b>	36m	42m	47.5m	53.5m	59.5m	66m	89.5m	101.5m	114m	
	31 - 41	36 - 48	41 - 54	46 - 61	51 - 68	57 - 75	77 - 102	87 - 116	108 - 120*	120 - 120*

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Sexual Misconduct With A Minor First Degree

RCW 9A.44.093

CLASS C\* – NONVIOLENT/SEX

OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 224.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	47.5m 41 - 54	55.5m 51 - 60*	60 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Sexually Violating Human Remains

RCW 9A.44.105  
 CLASS C\* – NONVIOLENT/SEX  
 OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 224.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m	13m	15m	17.5m	25.5m	38m	47.5m	55.5m		
	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	41 - 54	51 - 60*	60 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Sexually Violent Predator Escape

RCW 9A.76.115  
CLASS A – VIOLENT

OFFENDER SCORING RCW 9.94A.525(8)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Violent Offense with a Sexual Motivation Finding scoring form on page 233.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 231.*

**ADULT HISTORY:**

Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL X</b>	59.5m 51 - 68	66m 57 - 75	72m 62 - 82	78m 67 - 89	84m 72 - 96	89.5m 77 - 102	114m 98 - 130	126m 108 - 144	150m 129 - 171	230.5m 149 - 198

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Statutory minimum sentence is 60 months per RCW 9.94A.540 and is imposed under the rules of RCW 9.94A.507

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# Stalking

RCW 9A.46.110  
CLASS B – NONVIOLENT  
OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m	13m	15m	17.5m	25.5m	38m	47.5m	59.5m	72m	84m
	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	41 - 54	51 - 68	62 - 82	72 - 96

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Taking Motor Vehicle Without Permission First Degree

RCW 9A.56.070  
CLASS B – NONVIOLENT

## OFFENDER SCORING RCW 9.94A.525(20)

If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.

If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.

### ADULT HISTORY:

Enter number of Theft of a Motor Vehicle, Theft 1 & 2 (of a Motor Vehicle),  
Possession of Stolen Property 1 & 2 (of a Motor Vehicle), Possession of a Stolen Vehicle and  
Taking a Motor Vehicle Without Permission 1 & 2 felony convictions ..... x 3 = \_\_\_\_\_  
Enter number of Vehicle Prowling 2 convictions ..... x 1 = \_\_\_\_\_  
Enter number of felony convictions ..... x 1 = \_\_\_\_\_

### JUVENILE HISTORY:

Enter number of Theft of a Motor Vehicle, Theft 1 & 2 (of a Motor Vehicle),  
Possession of Stolen Property 1 & 2 (of a Motor Vehicle), Possession of a Stolen Vehicle and  
Taking a Motor Vehicle Without Permission 1 & 2 felony dispositions ..... x 3 = \_\_\_\_\_  
Enter number of Vehicle Prowling 2 dispositions ..... x 1 = \_\_\_\_\_  
Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_  
Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

### OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other Theft of a Motor Vehicle, Theft 1 & 2 (of a Motor Vehicle),  
Possession of Stolen Property 1 & 2 (of a Motor Vehicle), Possession of a Stolen Vehicle and  
Taking a Motor Vehicle Without Permission 1 & 2 felony convictions ..... x 3 = \_\_\_\_\_  
Enter number of other Vehicle Prowling 2 convictions ..... x 1 = \_\_\_\_\_  
Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

### STATUS:

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

### SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL V</b>	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	47.5m 41 - 54	59.5m 51 - 68	72m 62 - 82	84m 72 - 96

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Taking Motor Vehicle Without Permission Second Degree

RCW 9A.56.075  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(20)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of Theft of a Motor Vehicle, Theft 1 & 2 (of a Motor Vehicle),  
Possession of Stolen Property 1 & 2 (of a Motor Vehicle), Possession of a Stolen Vehicle and  
Taking a Motor Vehicle Without Permission 1 & 2 felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
Enter number of Vehicle Prowling 2 convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of Theft of a Motor Vehicle, Theft 1 & 2 (of a Motor Vehicle),  
Possession of Stolen Property 1 & 2 (of a Motor Vehicle), Possession of a Stolen Vehicle and  
Taking a Motor Vehicle Without Permission 1 & 2 felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
Enter number of Vehicle Prowling 2 dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*  
Enter number of other Theft of a Motor Vehicle, Theft 1 & 2 (of a Motor Vehicle),  
Possession of Stolen Property 1 & 2 (of a Motor Vehicle), Possession of a Stolen Vehicle and  
Taking a Motor Vehicle Without Permission 1 & 2 felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
Enter number of other Vehicle Prowling 2 convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
<b>LEVEL I</b>				3m	4m	5.5m	8m	13m	16m	19.5m	25.5m
		0-60 days	0-90 days	2 - 5	2 - 6	3 - 8	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Tampering With A Witness

