

STATISTICAL SUMMARY OF ADULT FELONY SENTENCING

FISCAL YEAR 2009

January 2010



**State of Washington
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PREFACE

This report summarizes data on adult felony sentences in the state of Washington for the period July 1, 2008 through June 30, 2009 (Fiscal Year 2009). There were 25,756 felony sentences imposed during this period, which is a 8.7 percent decrease from the number of sentences imposed in Fiscal Year 2008.

Under the Sentencing Reform Act (SRA) of 1981, as amended, RCW 9.94A *et seq.*, felony offenses are ordered within standard (presumptive) sentence ranges unless an exceptional sentence is imposed. The appropriate presumptive range is determined by reference to the seriousness of the current offense, the number and type of the offender's prior offenses and other current offenses. In most cases, an offender will receive a sentence within the standard range for that offense. In Fiscal Year 2009, 4.22 percent of felony sentences are reported as "exceptional" sentences; sentences that fell outside the standard sentence range.

A sentencing judge may order exceptional sentences outside the standard range when substantial and compelling reasons, either aggravating or mitigating factors, exist. Exceptional sentences may be appealed by the defense or by the prosecution and defendants have a right to a jury trial on aggravating factors. Standard range sentences are not appealable. Occasionally, exceptional sentences do not result in confinement for periods outside the standard range. Such sentences may be used to require community supervision beyond the standard range or to require treatment in situations where such treatment is not required in a standard sentence.

For some low risk offenses, the period of total confinement imposed as part of a standard range sentence may be reduced up to 50 percent for good behavior, but may not be extended. There are limits on earned release time for serious violent and Class A sex crimes, crimes against persons, specified drug crimes, residential burglary and other specified offenses. This prohibition extends to persons with prior convictions as well.

The legislature has created sentence enhancements for situations related to felony traffic crimes involving intoxication, crimes involving a deadly weapon, and certain drug-related crimes.

Alternatives to standard range sentences are available for some offenders. One example is a sentence under the First-time Offender Waiver (FTOW). Non-violent first time felony offenders, who have not committed sex and drug offenses, may have the standard sentence waived. Using this alternative, the sentencing judge imposes up to 90 days in jail, up to two years of community supervision and several other non-offense related conditions, such as community based treatment.

Sex offenders with no prior felony sex convictions may receive another type of alternative sentence under the Special Sex Offender Sentencing Alternative (SSOSA). The alternative applies to sex offenders who have not been convicted of a serious violent offense with a sexual motivation finding or of Rape 1, Attempted Rape 1 or Rape 2 and who have a current offense and criminal history that permits the court to impose a sentence within the standard range of less than eleven years confinement. A person sentenced under SSOSA receives a suspended sentence

within the standard range, a jail term of up to twelve months, and several conditions of sentence that may include inpatient and/or outpatient treatment.

The Drug Offender Sentencing Alternative (DOSA) also permits departure from standard range sentencing and results in a reduction of confinement time for eligible offenders combined with intensive treatment in confinement and community based supervision. A DOSA sentence may be imposed for offenders convicted of a non-violent, non-sex offense. Such offenders may not have other current or prior convictions involving sex offense at any time or violent offenses within ten years before conviction of the current offense, and must not have committed an offense involving a weapon enhancement. Additionally, where the current offense constitutes a violation under the Uniform Controlled Substance Act, the court must determine that the offense involved a small quantity of the controlled substance. (*See* RCW 9.94A.660) A court opting for the DOSA option imposes a sentence of one-half of the midpoint of the presumptive standard range for the offense, to be served in a prison facility. The remainder of the midpoint of the standard range is served as a term of community custody, which must include substance abuse treatment, crime-related prohibitions and testing and monitoring for drug use.

The tables in this report were generated from the Commission's database, which includes data on SRA offenders sentenced during Fiscal Year 2009. Comments or questions may be directed to the Commission at:

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EXECUTIVE SUMMARY¹

- In FY09, the total number of felony sentences imposed in Washington decreased 8.65%, from 28,194 sentences in FY08 to 25,756 sentences in FY09.
- Changes in the rate and number of sentences imposed between FY08 and FY09 are summarized as follows:

+2.6 % Robbery (from 625 to 641)	-16.9 % Drugs (from 8,987 to 7,464)
-9.2 % Property (from 10,291 to 9,346)	-3.6 % Manslaughter (from 111 to 107)
+2.1 % Assaults (from 4,614 to 4,711)	-6.6 % Murder (from 121 to 113)
- In FY09, 19 offenders were sentenced to life in prison as persistent offenders under the “three strikes” provision of RCW 9.94A.030 (37)(a). In addition, 6 sex offenders were sentenced to life in prison under the “two-strike” provision of RCW 9.94A.30 (37)(b). The 25 new persistent offender sentences imposed in FY09 resulted in an increase of 47.1% from the 17 sentences in FY08.
- The percentage of felony sentences that resulted in a prison sentence increased slightly from 34.2% in FY08 to 35.8% in FY09.
- The average prison sentence in FY09 was 39.4 months, up slightly from 37.5 months in FY08. The average jail sentence length in FY09 remained unchanged from FY08 at 3.1 months. Overall, the average sentence length of all felony sentences in FY08 slightly increased 14.8 months in FY08 to 16 months in FY09.
- In FY09, the number of sentences imposed for Violations of the Uniform Controlled Substances Act (VUCSA) decreased by 18% from the previous year. The number of sentences for “dealing” offenses increased by 5.7% and the number of sentences for “non-dealing” offenses decreased by 23.1%.
- The number of First-time Offender Waivers (FTOW) granted increased from 1,362 in FY08 to 1,410 in FY09, a 3.5% increase. Approximately 59% of the First Time Offender Waiver were below the standard range minimum, and 41% were within the standard range.
- The number of sentences imposed by the court Special Sex Offender Sentencing Alternative (SSOSA) increased from 104 in FY08 to 118 in FY09, a 13.5% increase.
- The number of sentences imposed by the court Drug Offender Sentencing Alternative (DOSA) increased from 1,108 sentences in FY08 to 1,424 in FY09, a increase of 28.5%. Among 1,424 DOSA sentences, there were 1,001 Prison-based DOSA and 423 Residential DOSA. These are all non-exceptional sentences.

¹ The numbers of sentences referenced in this report are as of December 29, 2009. These are subject to change as missing sentencing data becomes available.

**Table 1. Average Sentence Length by Forecasting Crime Type
Fiscal Year 2009**

FORCASTING CATEGORY	PRISON SENTENCE		JAIL SENTENCE		OTHER SENTENCE	TOTAL
	Number	Months	Number	Months	Number	Number
Murder 1	51	440.2	0	n.a.	0	51
Murder 1**	10	Life	0	n.a.	0	10
Murder 2	52	277.8	0	n.a.	0	52
Manslaughter	97	59.5	9	8.9	0	106
Manslaughter**	1	Life	0	n.a.	0	1
Sex	631	84.0	272	7.1	3	906
Sex**	12	Life	0	n.a.	0	12
Robbery	453	57.5	183	6.6	0	636
Robbery**	5	Life	0	n.a.	0	5
Assault	1,817	40.7	2,802	4.3	88	4,707
Assault**	4	Life	0	n.a.	0	4
Property	3,196	29.8	5,874	2.8	275	9,345
Property**	1	Life	0	n.a.	0	1
Drug	2,145	24.1	5,007	2.7	312	7,464
Other	507	25.6	1,264	3.0	34	1,805
Undefined	1	60.0	13	2.9	0	14
Failure to Resiger as Sex Offender	225	27.9	389	2.0	23	637
TOTAL	9,208	39.4	15,813	3.1	735	25,756

* Death sentence.

** Life sentence.

n.a. = not applicable

NOTE 1: Calculations of average sentence length exclude life/death sentences.

NOTE 2: The above categories are those used by the Department of Corrections and the Caseload Forecast Council for forecasting purposes and are not identical to classifications under the Sentencing Reform Act. For example, the sex categories include pornography and prostitution offenses, which are not classified as sex offenses per se under the Sentencing Reform Act.

NOTE 3: The data reported above for the categories of "assault" and "other" are not comparable to reports prior to FY02. In FY02 the crime categories were revised to more closely match those used by the Department of Corrections and the Caseload Forecast Council. A number of crimes previously reported in the category "other" were re-categorized under "assault".

NOTE 4: The category "Sex" is not comparable to reports prior to FY08 because that category now includes offenses in any forecasting category that were committed with sexual motivation, and excludes the offenses of Failure to Register as Sex Offenders.

**Table 2. Average Sentence Length (*) Imposed by Offense
Fiscal Year 2009**

OFFENSE	PRISON			NON-PRISON			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
ABANDON DEPENDANT PERSON 2 (POST 06/07/06)	0	0.0%	0.0	1	100.0%	6.0	1	6.0
ABANDON DEPENDENT PERSON 2	0	0.0%	0.0	1	100.0%	3.0	1	3.0
AGGRAVATED MURDER 1 (POST 7/24/99)	7	100.0%	Life	0	0.0%	0.0	7	Life
AGGRAVATED MURDER 1 (PRE 7/1/90)	1	100.0%	Life	0	0.0%	0.0	1	Life
ALIEN IN POSSESSION OF A FIREARM	0	0.0%	0.0	45	100.0%	2.0	45	2.0
ALTER OR FORG VEHICLE TITLE	0	0.0%	0.0	1	100.0%	8.0	1	8.0
ANIMAL CRUELTY 1	1	5.3%	13.0	18	94.7%	3.9	19	4.3
ANIMAL CRUELTY 1 - SEX/CONDUCT	0	0.0%	0.0	1	100.0%	1.0	1	1.0
ARSON 1	12	100.0%	54.8	0	0.0%	0.0	12	54.8
ARSON 1 <attempt>	5	100.0%	55.9	0	0.0%	0.0	5	55.9
ARSON 2	12	35.3%	21.8	22	64.7%	7.5	34	12.6
ARSON 2 <attempt>	3	30.0%	36.7	7	70.0%	5.5	10	14.9
ARSON 2 <consp.>	0	0.0%	0.0	1	100.0%	10.0	1	10.0
ASSAULT 1-POST 7/1/90(NEW L12)	74	100.0%	210.9	0	0.0%	0.0	74	210.9
ASSAULT 1-POST 7/1/90(NEW L12) <attempt>	7	87.5%	140.4	1	12.5%	12.0	8	124.3
ASSAULT 1-POST 7/1/90(NEW L12)	1	100.0%	Life	0	0.0%	0.0	1	Life
ASSAULT 2 - POST 7/1/88	375	45.1%	30.7	456	54.9%	5.9	831	17.1
ASSAULT 2 - POST 7/1/88 <attempt>	27	33.3%	35.7	54	66.7%	5.0	81	15.2
ASSAULT 2 - POST 7/1/88 <consp.>	0	0.0%	0.0	2	100.0%	8.4	2	8.4
ASSAULT 2 - POST 7/1/88 <solic.>	0	0.0%	0.0	1	100.0%	10.5	1	10.5
ASSAULT 2 - POST 7/1/88	2	100.0%	Life	0	0.0%	0.0	2	Life
ASSAULT 3 - POST 7/1/88	277	18.7%	31.8	1201	81.3%	3.3	1478	8.6
ASSAULT 3 - POST 7/1/88 <attempt>	0	0.0%	0.0	1	100.0%	10.0	1	10.0
ASSAULT OF A CHILD 1	5	100.0%	167.6	0	0.0%	0.0	5	167.6
ASSAULT OF A CHILD 2	26	100.0%	48.3	0	0.0%	0.0	26	48.3
ASSAULT OF A CHILD 2 <attempt>	1	100.0%	60.0	0	0.0%	0.0	1	60.0
ASSAULT OF A CHILD 3	12	21.4%	30.7	44	78.6%	3.0	56	8.9
ATTEMPT ELUDE POLICE VEHICLE	185	29.5%	19.2	442	70.5%	2.5	627	7.4
BAIL JUMP W/ CLASS A (POST 7/89)	5	83.3%	23.4	1	16.7%	12.0	6	21.5
BAIL JUMP W/ CLASS B or C (POST 7/89)	136	41.2%	28.8	194	58.8%	3.6	330	14.0
BIGAMY	0	0.0%	0.0	2	100.0%	0.7	2	0.7
BRIBERY <attempt>	1	100.0%	15.8	0	0.0%	0.0	1	15.8
BRIBING A WITNESS	2	100.0%	82.0	0	0.0%	0.0	2	82.0
BURGLARY 1	120	100.0%	56.3	0	0.0%	0.0	120	56.3
BURGLARY 1 <attempt>	5	100.0%	43.2	0	0.0%	0.0	5	43.2

* NOTE: Calculations of average sentence length exclude life/death sentences.

OFFENSE	PRISON			NON-PRISON			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
BURGLARY 1 <consp.>	1	100.0%	76.3	0	0.0%	0.0	1	76.3
BURGLARY 1	1	100.0%	Life	0	0.0%	0.0	1	Life
BURGLARY 2 - PRE 7/90	1	100.0%	14.0	0	0.0%	0.0	1	14.0
BURGLARY 2 (NONDWELLING)-POST 7/90	340	37.0%	33.4	580	63.0%	3.6	920	14.6
BURGLARY 2 (NONDWELLING)-POST 7/90 <attempt>	33	36.3%	24.9	58	63.7%	3.0	91	10.9
BURGLARY 2 (NONDWELLING)-POST 7/90 <consp.>	1	33.3%	22.3	2	66.7%	5.6	3	11.2
CHILD MOLEST 1 - PREDATORY (.712) (POST 03/20/06)	1	100.0%	300.0	0	0.0%	0.0	1	300.0
CHILD MOLEST 1 (7/90 - 8/31/01)	28	80.0%	109.0	7	20.0%	8.6	35	88.9
CHILD MOLEST 1 (7/90 - 8/31/01) <attempt>	1	100.0%	45.0	0	0.0%	0.0	1	45.0
CHILD MOLEST 1 (7/90 - 8/31/01)	1	100.0%	Life	0	0.0%	0.0	1	Life
CHILD MOLEST 1 .712 >= 18 FOR/FEE (POST 07/22/07)	2	100.0%	87.0	0	0.0%	0.0	2	87.0
CHILD MOLEST 1 <18 (POST 8/31/01)	4	80.0%	65.0	1	20.0%	6.0	5	53.2
CHILD MOLEST 1 <18 FOR/FEE (POST 07/22/07) <attempt>	1	100.0%	38.3	0	0.0%	0.0	1	38.3
CHILD MOLEST 1 >17 (POST 8/31/01) (.712)	74	65.5%	107.5	39	34.5%	7.4	113	72.9
CHILD MOLEST 1 >17 (POST 8/31/01) (.712) <attempt>	5	83.3%	45.0	1	16.7%	12.0	6	39.5
CHILD MOLEST 1 >17 (POST 8/31/01) (.712) <solic.>	1	100.0%	66.8	0	0.0%	0.0	1	66.8
CHILD MOLEST 1 >17 (POST 8/31/01) (.712)	3	100.0%	Life	0	0.0%	0.0	3	Life
CHILD MOLEST 2 (POST 7/90)	75	83.3%	40.8	15	16.7%	6.1	90	35.0
CHILD MOLEST 2 (POST 7/90) <attempt>	3	60.0%	30.4	2	40.0%	11.6	5	22.9
CHILD MOLEST 2 FOR/FEE (POST 07/22/07)	0	0.0%	0.0	1	100.0%	6.0	1	6.0
CHILD MOLEST 3 (POST 7/90)	21	33.9%	23.2	41	66.1%	7.0	62	12.5
COLLECTION OF UNLAWFUL DEBT	0	0.0%	0.0	1	100.0%	2.0	1	2.0
COMMERCIAL FISHING W/O A LICENSE - 1ST	0	0.0%	0.0	2	100.0%	0.5	2	0.5
COMMERCIAL SEX ABUSE / PROMOTING TRAVEL	0	0.0%	0.0	1	100.0%	3.0	1	3.0
COMMERCIAL SEX ABUSE/ MINOR	1	50.0%	29.0	1	50.0%	3.0	2	16.0
COMMERCIAL SEX ABUSE/MINOR - PROMOTE	3	100.0%	64.0	0	0.0%	0.0	3	64.0
COMMERCIAL SEX ABUSE/MINOR - PROMOTE <attempt>	1	100.0%	15.8	0	0.0%	0.0	1	15.8
COMMUNICATION WITH A MINOR new	5	23.8%	78.2	16	76.2%	2.8	21	20.7
COMPUTER TRESPASS 1	0	0.0%	0.0	2	100.0%	3.5	2	3.5
COUNTERFEIT - 3RD CONVICT. AND >\$10,000	0	0.0%	0.0	1	100.0%	1.0	1	1.0
CRE DEL POS COUNTERFEIT CTRL SUBS NARC 1ST OFF	1	100.0%	15.0	0	0.0%	0.0	1	15.0

* NOTE: Calculations of average sentence length exclude life/death sentences.

OFFENSE	PRISON			NON-PRISON			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
CRE DEL POS COUNTERFEIT CTRL SUBS NARC 1ST OFF <attempt>	0	0.0%	0.0	1	100.0%	12.0	1	12.0
CRE DEL POS COUNTERFEIT CTRL SUBS NARC 1ST OFF <consp.>	0	0.0%	0.0	1	100.0%	6.0	1	6.0
CRE DEL POS COUNTERFEIT CTRL SUBS NON-NARC 1ST	0	0.0%	0.0	1	100.0%	0.0	1	0.0
CRE DEL POS COUNTERFEIT CTRL SUBS NON-NARC 2+	1	100.0%	20.0	0	0.0%	0.0	1	20.0
CRIMINAL IMPERSONATION 1	7	7.3%	14.3	89	92.7%	2.5	96	3.4
CRIMINAL LIABILITY FALSE STATEMENT BY EMPLOYEE	0	0.0%	0.0	1	100.0%	3.0	1	3.0
CRIMINAL MISTREATMENT 1	1	100.0%	41.0	0	0.0%	0.0	1	41.0
CRIMINAL MISTREATMENT 1 (POST 06/07/06)	3	75.0%	84.0	1	25.0%	3.0	4	63.8
CRIMINAL MISTREATMENT 2	1	50.0%	18.0	1	50.0%	2.0	2	10.0
CRIMINAL MISTREATMENT 2 (POST 06/07/06)	3	50.0%	28.3	3	50.0%	7.3	6	17.8
CRIMINAL SABOTAGE	0	0.0%	0.0	1	100.0%	9.0	1	9.0
CRIMINAL TRESPASS AGAINST CHILD	0	0.0%	0.0	1	100.0%	0.0	1	0.0
CUSTODIAL ASSAULT - POST 7/89	17	44.7%	29.3	21	55.3%	5.5	38	16.1
CUSTODIAL INTERFERENCE 1	0	0.0%	0.0	8	100.0%	3.5	8	3.5
CUSTODIAL SEXUAL MISCONDUCT 1	1	33.3%	19.0	2	66.7%	7.0	3	11.0
CYBERSTALKING	1	20.0%	60.0	4	80.0%	4.8	5	15.8
DEALING IN DEPIC. OF MINOR (POST 6/30/01)	3	60.0%	57.0	2	40.0%	7.5	5	37.2
DEALING IN DEPIC. OF MINOR (POST 6/30/01) <attempt>	0	0.0%	0.0	1	100.0%	10.5	1	10.5
DEFRAUDING A PUBLIC UTILITY 2	0	0.0%	0.0	2	100.0%	1.7	2	1.7
DEFRAUDING INNKEEPER > \$75	0	0.0%	0.0	3	100.0%	1.5	3	1.5
DEFRAUDING PUBLIC UTILITY 1	1	25.0%	12.0	3	75.0%	4.4	4	6.3
DEL MAT IN LIEU OF CS-POST7/89 -1ST	1	50.0%	12.0	1	50.0%	12.0	2	12.0
DEL MAT IN LIEU OF CS-POST7/89 -1ST <consp.>	0	0.0%	0.0	2	100.0%	4.0	2	4.0
DEL POS W/I METH - 1ST OFF (POST 6/30/98)	385	90.0%	31.6	43	10.0%	0.9	428	28.6
DEL POS W/I METH - 1ST OFF (POST 6/30/98) <attempt>	0	0.0%	0.0	11	100.0%	4.9	11	4.9
DEL POS W/I METH - 1ST OFF (POST 6/30/98) <consp.>	15	17.2%	21.8	72	82.8%	4.3	87	7.3
DEL POS W/I METH - 1ST OFF (POST 6/30/98) <solic.>	6	100.0%	38.1	0	0.0%	0.0	6	38.1
DEL POS W/I METH - 2ND OFF (POST 6/30/98)	23	95.8%	38.6	1	4.2%	11.1	24	37.4
DEL POS W/I METH - 2ND OFF (POST 6/30/98) <attempt>	0	0.0%	0.0	2	100.0%	6.0	2	6.0

* NOTE: Calculations of average sentence length exclude life/death sentences.

