

STATE OF WASHINGTON

JUVENILE DISPOSITION SENTENCING STANDARDS

Effective July 1, 1996

For Further Information, Contact:

Sentencing Guidelines Commission

Mailstop 40927
Olympia, Washington 98504-0927

Phone: (360) 753-3084

*Use these standards for all offenses committed on or after July 1, 1996.

JUVENILE SENTENCING STANDARDS

INTRODUCTION

It is the responsibility of the Sentencing Guidelines Commission to recommend to the legislature sentencing standards which establish determinant ranges of sanctions based on the offender's age, seriousness of current offense, and prior criminal history. The court's options in sentencing offenders vary by type of offender. The following are the definitions of offender type according to RCW 13.40.020:

"Serious offender" means a person fifteen years of age or older who has committed an offense which if committed by an adult would be:

- (a) A Class A felony, or an attempt to commit a Class A felony;
- (b) Manslaughter in the first degree; or
- (c) Assault in the second degree, extortion in the first degree, child molestation in the second degree, kidnapping in the second degree, robbery in the second degree, residential burglary or burglary in the second degree, where such offenses include the infliction of bodily harm upon another, or where during the commission of, or immediate withdrawal from such an offense, the perpetrator is armed with a deadly weapon.

"Middle offender" means a person who committed an offense who is neither a minor or first offender nor a serious offender.

"Minor or first offender" means a person whose current offense(s) and criminal history fall entirely within one of the following categories:

- (a) Four misdemeanors;
- (b) Two misdemeanors and one gross misdemeanor;
- (c) One misdemeanor and two gross misdemeanors; and
- (d) Three gross misdemeanors.

For purposes of this definition, current violations shall be counted as misdemeanors.

For serious offenders the court has two options: (A) ordering the standard range, (B) declaring a manifest injustice and sentencing to a maximum term of confinement.

For middle offenders the court has three options: (A) sentencing to the standard range, or (B) sentencing to community supervision (maximum of \$100 fine, 150 hours community service, one year of community supervision and after stating aggravating/mitigating circumstances, up to 30 days confinement), or (C) declaring a manifest injustice and sentencing to a maximum term of confinement.

For minor/first offenders the court has three options: (A) sentencing to the standard range,

(B) sentencing to a term of community supervision (maximum of \$100 fine, one year supervision, and/or 150 hours of community service), or (C) declaring a manifest injustice and sentencing to a maximum term of confinement.

INSTRUCTIONS

As a first step, the appropriate court of jurisdiction should be determined. RCW 13.40.030 should be consulted. Typically, juvenile court has original jurisdiction for criminal offenses committed by youths 17 years or less, unless:

"The juvenile is sixteen or seventeen years old and the alleged offense is: (A) A serious violent offense as defined in RCW 9.94A.030...; or (B) a violent offense as defined in RCW 9.94A.030...and the juvenile has a criminal history consisting of: (I) One or more prior serious violent offenses; (II) two or more prior violent offenses; or (III) three or more of any combination of the following offenses: Any Class A felony, any Class B felony, vehicular assault, or manslaughter in the second degree, all of which must have been committed after the juvenile's thirteenth birthday and prosecuted separately. In such a case the adult criminal court shall have exclusive original jurisdiction.

If the youth is under the jurisdiction of juvenile court, compute the points for each current individual offense using Sentencing Schedules A, B and C. Use the following steps to determine the offender's disposition on each offense:

1. Using the most serious current offense, determine whether the offender is a serious, middle, or minor/first offender.
2.
 - a) If the offender is a minor/first offender, use Schedule D-1 to determine the sentencing options for all offenses.
 - b) If the offender is a middle offender, use Schedule D-2 to determine the sentencing options for all offenses.
 - c) If the offender is a serious offender, use Schedule D-3 to determine the sentencing options for each serious offense.
3. Select one of the available sentencing options on the appropriate sentencing schedules for each of the current offenses. The sentencing options for each current offense are served consecutively by the offender.