RCW 9A.72.120  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	55.5m 51 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Telephone Harassment With Prior Harassment Conviction Or Threat Of Death

RCW 9.61.230(2)  
CLASS C\*– NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	55.5m 51 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Theft First Degree Excluding Firearm And Motor Vehicle

RCW 9A.56.030  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>	0-90 days	4m	6m	8m	13m	16m	19.5m	25.5m	38m	50m	
		2 - 6	3 - 9	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29	33 - 43	43 - 57	

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Theft Second Degree Excluding Firearm And Motor Vehicle

RCW 9A.56.040  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL I</b>	0-60 days	0-90 days	3m 2 - 5	4m 2 - 6	5.5m 3 - 8	8m 4 - 12	13m 12+ - 14	16m 14 - 18	19.5m 17 - 22	25.5m 22 - 29

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Theft Of Ammonia

RCW 9A.02.010  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VIII</b>	24m 21 - 27	30m 26 - 34	36m 31 - 41	42m 36 - 48	47.5m 41 - 54	53.m 46 - 60*	60 - 60*	60 - 60*	60 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Theft Of A Firearm

RCW 9A.56.300  
CLASS B – NONVIOLENT  
OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VI</b>	13m 12+ - 14	17.5m 15 - 20	24m 21 - 27	30m 26 - 34	36m 31 - 41	42m 36 - 48	53.5m 46 - 61	66m 57 - 75	78m 67 - 89	89.5m 77 - 102

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Each firearm possessed under this section is a separate offense.
- ✓ The offender shall be sentenced according to RCW 9.94A.589(1)(c) if the offender is convicted of Unlawful Possession of a Firearm 1 or 2 (RCW 9.41.040) and for felonies Theft of a Firearm or Possession of a Stolen Firearm, or both, as current offenses.
- ✓ If the present conviction is for Unlawful Possession of a Firearm 1 or 2 and felonies Theft of a Firearm or Possession of a Stolen Firearm, or both, charged under RCW 9.41.040, other current convictions for Unlawful Possession of a Firearm 1 or 2, Possession of a Stolen Firearm or Theft of a Firearm may not be included in the computation of the offender score per RCW 9.94A.589(1)(c). The offender will serve consecutive sentences for these particular offenses.

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# Theft Of Livestock First Degree

RCW 9A.56.080  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	61.5m 53 - 70	73.5m 63 - 84

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Per RCW 9A.56.085, the convicting court shall order the person to pay the amount of \$2,000 for each animal killed or possessed.

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# Theft Of Livestock Second Degree

RCW 9A.56.083  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	55.5m 51 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Per RCW 9A.56.085, the convicting court shall order the person to pay the amount of \$2,000 for each animal killed or possessed.

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# Theft Of A Motor Vehicle

RCW 9A.56.065  
CLASS B – NONVIOLENT

## OFFENDER SCORING RCW 9.94A.525(20)

If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.

If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.

### ADULT HISTORY:

Enter number of Theft of a Motor Vehicle, Theft 1 & 2 (of a Motor Vehicle),  
Possession of Stolen Property 1 & 2 (of a Motor Vehicle), Possession of a Stolen Vehicle and  
Taking a Motor Vehicle Without Permission 1 & 2 felony convictions ..... x 3 = \_\_\_\_\_  
Enter number of Vehicle Prowling 2 convictions ..... x 1 = \_\_\_\_\_  
Enter number of felony convictions ..... x 1 = \_\_\_\_\_

### JUVENILE HISTORY:

Enter number of Theft of a Motor Vehicle, Theft 1 & 2 (of a Motor Vehicle),  
Possession of Stolen Property 1 & 2 (of a Motor Vehicle), Possession of a Stolen Vehicle and  
Taking a Motor Vehicle Without Permission 1 & 2 felony dispositions ..... x 3 = \_\_\_\_\_  
Enter number of Vehicle Prowling 2 dispositions ..... x 1 = \_\_\_\_\_  
Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_  
Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

### OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other Theft of a Motor Vehicle, Theft 1 & 2 (of a Motor Vehicle),  
Possession of Stolen Property 1 & 2 (of a Motor Vehicle), Possession of a Stolen Vehicle and  
Taking a Motor Vehicle Without Permission 1 & 2 felony convictions ..... x 3 = \_\_\_\_\_  
Enter number of other Vehicle Prowling 2 convictions ..... x 1 = \_\_\_\_\_  
Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

### STATUS:

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

### SENTENCE RANGE

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>		0-90 days	4m 2 - 6	6m 3 - 9	8m 4 - 12	13m 12+ - 14	16m 14 - 18	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Theft Of Rental, Leased, Lease-Purchased Or Loaned Property Valued At \$5,000 Or More

RCW 9A.56.096(5)(a)  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>	0-90 days	4m 2 - 6	6m 3 - 9	8m 4 - 12	13m 12+ - 14	16m 14 - 18	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Theft Of Rental, Leased, Lease-Purchased Or Loaned Property Valued At \$750 Or More But Less Than \$5,000

RCW 9A.56.096(5)(b)  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
<b>LEVEL I</b>				3m	4m	5.5m	8m	13m	16m	19.5m	25.5m
		0-60 days	0-90 days	2 - 5	2 - 6	3 - 8	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Theft With Intent To Resell First Degree

RCW 9A.56.340(2)  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	59.5m 51 - 68

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Theft With Intent To Resell Second Degree

RCW 9A.56.340(3)  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>	0-90 days	4m 2 - 6	6m 3 - 9	8m 4 - 12	13m 12+ - 14	16m 14 - 18	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Threats To Bomb

RCW 9.61.160  
CLASS B – NONVIOLENT  
OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	61.5m 53 - 70	73.5m 63 - 84

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Trafficking In Insurance Claims Subsequent Violation

RCW 48.30A.015  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>	0-90 days	4m	6m	8m	13m	16m	19.5m	25.5m	38m	50m	
		2 - 6	3 - 9	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29	33 - 43	43 - 57	

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Trafficking In Stolen Property First Degree

RCW 9A.82.050  
 CLASS B – NONVIOLENT  
 OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
	6m	9m	13m	15m	17.5m	25.5m	38m	50m	61.5m	73.5m
LEVEL IV	3 - 9	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	43 - 57	53 - 70	63 - 84

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Trafficking In Stolen Property Second Degree

RCW 9A.82.055  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	59.5m 51 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Unlawful Factoring Of A Credit Or Payment Card Transaction

RCW 9A.56.290(4)(a)  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>	0-90 days	4m 2 - 6	6m 3 - 9	8m 4 - 12	13m 12+ - 14	16m 14 - 18	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Unlawful Factoring Of A Credit Or Payment Card Transaction Subsequent Violation

RCW 9A.56.290(4)(b)  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

	<b>Offender Score</b>									
	<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>	<b>8</b>	<b>9+</b>
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	61.5m 53 - 70	73.5m 63 - 84

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Unlawful Imprisonment

RCW 9A.40.040  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
	2m	5m	8m	11m	14m	19.5m	25.5m	38m	50m	55.5m
<b>LEVEL III</b>	1 - 3	3 - 8	4 - 12	9 - 12	12+ - 16	17 - 22	22 - 29	33 - 43	43 - 57	51 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Unlawful Issuance Of Checks Or Drafts Value Greater Than \$750

RCW 9A.56.060(4)  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
<b>LEVEL I</b>		0-60 days	0-90 days	3m 2 - 5	4m 2 - 6	5.5m 3 - 8	8m 4 - 12	13m 12+ - 14	16m 14 - 18	19.5m 17 - 22	25.5m 22 - 29

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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Unlawful Possession Of Fictitious Identification  
 Unlawful Possession Of Instruments Of Financial Fraud  
 Unlawful Possession Of Payment Instruments  
 Unlawful Possession Of A Personal Identification Device  
 Unlawful Production Of Payment Instruments

RCW 9A.56.320  
 CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

ADULT HISTORY:

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

JUVENILE HISTORY:

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

STATUS:

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
LEVEL I				3m	4m	5.5m	8m	13m	16m	19.5m	25.5m
		0-60 days	0-90 days	2 - 5	2 - 6	3 - 8	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Unlawful Possession Of A Firearm First Degree