OFFENSE	PRISON			NON-PRISON			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
DEL POS W/I METH - 2ND OFF (POST 6/30/98) <consp.>	0	0.0%	0.0	1	100.0%	12.0	1	12.0
DEL POS W/I METH - SCH ZONE OFF (POST 6/30/98)	39	100.0%	56.3	0	0.0%	0.0	39	56.3
DEL POS W/I METH - SCH ZONE OFF (POST 6/30/98) <consp.>	0	0.0%	0.0	1	100.0%	6.0	1	6.0
DELIVERY FIREARM BY DEALER TO INELIGIBLE PERSON	0	0.0%	0.0	2	100.0%	1.0	2	1.0
DELIVERY FIREARM TO INELIG PERSON	0	0.0%	0.0	3	100.0%	1.7	3	1.7
DISARM A LAW ENFORCEMENT OR CORR OFFICER	0	0.0%	0.0	2	100.0%	0.6	2	0.6
DOMESTIC VIOLENCE CT ORDER VIOL (POST 6/30/00)	410	61.2%	25.3	260	38.8%	4.8	670	17.3
DRIVE- BY SHOOTING (POST 6/30/97)	22	95.7%	37.5	1	4.3%	0.4	23	35.8
DRIVE- BY SHOOTING (POST 6/30/97) <attempt>	1	100.0%	120.0	0	0.0%	0.0	1	120.0
DRIVE- BY SHOOTING (POST 6/30/97) <consp.>	1	100.0%	30.8	0	0.0%	0.0	1	30.8
DRIVING UNDER INFLUENCE (FELONY) (POST 07/01/07)	94	97.9%	35.9	2	2.1%	7.0	96	35.3
ENDANGERMENT WITH A CONTROLLED SUBSTANCE	1	50.0%	13.0	1	50.0%	3.0	2	8.0
ENGAGE IN BUSINESS AFTER REVOCATION	0	0.0%	0.0	1	100.0%	0.0	1	0.0
ESCAPE 1	27	84.4%	37.5	5	15.6%	6.2	32	32.6
ESCAPE 1 <attempt>	1	50.0%	15.0	1	50.0%	12.0	2	13.5
ESCAPE 1 <consp.>	0	0.0%	0.0	2	100.0%	2.6	2	2.6
ESCAPE 2	48	50.5%	24.9	47	49.5%	4.9	95	15.0
ESCAPE FROM COMMUNITY CUSTODY- POST 6/92	4	5.5%	22.3	69	94.5%	1.9	73	3.1
EXPLOSIVE LICENSING VIOLATION	1	16.7%	12.0	5	83.3%	2.4	6	4.0
EXTORTION 1	1	100.0%	54.0	0	0.0%	0.0	1	54.0
EXTORTION 2	1	14.3%	51.0	6	85.7%	4.2	7	10.9
FAIL TO REGISTER KIDNAPPER - POST 7/24/99	1	4.2%	19.0	23	95.8%	1.9	24	2.6
FAIL TO REGISTER SEX OFF (POST 7/24/99)	2	0.5%	12.0	373	99.5%	1.4	375	1.5
FAIL TO REGISTER SEX OFF (POST 7/24/99) <attempt>	0	0.0%	0.0	1	100.0%	0.1	1	0.1
FAIL TO REGISTER SEX OFF 2+ (POST 06/07/06)	223	85.8%	28.0	37	14.2%	6.6	260	25.0
FAIL TO REGISTER SEX OFF/KIDNAP (7/27/97-7/24/99)	0	0.0%	0.0	1	100.0%	0.9	1	0.9
FALSE REPORTING COMPENSATION BY EMPLOYER	0	0.0%	0.0	3	100.0%	1.7	3	1.7
FALSE STATEMENT IN REPORT OF PRECURSOR DRUGS	0	0.0%	0.0	1	100.0%	6.0	1	6.0

* NOTE: Calculations of average sentence length exclude life/death sentences.

OFFENSE	PRISON			NON-PRISON			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
FALSE VERIFICATION FOR WELFARE	0	0.0%	0.0	1	100.0%	1.0	1	1.0
FORGED PRESCRIPTION VUCSA - 1ST	32	18.1%	16.3	145	81.9%	1.8	177	4.5
FORGED PRESCRIPTION VUCSA - 1ST <attempt>	0	0.0%	0.0	9	100.0%	2.7	9	2.7
FORGED PRESCRIPTION VUCSA - 1ST <consp.>	0	0.0%	0.0	4	100.0%	2.5	4	2.5
FORGED PRESCRIPTION VUCSA 2+	4	100.0%	15.0	0	0.0%	0.0	4	15.0
FORGED PRESCRIPTION VULDA	3	7.0%	21.7	40	93.0%	2.3	43	3.6
FORGED PRESCRIPTION VULDA <attempt>	0	0.0%	0.0	1	100.0%	3.0	1	3.0
FORGED PRESCRIPTION VULDA <consp.>	0	0.0%	0.0	1	100.0%	1.5	1	1.5
FORGERY	201	22.5%	20.5	694	77.5%	2.2	895	6.3
FRAUDULENT SPECIALIZED FOREST PRODUCT PERMIT	0	0.0%	0.0	1	100.0%	0.2	1	0.2
HARASSMENT	53	14.6%	20.4	311	85.4%	3.0	364	5.6
HIT AND RUN - DEATH (POST 7/21/01)	8	100.0%	65.8	0	0.0%	0.0	8	65.8
HIT AND RUN - INJURY (POST 6/7/00)	39	50.6%	28.1	38	49.4%	3.5	77	16.0
HOMICIDE BY ABUSE (POST 7/24/99)	3	100.0%	750.0	0	0.0%	0.0	3	750.0
HOMICIDE BY WATERCRAFT-DRUNK	2	100.0%	45.0	0	0.0%	0.0	2	45.0
IDENTITY THEFT 1 (POST 7/21/01)	83	60.1%	40.1	55	39.9%	3.3	138	25.4
IDENTITY THEFT 1 (POST 7/21/01) <attempt>	0	0.0%	0.0	1	100.0%	10.0	1	10.0
IDENTITY THEFT 2 (POST 7/21/01)	302	45.8%	28.9	358	54.2%	2.7	660	14.7
ILLEGAL TRANSFER OF MOTOR VEHICLE CERTIFICATE	0	0.0%	0.0	2	100.0%	0.1	2	0.1
INCENDIARY DEVICES (POST 7/24/99)	2	100.0%	17.5	0	0.0%	0.0	2	17.5
INCEST 1	15	100.0%	52.4	0	0.0%	0.0	15	52.4
INCEST 2	2	66.7%	20.0	1	33.3%	6.0	3	15.3
INCITING CRIMINAL PROFITEERING	3	100.0%	52.7	0	0.0%	0.0	3	52.7
INDECENT EXPOSURE (POST 7/24/99)	8	53.3%	30.6	7	46.7%	3.5	15	18.0
INDECENT LIB -DD VICTM (POST 7/90)	32	94.1%	38.7	2	5.9%	9.0	34	36.9
INDECENT LIB -DD VICTM (POST 7/90) <attempt>	3	60.0%	28.3	2	40.0%	5.9	5	19.3
INDECENT LIB W/FORCE (POST 8/31/01) (.712)	6	100.0%	83.7	0	0.0%	0.0	6	83.7
INDECENT LIB W/FORCE (POST 8/31/01) (.712) <attempt>	3	100.0%	75.4	0	0.0%	0.0	3	75.4
INDECENT LIB W/FRAIL ELDER/VULNERABLE ADULT	0	0.0%	0.0	1	100.0%	6.0	1	6.0
INSURANCE FRAUD	0	0.0%	0.0	15	100.0%	2.8	15	2.8
INSURANCE FRAUD-FALSE CLAIMS	0	0.0%	0.0	4	100.0%	2.1	4	2.1
INTERFERENCE WITH OFFICER'S DUTES/HOLDING HOSTAGE	0	0.0%	0.0	1	100.0%	6.0	1	6.0
INTIMIDATING A JUDGE	1	100.0%	12.0	0	0.0%	0.0	1	12.0
INTIMIDATING A PUBLIC SERVANT	1	7.1%	12.0	13	92.9%	2.4	14	3.1

* NOTE: Calculations of average sentence length exclude life/death sentences.

OFFENSE	PRISON			NON-PRISON			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
INTIMIDATING A PUBLIC SERVANT <attempt>	0	0.0%	0.0	1	100.0%	9.0	1	9.0
INTIMIDATING A WITNESS	16	88.9%	37.7	2	11.1%	6.0	18	34.2
INTRODUCING CONTRABAND 1	1	100.0%	50.8	0	0.0%	0.0	1	50.8
INTRODUCING CONTRABAND 2	1	100.0%	12.0	0	0.0%	0.0	1	12.0
INVOLVING MINOR IN DRUG DEAL- POST 7/89- 1ST	2	100.0%	41.4	0	0.0%	0.0	2	41.4
KIDNAP 1	7	87.5%	181.6	1	12.5%	0.0	8	158.9
KIDNAP 1 <attempt>	2	100.0%	79.5	0	0.0%	0.0	2	79.5
KIDNAP 1 <consp.>	1	100.0%	54.0	0	0.0%	0.0	1	54.0
KIDNAP 2	9	69.2%	40.0	4	30.8%	8.0	13	30.2
KIDNAP 2 <attempt>	1	50.0%	21.0	1	50.0%	8.0	2	14.5
KIDNAP 2 <consp.>	1	100.0%	54.0	0	0.0%	0.0	1	54.0
LEADING ORGANIZED CRIME	5	100.0%	149.4	0	0.0%	0.0	5	149.4
LOTTERY ACT VIOLATION	0	0.0%	0.0	4	100.0%	4.4	4	4.4
LURING OF CHILD	1	5.9%	18.0	16	94.1%	4.6	17	5.4
M/D/P W/I AMPHET - 1ST OFF (POST 6/10/98)	3	75.0%	50.7	1	25.0%	0.0	4	38.0
M/D/P W/I AMPHET - 1ST OFF (POST 6/10/98) <consp.>	0	0.0%	0.0	4	100.0%	1.3	4	1.3
M/D/P W/I HER COC - COR F (POST 6/30/02) (L7)	1	100.0%	40.0	0	0.0%	0.0	1	40.0
M/D/P W/I HER COC - SCH Z (POST 6/30/02) (L7)	24	100.0%	51.1	0	0.0%	0.0	24	51.1
M/D/P W/I HER COC - SCH Z (POST 6/30/02) (L8)	2	100.0%	20.0	0	0.0%	0.0	2	20.0
M/D/P W/I HER COC (POST 6/30/02) (L7)	376	90.0%	25.4	42	10.0%	0.3	418	22.8
M/D/P W/I HER COC (POST 6/30/02) (L7) <attempt>	0	0.0%	0.0	22	100.0%	6.8	22	6.8
M/D/P W/I HER COC (POST 6/30/02) (L7) <consp.>	5	1.7%	31.0	294	98.3%	3.6	299	4.1
M/D/P W/I HER COC (POST 6/30/02) (L7) <solic.>	12	27.9%	36.8	31	72.1%	8.5	43	16.4
M/D/P W/I HER COC (POST 6/30/02) (L8)	1	100.0%	12.0	0	0.0%	0.0	1	12.0
M/D/P W/I HER COC (POST 6/30/02) (L8) <consp.>	0	0.0%	0.0	1	100.0%	6.0	1	6.0
M/D/P W/I HER COC (PRE 7/1/02)	2	100.0%	37.0	0	0.0%	0.0	2	37.0
M/D/P W/I HER COC 2+ (POST 6/30/02) (L7)	60	95.2%	44.0	3	4.8%	2.0	63	42.0
M/D/P W/I HER COC 2+ (POST 6/30/02) (L7) <attempt>	0	0.0%	0.0	1	100.0%	12.0	1	12.0
M/D/P W/I HER COC 2+ (POST 6/30/02) (L7) <consp.>	2	5.9%	21.0	32	94.1%	5.9	34	6.8
M/D/P W/I HER COC 2+ (POST 6/30/02) (L7) <solic.>	5	100.0%	33.0	0	0.0%	0.0	5	33.0
M/D/P W/I HER COC 2+ (POST 6/30/02) (L8)	1	100.0%	45.0	0	0.0%	0.0	1	45.0

* NOTE: Calculations of average sentence length exclude life/death sentences.

OFFENSE	PRISON			NON-PRISON			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
M/D/P W/I HER COC 2+ (PRE 7/1/02)	1	100.0%	144.0	0	0.0%	0.0	1	144.0
M/D/P W/I HER COC 2+ (PRE 7/1/02) <consp.>	0	0.0%	0.0	2	100.0%	4.8	2	4.8
M/D/P W/I MARIJ - 1ST OFF	63	10.0%	17.9	568	90.0%	2.4	631	4.0
M/D/P W/I MARIJ - 1ST OFF <attempt>	0	0.0%	0.0	8	100.0%	6.6	8	6.6
M/D/P W/I MARIJ - 1ST OFF <consp.>	2	5.1%	42.0	37	94.9%	2.5	39	4.5
M/D/P W/I MARIJ - 2ND OFFENSE	8	29.6%	13.4	19	70.4%	4.9	27	7.4
M/D/P W/I MARIJ - SCH ZONE	16	100.0%	30.3	0	0.0%	0.0	16	30.3
M/D/P W/I OTH,EXC MJ/METH/AMP/FLUN- 1ST(POST 6/98)	16	64.0%	26.1	9	36.0%	1.5	25	17.3
M/D/P W/I OTH,EXC MJ/METH/AMP/FLUN- 1ST(POST 6/98) <consp.>	0	0.0%	0.0	8	100.0%	3.6	8	3.6
M/D/P W/I OTH,EXC MJ/METH/AMP/FLUN- 2ND(POST 6/98)	3	100.0%	25.7	0	0.0%	0.0	3	25.7
M/D/P W/I OTH,EXC MJ/METH/AMP/FLUN- 2ND(POST 6/98) <consp.>	0	0.0%	0.0	1	100.0%	1.5	1	1.5
M/D/P W/I OTH,EXC MJ/METH/AMP/FLUN- SZ(POST 6/98)	1	100.0%	40.0	0	0.0%	0.0	1	40.0
M/D/P W/I SC I/II NARC OR FLUNT 2+	4	100.0%	53.3	0	0.0%	0.0	4	53.3
M/D/P W/I SC I/II NARC OR FLUNT 2+ <consp.>	0	0.0%	0.0	1	100.0%	6.0	1	6.0
M/D/P W/I SC I/II NARC OR FLUNT-1ST OFF	29	80.6%	18.8	7	19.4%	0.6	36	15.3
M/D/P W/I SC I/II NARC OR FLUNT-1ST OFF <attempt>	0	0.0%	0.0	1	100.0%	2.0	1	2.0
M/D/P W/I SC I/II NARC OR FLUNT-1ST OFF <consp.>	0	0.0%	0.0	10	100.0%	2.8	10	2.8
M/D/P W/I SC I/II NARC OR FLUNT-1ST OFF <sollic.>	0	0.0%	0.0	1	100.0%	9.0	1	9.0
MAINTN PLACE FOR DRUGS (69.50)- 1ST (POST 7/24/99)	5	62.5%	18.4	3	37.5%	5.3	8	13.5
MAINTN PLACE FOR DRUGS (69.50) 2+ (POST 7/24/99)	1	100.0%	25.0	0	0.0%	0.0	1	25.0
MALICIOUS HARASSMENT	6	66.7%	16.7	3	33.3%	2.4	9	11.9
MALICIOUS INJURY RAILROAD PROP (POST 7/24/99)	0	0.0%	0.0	1	100.0%	1.0	1	1.0
MALICIOUS MISCHIEF 1	25	22.7%	23.2	85	77.3%	2.8	110	7.5
MALICIOUS MISCHIEF 1 <attempt>	0	0.0%	0.0	1	100.0%	0.3	1	0.3
MALICIOUS MISCHIEF 2	43	11.0%	17.2	349	89.0%	2.0	392	3.7
MALICIOUS PROSECUTION	0	0.0%	0.0	3	100.0%	0.2	3	0.2
MANSLAUGHTER 1 (POST 7/26/97)	15	88.2%	119.1	2	11.8%	11.5	17	106.5
MANSLAUGHTER 1 (PRE 7/27/97)	1	100.0%	Life	0	0.0%	0.0	1	Life
MANSLAUGHTER 2 (POST 7/26/97)	21	91.3%	55.4	2	8.7%	8.5	23	51.3
MEDICAID FRAUD	0	0.0%	0.0	1	100.0%	1.0	1	1.0
MFG METH - 1ST OFFENSE (POST 6/30/98)	23	100.0%	51.4	0	0.0%	0.0	23	51.4

* NOTE: Calculations of average sentence length exclude life/death sentences.

OFFENSE	PRISON			NON-PRISON			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
MFG METH - 1ST OFFENSE (POST 6/30/98) <attempt>	0	0.0%	0.0	1	100.0%	12.0	1	12.0
MFG METH - 1ST OFFENSE (POST 6/30/98) <consp.>	1	14.3%	30.0	6	85.7%	5.0	7	8.6
MFG METH - 1ST OFFENSE (POST 6/30/98) <solic.>	1	100.0%	48.0	0	0.0%	0.0	1	48.0
MFG METH - 2ND OFFENSE (POST 6/30/98)	4	100.0%	42.2	0	0.0%	0.0	4	42.2
MISCONDUCT BY PUBLIC OFFICER	0	0.0%	0.0	1	100.0%	3.0	1	3.0
MONEY LAUNDERING	0	0.0%	0.0	35	100.0%	3.4	35	3.4
MURDER 1 (POST 7/24/99)	32	100.0%	437.2	0	0.0%	0.0	32	437.2
MURDER 1 (POST 7/24/99) <attempt>	14	100.0%	391.4	0	0.0%	0.0	14	391.4
MURDER 1 (POST 7/24/99)	1	100.0%	Life	0	0.0%	0.0	1	Life
MURDER 1 - PRE 7/1/90	1	100.0%	Life	0	0.0%	0.0	1	Life
MURDER 1 (7/1/90-7/24/99)	2	100.0%	365.5	0	0.0%	0.0	2	365.5
MURDER 2 (7/1/90-7/24/99)	1	100.0%	462.0	0	0.0%	0.0	1	462.0
MURDER 2 (POST 7/24/99)	41	100.0%	276.8	0	0.0%	0.0	41	276.8
MURDER 2 (POST 7/24/99) <attempt>	9	100.0%	254.6	0	0.0%	0.0	9	254.6
MURDER 2 (PRE 7/1/90)	1	100.0%	342.0	0	0.0%	0.0	1	342.0
OBTAIN SIGNATURE BY DECEPTION	0	0.0%	0.0	3	100.0%	1.9	3	1.9
OFFER FALSE DOCUMENT	0	0.0%	0.0	2	100.0%	0.6	2	0.6
ORGANIZED RETAIL THEFT 1	2	25.0%	40.4	6	75.0%	3.8	8	13.0
ORGANIZED RETAIL THEFT 1 <attempt>	0	0.0%	0.0	1	100.0%	9.0	1	9.0
ORGANIZED RETAIL THEFT 2	18	27.3%	21.5	48	72.7%	2.2	66	7.5
OVER 18 - DEL OTH TO MINOR	1	100.0%	29.8	0	0.0%	0.0	1	29.8
OVER 18 - DEL S I/II NARC/FLUNT/METH MINOR	3	100.0%	53.3	0	0.0%	0.0	3	53.3
OWNER OF DOG THAT ATTACKS	0	0.0%	0.0	2	100.0%	6.5	2	6.5
PERJURY 1	1	50.0%	13.0	1	50.0%	12.0	2	12.5
PERJURY 2	0	0.0%	0.0	9	100.0%	1.0	9	1.0
POS CNTL SUBS - BY PRISONERS	1	6.7%	12.0	14	93.3%	3.2	15	3.8
POS CNTL SUBS - OTHER EXC.PCP/FLUNIT	587	20.1%	15.8	2337	79.9%	2.2	2924	4.9
POS CNTL SUBS - OTHER EXC.PCP/FLUNIT <attempt>	0	0.0%	0.0	89	100.0%	3.3	89	3.3
POS CNTL SUBS - OTHER EXC.PCP/FLUNIT <consp.>	0	0.0%	0.0	115	100.0%	2.7	115	2.7
POS CNTL SUBS - OTHR EX.PCP IN COR FAC <attempt>	1	100.0%	12.0	0	0.0%	0.0	1	12.0
POS CNTL SUBS - SCH I/II IN CORR FACIL	1	100.0%	18.0	0	0.0%	0.0	1	18.0
POS CNTL SUBS SCH I/II OR FLUNIT	357	23.1%	16.2	1191	76.9%	2.5	1548	5.6
POS CNTL SUBS SCH I/II OR FLUNIT <attempt>	0	0.0%	0.0	49	100.0%	3.8	49	3.8
POS CNTL SUBS SCH I/II OR FLUNIT <consp.>	0	0.0%	0.0	54	100.0%	3.4	54	3.4

* NOTE: Calculations of average sentence length exclude life/death sentences.

OFFENSE	PRISON			NON-PRISON			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
POS DEADLY WEAPON BY PRISONER	0	0.0%	0.0	4	100.0%	5.3	4	5.3
POS DEPICTION OF MINORS	0	0.0%	0.0	2	100.0%	0.0	2	0.0
POS DEPICTION OF MINORS - POST 06/07/06	22	66.7%	21.2	11	33.3%	7.1	33	16.5
POS DEPICTION OF MINORS - POST 06/07/06 <attempt>	0	0.0%	0.0	3	100.0%	9.0	3	9.0
POS EPHEP/PSEUD/ANYRO W/I MFG METH-2+ (POST 6/00)	1	100.0%	100.0	0	0.0%	0.0	1	100.0
POS EPHEP/PSEUDO/AMMO W/I MFG METH-1ST (POST6/00)	6	100.0%	42.6	0	0.0%	0.0	6	42.6
POS EPHEP/PSEUDO/AMMO W/I MFG METH-1ST (POST6/00) <consp.>	0	0.0%	0.0	3	100.0%	4.0	3	4.0
POS MACH GUN/SHOT BARL SHOT GUN (POST 7/24/99)	0	0.0%	0.0	7	100.0%	1.4	7	1.4
POS MACH GUN/SHOT BARL SHOT GUN (PRE 7/25/99)	0	0.0%	0.0	1	100.0%	3.0	1	3.0
POS PHENCYCLIDINE (PCP)	1	50.0%	14.0	1	50.0%	0.5	2	7.2
POS STOLEN FIREARM	26	60.5%	31.8	17	39.5%	4.2	43	20.9
POS STOLEN FIREARM <attempt>	1	50.0%	16.5	1	50.0%	4.5	2	10.5
POS STOLEN PROPERTY 1	62	45.3%	27.3	75	54.7%	2.9	137	13.9
POS STOLEN PROPERTY 1 <attempt>	0	0.0%	0.0	2	100.0%	2.2	2	2.2
POS STOLEN PROPERTY 2	150	28.2%	20.1	381	71.8%	2.4	531	7.4
POS STOLEN VEHICLE	317	64.7%	32.3	173	35.3%	3.0	490	22.0
POS STOLEN VEHICLE <attempt>	4	100.0%	34.3	0	0.0%	0.0	4	34.3
POS STOLEN VEHICLE <consp.>	1	100.0%	32.3	0	0.0%	0.0	1	32.3
PROMOTING PROSTITUTION 1	3	75.0%	40.0	1	25.0%	1.5	4	30.4
PROMOTING PROSTITUTION 2	3	27.3%	20.3	8	72.7%	5.7	11	9.7
PROTECT ORDR-DV CIVIL (RCW 26) (PRE 7/1/00)	0	0.0%	0.0	1	100.0%	6.0	1	6.0
RAPE 1 (7/90 - 7/26/97)	1	100.0%	1200.0	0	0.0%	0.0	1	1200.0
RAPE 1 (POST 8/31/01) (.712)	13	100.0%	263.8	0	0.0%	0.0	13	263.8
RAPE 1 (POST 8/31/01) (.712)	3	100.0%	Life	0	0.0%	0.0	3	Life
RAPE 2 (7/90 - 7/26/97)	1	100.0%	400.0	0	0.0%	0.0	1	400.0
RAPE 2 (POST 8/31/01) (.712)	15	100.0%	142.1	0	0.0%	0.0	15	142.1
RAPE 2 (POST 8/31/01) (.712) <attempt>	4	100.0%	120.9	0	0.0%	0.0	4	120.9
RAPE 2 (POST 8/31/01) (.712)	2	100.0%	Life	0	0.0%	0.0	2	Life
RAPE 3	30	46.2%	29.7	35	53.8%	8.7	65	18.4
RAPE 3	1	100.0%	Life	0	0.0%	0.0	1	Life
RAPE OF A CHILD 1 (7/27/97 - 8/31/01)	9	64.3%	200.8	5	35.7%	6.0	14	131.2
RAPE OF A CHILD 1 (7/90 - 7/26/97)	1	50.0%	480.0	1	50.0%	12.0	2	246.0
RAPE OF A CHILD 1 <18 (POST 8/31/01)	5	83.3%	100.2	1	16.7%	6.0	6	84.5
RAPE OF A CHILD 1 <18 (POST 8/31/01) <attempt>	1	50.0%	207.8	1	50.0%	6.0	2	106.9

* NOTE: Calculations of average sentence length exclude life/death sentences.

OFFENSE	PRISON			NON-PRISON			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
RAPE OF A CHILD 1 >17 (POST 8/31/01) (.712)	46	73.0%	193.6	17	27.0%	9.5	63	143.9
RAPE OF A CHILD 1 >17 (POST 8/31/01) (.712) <consp.>	2	100.0%	94.5	0	0.0%	0.0	2	94.5
RAPE OF A CHILD 1 >17 (POST 8/31/01) (.712)	2	100.0%	Life	0	0.0%	0.0	2	Life
RAPE OF A CHILD 2 (7/27/97 - 8/31/01)	1	50.0%	102.0	1	50.0%	12.0	2	57.0
RAPE OF A CHILD 2 (7/90 - 7/26/97)	1	100.0%	198.0	0	0.0%	0.0	1	198.0
RAPE OF A CHILD 2 <18 (POST 8/31/01)	2	50.0%	129.5	2	50.0%	9.0	4	69.3
RAPE OF A CHILD 2 >17 (POST 8/31/01) (.712)	44	86.3%	139.7	7	13.7%	9.9	51	121.9
RAPE OF A CHILD 2 >17 (POST 8/31/01) (.712) <attempt>	4	80.0%	78.2	1	20.0%	12.0	5	65.0
RAPE OF A CHILD 2 >17 (POST 8/31/01) (.712) <consp.>	0	0.0%	0.0	1	100.0%	6.0	1	6.0
RAPE OF A CHILD 3-POST 7/90	74	89.2%	34.3	9	10.8%	6.6	83	31.3
RECEIVING OR GRANTING UNLAWFUL COMPENSATION	0	0.0%	0.0	1	100.0%	2.0	1	2.0
RECKLESS BURNING 1	1	6.7%	19.5	14	93.3%	2.3	15	3.4
RENDERING CRIMINAL ASSTANCE 1	7	29.2%	13.0	17	70.8%	4.7	24	7.1
RESIDENTIAL BURGLARY-POST 7/90	395	52.3%	33.2	360	47.7%	3.9	755	19.2
RESIDENTIAL BURGLARY-POST 7/90 <attempt>	23	33.8%	33.4	45	66.2%	4.3	68	14.1
RESIDENTIAL BURGLARY-POST 7/90 <consp.>	1	33.3%	12.0	2	66.7%	5.6	3	7.8
RESIDENTIAL BURGLARY-POST 7/90 <solic.>	0	0.0%	0.0	1	100.0%	2.3	1	2.3
RETAIL THEFT W/EXTENU CIRCUMSTN 1	1	33.3%	29.8	2	66.7%	1.5	3	10.9
RETAIL THEFT W/EXTENU CIRCUMSTN 2	8	34.8%	26.9	15	65.2%	2.6	23	11.1
RETAIL THEFT W/EXTENU CIRCUMSTN 3	1	2.5%	12.0	39	97.5%	1.9	40	2.2
RIOT	5	4.5%	20.2	106	95.5%	4.1	111	4.8
ROBBERY 1	229	99.6%	79.5	1	0.4%	12.0	230	79.2
ROBBERY 1 <attempt>	47	100.0%	46.4	0	0.0%	0.0	47	46.4
ROBBERY 1 <consp.>	12	85.7%	68.8	2	14.3%	12.0	14	60.7
ROBBERY 1	5	100.0%	Life	0	0.0%	0.0	5	Life
ROBBERY 2	152	50.7%	28.4	148	49.3%	6.4	300	17.6
ROBBERY 2 <attempt>	11	30.6%	39.6	25	69.4%	7.2	36	17.1
ROBBERY 2 <consp.>	0	0.0%	0.0	1	100.0%	4.5	1	4.5
SCHEMING TO DEFRAUD BUSINESS OPPORTUNITIES	0	0.0%	0.0	1	100.0%	4.0	1	4.0
SECURITY ACT VIOLATION-POST 7/89	2	66.7%	113.5	1	33.3%	12.0	3	79.7
SELL OR DELIVER LEGEND DRUGS	0	0.0%	0.0	3	100.0%	4.0	3	4.0
SELLING FOR PROFIT-POST 7/91 1ST	1	50.0%	60.0	1	50.0%	0.1	2	30.0
SEXUAL EXPLOITATION (POST 6/30/01)	6	75.0%	81.2	2	25.0%	9.0	8	63.1

* NOTE: Calculations of average sentence length exclude life/death sentences.

OFFENSE	PRISON			NON-PRISON			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
SEXUAL MISCONDUCT 1 (POST 7/90)	1	16.7%	20.0	5	83.3%	8.0	6	10.0
STALKING (POST 6/30/00)	10	41.7%	25.3	14	58.3%	5.1	24	13.5
TAMPERING WITH A WITNESS	22	47.8%	31.9	24	52.2%	4.6	46	17.6
TAMPERING WITH A WITNESS <attempt>	1	100.0%	43.0	0	0.0%	0.0	1	43.0
TELEPHONE HARASSMENT (POST 7/24/99)	9	24.3%	23.2	28	75.7%	3.4	37	8.2
TELEPHONE SOLICI. UNPROF. CONDUCT (>\$250)	0	0.0%	0.0	1	100.0%	2.0	1	2.0
THEFT 1	200	26.6%	35.0	553	73.4%	2.6	753	11.2
THEFT 1 <attempt>	19	34.5%	18.9	36	65.5%	3.3	55	8.7
THEFT 1 <consp.>	0	0.0%	0.0	3	100.0%	1.4	3	1.4
THEFT 1 - WELFARE FRAUD	1	5.9%	57.0	16	94.1%	1.5	17	4.8
THEFT 2	274	17.5%	19.6	1289	82.5%	2.0	1563	5.1
THEFT 2 <attempt>	1	100.0%	40.0	0	0.0%	0.0	1	40.0
THEFT 2 <consp.>	0	0.0%	0.0	1	100.0%	0.7	1	0.7
THEFT 2 - WELFARE FRAUD	0	0.0%	0.0	5	100.0%	0.6	5	0.6
THEFT OF A FIREARM (POST 7/22/95)	54	71.1%	33.8	22	28.9%	2.4	76	24.7
THEFT OF A FIREARM (POST 7/22/95) <attempt>	1	50.0%	60.0	1	50.0%	3.0	2	31.5
THEFT OF MOTOR VEHICLE	89	53.6%	32.5	77	46.4%	2.9	166	18.7
THEFT OF MOTOR VEHICLE <attempt>	16	48.5%	23.3	17	51.5%	4.6	33	13.7
THEFT OF RENTAL OR LEASED PROPERTY (\$250-\$1500)	4	22.2%	20.8	14	77.8%	1.0	18	5.4
THEFT OF RENTAL OR LEASED PROPERTY (<\$1,500)	1	14.3%	43.0	6	85.7%	3.6	7	9.2
THEFT OF TELECOMMUNICATIONS SVC	0	0.0%	0.0	2	100.0%	1.0	2	1.0
THEFT W/ INTENT RESELL 1 <attempt>	0	0.0%	0.0	1	100.0%	3.0	1	3.0
THEFT W/ INTENT RESELL 2	1	50.0%	12.0	1	50.0%	3.0	2	7.5
THREATS TO BOMB - POST 7/89	0	0.0%	0.0	3	100.0%	7.0	3	7.0
TMVWOP (PRE 6/13/02) <attempt>	0	0.0%	0.0	1	100.0%	0.0	1	0.0
TMVWOP 1 (POST 6/12/02)	7	87.5%	21.6	1	12.5%	6.0	8	19.7
TMVWOP 2 (POST 6/12/02)	161	33.5%	20.1	320	66.5%	2.5	481	8.4
TRAFFICKING IN STOLEN PROP 1	91	47.6%	31.6	100	52.4%	2.7	191	16.4
TRAFFICKING IN STOLEN PROP 1 <attempt>	3	37.5%	27.7	5	62.5%	3.8	8	12.7
TRAFFICKING IN STOLEN PROP 2	46	24.3%	29.4	143	75.7%	3.7	189	9.9
UNLAWFUL FACTORING CREDIT/PAY CARD TRANSACTION-1ST	0	0.0%	0.0	2	100.0%	5.0	2	5.0
UNLAWFUL HUNTING BIG GAME - 1ST	0	0.0%	0.0	2	100.0%	2.0	2	2.0
UNLAWFUL IMPRISONMENT	17	20.5%	33.3	66	79.5%	4.0	83	10.0
UNLAWFUL ISSUE OF CHECKS/DRAFT	21	24.4%	20.2	65	75.6%	2.2	86	6.6
UNLAWFUL POSS OF FIREARM 1	166	98.2%	54.0	3	1.8%	0.0	169	53.1
UNLAWFUL POSS OF FIREARM 1 <attempt>	7	87.5%	45.2	1	12.5%	11.3	8	41.0

* NOTE: Calculations of average sentence length exclude life/death sentences.

OFFENSE	PRISON			NON-PRISON			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
UNLAWFUL POSS OF FIREARM 1	1	100.0%	Life	0	0.0%	0.0	1	Life
UNLAWFUL POSS OF FIREARM 2	127	28.9%	27.2	312	71.1%	4.4	439	11.0
UNLAWFUL POSS OF PAYMENT INSTRUMENTS	6	24.0%	31.1	19	76.0%	2.8	25	9.6
UNLAWFUL SUBLEASING MV	0	0.0%	0.0	1	100.0%	2.1	1	2.1
USE BUILDING FOR DRUGS (69.53) (POST 7/24/99)	0	0.0%	0.0	7	100.0%	2.0	7	2.0
USE BUILDING FOR DRUGS (69.53) (PRE 7/25/99)	0	0.0%	0.0	4	100.0%	0.5	4	0.5
VEHICLE PROWL 1	2	33.3%	22.0	4	66.7%	1.5	6	8.3
VEHICULAR ASSAULT DISREGARD SAFETY (POST 7/21/01)	10	17.2%	33.1	48	82.8%	4.3	58	9.3
VEHICULAR ASSAULT UND INFL/RECKLESS (POST 7/21/01)	51	42.1%	28.9	70	57.9%	6.0	121	15.6
VEHICULAR ASSAULT UND INFL/RECKLESS (POST 7/21/01) <attempt>	0	0.0%	0.0	1	100.0%	2.3	1	2.3
VEHICULAR HOMICIDE - DISREGARD SAFETY-VIOLENT	18	78.3%	22.5	5	21.7%	8.0	23	19.3
VEHICULAR HOMICIDE - DRUNK (POST 6/5/96)	23	100.0%	61.0	0	0.0%	0.0	23	61.0
VEHICULAR HOMICIDE - RECKLESS MANNER (POST 6/5/96)	9	100.0%	40.6	0	0.0%	0.0	9	40.6
VEHICULAR HOMICIDE -DRUNK (6/30/94 - 6/5/96)	1	100.0%	36.0	0	0.0%	0.0	1	36.0
VIOLATION OF FOREIGN PROTECTION ORDER	2	5.7%	12.0	33	94.3%	5.0	35	5.4
VOYEURISM	1	14.3%	25.0	6	85.7%	2.8	7	6.0
VOYEURISM (POST 06/07/06)	2	66.7%	46.5	1	33.3%	1.0	3	31.3
WEAP POSS BY PRISONER/COUNTY FACILITY	0	0.0%	0.0	4	100.0%	3.0	4	3.0
	9,208	35.8%	39.4	16,548	64.2%	3.0	25,756	16.0

* NOTE: Calculations of average sentence length exclude life/death sentences.

**Table 3A. Sentencing Grid Frequencies
Fiscal Year 2009**

SERIOUSNESS LEVEL	OFFENDER SCORE										TOTAL
	0	1	2	3	4	5	6	7	8	9	
XVI	7	0	0	0	0	0	0	0	0	0	7
XV	18	4	11	3	2	1	2	3	1	5	50
XIV	21	3	5	4	4	3	2	3	1	7	53
XIII	1	0	0	0	1	0	0	0	0	0	2
XII	56	6	16	41	15	6	11	8	5	30	194
XI	32	11	6	18	7	6	5	3	0	16	104
X	59	7	6	52	4	6	36	4	2	27	203
IX	110	27	57	36	25	18	20	19	11	46	369
VIII	27	4	5	3	8	3	1	1	2	9	63
VII	115	43	51	64	44	25	44	27	15	71	499
VI	70	26	24	35	14	16	15	9	6	19	234
V	315	130	128	115	108	80	52	20	21	72	1,041
IV	869	477	292	216	204	162	104	72	65	268	2,729
III	1,441	754	600	344	280	197	188	121	92	316	4,333
II	649	335	245	234	188	144	175	146	125	641	2,882
I	1,258	725	526	422	318	311	203	159	162	581	4,665
Unranked	1,716	25	15	16	7	6	9	4	5	10	1,813
TOTAL	6,764	2,577	1,987	1,603	1,229	984	867	599	513	2,118	19,241

NOTE: The shaded area in the table indicates offenses with a presumptive sentence of one year or less (non-prison). Sentences imposed under the Drug Grid are excluded.

**Table 3B. Drug Sentencing Grid Frequencies
Fiscal Year 2009**

SERIOUSNESS LEVEL	OFFENDER SCORE			TOTAL
	0 - 2	3 - 5	6 - 9	
III	31	19	7	57
II	607	299	215	1,121
I	3,465	1,033	839	5,337
TOTAL	4,103	1,351	1,061	6,515

NOTE: The drug grid (RCW 9.94A.517) applies to offenses committed on or after July 1, 2003.