RCW 9.41.040(1)  
CLASS B – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VII</b>	17.5m 15 - 20	24m 21 - 27	30m 26 - 34	36m 31 - 41	42m 36 - 48	47.5m 41 - 54	66m 57 - 75	78m 67 - 89	89.5m 77 - 102	101.5m 87 - 116

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Each firearm possessed under this section is a separate offense.
- ✓ The offender shall be sentenced according to RCW 9.94A.589(1)(c) if the offender is convicted of Unlawful Possession of a Firearm 1 or 2 (RCW 9.41.040) and for felonies Theft of a Firearm or Possession of a Stolen Firearm, or both, as current offenses.
- ✓ If the present conviction is for Unlawful Possession of a Firearm 1 or 2 and felonies Theft of a Firearm or Possession of a Stolen Firearm, or both, charged under RCW 9.41.040, other current convictions for Unlawful Possession of a Firearm 1 or 2, Possession of a Stolen Firearm or Theft of a Firearm may not be included in the computation of the offender score per RCW 9.94A.589(1)(c). The offender will serve consecutive sentences for these particular offenses.

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# Unlawful Possession Of A Firearm Second Degree

RCW 9.41.040(2)  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m 1 - 3	5m 3 - 8	8m 4 - 12	11m 9 - 12	14m 12+ - 16	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	55.5m 51 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ Each firearm possessed under this section is a separate offense.
- ✓ The offender shall be sentenced according to RCW 9.94A.589(1)(c) if the offender is convicted of Unlawful Possession of a Firearm 1 or 2 (RCW 9.41.040) and for felonies Theft of a Firearm or Possession of a Stolen Firearm, or both, as current offenses.
- ✓ If the present conviction is for Unlawful Possession of a Firearm 1 or 2 and felonies Theft of a Firearm or Possession of a Stolen Firearm, or both, charged under RCW 9.41.040, other current convictions for Unlawful Possession of a Firearm 1 or 2, Possession of a Stolen Firearm or Theft of a Firearm may not be included in the computation of the offender score per RCW 9.94A.589(1)(c). The offender will serve consecutive sentences for these particular offenses.

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# Unlawful Practice Of Law Subsequent Violation

RCW 2.48.180  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>	0-90 days	4m 2 - 6	6m 3 - 9	8m 4 - 12	13m 12+ - 14	16m 14 - 18	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.

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# Unlawful Storage Of Ammonia

RCW 69.55.020  
CLASS C\* – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
	13m	17.5m	24m	30m	36m	42m	53m	58.5m		
<b>LEVEL VI</b>	12+ - 14	15 - 20	21 - 27	26 - 34	31 - 41	36 - 48	46 - 60*	57 - 60*	60 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Unlawful Use Of Building For Drug Purposes

RCW 69.53.010  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE - DRUG

Offender Score			
	0 to 2	3 to 5	6 to 9+
LEVEL I	3m 0 - 6	9m 6+ - 12	18m 12+ - 24

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Unlawful Trafficking Of Food Stamps

## Unlawful Redemption Of Food Stamps

RCW 9.91.142(1) & RCW 9.9A.144  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
<b>LEVEL I</b>		0-60 days	0-90 days	3m 2 - 5	4m 2 - 6	5.5m 3 - 8	8m 4 - 12	13m 12+ - 14	16m 14 - 18	19.5m 17 - 22	25.5m 22 - 29

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Unlicensed Practice Of A Profession Or Business Subsequent Violation

RCW 18.130.190(7)(b)  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>	0-90 days	4m 2 - 6	6m 3 - 9	8m 4 - 12	13m 12+ - 14	16m 14 - 18	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Use Of Proceeds Of Criminal Profiteering

RCW 9A.82.080(1) & (2)

CLASS B- NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	61.5m 53 - 70	73.5m 63 - 84

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Use Of Machine Gun In Commission Of A Felony

RCW 9.41.225  
CLASS A – VIOLENT

OFFENDER SCORING RCW 9.94A.525(8)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Violent Offense with a Sexual Motivation Finding scoring form on page 233.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 231.*

**ADULT HISTORY:**

Enter number of serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 2 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other serious violent and violent felony convictions ..... x 2 = \_\_\_\_\_