**Table 4. Number of Sentences for Violent and Nonviolent Offenses
by Facility Type and County
Fiscal Year 2009**

COUNTY	VIOLENT			NONVIOLENT			TOTAL			TOTAL
	Jail	Prison	Other	Jail	Prison	Other	Jail	Prison	Other	
Adams	2	2	0	45	15	1	47	17	1	65
Asotin	6	7	0	97	56	0	103	63	0	166
Benton	16	41	1	482	238	6	498	279	7	784
Chelan	7	14	0	220	91	11	227	105	11	343
Clallam	7	12	0	174	43	23	181	55	23	259
Clark	71	121	0	1,141	566	13	1,212	687	13	1,912
Columbia	1	0	0	14	6	1	15	6	1	22
Cowlitz	8	53	0	514	248	57	522	301	57	880
Douglas	1	11	0	85	53	4	86	64	4	154
Ferry	2	1	0	9	2	0	11	3	0	14
Franklin	10	21	0	213	84	2	223	105	2	330
Garfield	1	1	0	8	5	0	9	6	0	15
Grant	6	16	0	259	78	7	265	94	7	366
Grays Harbor	2	19	0	177	76	19	179	95	19	293
Island	6	15	0	105	44	2	111	59	2	172
Jefferson	1	3	0	47	16	9	48	19	9	76
King	168	332	0	2,029	1,282	150	2,197	1,614	150	3,961
Kitsap	26	44	0	662	251	14	688	295	14	997
Kittitas	3	12	0	85	26	0	88	38	0	126
Klickitat	10	5	0	47	19	0	57	24	0	81
Lewis	6	27	0	293	171	17	299	198	17	514
Lincoln	2	1	0	26	9	0	28	10	0	38
Mason	7	21	0	131	109	9	138	130	9	277
Okanogan	6	8	0	130	35	2	136	43	2	181
Pacific	0	6	0	64	31	3	64	37	3	104
Pend Oreille	1	1	0	9	9	0	10	10	0	20
Pierce	129	295	1	2,166	1,263	104	2,295	1,558	105	3,958
San Juan	2	1	0	17	8	0	19	9	0	28
Skagit	15	36	0	319	172	5	334	208	5	547
Skamania	1	2	0	29	8	1	30	10	1	41
Snohomish	71	85	1	1,173	770	114	1,244	855	115	2,214
Spokane	74	135	1	1,692	587	99	1,766	722	100	2,588
Stevens	2	17	0	106	36	10	108	53	10	171
Thurston	46	81	0	650	432	6	696	513	6	1,215
Wahkiakum	0	0	0	15	9	0	15	9	0	24
Walla Walla	10	16	0	154	63	1	164	79	1	244
Whatcom	21	35	0	574	285	13	595	320	13	928
Whitman	3	6	0	39	6	2	42	12	2	56
Yakima	40	83	0	1,023	420	26	1,063	503	26	1,592
TOTAL	790	1,586	4	15,023	7,622	731	15,813	9,208	735	25,756

**Table 5. Percentage of Sentences for Violent and Nonviolent Offenses by Facility Type and County
Fiscal Year 2009**

COUNTY	VIOLENT		NONVIOLENT		TOTAL	
	Jail	Prison	Jail	Prison	Jail	Prison
Adams	50.0%	50.0%	75.0%	25.0%	73.4%	26.6%
Asotin	46.2%	53.8%	63.4%	36.6%	62.0%	38.0%
Benton	28.1%	71.9%	66.9%	33.1%	64.1%	35.9%
Chelan	33.3%	66.7%	70.7%	29.3%	68.4%	31.6%
Clallam	36.8%	63.2%	80.2%	19.8%	76.7%	23.3%
Clark	37.0%	63.0%	66.8%	33.2%	63.8%	36.2%
Columbia	100.0%	0.0%	70.0%	30.0%	71.4%	28.6%
Cowlitz	13.1%	86.9%	67.5%	32.5%	63.4%	36.6%
Douglas	8.3%	91.7%	61.6%	38.4%	57.3%	42.7%
Ferry	66.7%	33.3%	81.8%	18.2%	78.6%	21.4%
Franklin	32.3%	67.7%	71.7%	28.3%	68.0%	32.0%
Garfield	50.0%	50.0%	61.5%	38.5%	60.0%	40.0%
Grant	27.3%	72.7%	76.9%	23.1%	73.8%	26.2%
Grays Harbor	9.5%	90.5%	70.0%	30.0%	65.3%	34.7%
Island	28.6%	71.4%	70.5%	29.5%	65.3%	34.7%
Jefferson	25.0%	75.0%	74.6%	25.4%	71.6%	28.4%
King	33.6%	66.4%	61.3%	38.7%	57.6%	42.4%
Kitsap	37.1%	62.9%	72.5%	27.5%	70.0%	30.0%
Kittitas	20.0%	80.0%	76.6%	23.4%	69.8%	30.2%
Klickitat	66.7%	33.3%	71.2%	28.8%	70.4%	29.6%
Lewis	18.2%	81.8%	63.1%	36.9%	60.2%	39.8%
Lincoln	66.7%	33.3%	74.3%	25.7%	73.7%	26.3%
Mason	25.0%	75.0%	54.6%	45.4%	51.5%	48.5%
Okanogan	42.9%	57.1%	78.8%	21.2%	76.0%	24.0%
Pacific	0.0%	100.0%	67.4%	32.6%	63.4%	36.6%
Pend Oreille	50.0%	50.0%	50.0%	50.0%	50.0%	50.0%
Pierce	30.4%	69.6%	63.2%	36.8%	59.6%	40.4%
San Juan	66.7%	33.3%	68.0%	32.0%	67.9%	32.1%
Skagit	29.4%	70.6%	65.0%	35.0%	61.6%	38.4%
Skamania	33.3%	66.7%	78.4%	21.6%	75.0%	25.0%
Snohomish	45.5%	54.5%	60.4%	39.6%	59.3%	40.7%
Spokane	35.4%	64.6%	74.2%	25.8%	71.0%	29.0%
Stevens	10.5%	89.5%	74.6%	25.4%	67.1%	32.9%
Thurston	36.2%	63.8%	60.1%	39.9%	57.6%	42.4%
Wahkiakum	n.a.	n.a.	62.5%	37.5%	62.5%	37.5%
Walla Walla	38.5%	61.5%	71.0%	29.0%	67.5%	32.5%
Whatcom	37.5%	62.5%	66.8%	33.2%	65.0%	35.0%
Whitman	33.3%	66.7%	86.7%	13.3%	77.8%	22.2%
Yakima	32.5%	67.5%	70.9%	29.1%	67.9%	32.1%
TOTAL	33.2%	66.8%	66.3%	33.7%	63.2%	36.8%

NOTE: Excludes offenders not sentenced to either jail or prison.

**Table 6. VUCSA* Dealing and Non-dealing Sentences by County
Fiscal Year 2009**

COUNTY	DEALING	NON-DEALING	TOTAL
Adams	3	16	19
Asotin	25	16	41
Benton	49	206	255
Chelan	66	73	139
Clallam	18	54	72
Clark	104	389	493
Columbia	1	1	2
Cowlitz	26	219	245
Douglas	23	29	52
Ferry	1	4	5
Franklin	13	85	98
Garfield	2	2	4
Grant	20	74	94
Grays Harbor	13	66	79
Island	29	39	68
Jefferson	6	21	27
King	160	458	618
Kitsap	88	207	295
Kittitas	7	36	43
Klickitat	8	12	20
Lewis	33	125	158
Lincoln	7	8	15
Mason	21	54	75
Okanogan	9	26	35
Pacific	13	39	52
Pend Oreille	2	4	6
Pierce	215	789	1,004
San Juan	1	2	3
Skagit	25	82	107
Skamania	2	17	19
Snohomish	74	398	472
Spokane	131	628	759
Stevens	8	37	45
Thurston	82	200	282
Wahkiakum	2	4	6
Walla Walla	24	29	53
Whatcom	45	176	221
Whitman	5	13	18
Yakima	103	339	442
TOTAL	1,464	4,977	6,441

* Violation of the Uniform Controlled Substance Act.

Table 7. Sentences with a Deadly Weapon Finding Fiscal Year 2009

The table below lists deadly weapon enhancements, by offense and type of weapon, for those sentences that received a deadly weapon enhancement. Deadly weapon enhancements for offenses committed prior to July 24, 1995 do not distinguish firearms from other deadly weapons. Initiative I-159 ("Hard Time for Armed Crime") provides deadly weapon enhancements for any felony offense committed after July 23, 1995. I-159 enhancements are greater for firearms than for other deadly weapons (see RCW 9.94A.533).

OFFENSE	FIREARMS	NON-FIREARMS	TOTAL
AGGRAVATED MURDER 1 (POST 7/24/99)	4	0	4
ASSAULT 1-POST 7/1/90(NEW L12)	24	13	37
ASSAULT 1-POST 7/1/90(NEW L12) <attempt >	1	1	2
ASSAULT 2 - POST 7/1/88	23	85	108
ASSAULT 2 - POST 7/1/88 <attempt >	1	1	2
ASSAULT 3 - POST 7/1/88	3	10	13
ASSAULT OF A CHILD 2	1	0	1
BURGLARY 1	4	7	11
BURGLARY 1 <attempt >	0	1	1
DEL POS W/I METH - 1ST OFF (POST 6/30/98)	2	5	7
DOMESTIC VIOLENCE CT ORDER VIOL (POST 6/30/00)	0	1	1
HARASSMENT	2	3	5
IDENTITY THEFT 2 (POST 7/21/01)	1	0	1
KIDNAP 1	1	1	2
KIDNAP 2	2	0	2
LURING OF CHILD	0	1	1
M/D/P W/I HER COC - SCH Z (POST 6/30/02) (L7)	1	0	1
M/D/P W/I HER COC (POST 6/30/02) (L7)	4	1	5
M/D/P W/I MARIJ - 1ST OFF	1	0	1
M/D/P W/I OTH,EXC MJ/METH/AMP/FLUN-1ST(POST 6/98)	0	1	1
MANSLAUGHTER 1 (POST 7/26/97)	1	2	3
MANSLAUGHTER 2 (POST 7/26/97)	2	0	2
MURDER 1 (POST 7/24/99)	16	6	22
MURDER 1 (POST 7/24/99) <attempt >	7	0	7
MURDER 1 - PRE 7/1/90	1	0	1
MURDER 2 (7/1/90-7/24/99)	1	0	1
MURDER 2 (POST 7/24/99)	11	5	16
MURDER 2 (POST 7/24/99) <attempt >	5	2	7
POS CNTL SUBS - OTHER EXC.PCP/FLUNIT	2	0	2
POS STOLEN PROPERTY 1	1	0	1
RAPE 1 (POST 8/31/01) (.712)	0	3	3
RESIDENTIAL BURGLARY-POST 7/90	3	2	5
RIOT	0	7	7
ROBBERY 1	24	22	46
ROBBERY 1 <attempt >	4	6	10
ROBBERY 1 <consp. >	1	0	1
ROBBERY 2	2	15	17
THEFT 2	1	0	1
THEFT 2 <attempt >	1	0	1
UNLAWFUL IMPRISONMENT	1	0	1
TOTAL	159	201	360

**Table 8. Sentences with a Sexual Motivation Finding
Fiscal Year 2009**

OFFENSES	NUMBER OF CASES WITH SEXUAL MOTIVATION FINDING	TOTAL OF CASES WITH SAME UNDERLYING OFFENSES THAT WAS COMMITTED FOR EACH*
ASSAULT 2 - POST 7/1/88	12	917
ASSAULT 3 - POST 7/1/88	14	1,479
ASSAULT OF A CHILD 1	1	5
ASSAULT OF A CHILD 2	5	27
ASSAULT OF A CHILD 3	5	56
BURGLARY 1	2	127
CUSTODIAL INTERFERENCE 1	1	8
INDECENT EXPOSURE (POST 7/24/99)	3	15
KIDNAP 1	3	11
KIDNAP 2	1	16
RESIDENTIAL BURGLARY-POST 7/90	3	827
TOTAL	50	3,488

* Technically, any felony offense other than a sex offense is eligible for a finding of sexual motivation. This column reflects the total number of sentences for those offenses with at least one sexual motivation finding.

**Table 9. Type of Verdict Imposed by Crime Type
Fiscal Year 2009**

TYPE OF VERDICT	NONVIOLENT		VIOLENT		TOTAL	
	Number	Percent	Number	Percent	Number	Percent
BENCH TRIAL	425	1.8%	17	0.7%	442	1.7%
JURY TRIAL	442	1.9%	256	10.8%	698	2.7%
GUILTY PLEA	22,509	96.3%	2,107	88.5%	24,616	95.6%
TOTAL	23,376	100.0%	2,380	100.0%	25,756	100.0%

**Table 10. Sentence Departures by Type and Direction
Fiscal Year 2009**

SENTENCE RELATIVE TO THE STANDARD RANGE				
SENTENCE TYPE	BELOW	WITHIN	ABOVE	TOTAL
Exceptional*	651 58.9%	48 4.3%	407 36.8%	1,106 100.0%
SSOSA** (682 Eligible ¹)	117 99.2%	1 0.8%	0 0.0%	118 100.0%
First-time Offender Waiver*** (8004 Eligible ¹)	829 58.8%	573 40.6%	8 0.6%	1,410 100.0%
Prison Drug Offender Sentencing Alternative	946 94.5%	54 5.4%	1 0.1%	1,001 100.0%
Residential Drug Offender Sentencing Alternative	416 98.3%	7 1.7%	0 0.0%	423 100.0%
Standard****	72 0.3%	21,572 99.4%	54 0.2%	21,698 100.0%
TOTAL	3,031 11.8%	22,255 86.4%	470 1.8%	25,756

* Exceptional sentences include departures above or below the standard range, as well as sentences in which the court orders a term of confinement within the standard range, but under terms of an exceptional sentence adds conditions not allowed as part of the standard range (e.g., treatment).

** Sex offenders who have no prior felony sex convictions may receive a sentence under the Special Sex Offender Sentencing Alternative (SSOSA) if they are not convicted of a serious violent offense with a sexual motivation finding or of Rape 1, Attempted Rape 1, or Rape 2 and have a current offense and criminal history that permits the court to impose a sentence within the standard range of less than eleven years confinement. Under current law, offenders sentenced under this alternative receive a suspended sentence and may receive up to twelve months in jail, community supervision for three years or the length of the suspended sentence (whichever is greater), inpatient or outpatient sex offender treatment, crime-related prohibitions and requirements for affirmative conduct. If the offender violates the conditions of supervision, the original suspended sentence may be imposed.

*** Offenders are eligible for the First-time Offender Waiver if the current offense is not a violent offense, sex offense or certain drug offenses, and if the offender has no prior felony convictions. If the First-time Offender Waiver is used, the standard range is waived and the offender may receive up to 90 days in jail, two years of community supervision, crime-related prohibitions and requirements for affirmative conduct. An aggravated departure occurs when an offender with a 0 to 60-day standard range (a Seriousness Level I offense with an offender score of 0) receives a sentence over 60 days (up to 90 days).

**** The Standard Range category includes some sentence departures not resulting from the use of the First-time Offender Waiver, SSOSA or an exceptional sentence. These departures often occur as the result of clerical errors.

¹ These data are not comparable to reports prior to the FY98 report. Prior to FY98, criminal history that had "washed out" was not taken into consideration in determining eligibility.

**Table 11. Sentence Departures by Type and Offense
Fiscal Year 2009**

OFFENSE	EXCEPTIONAL				SSOSA		FTOW		DOSA		WEC*		TOTAL
	Above	Below	Within	%	N	%	N	%	N	%	N	%	
ABANDON DEPENDANT PERSONS 2 (POST 06/07/06)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
ABANDON DEPENDENT PERSON 2	0	0	0	0.0%	0	0.0%	1	100.0%	0	0.00%	0	0.00%	1
AGGRAVATED MURDER 1 (POST 7/24/99)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	7
AGGRAVATED MURDER 1 (PRE 7/1/90)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
ALIEN IN POSSESSION OF A FIREARM	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	45
ALTER OR FORG VEHICLE TITLE	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
ANIMAL CRUELTY 1	1	0	0	5.3%	0	0.0%	5	26.3%	0	0.00%	0	0.00%	19
ANIMAL CRUELTY 1 - SEX/CONDUCT	0	0	0	0.0%	0	0.0%	1	100.0%	0	0.00%	0	0.00%	1
ARSON 1	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	17
ARSON 2	2	3	0	11.1%	0	0.0%	2	4.4%	0	0.00%	0	0.00%	45
ASSAULT 1-POST 7/1/90(NEW L12)	4	4	2	12.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	83
ASSAULT 2 - POST 7/1/88	46	27	8	8.8%	0	0.0%	14	1.5%	0	0.00%	0	0.00%	917
ASSAULT 3 - POST 7/1/88	38	53	8	6.7%	0	0.0%	258	17.4%	25	1.69%	0	0.00%	1,479
ASSAULT OF A CHILD 1	1	0	0	20.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	5
ASSAULT OF A CHILD 2	3	1	1	18.5%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	27
ASSAULT OF A CHILD 3	6	1	0	12.5%	0	0.0%	17	30.4%	1	1.79%	0	0.00%	56
ATTEMPT ELUDE POLICE VEHICLE	4	7	0	1.8%	0	0.0%	19	3.0%	17	2.71%	1	0.16%	627
BAIL JUMP W/ CLASS A (POST 7/89)	0	1	0	16.7%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	6
BAIL JUMP W/ CLASS B or C (POST 7/89)	7	23	0	9.1%	0	0.0%	20	6.1%	12	3.64%	0	0.00%	330
BIGAMY	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
BRIBERY	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
BRIBING A WITNESS	0	0	1	50.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
BURGLARY 1	4	2	0	4.7%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	127
BURGLARY 2 - PRE 7/90	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
BURGLARY 2 (NONDWELLING)-POST 7/90	21	22	2	4.4%	0	0.0%	74	7.3%	85	8.38%	0	0.00%	1,014
CHILD MOLEST 1 - PREDATORY (.712) (POST 03/20/06)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
CHILD MOLEST 1 (7/90 - 8/31/01)	1	2	0	8.1%	7	18.9%	0	0.0%	0	0.00%	0	0.00%	37
CHILD MOLEST 1 .712 >= 18 FOR/FEE (POST 07/22/07)	0	0	1	50.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2

OFFENSE	EXCEPTIONAL				SSOSA		FTOW		DOSA		WEC*		TOTAL
	Above	Below	Within	%	N	%	N	%	N	%	N	%	
CHILD MOLEST 1 <18 (POST 8/31/01)	0	0	0	0.0%	1	20.0%	0	0.0%	0	0.00%	0	0.00%	5
CHILD MOLEST 1 <18 FOR/FEE (POST 07/22/07)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
CHILD MOLEST 1 >17 (POST 8/31/01) (.712)	4	0	0	3.3%	39	31.7%	0	0.0%	0	0.00%	0	0.00%	123
CHILD MOLEST 2 (POST 7/90)	3	0	0	3.2%	15	15.8%	0	0.0%	0	0.00%	0	0.00%	95
CHILD MOLEST 2 FOR/FEE (POST 07/22/07)	0	0	0	0.0%	1	100.0%	0	0.0%	0	0.00%	0	0.00%	1
CHILD MOLEST 3 (POST 7/90)	3	5	2	16.1%	1	1.6%	0	0.0%	0	0.00%	0	0.00%	62
COLLECTION OF UNLAWFUL DEBT	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
COMMERCIAL FISHING W/O A LICENSE - 1ST	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
COMMERCIAL SEX ABUSE / PROMOTING TRAVEL	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
COMMERCIAL SEX ABUSE/ MINOR	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
COMMERCIAL SEX ABUSE/MINOR - PROMOTE	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	4
COMMUNICATION WITH A MINOR new	2	0	0	9.5%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	21
COMPUTER TRESPASS 1	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
COUNTERFEIT - 3RD CONVICT. AND >\$10,000	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
CRE DEL POS COUNTERFEIT CTRL SUBS NARC 1ST OFF	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
CRE DEL POS COUNTERFEIT CTRL SUBS NON-NARC 1ST	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
CRE DEL POS COUNTERFEIT CTRL SUBS NON-NARC 2+	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
CRIMINAL IMPERSONATION 1	4	0	0	4.2%	0	0.0%	2	2.1%	0	0.00%	0	0.00%	96
CRIMINAL LIABILITY FALSE STATEMENT BY EMPLOYEE	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
CRIMINAL MISTREATMENT 1	1	0	0	100.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
CRIMINAL MISTREATMENT 1 (POST 06/07/06)	2	0	0	50.0%	0	0.0%	1	25.0%	0	0.00%	0	0.00%	4
CRIMINAL MISTREATMENT 2	1	0	0	50.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
CRIMINAL MISTREATMENT 2 (POST 06/07/06)	1	0	0	16.7%	0	0.0%	1	16.7%	0	0.00%	0	0.00%	6
CRIMINAL SABOTAGE	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
CRIMINAL TRESPASS AGAINST CHILD	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
CUSTODIAL ASSAULT - POST 7/89	1	1	0	5.3%	0	0.0%	1	2.6%	0	0.00%	0	0.00%	38
CUSTODIAL INTERFERENCE 1	0	0	1	12.5%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	8
CUSTODIAL SEXUAL MISCONDUCT 1	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
CYBERSTALKING	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	5
DEALING IN DEPIC. OF MINOR (POST 6/30/01)	0	0	0	0.0%	2	33.3%	0	0.0%	0	0.00%	0	0.00%	6
DEFRAUDING A PUBLIC UTILITY 2	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2

OFFENSE	EXCEPTIONAL				SSOSA		FTOW		DOSA		WEC*		TOTAL
	Above	Below	Within	%	N	%	N	%	N	%	N	%	
DEFRAUDING INNKEEPER > \$75	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
DEFRAUDING PUBLIC UTILITY 1	1	0	0	25.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	4
DEL MAT IN LIEU OF CS-POST7/89 -1ST	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	4
DEL POS W/I METH - 1ST OFF (POST 6/30/98)	13	14	1	5.3%	0	0.0%	1	0.2%	52	9.77%	0	0.00%	532
DEL POS W/I METH - 2ND OFF (POST 6/30/98)	0	1	0	3.7%	0	0.0%	0	0.0%	3	11.11%	0	0.00%	27
DEL POS W/I METH - SCH ZONE OFF (POST 6/30/98)	0	0	0	0.0%	0	0.0%	0	0.0%	8	20.00%	0	0.00%	40
DELIVERY FIREARM BY DEALER TO INELIGIBLE PERSON	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
DELIVERY FIREARM TO INELIG PERSON	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
DISARM A LAW ENFORCEMENT OR CORR OFFICER	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
DOMESTIC VIOLENCE CT ORDER VIOL (POST 6/30/00)	3	77	3	12.4%	0	0.0%	85	12.7%	29	4.33%	0	0.00%	670
DRIVE- BY SHOOTING (POST 6/30/97)	0	2	0	8.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	25
DRIVING UNDER INFLUENCE (FELONY) (POST 07/01/07)	0	9	0	9.4%	0	0.0%	1	1.0%	0	0.00%	0	0.00%	96
ENDANGERMENT WITH A CONTROLLED SUBSTANCE	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
ENGAGE IN BUSINESS AFTER REVOCATION	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
ESCAPE 1	1	2	0	8.3%	0	0.0%	1	2.8%	3	8.33%	0	0.00%	36
ESCAPE 2	2	2	0	4.2%	0	0.0%	1	1.1%	7	7.37%	0	0.00%	95
ESCAPE FROM COMMUNINTY CUSTODY-POST 6/92	1	1	0	2.7%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	73
EXPLOSIVE LICENSING VIOLATION	1	0	0	16.7%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	6
EXTORTION 1	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
EXTORTION 2	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	7
FAIL TO REGISTER KIDNAPPER - POST 7/24/99	0	0	0	0.0%	0	0.0%	0	0.0%	1	4.17%	0	0.00%	24
FAIL TO REGISTER SEX OFF (POST 7/24/99)	2	0	3	1.3%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	376
FAIL TO REGISTER SEX OFF 2+ (POST 06/07/06)	1	60	1	23.8%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	260
FAIL TO REGISTER SEX OFF/KIDNAP (7/27/97-7/24/99)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
FALSE REPORTING COMPENSATION BY EMPLOYER	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
FALSE STATEMENT IN REPORT OF PRECURSOR DRUGS	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
FALSE VERIFICATION FOR WELFARE	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1

OFFENSE	EXCEPTIONAL				SSOSA		FTOW		DOSA		WEC*		TOTAL
	Above	Below	Within	%	N	%	N	%	N	%	N	%	
FORGED PRESCRIPTION VUCSA - 1ST	0	2	0	1.1%	0	0.0%	10	5.3%	3	1.58%	0	0.00%	190
FORGED PRESCRIPTION VUCSA 2+	0	0	0	0.0%	0	0.0%	0	0.0%	1	25.00%	0	0.00%	4
FORGED PRESCRIPTION VULDA	0	0	0	0.0%	0	0.0%	4	8.9%	0	0.00%	0	0.00%	45
FORGERY	10	15	2	3.0%	0	0.0%	30	3.4%	36	4.02%	0	0.00%	895
FRAUDULENT SPECIALIZED FOREST PRODUCT PERMIT	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
HARASSMENT	4	10	0	3.8%	0	0.0%	71	19.5%	6	1.65%	0	0.00%	364
HIT AND RUN - DEATH (POST 7/21/01)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	8
HIT AND RUN - INJURY (POST 6/7/00)	1	3	0	5.2%	0	0.0%	11	14.3%	2	2.60%	0	0.00%	77
HOMICIDE BY ABUSE (POST 7/24/99)	3	0	0	100.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
HOMICIDE BY WATERCRAFT-DRUNK	0	1	0	50.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
IDENTITY THEFT 1 (POST 7/21/01)	2	8	0	7.2%	0	0.0%	29	20.9%	20	14.39%	0	0.00%	139
IDENTITY THEFT 2 (POST 7/21/01)	6	25	0	4.7%	0	0.0%	49	7.4%	89	13.48%	0	0.00%	660
ILLEGAL TRANSFER OF MOTOR VEHICLE CERTIFICATE	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
INCENDIARY DEVICES (POST 7/24/99)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
INCEST 1	1	0	0	6.7%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	15
INCEST 2	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
INCITING CRIMINAL PROFITEERING	0	0	0	0.0%	0	0.0%	0	0.0%	2	66.67%	0	0.00%	3
INDECENT EXPOSURE (POST 7/24/99)	1	0	0	6.7%	0	0.0%	2	13.3%	0	0.00%	0	0.00%	15
INDECENT LIB -DD VICTM (POST 7/90)	3	2	1	15.4%	1	2.6%	0	0.0%	0	0.00%	0	0.00%	39
INDECENT LIB W/FORCE (POST 8/31/01) (.712)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	9
INDECENT LIB W/FRAIL ELDER/VULNERABLE ADULT	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
INSURANCE FRAUD	0	0	0	0.0%	0	0.0%	1	6.7%	0	0.00%	0	0.00%	15
INSURANCE FRAUD-FALSE CLAIMS	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	4
INTERFERENCE WITH OFFICER'S DUITES/HOLDING HOSTAGE	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
INTIMIDATING A JUDGE	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
INTIMIDATING A PUBLIC SERVANT	0	0	0	0.0%	0	0.0%	5	33.3%	0	0.00%	0	0.00%	15
INTIMIDATING A WITNESS	3	0	1	22.2%	0	0.0%	2	11.1%	0	0.00%	0	0.00%	18
INTRODUCING CONTRABAND 1	0	0	0	0.0%	0	0.0%	0	0.0%	1	00.00%	0	0.00%	1
INTRODUCING CONTRABAND 2	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
INVOLVING MINOR IN DRUG DEAL- POST 7/89-1ST	0	0	0	0.0%	0	0.0%	0	0.0%	1	50.00%	0	0.00%	2
KIDNAP 1	1	1	0	18.2%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	11

OFFENSE	EXCEPTIONAL				SSOSA		FTOW		DOSA		WEC*		TOTAL
	Above	Below	Within	%	N	%	N	%	N	%	N	%	
KIDNAP 2	0	2	0	12.5%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	16
LEADING ORGANIZED CRIME	1	1	0	40.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	5
LOTTERY ACT VIOLATION	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	4
LURING OF CHILD	0	0	0	0.0%	0	0.0%	2	11.8%	0	0.00%	0	0.00%	17
M/D/P W/I AMPHET - 1ST OFF (POST 6/10/98)	0	0	0	0.0%	0	0.0%	1	12.5%	0	0.00%	0	0.00%	8
M/D/P W/I HER COC - COR F (POST 6/30/02) (L7)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
M/D/P W/I HER COC - SCH Z (POST 6/30/02) (L7)	0	0	0	0.0%	0	0.0%	0	0.0%	10	41.67%	0	0.00%	24
M/D/P W/I HER COC - SCH Z (POST 6/30/02) (L8)	0	0	0	0.0%	0	0.0%	0	0.0%	2	00.00%	0	0.00%	2
M/D/P W/I HER COC (POST 6/30/02) (L7)	3	14	0	2.2%	0	0.0%	2	0.3%	37	4.73%	0	0.00%	782
M/D/P W/I HER COC (POST 6/30/02) (L8)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
M/D/P W/I HER COC (PRE 7/1/02)	0	0	0	0.0%	0	0.0%	0	0.0%	1	50.00%	0	0.00%	2
M/D/P W/I HER COC 2+ (POST 6/30/02) (L7)	0	2	0	1.9%	0	0.0%	0	0.0%	12	11.65%	0	0.00%	103
M/D/P W/I HER COC 2+ (POST 6/30/02) (L8)	0	0	0	0.0%	0	0.0%	0	0.0%	1	00.00%	0	0.00%	1
M/D/P W/I HER COC 2+ (PRE 7/1/02)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
M/D/P W/I MARIJ - 1ST OFF	9	4	1	2.1%	0	0.0%	27	4.0%	0	0.00%	0	0.00%	678
M/D/P W/I MARIJ - 2ND OFFENSE	2	0	0	7.4%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	27
M/D/P W/I MARIJ - SCH ZONE	1	2	0	18.8%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	16
M/D/P W/I OTH,EXC MJ/METH/AMP/FLUN-1ST(POST 6/98)	0	0	0	0.0%	0	0.0%	3	9.1%	3	9.09%	0	0.00%	33
M/D/P W/I OTH,EXC MJ/METH/AMP/FLUN-2ND(POST 6/98)	0	0	0	0.0%	0	0.0%	0	0.0%	1	25.00%	0	0.00%	4
M/D/P W/I OTH,EXC MJ/METH/AMP/FLUN-SZ(POST 6/98)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
M/D/P W/I SC I/II NARC OR FLUNT 2+	0	1	0	20.0%	0	0.0%	0	0.0%	1	20.00%	0	0.00%	5
M/D/P W/I SC I/II NARC OR FLUNT-1ST OFF	1	1	0	4.2%	0	0.0%	1	2.1%	0	0.00%	0	0.00%	48
MAINTN PLACE FOR DRUGS (69.50)- 1ST (POST 7/24/99)	0	1	0	12.5%	0	0.0%	2	25.0%	0	0.00%	0	0.00%	8
MAINTN PLACE FOR DRUGS (69.50) 2+ (POST 7/24/99)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
MALICIOUS HARASSMENT	0	1	0	11.1%	0	0.0%	1	11.1%	0	0.00%	0	0.00%	9
MALICIOUS INJURY RAILROAD PROP (POST 7/24/99)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
MALICIOUS MISCHIEF 1	0	0	0	0.0%	0	0.0%	10	9.0%	1	0.90%	0	0.00%	111
MALICIOUS MISCHIEF 2	1	5	0	1.5%	0	0.0%	26	6.6%	5	1.28%	0	0.00%	392
MALICIOUS PROSECUTION	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
MANSLAUGHTER 1 (POST 7/26/97)	0	3	0	17.6%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	17

OFFENSE	EXCEPTIONAL				SSOSA		FTOW		DOSA		WEC*		TOTAL
	Above	Below	Within	%	N	%	N	%	N	%	N	%	
MANSLAUGHTER 1 (PRE 7/27/97)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
MANSLAUGHTER 2 (POST 7/26/97)	6	2	0	34.8%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	23
MEDICAID FRAUD	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
MFG METH - 1ST OFFENSE (POST 6/30/98)	1	2	0	9.4%	0	0.0%	0	0.0%	11	34.38%	0	0.00%	32
MFG METH - 2ND OFFENSE (POST 6/30/98)	0	0	0	0.0%	0	0.0%	0	0.0%	4	00.00%	0	0.00%	4
MISCONDUCT BY PUBLIC OFFICER	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
MONEY LAUNDERING	0	0	0	0.0%	0	0.0%	2	5.7%	0	0.00%	0	0.00%	35
MURDER 1 (POST 7/24/99)	0	1	0	2.1%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	47
MURDER 1 - PRE 7/1/90	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
MURDER 1 (7/1/90-7/24/99)	1	0	0	50.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
MURDER 2 (7/1/90-7/24/99)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
MURDER 2 (POST 7/24/99)	4	1	0	10.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	50
MURDER 2 (PRE 7/1/90)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
OBTAIN SIGNATURE BY DECEPTION	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
OFFER FALSE DOCUMENT	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
ORGANIZED RETAIL THEFT 1	0	0	0	0.0%	0	0.0%	0	0.0%	1	11.11%	0	0.00%	9
ORGANIZED RETAIL THEFT 2	0	1	0	1.5%	0	0.0%	3	4.5%	3	4.55%	0	0.00%	66
OVER 18 - DEL OTH TO MINOR	0	0	0	0.0%	0	0.0%	0	0.0%	1	00.00%	0	0.00%	1
OVER 18 - DEL S I/II NARC/FLUNT/METH MINOR	0	1	0	33.3%	0	0.0%	0	0.0%	1	33.33%	0	0.00%	3
OWNER OF DOG THAT ATTACKS	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
PERJURY 1	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
PERJURY 2	0	0	0	0.0%	0	0.0%	4	44.4%	0	0.00%	0	0.00%	9
POS CNTL SUBS - BY PRISONERS	1	0	0	6.7%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	15
POS CNTL SUBS - OTHER EXC.PCP/FLUNIT	9	48	1	1.9%	0	0.0%	114	3.6%	35	1.12%	0	0.00%	3,128
POS CNTL SUBS - OTHR EX.PCP IN COR FAC	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
POS CNTL SUBS - SCH I/II IN CORR FACIL	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
POS CNTL SUBS SCH I/II OR FLUNIT	7	10	1	1.1%	0	0.0%	45	2.7%	17	1.03%	0	0.00%	1,651
POS DEADLY WEAPON BY PRISONER	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	4
POS DEPICTION OF MINORS	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
POS DEPICTION OF MINORS - POST 06/07/06	0	5	0	13.9%	6	16.7%	0	0.0%	0	0.00%	0	0.00%	36
POS EPHEP/PSEUD/ANYRO W/I MFG METH-2+ (POST 6/00)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
POS EPHEP/PSEUDO/AMMO W/I MFG METH-1ST (POST6/00)	0	1	0	11.1%	0	0.0%	0	0.0%	3	33.33%	0	0.00%	9

OFFENSE	EXCEPTIONAL				SSOSA		FTOW		DOSA		WEC*		TOTAL
	Above	Below	Within	%	N	%	N	%	N	%	N	%	
POS MACH GUN/SHOT BARL SHOT GUN (POST 7/24/99)	0	0	0	0.0%	0	0.0%	1	14.3%	0	0.00%	0	0.00%	7
POS MACH GUN/SHOT BARL SHOT GUN (PRE 7/25/99)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
POS PHENCYCLIDINE (PCP)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
POS STOLEN FIREARM	0	1	0	2.2%	0	0.0%	6	13.3%	4	8.89%	0	0.00%	45
POS STOLEN PROPERTY 1	0	3	0	2.2%	0	0.0%	6	4.3%	15	10.79%	0	0.00%	139
POS STOLEN PROPERTY 2	6	7	0	2.4%	0	0.0%	10	1.9%	16	3.01%	0	0.00%	531
POS STOLEN VEHICLE	2	5	0	1.4%	0	0.0%	11	2.2%	93	18.79%	1	0.20%	495
PROMOTING PROSTITUTION 1	0	0	0	0.0%	0	0.0%	1	25.0%	0	0.00%	0	0.00%	4
PROMOTING PROSTITUTION 2	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	11
PROTECT ORDR-DV CIVIL (RCW 26) (PRE 7/1/00)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
RAPE 1 (7/90 - 7/26/97)	1	0	0	100.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
RAPE 1 (POST 8/31/01) (.712)	1	0	0	6.3%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	16
RAPE 2 (7/90 - 7/26/97)	1	0	0	100.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
RAPE 2 (POST 8/31/01) (.712)	2	0	1	14.3%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	21
RAPE 3	3	1	0	6.1%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	66
RAPE OF A CHILD 1 (7/27/97 - 8/31/01)	1	1	0	14.3%	4	28.6%	0	0.0%	0	0.00%	0	0.00%	14
RAPE OF A CHILD 1 (7/90 - 7/26/97)	1	0	0	50.0%	1	50.0%	0	0.0%	0	0.00%	0	0.00%	2
RAPE OF A CHILD 1 <18 (POST 8/31/01)	0	0	0	0.0%	2	25.0%	0	0.0%	0	0.00%	0	0.00%	8
RAPE OF A CHILD 1 >17 (POST 8/31/01) (.712)	2	0	0	3.0%	17	25.4%	0	0.0%	0	0.00%	0	0.00%	67
RAPE OF A CHILD 2 (7/27/97 - 8/31/01)	0	0	0	0.0%	1	50.0%	0	0.0%	0	0.00%	0	0.00%	2
RAPE OF A CHILD 2 (7/90 - 7/26/97)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
RAPE OF A CHILD 2 <18 (POST 8/31/01)	0	0	0	0.0%	2	50.0%	0	0.0%	0	0.00%	0	0.00%	4
RAPE OF A CHILD 2 >17 (POST 8/31/01) (.712)	0	0	0	0.0%	9	15.8%	0	0.0%	0	0.00%	0	0.00%	57
RAPE OF A CHILD 3-POST 7/90	5	3	0	9.6%	7	8.4%	0	0.0%	0	0.00%	0	0.00%	83
RECEIVING OR GRANTING UNLAWFUL COMPENSATION	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
RECKLESS BURNING 1	0	0	0	0.0%	0	0.0%	2	13.3%	0	0.00%	0	0.00%	15
RENDERING CRIMINAL ASSTANCE 1	1	3	0	16.7%	0	0.0%	8	33.3%	0	0.00%	0	0.00%	24
RESIDENTIAL BURGLARY-POST 7/90	18	16	1	4.2%	0	0.0%	126	15.2%	94	11.37%	2	0.24%	827
RETAIL THEFT W/EXTENU CIRCUMSTN 1	0	0	0	0.0%	0	0.0%	1	33.3%	1	33.33%	0	0.00%	3
RETAIL THEFT W/EXTENU CIRCUMSTN 2	0	0	0	0.0%	0	0.0%	1	4.3%	3	13.04%	0	0.00%	23
RETAIL THEFT W/EXTENU CIRCUMSTN 3	1	0	0	2.5%	0	0.0%	1	2.5%	0	0.00%	0	0.00%	40
RIOT	1	0	0	0.9%	0	0.0%	1	0.9%	0	0.00%	0	0.00%	111

OFFENSE	EXCEPTIONAL				SSOSA		FTOW		DOSA		WEC*		TOTAL
	Above	Below	Within	%	N	%	N	%	N	%	N	%	
ROBBERY 1	7	9	0	5.4%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	296
ROBBERY 2	9	9	1	5.6%	0	0.0%	1	0.3%	0	0.00%	0	0.00%	337
SCHEMING TO DEFRAUD BUSINESS OPPORTUNITIES	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
SECURITY ACT VIOLATION-POST 7/89	1	0	0	33.3%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
SELL OR DELIVER LEGEND DRUGS	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
SELLING FOR PROFIT-POST 7/91 1ST	0	1	0	50.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
SEXUAL EXPLOITATION (POST 6/30/01)	0	0	0	0.0%	2	25.0%	0	0.0%	0	0.00%	0	0.00%	8
SEXUAL MISCONDUCT 1 (POST 7/90)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	6
STALKING (POST 6/30/00)	0	1	0	4.2%	0	0.0%	5	20.8%	0	0.00%	0	0.00%	24
TAMPERING WITH A WITNESS	2	1	0	6.4%	0	0.0%	1	2.1%	2	4.26%	0	0.00%	47
TELEPHONE HARASSMENT (POST 7/24/99)	1	0	0	2.7%	0	0.0%	5	13.5%	0	0.00%	0	0.00%	37
TELEPHONE SOLICI. UNPROF. CONDUCT (>\$250)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
THEFT 1	35	9	0	5.4%	0	0.0%	64	7.9%	37	4.56%	0	0.00%	811
THEFT 1 - WELFARE FRAUD	0	2	0	11.8%	0	0.0%	1	5.9%	0	0.00%	0	0.00%	17
THEFT 2	8	12	2	1.4%	0	0.0%	61	3.9%	37	2.36%	1	0.06%	1,565
THEFT 2 - WELFARE FRAUD	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	5
THEFT OF A FIREARM (POST 7/22/95)	1	3	0	5.1%	0	0.0%	17	21.8%	20	25.64%	0	0.00%	78
THEFT OF MOTOR VEHICLE	0	3	0	1.5%	0	0.0%	8	4.0%	31	15.58%	0	0.00%	199
THEFT OF RENTAL OR LEASED PROPERTY (\$250-\$1500)	0	1	0	5.6%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	18
THEFT OF RENTAL OR LEASED PROPERTY (<\$1,500)	0	1	0	14.3%	0	0.0%	1	14.3%	0	0.00%	0	0.00%	7
THEFT OF TELECOMMUNICATIONS SVC	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
THEFT W/ INTENT RESELL 1	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
THEFT W/ INTENT RESELL 2	0	0	0	0.0%	0	0.0%	0	0.0%	1	50.00%	0	0.00%	2
THREATS TO BOMB - POST 7/89	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
TMVWOP (PRE 6/13/02)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
TMVWOP 1 (POST 6/12/02)	0	0	0	0.0%	0	0.0%	0	0.0%	4	50.00%	0	0.00%	8
TMVWOP 2 (POST 6/12/02)	5	8	0	2.7%	0	0.0%	14	2.9%	24	4.99%	0	0.00%	481
TRAFFICKING IN STOLEN PROP 1	0	4	0	2.0%	0	0.0%	54	27.1%	18	9.05%	0	0.00%	199
TRAFFICKING IN STOLEN PROP 2	1	8	0	4.8%	0	0.0%	15	7.9%	14	7.41%	0	0.00%	189
UNLAWFUL FACTORING CREDIT/PAY CARD TRANSACTION-1ST	0	0	0	0.0%	0	0.0%	1	50.0%	0	0.00%	0	0.00%	2
UNLAWFUL HUNTING BIG GAME - 1ST	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2