Enter number of other nonviolent felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VII</b>	17.5m 15 - 20	24m 21 - 27	30m 26 - 34	36m 31 - 41	42m 36 - 48	47.5m 41 - 54	66m 57 - 75	78m 67 - 89	89.5m 77 - 102	101.5m 87 - 116

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Vehicle Prowl First Degree

RCW 9A.52.095  
 CLASS C – NONVIOLENT  
 OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
			3m	4m	5.5m	8m	13m	16m	19.5m	25.5m
<b>LEVEL I</b>	0-60 days	0-90 days	2 - 5	2 - 6	3 - 8	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Vehicle Prowling Second Degree (Third or Subsequent Offense)

RCW 9A.52.100(3)  
CLASS C – NONVIOLENT

OFFENDER SCORING RCW 9.94A.525(7)

*If it was found that this offense was committed with sexual motivation (RCW 9.94A.533(8)) on or after 7/01/2006, use the General Nonviolent Offense with a Sexual Motivation Finding scoring form on page 225.*

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of serious violent and violent felony dispositions ..... x 1 = \_\_\_\_\_

Enter number of nonviolent felony dispositions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	56.5m 53 - 60*	60 - 60*

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Vehicular Assault Disregard For The Safety Of Others

RCW 46.61.522(1)(c)  
 CLASS B – NONVIOLENT/TRAFFIC OFFENSE  
 OFFENDER SCORING RCW 9.94A.525(11)

**ADULT HISTORY:**

Enter number of Vehicular Homicide and Vehicular Assault felony convictions ..... x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... x 1 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of Vehicular Homicide and Vehicular Assault dispositions ..... x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony dispositions ..... x ½ = \_\_\_\_\_

Enter number of felony dispositions ..... x ½ = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of Vehicular Homicide and Vehicular Assault convictions ..... x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL III</b>	2m	5m	8m	11m	14m	19.5m	25.5m	38m	50m	59.5m
	1 - 3	3 - 8	4 - 12	9 - 12	12+ - 16	17 - 22	22 - 29	33 - 43	43 - 57	51 - 68

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Vehicular Assault In A Reckless Manner Or While Under The Influence Of Intoxicating Liquor Or Any Drug

RCW 46.61.522(1)(a) & (b)  
 CLASS B – VIOLENT/TRAFFIC OFFENSE  
 OFFENDER SCORING RCW 9.94A.525(11)

**ADULT HISTORY:**

Enter number of Vehicular Homicide and Vehicular Assault felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of Vehicular Homicide and Vehicular Assault dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

Enter number of felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of Vehicular Homicide and Vehicular Assault convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m	9m	13m	15m	17.5m	25.5m	38m	50m	61.5m	73.5m
	3 - 9	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	43 - 57	53 - 70	63 - 84

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Vehicular Homicide Disregard For The Safety Of Others

RCW 46.61.520(1)(c)  
 CLASS A – VIOLENT/TRAFFIC OFFENSE  
 OFFENDER SCORING RCW 9.94A.525(11)

**ADULT HISTORY:**

Enter number of Vehicular Homicide and Vehicular Assault felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of Vehicular Homicide and Vehicular Assault dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

Enter number of felony dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of Vehicular Homicide and Vehicular Assault convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VII</b>	17.5m	24m	30m	36m	42m	47.5m	66m	78m	89.5m	101.5m
	15 - 20	21 - 27	26 - 34	31 - 41	36 - 48	41 - 54	57 - 75	67 - 89	77 - 102	87 - 116

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Vehicular Homicide In A Reckless Manner

RCW 46.61.520(1)(b)  
 CLASS A – VIOLENT/TRAFFIC OFFENSE  
 OFFENDER SCORING RCW 9.94A.525(11)

**ADULT HISTORY:**

Enter number of Vehicular Homicide and Vehicular Assault felony convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of Vehicular Homicide and Vehicular Assault dispositions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

Enter number of felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of Vehicular Homicide and Vehicular Assault convictions ..... \_\_\_\_\_ x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? (if yes)..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL VIII</b>	24m	30m	36m	42m	47.5m	53.5m	78m	89.5m	101.5m	126m
	21 - 27	26 - 34	31 - 41	36 - 48	41 - 54	46 - 61	67 - 89	77 - 102	87 - 116	108 - 144

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.