OFFENSE	EXCEPTIONAL				SSOSA		FTOW		DOSA		WEC*		TOTAL
	Above	Below	Within	%	N	%	N	%	N	%	N	%	
UNLAWFUL IMPRISONMENT	2	0	0	2.4%	0	0.0%	11	13.3%	3	3.61%	1	1.20%	83
UNLAWFUL ISSUE OF CHECKS/DRAFT	1	4	0	5.8%	0	0.0%	3	3.5%	1	1.16%	0	0.00%	86
UNLAWFUL POSS OF FIREARM 1	2	5	1	4.5%	0	0.0%	0	0.0%	17	9.55%	0	0.00%	178
UNLAWFUL POSS OF FIREARM 2	9	22	0	7.1%	0	0.0%	6	1.4%	9	2.05%	0	0.00%	439
UNLAWFUL POSS OF PAYMENT INSTRUMENTS	1	0	0	4.0%	0	0.0%	1	4.0%	1	4.00%	0	0.00%	25
UNLAWFUL SUBLEASING MV	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
USE BUILDING FOR DRUGS (69.53) (POST 7/24/99)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	7
USE BUILDING FOR DRUGS (69.53) (PRE 7/25/99)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	4
VEHICLE PROWL 1	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	6
VEHICULAR ASSAULT DISREGARD SAFETY (POST 7/21/01)	2	1	0	5.2%	0	0.0%	4	6.9%	2	3.45%	0	0.00%	58
VEHICULAR ASSAULT UND INFL/RECKLESS (POST 7/21/01)	3	4	0	5.7%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	122
VEHICULAR HOMICIDE - DISREGARD SAFETY-VIOLENT	0	5	0	21.7%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	23
VEHICULAR HOMICIDE - DRUNK (POST 6/5/96)	1	2	0	13.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	23
VEHICULAR HOMICIDE - RECKLESS MANNER (POST 6/5/96)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	9
VEHICULAR HOMICIDE -DRUNK (6/30/94 - 6/5/96)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
VIOLATION OF FOREIGN PROTECTION ORDER	2	0	1	8.6%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	35
VOYEURISM	1	0	0	14.3%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	7
VOYEURISM (POST 06/07/06)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
WEAP POSS BY PRISONER/COUNTY FACILITY	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	4
TOTAL ALL OFFENSES	407	651	48	4.3%	118	0.5%	1,410	5.5%	1,001	3.9%	6	0.0%	25,756

WEC*: Work Ethic Camp

**Table 12. Length of Sentence Relative to Standard Range ^{1 2}
Fiscal Year 2009**

OFFENSE	SENTENCE RELATIVE TO STANDARD RANGE			WHERE IN THE RANGE?
	Below	Within	Above	
<Life Sent> AGGRAVATED MURDER 1 (POST 7/24/99)	0	7	0	n.a.
<Life Sent> AGGRAVATED MURDER 1 (PRE 7/1/90)	0	1	0	n.a.
<Life Sent> ASSAULT 1-POST 7/1/90(NEW L12)	0	1	0	n.a.
<Life Sent> ASSAULT 2 - POST 7/1/88	0	2	0	n.a.
<Life Sent> BURGLARY 1	0	1	0	n.a.
<Life Sent> CHILD MOLEST 1 (7/90 - 8/31/01)	0	1	0	n.a.
<Life Sent> CHILD MOLEST 1 >17 (POST 8/31/01) (.712)	0	3	0	n.a.
<Life Sent> MANSLAUGHTER 1 (PRE 7/27/97)	0	1	0	n.a.
<Life Sent> MURDER 1 (POST 7/24/99)	0	1	0	n.a.
<Life Sent> MURDER 1 - PRE 7/1/90	0	1	0	n.a.
<Life Sent> RAPE 1 (POST 8/31/01) (.712)	0	3	0	n.a.
<Life Sent> RAPE 2 (POST 8/31/01) (.712)	0	2	0	n.a.
<Life Sent> RAPE 3	0	1	0	n.a.
<Life Sent> RAPE OF A CHILD 1 >17 (POST 8/31/01) (.712)	0	2	0	n.a.
<Life Sent> ROBBERY 1	0	5	0	n.a.
<Life Sent> UNLAWFUL POSS OF FIREARM 1	0	1	0	n.a.
ABANDON DEPENDANT PERSONS 2 (POST 06/07/06)	1	0	0	n.a.
ABANDON DEPENDENT PERSON 2	0	1	0	100.0%
ALIEN IN POSSESSION OF A FIREARM	0	45	0	17.1%
ALTER OR FORG VEHICLE TITLE	0	1	0	66.7%
ANIMAL CRUELTY 1	0	18	1	32.1%
ANIMAL CRUELTY 1 - SEX/CONDUCT	0	1	0	0.0%
ARSON 1	0	17	0	46.8%
ARSON 2	4	39	2	52.5%
ASSAULT 1-POST 7/1/90(NEW L12)	5	70	7	39.5%
ASSAULT 2 - POST 7/1/88	43	822	50	36.3%
ASSAULT 3 - POST 7/1/88	233	1,207	39	32.2%
ASSAULT OF A CHILD 1	0	4	1	44.1%
ASSAULT OF A CHILD 2	1	23	3	48.0%
ASSAULT OF A CHILD 3	9	41	6	34.2%
ATTEMPT ELUDE POLICE VEHICLE	36	586	5	39.5%
BAIL JUMP W/ CLASS A (POST 7/89)	1	5	0	62.8%
BAIL JUMP W/ CLASS B or C (POST 7/89)	61	261	8	27.8%
BIGAMY	0	2	0	6.2%
BRIBERY	0	1	0	0.0%
BRIBING A WITNESS	0	2	0	90.5%
BURGLARY 1	2	120	4	32.8%
BURGLARY 2 - PRE 7/90	0	1	0	100.0%

OFFENSE	SENTENCE RELATIVE TO STANDARD RANGE			WHERE IN THE RANGE?
	Below	Within	Above	
BURGLARY 2 (NONDWELLING)-POST 7/90	176	815	23	20.5%
CHILD MOLEST 1 - PREDATORY (.712) (POST 03/20/06)	0	1	0	100.0%
CHILD MOLEST 1 (7/90 - 8/31/01)	9	25	2	55.1%
CHILD MOLEST 1 .712 >= 18 FOR/FEE (POST 07/22/07)	0	2	0	44.1%
CHILD MOLEST 1 <18 (POST 8/31/01)	1	4	0	13.2%
CHILD MOLEST 1 <18 FOR/FEE (POST 07/22/07)	0	1	0	0.0%
CHILD MOLEST 1 >17 (POST 8/31/01) (.712)	40	74	6	51.4%
CHILD MOLEST 2 (POST 7/90)	16	75	4	60.6%
CHILD MOLEST 2 FOR/FEE (POST 07/22/07)	1	0	0	n.a.
CHILD MOLEST 3 (POST 7/90)	6	53	3	41.0%
COLLECTION OF UNLAWFUL DEBT	0	1	0	16.7%
COMMERCIAL FISHING W/O A LICENSE - 1ST	0	2	0	4.2%
COMMERCIAL SEX ABUSE / PROMOTING TRAVEL	0	1	0	25.0%
COMMERCIAL SEX ABUSE/ MINOR	0	2	0	50.0%
COMMERCIAL SEX ABUSE/MINOR - PROMOTE	0	4	0	25.0%
COMMUNICATION WITH A MINOR new	0	19	2	44.7%
COMPUTER TRESPASS 1	0	2	0	66.7%
COUNTERFEIT - 3RD CONVICT. AND >\$10,000	0	1	0	33.3%
CRE DEL POS COUNTERFEIT CTRL SUBS NARC 1ST OFF	0	3	0	62.4%
CRE DEL POS COUNTERFEIT CTRL SUBS NON-NARC 1ST	1	0	0	n.a.
CRE DEL POS COUNTERFEIT CTRL SUBS NON-NARC 2+	0	1	0	0.0%
CRIMINAL IMPERSONATION 1	0	91	5	21.9%
CRIMINAL LIABILITY FALSE STATEMENT BY EMPLOYEE	0	1	0	25.0%
CRIMINAL MISTREATMENT 1	0	0	1	n.a.
CRIMINAL MISTREATMENT 1 (POST 06/07/06)	0	2	2	100.0%
CRIMINAL MISTREATMENT 2	0	1	1	50.0%
CRIMINAL MISTREATMENT 2 (POST 06/07/06)	1	4	1	91.7%
CRIMINAL SABOTAGE	0	1	0	75.0%
CRIMINAL TREPASS AGAINST CHILD	0	1	0	0.3%
CUSTODIAL ASSAULT - POST 7/89	2	35	1	30.0%
CUSTODIAL INTERFERENCE 1	0	8	0	29.2%
CUSTODIAL SEXUAL MISCONDUCT 1	0	3	0	37.8%
CYBERSTALKING	0	5	0	63.0%
DEALING IN DEPIC. OF MINOR (POST 6/30/01)	3	3	0	58.7%
DEFRAUDING A PUBLIC UTILITY 2	0	2	0	13.9%
DEFRAUDING INNKEEPER > \$75	0	3	0	12.2%
DEFRAUDING PUBLIC UTILITY 1	0	3	1	19.7%
DEL MAT IN LIEU OF CS-POST7/89 -1ST	1	3	0	22.2%
DEL POS W/I METH - 1ST OFF (POST 6/30/98)	96	421	15	29.1%
DEL POS W/I METH - 2ND OFF (POST 6/30/98)	4	23	0	31.0%
DEL POS W/I METH - SCH ZONE OFF (POST 6/30/98)	8	32	0	32.8%
DELIVERY FIREARM BY DEALER TO INELIGIBLE PERSON	0	2	0	8.3%
DELIVERY FIREARM TO INELIG PERSON	0	3	0	13.9%

OFFENSE	SENTENCE RELATIVE TO STANDARD RANGE			WHERE IN THE RANGE?
	Below	Within	Above	
DISARM A LAW ENFORCEMENT OR CORR OFFICER	0	2	0	5.3%
DOMESTIC VIOLENCE CT ORDER VIOL (POST 6/30/00)	213	454	3	32.4%
DRIVE- BY SHOOTING (POST 6/30/97)	2	21	2	40.4%
DRIVING UNDER INFLUENCE (FELONY) (POST 07/01/07)	10	86	0	46.4%
ENDANGERMENT WITH A CONTROLLED SUBSTANCE	0	2	0	0.0%
ENGAGE IN BUSINESS AFTER REVOCATION	0	1	0	0.0%
ESCAPE 1	6	29	1	33.2%
ESCAPE 2	11	81	3	26.1%
ESCAPE FROM COMMUNINTY CUSTODY-POST 6/92	2	70	1	30.4%
EXPLOSIVE LICENSING VIOLATION	0	5	1	19.6%
EXTORTION 1	0	1	0	100.0%
EXTORTION 2	0	7	0	39.9%
FAIL TO REGISTER KIDNAPPER - POST 7/24/99	0	23	1	16.1%
FAIL TO REGISTER SEX OFF (POST 7/24/99)	0	374	2	11.8%
FAIL TO REGISTER SEX OFF 2+ (POST 06/07/06)	60	199	1	14.7%
FAIL TO REGISTER SEX OFF/KIDNAP (7/27/97-7/24/99)	0	1	0	7.1%
FALSE REPORTING COMPENSATION BY EMPLOYER	0	3	0	14.1%
FALSE STATEMENT IN REPORT OF PRECURSOR DRUGS	0	1	0	50.0%
FALSE VERIFICATION FOR WELFARE	0	1	0	33.3%
FORGED PRESCRIPTION VUCSA - 1ST	7	183	0	25.8%
FORGED PRESCRIPTION VUCSA 2+	1	3	0	50.0%
FORGED PRESCRIPTION VULDA	1	44	0	22.0%
FORGERY	81	803	11	36.4%
FRAUDULENT SPECIALIZED FOREST PRODUCT PERMIT	0	1	0	1.3%
HARASSMENT	58	302	4	31.1%
HIT AND RUN - DEATH (POST 7/21/01)	0	8	0	75.4%
HIT AND RUN - INJURY (POST 6/7/00)	19	56	2	41.0%
HOMICIDE BY ABUSE (POST 7/24/99)	0	0	3	n.a.
HOMICIDE BY WATERCRAFT-DRUNK	1	1	0	70.6%
IDENTITY THEFT 1 (POST 7/21/01)	57	80	2	37.6%
IDENTITY THEFT 2 (POST 7/21/01)	177	474	9	32.7%
ILLEGAL TRANSFER OF MOTOR VEHICLE CERTIFICATE	0	2	0	0.7%
INCENDIARY DEVICES (POST 7/24/99)	0	2	0	7.1%
INCEST 1	0	14	1	66.2%
INCEST 2	0	3	0	66.7%
INCITING CRIMINAL PROFITEERING	2	1	0	0.0%
INDECENT EXPOSURE (POST 7/24/99)	3	11	1	25.7%
INDECENT LIB -DD VICTM (POST 7/90)	3	33	3	54.2%
INDECENT LIB W/FORCE (POST 8/31/01) (.712)	0	9	0	52.1%
INDECENT LIB W/FRAIL ELDER/VULNERABLE ADULT	0	1	0	50.0%
INSURANCE FRAUD	0	15	0	23.4%
INSURANCE FRAUD-FALSE CLAIMS	0	4	0	17.8%
INTERFERENCE WITH OFFICER'S DUITES/HOLDING HOSTAGE	0	1	0	50.0%

OFFENSE	SENTENCE RELATIVE TO STANDARD RANGE			WHERE IN THE RANGE?
	Below	Within	Above	
INTIMIDATING A JUDGE	0	1	0	0.0%
INTIMIDATING A PUBLIC SERVANT	4	11	0	21.1%
INTIMIDATING A WITNESS	1	14	3	21.4%
INTRODUCING CONTRABAND 1	1	0	0	n.a.
INTRODUCING CONTRABAND 2	0	1	0	0.0%
INVOLVING MINOR IN DRUG DEAL- POST 7/89- 1ST	1	1	0	44.4%
KIDNAP 1	1	8	2	56.0%
KIDNAP 2	2	14	0	32.3%
LEADING ORGANIZED CRIME	1	3	1	59.3%
LOTTERY ACT VIOLATION	0	4	0	37.0%
LURING OF CHILD	0	17	0	36.1%
M/D/P W/I AMPHET - 1ST OFF (POST 6/10/98)	1	7	0	34.7%
M/D/P W/I HER COC - COR F (POST 6/30/02) (L7)	0	1	0	50.0%
M/D/P W/I HER COC - SCH Z (POST 6/30/02) (L7)	9	15	0	18.4%
M/D/P W/I HER COC - SCH Z (POST 6/30/02) (L8)	2	0	0	n.a.
M/D/P W/I HER COC (POST 6/30/02) (L7)	85	693	4	24.0%
M/D/P W/I HER COC (POST 6/30/02) (L8)	0	2	0	25.0%
M/D/P W/I HER COC (PRE 7/1/02)	1	1	0	100.0%
M/D/P W/I HER COC 2+ (POST 6/30/02) (L7)	16	86	1	34.6%
M/D/P W/I HER COC 2+ (POST 6/30/02) (L8)	1	0	0	n.a.
M/D/P W/I HER COC 2+ (PRE 7/1/02)	0	3	0	43.4%
M/D/P W/I MARIJ - 1ST OFF	13	656	9	30.6%
M/D/P W/I MARIJ - 2ND OFFENSE	0	25	2	27.7%
M/D/P W/I MARIJ - SCH ZONE	2	13	1	9.0%
M/D/P W/I OTH,EXC MJ/METH/AMP/FLUN-1ST(POST 6/98)	13	20	0	31.2%
M/D/P W/I OTH,EXC MJ/METH/AMP/FLUN-2ND(POST 6/98)	1	3	0	37.3%
M/D/P W/I OTH,EXC MJ/METH/AMP/FLUN-SZ(POST 6/98)	0	1	0	49.8%
M/D/P W/I SC I/II NARC OR FLUNT 2+	2	3	0	0.0%
M/D/P W/I SC I/II NARC OR FLUNT-1ST OFF	7	40	1	23.2%
MAINTN PLACE FOR DRUGS (69.50)- 1ST (POST 7/24/99)	3	5	0	40.0%
MAINTN PLACE FOR DRUGS (69.50) 2+ (POST 7/24/99)	0	1	0	17.9%
MALICIOUS HARASSMENT	2	7	0	31.2%
MALICIOUS INJURY RAILROAD PROP (POST 7/24/99)	1	0	0	n.a.
MALICIOUS MISCHIEF 1	7	103	1	33.3%
MALICIOUS MISCHIEF 2	13	377	2	34.6%
MALICIOUS PROSECUTION	0	3	0	2.0%
MANSLAUGHTER 1 (POST 7/26/97)	3	14	0	41.0%
MANSLAUGHTER 2 (POST 7/26/97)	2	15	6	57.3%
MEDICAID FRAUD	0	1	0	8.3%
MFG METH - 1ST OFFENSE (POST 6/30/98)	13	18	1	33.0%
MFG METH - 2ND OFFENSE (POST 6/30/98)	4	0	0	n.a.
MISCONDUCT BY PUBLIC OFFICER	0	1	0	25.0%
MONEY LAUNDERING	0	35	0	28.6%

OFFENSE	SENTENCE RELATIVE TO STANDARD RANGE			WHERE IN THE RANGE?
	Below	Within	Above	
MURDER 1 (POST 7/24/99)	1	43	2	61.2%
MURDER 1 (7/1/90-7/24/99)	0	1	1	0.0%
MURDER 2 (7/1/90-7/24/99)	0	1	0	100.0%
MURDER 2 (POST 7/24/99)	1	44	5	55.0%
MURDER 2 (PRE 7/1/90)	0	1	0	100.0%
OBTAIN SIGNATURE BY DECEPTION	0	3	0	15.7%
OFFER FALSE DOCUMENT	0	2	0	4.8%
ORGANIZED RETAIL THEFT 1	1	8	0	25.0%
ORGANIZED RETAIL THEFT 2	7	59	0	20.1%
OVER 18 - DEL OTH TO MINOR	1	0	0	n.a.
OVER 18 - DEL S I/II NARC/FLUNT/METH MINOR	2	1	0	100.0%
OWNER OF DOG THAT ATTACKS	0	2	0	54.2%
PERJURY 1	0	2	0	50.0%
PERJURY 2	5	4	0	0.0%
POS CNTL SUBS - BY PRISONERS	0	14	1	27.0%
POS CNTL SUBS - OTHER EXC.PCP/FLUNIT	168	2,950	10	25.3%
POS CNTL SUBS - OTHR EX.PCP IN COR FAC	0	1	0	0.0%
POS CNTL SUBS - SCH I/II IN CORR FACIL	0	1	0	0.0%
POS CNTL SUBS SCH I/II OR FLUNIT	63	1,579	9	28.3%
POS DEADLY WEAPON BY PRISONER	0	4	0	43.8%
POS DEPICTION OF MINORS	0	2	0	0.1%
POS DEPICTION OF MINORS - POST 06/07/06	11	25	0	30.9%
POS EPHED/PSEUD/ANYRO W/I MFG METH-2+ (POST 6/00)	0	1	0	0.0%
POS EPHED/PSEUDO/AMMO W/I MFG METH-1ST (POST6/00)	4	5	0	26.4%
POS MACH GUN/SHOT BARL SHOT GUN (POST 7/24/99)	1	6	0	29.0%
POS MACH GUN/SHOT BARL SHOT GUN (PRE 7/25/99)	0	1	0	25.0%
POS PHENCYCLIDINE (PCP)	0	2	0	12.4%
POS STOLEN FIREARM	12	33	0	22.1%
POS STOLEN PROPERTY 1	24	115	0	35.3%
POS STOLEN PROPERTY 2	35	489	7	36.5%
POS STOLEN VEHICLE	116	376	3	30.8%
PROMOTING PROSTITUTION 1	1	3	0	36.7%
PROMOTING PROSTITUTION 2	0	11	0	26.7%
PROTECT ORDR-DV CIVIL (RCW 26) (PRE 7/1/00)	0	1	0	50.0%
RAPE 1 (7/90 - 7/26/97)	0	0	1	n.a.
RAPE 1 (POST 8/31/01) (.712)	1	11	1	90.0%
RAPE 2 (7/90 - 7/26/97)	0	0	1	n.a.
RAPE 2 (POST 8/31/01) (.712)	0	17	2	48.6%
RAPE 3	1	61	3	50.3%
RAPE OF A CHILD 1 (7/27/97 - 8/31/01)	4	9	1	64.6%
RAPE OF A CHILD 1 (7/90 - 7/26/97)	1	0	1	n.a.
RAPE OF A CHILD 1 <18 (POST 8/31/01)	2	6	0	16.7%
RAPE OF A CHILD 1 >17 (POST 8/31/01) (.712)	17	46	2	55.8%

OFFENSE	SENTENCE RELATIVE TO STANDARD RANGE			WHERE IN THE RANGE?
	Below	Within	Above	
RAPE OF A CHILD 2 (7/27/97 - 8/31/01)	1	1	0	0.0%
RAPE OF A CHILD 2 (7/90 - 7/26/97)	0	1	0	100.0%
RAPE OF A CHILD 2 <18 (POST 8/31/01)	2	2	0	36.8%
RAPE OF A CHILD 2 >17 (POST 8/31/01) (.712)	9	48	0	40.3%
RAPE OF A CHILD 3-POST 7/90	10	68	5	53.5%
RECEIVING OR GRANTING UNLAWFUL COMPENSATION	0	1	0	16.7%
RECKLESS BURNING 1	0	14	1	45.3%
RENDERING CRIMINAL ASSTANCE 1	11	12	1	25.0%
RESIDENTIAL BURGLARY-POST 7/90	253	552	22	25.4%
RETAIL THEFT W/EXTENU CIRCUMSTN 1	2	1	0	25.0%
RETAIL THEFT W/EXTENU CIRCUMSTN 2	3	20	0	38.5%
RETAIL THEFT W/EXTENU CIRCUMSTN 3	0	39	1	15.9%
RIOT	0	108	3	33.2%
ROBBERY 1	9	274	8	29.0%
ROBBERY 2	11	316	10	37.4%
SCHEMING TO DEFRAUD BUSINESS OPPORTUNITIES	0	1	0	33.3%
SECURITY ACT VIOLATION-POST 7/89	0	1	2	100.0%
SELL OR DELIVER LEGEND DRUGS	0	3	0	33.5%
SELLING FOR PROFIT-POST 7/91 1ST	1	1	0	100.0%
SEXUAL EXPLOITATION (POST 6/30/01)	2	6	0	50.3%
SEXUAL MISCONDUCT 1 (POST 7/90)	0	6	0	44.4%
STALKING (POST 6/30/00)	7	17	0	25.6%
TAMPERING WITH A WITNESS	3	42	2	35.4%
TELEPHONE HARASSMENT (POST 7/24/99)	3	33	1	24.1%
TELEPHONE SOLICI. UNPROF. CONDUCT (>\$250)	0	1	0	16.7%
THEFT 1	94	682	35	36.1%
THEFT 1 - WELFARE FRAUD	2	15	0	41.1%
THEFT 2	86	1,470	9	33.4%
THEFT 2 - WELFARE FRAUD	0	5	0	28.3%
THEFT OF A FIREARM (POST 7/22/95)	42	35	1	24.9%
THEFT OF MOTOR VEHICLE	46	153	0	31.9%
THEFT OF RENTAL OR LEASED PROPERTY (\$250-\$1500)	1	17	0	24.6%
THEFT OF RENTAL OR LEASED PROPERTY (<\$1,500)	2	5	0	51.4%
THEFT OF TELECOMMUNICATIONS SVC	0	2	0	8.3%
THEFT W/ INTENT RESELL 1	0	1	0	0.0%
THEFT W/ INTENT RESELL 2	1	1	0	0.0%
THREATS TO BOMB - POST 7/89	0	3	0	16.7%
TMVWOP (PRE 6/13/02)	1	0	0	n.a.
TMVWOP 1 (POST 6/12/02)	4	4	0	0.0%
TMVWOP 2 (POST 6/12/02)	39	434	8	34.5%
TRAFFICKING IN STOLEN PROP 1	85	114	0	29.4%
TRAFFICKING IN STOLEN PROP 2	38	150	1	21.2%
UNLAWFUL FACTORING CREDIT/PAY CARD TRANSACTION-1ST	0	1	1	66.7%

OFFENSE	SENTENCE RELATIVE TO STANDARD RANGE			WHERE IN THE RANGE?
	Below	Within	Above	
UNLAWFUL HUNTING BIG GAME - 1ST	0	2	0	16.9%
UNLAWFUL IMPRISONMENT	9	72	2	34.7%
UNLAWFUL ISSUE OF CHECKS/DRAFT	7	77	2	34.8%
UNLAWFUL POSS OF FIREARM 1	24	149	4	32.7%
UNLAWFUL POSS OF FIREARM 2	38	391	10	24.8%
UNLAWFUL POSS OF PAYMENT INSTRUMENTS	2	21	2	33.5%
UNLAWFUL SUBLEASING MV	0	1	0	17.8%
USE BUILDING FOR DRUGS (69.53) (POST 7/24/99)	0	7	0	4.0%
USE BUILDING FOR DRUGS (69.53) (PRE 7/25/99)	0	4	0	4.3%
VEHICLE PROWL 1	0	6	0	0.0%
VEHICULAR ASSAULT DISREGARD SAFETY (POST 7/21/01)	5	50	3	53.4%
VEHICULAR ASSAULT UND INFL/RECKLESS (POST 7/21/01)	4	114	4	37.9%
VEHICULAR HOMICIDE - DISREGARD SAFETY-VIOLENT	6	17	0	43.7%
VEHICULAR HOMICIDE - DRUNK (POST 6/5/96)	2	20	1	59.8%
VEHICULAR HOMICIDE - RECKLESS MANNER (POST 6/5/96)	0	9	0	61.1%
VEHICULAR HOMICIDE -DRUNK (6/30/94 - 6/5/96)	0	1	0	50.0%
VIOLATION OF FOREIGN PROTECTION ORDER	0	33	2	41.7%
VOYEURISM	0	6	1	23.6%
VOYEURISM (POST 06/07/06)	0	3	0	27.8%
WEAP POSS BY PRISONER/COUNTY FACILITY	0	4	0	24.6%
ALL OFFENSES	3,031	22,255	470	30.8%

1 The "WHERE IN THE RANGE?" (WIR) column in this table displays a statistic based on the sentences of those offenders sentenced within the standard range. The statistic presents the average sentence for these offenders as a number from 0 to 100, where 0 corresponds to a sentence at the bottom of the range and 100 a sentence at the top of the range. Thus an average at the midpoint of the range corresponds to a WIR score of 50 (i.e., 50% of the range).

2 All life/death sentences for Aggravated Murder are "within the range." Offenders may also be sentenced to life as "Persistent Offenders" or as part of an exceptional sentence. Life sentences for Persistent Offenders are considered to be within the standard range. Life sentences ordered as part of an exceptional sentence are above the standard range.

**Table 13. Average Sentence of "Most Serious Offenders" by County
Fiscal Year 2009**

This table excludes life and death sentences.

COUNTY	Number	Months
Adams	8	33.1
Asotin	18	35.4
Benton	62	56.8
Chelan	24	38.0
Clallam	18	51.1
Clark	234	52.5
Columbia	1	9.0
Cowlitz	84	66.4
Douglas	13	42.5
Ferry	3	9.0
Franklin	34	39.6
Garfield	2	8.5
Grant	31	57.3
Grays Harbor	26	73.0
Island	22	65.1
Jefferson	4	117.3
King	601	65.4
Kitsap	86	41.8
Kittitas	16	56.9
Klickitat	12	21.1
Lewis	38	100.7
Lincoln	5	10.8
Mason	41	55.5
Okanogan	17	50.9
Pacific	8	82.8
Pend Oreille	2	16.5
Pierce	540	65.2
San Juan	4	29.3
Skagit	64	54.3
Skamania	3	128.0
Snohomish	192	43.9
Spokane	249	55.6
Stevens	25	47.8
Thurston	157	73.1
Walla Walla	29	38.1
Whatcom	65	49.3
Whitman	10	45.3
Yakima	138	57.6
TOTAL	2,886	59.0

ONLY LIFE OR DEATH* SENTENCES BY COUNTY

COUNTY	Number	Sentence
Clark	3	Life
Cowlitz	6	Life
King	4	Life
Mason	1	Life
Okanogan	1	Life
Pierce	7	Life
Snohomish	4	Life
Spokane	5	Life
Thurston	1	Life
Yakima	1	Life
TOTAL	33	

*A Persistent Offender may be sentenced to death if the "third strike" offense is Aggravated Murder.

NOTE: The definition of "Most Serious Offender" used in this table is a person convicted of a "most serious offense" as defined in RCW 9.94A.030.

**Table 14. "Persistent Offenders" by County
Fiscal Year 2009**

COUNTY	TOTAL
Clark	2
Cowlitz	4
King	4
Mason	1
Okanogan	1
Pierce	4
Snohomish	2
Spokane	5
Thurston	1
Yakima	1
TOTAL	25¹

¹ Includes 6 persistent offenders sentenced as two-strike sex offenders.

EXCEPTIONAL SENTENCES

Under provisions of the Sentencing Reform Act (SRA), every adult felony offense has a presumed range of punishment determined by the seriousness of the offense, by the number and type of other current offenses and by the number and type of prior adult and juvenile offenses. The presumptive range for certain offenses may be increased for weapon usage, for dealing drugs in a school or other protected zone or for certain drug offenses committed in a correctional facility. The presumptive range is decreased by 25 percent if the current offense is an attempt, conspiracy or solicitation to commit a felony. Some alternative sentences are possible under the First-time Offender Waiver (FTOW) for first time offenders, excluding violent, sex or certain drug offenders. In addition, the Special Sex Offender Sentencing Alternative (SSOSA) allows suspended sentences for certain offenders, and the Drug Offender Sentencing Alternative (DOSA) allows for reduced confinement time for eligible offenders.

The SRA presumes that, in most cases, a sentencing judge will impose a sentence within the standard range for the offense. An exceptional sentence is a sentence outside the standard range. (Alternative sentences under FTOW, SSOSA or DOSA are not considered exceptional sentences.) An exceptional sentence is allowed if there are substantial and compelling reasons supported by the record. An aggravated sentence must be based on a factor listed in RCW 9.94A.535 and the defendant has right to a jury trial on the facts and circumstances underlying an aggravating factor. The judge is required to record these reasons in writing. Some exceptional sentences do not result in incarceration outside the standard range, but are used to provide sentence conditions not otherwise permitted (*e.g.*, lengthy community supervision). The prosecution or the defense may appeal exceptional sentences.

The following tables summarize the reasons recorded by sentencing judges when imposing exceptional sentences. Reasons are summarized separately for mitigated sentences, aggravated sentences and sentences within the standard range.

**Table 15. Aggravated Exceptional Sentence Reasons
Fiscal Year 2009**

REASON	NUMBER
Defendant agreed to prison, greater sentence, or treatment.	302
The multiple offense policy results in a clearly lenient presumptive sent.	31
The sentence was the result of a plea	30
Criminal history score greater than 9 points.	29
Victim was particularly vulnerable.	26
Defendant was in a position of trust (not an economic or drug offense).	18
A domestic violence offense that occurred in sight or sound of victim's children under age 18.	11
Deliberate cruelty to the victim.	10
Major economic offense substantially greater than typical for the offense.	9
Major economic offense involving multiple victims or multiple incidents.	7
Blakely	7
Rapid recidivism.	6
Major economic offense - used position of trust, confidence, responsibility.	6
The victim's injuries substantially exceed the level of bodily harm necessary to satisfy the elements of the offense. This aggravator is not an exception to RCW 9.94A.530(2)	5
Major economic offense - high sophistication, planning, long time period.	5
Other aggravating factor.	5
A domestic violence offense that was a part of an ongoing pattern of psychological , physical, or sex abuse of victim multiple incidents over a prolonged period of time.	5
Multiple victims or multiple incidents per victim (not an economic offense).	4
Drug offense - manufacture of controlled substances for use by others.	4
Drug offense - quantity substantially larger than personal use (dealing).	4
Factors in criminal record.	4
A law enforcement officer was either the victim or injured as a result of the offense.	3
Additional incidents which, if charged, would result in higher range.	2
Part of an ongoing pattern of sexual abuse of the same victim under 18.	2
Sentence to be combined with pre-SRA prison sentence.	2
Drug offense - offender occupied a high position in distribution hierarchy.	2
A domestic violence offense in which the offender's conduct was deliberately cruel, intimidated the victim.	2
Drug offense involved at least three separate transactions (dealing).	2
The defendant threatened victim.	1
The offense was a violent offense and the offender knew the victim was pregnant.	1
Defendant is not amenable to treatment.	1
Defendant showed no remorse.	1
Defendant violated zone of privacy.	1
Crime injured/harmed a person other than the victim.	1
Seriousness of the offense/more egregious than the typical circumstances of the crime.	1

**Table 15. Aggravated Exceptional Sentence Reasons
Fiscal Year 2009**

REASON	NUMBER
The crime caused extreme emotional damage to the victim.	1
The defendant committed the crime with sexual motivation.	1
The crime was gang related.	1
Drug offense - high sophistication, planning, long time period, broad area.	1
Drug offense - used position or status to facilitate offense.	1
Continuing criminal activity after arrest or while on probation or parole.	1
<hr/>	
Total Aggravated Reasons:	556
Total Aggravated Sentences:	434
Total Reasons Per Case:	1.3

**Table 16. Mitigated Exceptional Sentence Reasons
Fiscal Year 2009**

REASON	NUMBER
Exceptional sentence is more appropriate/is in the interests of justice.	285
All parties agreed to mitigated sentence.	264
Part of a Mitigated Plea Agreement	41
Victim was an initiator, willing participant, aggressor, or provoker.	18
Capacity to appreciate the wrongfulness was significantly impaired.	18
The defendant's mental condition.	17
The multiple offense policy results in a clearly excessive presumptive sent.	17
To make frugal use of the state's resources.	15
Other mitigating factor.	15
Mitigated total confinement imposed w/extended community custody	15
For defendant's rehabilitation or treatment.	12
Defendant is addicted to drugs or alcohol.	6
The delay in filing the case was lengthy.	6
Defendant's age.	5
No prior convictions or they are remote in time.	4
Exceptional sentence is one day less than range.	3
Assisted law enforcement/agreed to help in prosecution of codefendant.	3
Defendant is making an effort to change criminal behavior or demonstrates a desire to do so.	3
Victim or family requests lower sentence.	2
Defendant's physical condition.	2
Defendant is addressing psychological problem.	2
Offense principally accomplished by another, defendant caution or concern.	2
Before detection, the defendant compensated victim, or made effort.	2
Defendant is remorseful.	2
Crime committed under duress, coercion, threat, or compulsion.	1
The defendant's role was minor.	1
Offense is response to victim's abuse of defendant or defendant's children.	1
Defendant is employed, in school, or has had commendable employment record or military service.	1
Small quantity of drugs involved.	1
The first time offender range is not adequate.	1
Relationship with the victim.	1
Nature of the offense.	1
No injury to the victim.	1
<hr/>	
Total Mitigated Reasons:	768
Total Mitigated Sentences:	631
Total Reasons Per Case:	1.2

**Table 17. Within Standard Range Exceptional Sentence Reasons
Fiscal Year 2009**

REASON	NUMBER
Exceptional sentence is within the presumptive range.	22
Total Reasons:	22
Total Sentences:	22
Total Reasons Per Case:	1.0

SEX OFFENDER SENTENCING UNDER RCW 9.94A.712

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 new system is often called “determinate plus.” Essentially, any offender who is not a persistent offender, who is sentenced for any one of the offenses enumerated in RCW 9.94A.712(1)(a)(i) or (ii), or an attempt to commit any of those offenses, or is convicted of any sex offense, except failure to register, and has a prior conviction for a “two-strike” offense under RCW 9.94A.030(32)(b), is to receive an indeterminate sentence. The only exception is for offenders seventeen years old or younger at the time of the offense who are sentenced for Rape of a Child in the First Degree, Rape of a Child in the Second Degree or Child Molestation in the First Degree.

The minimum term of the sentence is to be set in the standard range according to the seriousness level of the offense and the offender score. The minimum term may also constitute an exceptional sentence as provided by RCW 9.94A.535. The maximum term is the statutory maximum sentence for the offense. Offenders sentenced to an indeterminate sentence are eligible for earned release pursuant to RCW 9.94A.728, have the opportunity for sex offender treatment while incarcerated and may be eligible for the Special Sex Offender Sentencing Alternative as provided in RCW 9.94A.670.

Offenders sentenced under the “determinate plus” scheme 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.

**Table 18. "Determinate Plus" Sex Offender Sentences by County
Fiscal Year 2009**

COUNTY OF SENTENCE	FELONY CLASS OF QUALIFYING OFFENSE			TOTAL DETERMINATE PLUS SENTENCE
	CLASS A	CLASS B	CLASS C	
Adams	1	0	0	1
Asotin	2	0	0	2
Benton	11	0	0	11
Chelan	0	0	0	0
Clallam	3	0	0	3
Clark	24	4	1	29
Columbia	0	0	0	0
Cowlitz	7	0	1	8
Douglas	2	0	0	2
Ferry	0	0	0	0
Franklin	4	0	0	4
Garfield	0	0	0	0
Grant	4	1	0	5
Grays Harbor	6	2	0	8
Island	5	0	0	5
Jefferson	0	0	0	0
King	62	4	0	66
Kitsap	6	0	0	6
Kittitas	4	0	0	4
Klickitat	1	0	0	1
Lewis	8	0	0	8
Lincoln	0	0	0	0
Mason	9	0	0	9
Okanogan	3	0	0	3
Pacific	0	0	0	0
Pend Oreille	0	0	0	0
Pierce	51	4	1	56
San Juan	0	0	0	0
Skagit	7	0	0	7
Skamania	2	0	0	2
Snohomish	13	0	0	13
Spokane	11	0	0	11
Stevens	4	0	0	4
Thurston	22	0	0	22
Wahkiakum	0	0	0	0
Walla Walla	5	0	0	5
Whatcom	9	0	0	9
Whitman	5	0	0	5
Yakima	14	0	0	14
TOTAL	305	15	3	323

APPENDICES

The information contained herein is current as of Fiscal Year 2009, and does not reflect any changes enacted by the 2009 Legislature. Statutes presented and cited in the appendices may have been amended and become effective subsequent to Fiscal Year 2009 – the time period covered by this report.