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# Vehicular Homicide While Under The Influence Of Intoxicating Liquor Or Any Drug

RCW 46.61.520(1)(a)  
 CLASS A – VIOLENT/TRAFFIC OFFENSE  
 OFFENDER SCORING RCW 9.94A.525(11)

ADULT HISTORY:

Enter number of Vehicular Homicide and Vehicular Assault felony convictions ..... x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... x 1 = \_\_\_\_\_

Enter number of felony convictions ..... x 1 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions, except those which form the basis for an enhancement pursuant to RCW 46.61.520(2). ..... x 1 = \_\_\_\_\_

JUVENILE HISTORY:

Enter number of Vehicular Homicide and Vehicular Assault dispositions ..... x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony dispositions ..... x 1/2 = \_\_\_\_\_

Enter number of felony dispositions ..... x 1/2 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions, except those which form the basis for an enhancement pursuant to RCW 46.61.520(2). ..... x 1/2 = \_\_\_\_\_

OTHER CURRENT OFFENSES:

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of Vehicular Homicide and Vehicular Assault convictions ..... x 2 = \_\_\_\_\_

Enter number of Operation of a Vessel While Under the Influence of Intoxicating Liquor or Any Drug felony convictions ..... x 1 = \_\_\_\_\_

Enter number of other felony convictions ..... x 1 = \_\_\_\_\_

Enter number of Driving While Under the Influence of Intoxicating Liquor or Any Drug and Actual Physical Control While Under the Influence of Intoxicating Liquor or Any Drug and Reckless Driving and Hit-And-Run Attended Vehicle non-felony convictions, except those which form the basis for an enhancement pursuant to RCW 46.61.520(2). ..... x 1 = \_\_\_\_\_

STATUS:

Was the offender on community custody on the date the current offense was committed? (if yes) ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL XI</b>	90m	100m	110m	119m	129m	139m	170m	185m	215m	245m
	78 - 102	86 - 114	95 - 125	102 - 136	111 - 147	120 - 158	146 - 194	159 - 211	185 - 245	210 - 280

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ An additional 24 months shall be added to the sentence for each prior offense as defined in RCW 46.61.5055.

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# Viewing Depictions Of Minor Engaged In Sexually Explicit Conduct First Degree

RCW 9.68A.075(1)  
CLASS B – NONVIOLENT/SEX

OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x 1/2 = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed? ..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL IV</b>	6m 3 - 9	9m 6 - 12	13m 12+ - 14	15m 13 - 17	17.5m 15 - 20	25.5m 22 - 29	38m 33 - 43	50m 43 - 57	61.5m 53 - 70	73.5m 63 - 84

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 62 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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# Voyeurism

RCW 9A.44.115  
CLASS C – NONVIOLENT/SEX  
OFFENDER SCORING RCW 9.94A.525(17)

*If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Nonviolent/Sex Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 223.*

**ADULT HISTORY:**

Enter number of sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**JUVENILE HISTORY:**

Enter number of sex offense felony dispositions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of serious violent and violent felony dispositions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_  
 Enter number of nonviolent felony dispositions ..... \_\_\_\_\_ x ½ = \_\_\_\_\_

**OTHER CURRENT OFFENSES:**

*(Other current offenses that do not encompass the same conduct count in offender score)*

Enter number of other sex offense felony convictions ..... \_\_\_\_\_ x 3 = \_\_\_\_\_  
 Enter number of other felony convictions ..... \_\_\_\_\_ x 1 = \_\_\_\_\_

**STATUS:**

Was the offender on community custody on the date the current offense was committed?..... + 1 = \_\_\_\_\_

Total the last column to get the **Offender Score** (Round down to the nearest whole number)

**SENTENCE RANGE**

Offender Score										
	0	1	2	3	4	5	6	7	8	9+
<b>LEVEL II</b>	0-90 days	4m 2 - 6	6m 3 - 9	8m 4 - 12	13m 12+ - 14	16m 14 - 18	19.5m 17 - 22	25.5m 22 - 29	38m 33 - 43	50m 43 - 57

- ✓ For gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 218 for standard range adjustment.
- ✓ For deadly weapon enhancement, see page 222.
- ✓ For sentencing alternatives, see page 209.
- ✓ For community custody eligibility, see page 219.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 215.
- ✓ If the offender is not a persistent offender and has a prior conviction for an offense listed in RCW 9.94A.030(37)(b), then the sentence is subject to the requirements of RCW 9.94A.507.

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