APPENDIX A: ADULT FELONY SENTENCING GRID - RCW 9.94A.510 (1)
For Offenses Committed After July 24, 1999

SERIOUS LEVEL	OFFENSE SCORE									
	0	1	2	3	4	5	6	7	8	9 or More
XI	Life Sentence Without Parole/Death Penalty									
XV	23y 4m 240-320	24y 4 m 250-333	25y 4m 261-347	26y 4m 271-361	27y 4m 281-374	28y 4m 291-388	30y 4m 312-416	32y 10m 338-450	36y 370-493	40y 411-548
XIV	14y 4m 123-220	15y 4m 134-234	16y 2m 144-244	17y 154-254	17y 11m 165-265	18y 9m 175-275	20y 5m 195-295	22y 2m 216-316	25y 7m 257-357	29y 298-397
XIII	12y 123-164	13y 134-178	14y 144-192	15y 154-205	16y 165-219	17y 175-233	19y 195-260	21y 216-288	25y 257-342	29y 298-397
XII	9y 93-123	9y 11m 102-136	10y 9m 111-147	11y 8m 120-160	12y 6m 129-171	13y 5m 138-184	15y 9m 162-216	17y 3m 178-236	20y 3m 209-277	23y 3m 240-318
XI	7y 6m 78-102	8y 4m 86-114	9y 2m 95-125	9y 11m 102-136	10y 9m 111-147	11y 7m 120-158	14y 2m 146-194	15y 5m 159-211	17y 11m 185-245	20y 5m 210-280
X	5y 51-68	5y 6m 57-75	6y 62-82	6y 6m 67-89	7y 72-96	7y 6m 77-102	9y 6m 98-130	10y 6m 108-144	12y 6m 129-171	14y 6m 149-198
IX	3y 31-41	3y 6m 36-48	4y 41-54	4y 6m 46-61	5y 51-68	5y 6m 57-75	7y 6m 77-102	8y 6m 87-116	10y 6m 108-144	12y 6m 129-171
VIII	5y 21-27	2y 6m 26-34	3y 31-41	3y 6m 36-48	4y 41-54	4y 6m 46-61	6y 6m 67-89	7y 6m 77-102	8y 6m 87-116	10y 6m 108-144
VII	18m 15-20	2y 21-27	2y 6m 26-34	3y 31-41	3y 6m 36-48	4y 41-54	5y 6m 57-75	6y 6m 67-89	7y 6m 77-102	8y 6m 87-116
VI	13m 12+-14	18m 15-20	2y 21-27	2y 6m 26-34	3y 31-41	3y 6m 36-48	4y 6m 46-61	5y 6m 57-75	6y 6m 67-89	7y 6m 77-102
V	9m 6-12	13m 12+-14	15m 13-17	18m 15-20	2y 2m 22-29	3y 2m 33-43	4y 41-54	5y 51-68	6y 62-82	7y 72-96
IV	6m 3-9	9m 6-12	13m 12+-14	15m 13-17	18m 15-20	2y 2m 22-29	3y 2m 33-43	4y 2m 43-57	5y 2m 53-70	6y 2m 63-84
III	2m 1-3	5m 3-8	8m 4-12	11m 9-12	14m 12+-16	20m 17-22	2y 2m 22-29	3y 2m 33-43	4y 2m 43-57	5y 51-68
II	45d 0-90 (days)	4m 2-6	6m 3-9	8m 4-12	13m 12+-14	16m 14-18	20m 17-22	2y 2m 22-29	3y 2m 33-43	4y 2m 43-57
I	30 d 0-60 (days)	45d 0-90 (days)	3m 2-5	4m 2-6	5m 3-8	8m 4-12	13m 12+-14	16m 14-18	20m 17-22	2y 2m 22-29

**APPENDIX B:
Offenses Included within Each Seriousness Level - RCW 9.94A.515**

LEVEL	OFFENSES
XVI	Aggravated Murder 1 (RCW 10.95.020)
XV	Homicide by abuse (RCW 9A.32.055)
	Malicious explosion 1 (RCW 70.74.280(1))
	Murder 1 (RCW 9A.32.030)
XIV	Murder 2 (RCW 9A.32.050)
	Trafficking 1 (RCW 9A.40.100(1))
XIII	Malicious explosion 2 (RCW 70.74.280(2))
	Malicious placement of an explosive 1 (RCW 70.74.270(1))
XII	Assault 1 (RCW 9A.36.011)
	Assault of a Child 1 (RCW 9A.36.120)
	Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))
	Rape 1 (RCW 9A.44.040)
	Rape of a Child 1 (RCW 9A.44.073)
	Trafficking 2 (RCW 9A.40.100(2))
XI	Manslaughter 1 (RCW 9A.32.060)
	Rape 2 (RCW 9A.44.050)
	Rape of a Child 2 (RCW 9A.44.076)
X	Child Molestation 1 (RCW 9A.44.083)
	Criminal Mistreatment 1 (RCW 9A.42.020)
	Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))
	Kidnapping 1 (RCW 9A.40.020)
	Leading Organized Crime (RCW 9A.82.060(1)(a))
	Malicious explosion 3 (RCW 70.74.280(3))
	Sexually Violent Predator Escape (RCW 9A.76.115)
IX	Abandonment of Dependent Person 1 (RCW 9A.42.060)

LEVEL	OFFENSES
	<p>Assault of a Child 2 (RCW 9A.36.130)</p> <p>Explosive devices prohibited (RCW 70.74.180)</p> <p>Hit and Run--Death (RCW 46.52.020(4)(a))</p> <p>Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050)</p> <p>Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))</p> <p>Malicious placement of an explosive 2 (RCW 70.74.270(2))</p> <p>Robbery 1 (RCW 9A.56.200)</p> <p>Sexual Exploitation (RCW 9.68A.040)</p> <p>Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)</p>
VIII	<p>Arson 1 (RCW 9A.48.020)</p> <p>Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)</p> <p>Manslaughter 2 (RCW 9A.32.070)</p> <p>Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)</p> <p>Promoting Prostitution 1 (RCW 9A.88.070)</p> <p>Theft of Ammonia (RCW 69.55.010)</p> <p>Vehicular Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)</p>
VII	<p>Burglary 1 (RCW 9A.52.020)</p> <p>Child Molestation 2 (RCW 9A.44.086)</p> <p>Civil Disorder Training (RCW 9A.48.120)</p> <p>Dealing in depictions of minor engaged in sexually explicit conduct (RCW 9.68A.050)</p> <p>Drive-by Shooting (RCW 9A.36.045)</p> <p>Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)</p> <p>Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1) (b) and (c))</p> <p>Introducing Contraband 1 (RCW 9A.76.140)</p> <p>Malicious placement of an explosive 3 (RCW 70.74.270(3))</p>

LEVEL	OFFENSES
	Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675) Sending, bringing into state depictions of minor engaged in sexually explicit conduct (RCW 9.68A.060) Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1)) Use of a Machine Gun in Commission of a Felony (RCW 9.41.225) Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)
VI	Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a)) Bribery (RCW 9A.68.010) Incest 1 (RCW 9A.64.020(1)) Intimidating a Judge (RCW 9A.72.160) Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130) Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b)) Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct (RCW 9.68A.070) Rape of a Child 3 (RCW 9A.44.079) Theft of a Firearm (RCW 9A.56.300) Unlawful Storage of Ammonia (RCW 69.55.020)
V	Abandonment of dependent person 2 (RCW 9A.42.070) Advancing money or property for extortionate extension of credit (RCW 9A.82.030) Bail Jumping with class A Felony (RCW 9A.76.170(3)(b)) Child Molestation 3 (RCW 9A.44.089) Criminal Mistreatment 2 (RCW 9A.42.030) Custodial Sexual Misconduct 1 (RCW 9A.44.160) Domestic Violence Court Order Violation (RCW 10.99.040, 10.99.050, 26.09.300, 26.10.220, 26.26.138, 26.50.110, 26.52.070, or 74.34.145) Driving While Under the Influence (RCW 46.61.502(6)) Extortion 1 (RCW 9A.56.120) Extortionate Extension of Credit (RCW 9A.82.020) Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040) Incest 2 (RCW 9A.64.020(2))

LEVEL	OFFENSES
	Kidnapping 2 (RCW 9A.40.030)
	Perjury 1 (RCW 9A.72.020)
	Persistent prison misbehavior (RCW 9.94.070)
	Physical Control of a Vehicle While Under the Influence (RCW 46.61.504(6))
	Possession of a Stolen Firearm (RCW 9A.56.310)
	Rape 3 (RCW 9A.44.060)
	Rendering Criminal Assistance 1 (RCW 9A.76.070)
	Sexual Misconduct with a Minor 1 (RCW 9A.44.093)
	Sexually Violating Human Remains (RCW 9A.44.105)
	Stalking (RCW 9A.46.110)
	Taking Motor Vehicle Without Permission 1 (RCW 9A.56.070)
IV	Arson 2 (RCW 9A.48.030)
	Assault 2 (RCW 9A.36.021)
	Assault 3 (of a Peace Officer with a Projectile Stun Gun) (RCW 9A.36.031(1)(h))
	Assault by Watercraft (RCW 79A.60.060)
	Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090, 9A.72.100)
	Cheating 1 (RCW 9.46.1961)
	Commercial Bribery (RCW 9A.68.060)
	Counterfeiting (RCW 9.16.035(4))
	Endangerment with a Controlled Substance (RCW 9A.42.100)
	Escape 1 (RCW 9A.76.110)
	Hit and Run -- Injury (RCW 46.52.020(4)(b))
	Hit and Run with Vessel -- Injury Accident (RCW 79A.60.200(3))
	Identity Theft 1 (RCW 9.35.020(2))
	Indecent Exposure to Person Under Age Fourteen (subsequent sex offense) (RCW 9A.88.010)
	Influencing Outcome of Sporting Event (RCW 9A.82.070)
	Malicious Harassment (RCW 9A.36.080)
	Residential Burglary (RCW 9A.52.025)

LEVEL	OFFENSES
	<p>Robbery 2 (RCW 9A.56.210)</p> <p>Theft of Livestock 1 (RCW 9A.56.080)</p> <p>Threats to Bomb (RCW 9.61.160)</p> <p>Trafficking in Stolen Property 1 (RCW 9A.82.050)</p> <p>Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))</p> <p>Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))</p> <p>Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))</p> <p>Unlawful transaction of insurance business (RCW 48.15.023(3))</p> <p>Unlicensed practice as an insurance professional (RCW 48.17.063(3))</p> <p>Use of Proceeds of Criminal Profiteering (RCW 9A.82.080 (1) and (2))</p> <p>Vehicular Assault, by being under the influence of intoxicating liquor or any drug, or by the operation or driving of a vehicle in a reckless manner (RCW 46.61.522)</p> <p>Willful Failure to Return from Furlough (*RCW 72.66.060)</p>
III	<p>Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))</p> <p>Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))</p> <p>Assault of a Child 3 (RCW 9A.36.140)</p> <p>Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))</p> <p>Burglary 2 (RCW 9A.52.030)</p> <p>Commercial Sexual Abuse of a Minor (RCW 9.68A.100)</p> <p>Communication with a Minor for Immoral Purposes (RCW 9.68A.090)</p> <p>Criminal Gang Intimidation (RCW 9A.46.120)</p> <p>Custodial Assault (RCW 9A.36.100)</p> <p>Cyberstalking (subsequent conviction or threat of death) (RCW 9.61.260(3))</p> <p>Escape 2 (RCW 9A.76.120)</p> <p>Extortion 2 (RCW 9A.56.130)</p> <p>Harassment (RCW 9A.46.020)</p>

LEVEL	OFFENSES
	<p>Intimidating a Public Servant (RCW 9A.76.180)</p> <p>Introducing Contraband 2 (RCW 9A.76.150)</p> <p>Malicious Injury to Railroad Property (RCW 81.60.070)</p> <p>Mortgage Fraud (RCW 19.144.080)</p> <p>Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)</p> <p>Organized Retail Theft 1 (RCW 9A.56.350(2))</p> <p>Perjury 2 (RCW 9A.72.030)</p> <p>Possession of Incendiary Device (RCW 9.40.120)</p> <p>Possession of Machine Gun or Short-Barreled Shotgun or Rifle (RCW 9.41.190)</p> <p>Promoting Prostitution 2 (RCW 9A.88.080)</p> <p>Retail Theft with Extenuating Circumstances 1 (RCW 9A.56.360(2))</p> <p>Securities Act violation (RCW 21.20.400)</p> <p>Tampering with a Witness (RCW 9A.72.120)</p> <p>Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))</p> <p>Theft of Livestock 2 (RCW 9A.56.083)</p> <p>Theft with the Intent to Resell 1 (RCW 9A.56.340(2))</p> <p>Trafficking in Stolen Property 2 (RCW 9A.82.055)</p> <p>Unlawful Imprisonment (RCW 9A.40.040)</p> <p>Unlawful possession of firearm in the second degree (RCW 9.41.040(2))</p> <p>Vehicular Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)</p> <p>Willful Failure to Return from Work Release (*RCW 72.65.070)</p>
II	<p>Computer Trespass 1 (RCW 9A.52.110)</p> <p>Counterfeiting (RCW 9.16.035(3))</p> <p>Escape from Community Custody (RCW 72.09.310)</p> <p>Failure to Register as a Sex Offender (second or subsequent offense) (**RCW 9A.44.130(10)(a))</p> <p>Health Care False Claims (RCW 48.80.030)</p> <p>Identity Theft 2 (RCW 9.35.020(3))</p>

LEVEL	OFFENSES
	Improperly Obtaining Financial Information (RCW 9.35.010)
	Malicious Mischief 1 (RCW 9A.48.070)
	Organized Retail Theft 2 (RCW 9A.56.350(3))
	Possession of Stolen Property 1 (RCW 9A.56.150)
	Possession of a Stolen Vehicle (RCW 9A.56.068)
	Retail Theft with Extenuating Circumstances 2 (RCW 9A.56.360(3))
	Theft 1 (RCW 9A.56.030)
	Theft of a Motor Vehicle (RCW 9A.56.065)
	Theft of Rental, Leased, or Lease-purchased Property (valued at one thousand five hundred dollars or more) (RCW 9A.56.096(5)(a))
	Theft with the Intent to Resell 2 (RCW 9A.56.340(3))
	Trafficking in Insurance Claims (RCW 48.30A.015)
	Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))
	Unlawful Practice of Law (RCW 2.48.180)
	Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))
	Voyeurism (RCW 9A.44.115)
I	Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)
	False Verification for Welfare (RCW 74.08.055)
	Forgery (RCW 9A.60.020)
	Fraudulent Creation or Revocation of a Mental Health Advance Directive (RCW 9A.60.060)
	Malicious Mischief 2 (RCW 9A.48.080)
	Mineral Trespass (RCW 78.44.330)
	Possession of Stolen Property 2 (RCW 9A.56.160)
	Reckless Burning 1 (RCW 9A.48.040)
	Taking Motor Vehicle Without Permission 2 (RCW 9A.56.075)
	Theft 2 (RCW 9A.56.040)
	Theft of Rental, Leased, or Lease-purchased Property (valued at two hundred fifty dollars or more but less than one thousand five hundred dollars) (RCW

LEVEL	OFFENSES
	9A.56.096(5)(b))
	Transaction of insurance business beyond the scope of licensure (RCW 48.17.063(4))
	Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)
	Unlawful Possession of Fictitious Identification (RCW 9A.56.320)
	Unlawful Possession of Instruments of Financial Fraud (RCW 9A.56.320)
	Unlawful Possession of Payment Instruments (RCW 9A.56.320)
	Unlawful Possession of a Personal Identification Device (RCW 9A.56.320)
	Unlawful Production of Payment Instruments (RCW 9A.56.320)
	Unlawful Trafficking in Food Stamps (RCW 9.91.142)
	Unlawful Use of Food Stamps (RCW 9.91.144)
	Vehicle Prowl 1 (RCW 9A.52.095)

[2008 c 108 § 23; 2008 c 38 § 1. Prior: 2007 c 368 § 14; 2007 c 199 § 10; prior: 2006 c 277 § 6; 2006 c 228 § 9; 2006 c 191 § 2; 2006 c 139 § 2; 2006 c 128 § 3; 2006 c 73 § 12; prior: (2006 c 125 § 5 repealed by 2006 c 126 § 7); 2005 c 458 § 2; 2005 c 183 § 9; prior: 2004 c 176 § 2; 2004 c 94 § 3; (2004 c 94 § 2 expired July 1, 2004); prior: 2003 c 335 § 5; (2003 c 335 § 4 expired July 1, 2004); 2003 c 283 § 33; (2003 c 283 § 32 expired July 1, 2004); 2003 c 267 § 3; (2003 c 267 § 2 expired July 1, 2004); 2003 c 250 § 14; (2003 c 250 § 13 expired July 1, 2004); 2003 c 119 § 8; (2003 c 119 § 7 expired July 1, 2004); 2003 c 53 § 56; 2003 c 52 § 4; (2003 c 52 § 3 expired July 1, 2004); prior: 2002 c 340 § 2; 2002 c 324 § 2; 2002 c 290 § 7; (2002 c 290 § 2 expired July 1, 2003); 2002 c 253 § 4; 2002 c 229 § 2; 2002 c 134 § 2; 2002 c 133 § 4; prior: 2001 2nd sp.s. c 12 § 361; 2001 c 300 § 4; 2001 c 217 § 12; 2001 c 17 § 1; prior: 2001 c 310 § 4; 2001 c 287 § 3; 2001 c 224 § 3; 2001 c 222 § 24; 2001 c 207 § 3; 2000 c 225 § 5; 2000 c 119 § 17; 2000 c 66 § 2; prior: 1999 c 352 § 3; 1999 c 322 § 5; 1999 c 45 § 4; prior: 1998 c 290 § 4; 1998 c 219 § 4; 1998 c 82 § 1; 1998 c 78 § 1; prior: 1997 c 365 § 4; 1997 c 346 § 3; 1997 c 340 § 1; 1997 c 338 § 51; 1997 c 266 § 15; 1997 c 120 § 5; prior: 1996 c 302 § 6; 1996 c 205 § 3; 1996 c 36 § 2; prior: 1995 c 385 § 2; 1995 c 285 § 28; 1995 c 129 § 3 (Initiative Measure No. 159); prior: (1994 sp.s. c 7 § 510 repealed by 1995 c 129 § 19 (Initiative Measure No. 159)); 1994 c 275 § 20; 1994 c 53 § 2; prior: 1992 c 145 § 4; 1992 c 75 § 3; 1991 c 32 § 3; 1990 c 3 § 702; prior: 1989 2nd ex.s. c 1 § 3; 1989 c 412 § 3; 1989 c 405 § 1; 1989 c 271 § 102; 1989 c 99 § 1; prior: 1988 c 218 § 2; 1988 c 145 § 12; 1988 c 62 § 2; prior: 1987 c 224 § 1; 1987 c 187 § 4; 1986 c 257 § 23; 1984 c 209 § 17; 1983 c 115 § 3. Formerly RCW 9.94A.320.]

**APPENDIX C:
Drug Offense Sentencing Grid - RCW 9.94A.517**

Serious Level	Offender Score 0 to 2	Offender Score 3 to 5	Offender Score 6 to 9+
Level III	51 to 68 months	68+ to 100 months	100+ to 120 months
Level II	12+ to 20 months	20+ to 60 months	60+ to 120 months
Level I	0 to 6 months	6+ to 18 months	12+ to 24 months

[2002 c 290 § 8.]

**APPENDIX D:
Drug Offense Included within Each Seriousness Level - RCW 9.94A.518**

LEVEL	DRUG OFFENSES
III	Any felony offense under chapter 69.50 RCW with a deadly weapon special verdict under RCW 9.94A.602
	Controlled Substance Homicide (RCW 69.50.415)
	Delivery of imitation controlled substance by person eighteen or over to person under eighteen (RCW 69.52.030(2))
	Involving a minor in drug dealing (RCW 69.50.4015)
	Manufacture of methamphetamine (RCW 69.50.401(2)(b))
	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)
	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 (RCW 69.50.406)
	Possession of Ephedrine, Pseudoephedrine, or Anhydrous Ammonia with intent to manufacture methamphetamine. (RCW 69.50.440)
	Selling for profit (controlled or counterfeit) any controlled substance (RCW 69.50.410)
II	Create, deliver, or possess a counterfeit controlled substance (RCW 69.50.4011)

LEVEL	DRUG OFFENSES
	Deliver or possess with intent to deliver methamphetamine (RCW 69.50.401(2)(b))
	Delivery of a material in lieu of a controlled substance (RCW 69.50.4012)
	Maintaining a Dwelling or Place for Controlled Substances (RCW 69.50.402(1)(f))
	Manufacture, deliver, or possess with intent to deliver amphetamine (RCW 69.50.401(2)(b))
	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))
	Manufacture, deliver, or possess with intent to deliver narcotics from Schedule III, IV, or V or nonnarcotics from Schedule I-V (except marijuana, amphetamine, methamphetamines, or flunitrazepam) (RCW 69.50.401(2) (c) through (e))
	Manufacture, distribute, or possess with intent to distribute an imitation controlled substance (RCW 69.52.030(1))
I	Forged Prescription (RCW 69.41.020)
	Forged Prescription for a Controlled Substance (RCW 69.50.403)
	Manufacture, deliver, or possess with intent to deliver marijuana (RCW 69.50.401(2)(c))
	Possess Controlled Substance that is a Narcotic from Schedule III, IV, or V or Nonnarcotic from Schedule I-V (RCW 69.50.4013)
	Possession of Controlled Substance that is either heroin or narcotics from Schedule I or II (RCW 69.50.4013)
	Unlawful Use of Building for Drug Purposes (RCW 69.53.010)

[2003 c 53 § 57; 2002 c 290 § 9.]