JUVENILE SENTENCING STANDARDS

SCHEDULE A

JRA CODE, DESCRIPTION, AND OFFENSE CATEGORY

JUVENILE DISPOSITION OFFENSE CATEGORY	JRA CODE	<u>DESCRIPTION (RCW CITATION)</u>	JUVENILE DISPOSITION CATEGORY FOR ATTEMPT, BAILJUMP, CONSPIRACY, <u>OR SOLICITATION</u>
--	-------------	-----------------------------------	--

ARSON AND MALICIOUS MISCHIEF

A	9A48020	ARSON 1 (9A.48.020)	B+
B	9A48030	ARSON 2 (9A.48.030)	C
C	9A48040	RECKLESS BURNING 1 (9A48.040)	D
D	9A48050	RECKLESS BURNING 2 (9A48.050)	E
B	9A48070	MALICIOUS MISCHIEF 1 (9A.48.070)	C
C	9A48080	MALICIOUS MISCHIEF 2 (9A.48.080)	D
D	9A48090	MALICIOUS MISCHIEF 3 (<\$50 IS CLASS E) (9A48.090)	
E			
E	0940100	TAMPERING WITH FIRE ALARM APPARATUS (9.40.100)	E
A	0940120	POSSESSION OF INCENDIARY DEVICE (9.40.120)	B+

ASSAULT AND OTHER CRIMES INVOLVING PHYSICAL HARM

A	9A36011	ASSAULT 1 (9A.36.011)	
B+			
B+	9A36021	ASSAULT 2 (9A.36.021)	
C+			
C+	9A36031	ASSAULT 3 (9A.36.031)	
D+			
D+	9A36041	ASSAULT 4 (9A.36.041)	
E			
B	9A36045	RECKLESS ENDANGERMENT 1 (9A.36.045) ^{Note B}	
C			
D	9A36050	RECKLESS ENDANGERMENT 2 (9A.36.050) ^{Note D}	
E			
C+	9A36060	PROMOTING SUICIDE ATTEMPT (9A.36.060)	D+
D+	9A36070	COERCION (9A.36.070)	
E			
C+	9A36100	CUSTODIAL ASSAULT (9A.36.100)	D+

BURGLARY AND TRESPASS

B+	9A52020	BURGLARY 1 (9A.52.020)	C+
B	9A52025	RESIDENTIAL BURGLARY (9A.52.025) ^{Note B}	C
B	9A52030	BURGLARY 2 (9A.52.030)	C
D	9A52060	BURGLARY TOOLS (POSSESSION OF) (9A.52.060)	E
D	9A52070	CRIMINAL TRESPASS 1 (9A.52.070)	E
E	9A52080	CRIMINAL TRESPASS 2 (9A.52.080)	E
D	9A52100	VEHICLE PROWLING (9A.52.100)	E

JUVENILE SENTENCING STANDARDS

SCHEDULE A

JRA CODE, DESCRIPTION, AND OFFENSE CATEGORY

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

DRUGS

E	6644270	POSSESSION/CONSUMPTION OF ALCOHOL(66.44.270)	E
C	6941020	ILLEGALLY OBTAINING LEGEND DRUGS (69.41.020)	D
C+	694103A	SALE, DELIVERY, POSSESSION OF LEGEND DRUG WITH INTENT TO SELL (69.41.030)	D+
E	694103B	POSSESSION OF LEGEND DRUG (69.41.030)	E
B+	695040A	VIOLATION OF UNIFORM CONTROLLED ACT-NARCOTIC SALE (69.50.401(a)(1)(i))	B+
C	695040B	VIOLATION OF UNIFORM CONTROLLED SUBSTANCE ACT--NON-NARCOTIC SALE (69.50.401(a)(1)(ii))	C
E	695040J	POSSESSION OF MARIJUANA <40 GRAMS (69.50.401(e))	E
C	6950403	FRAUDULENTLY OBTAINING CONTROLLED SUBSTANCE(69.50.403)	C
C+	6950410	SALE OF CONTROLLED SUBSTANCE FOR PROFIT (69.50.410)	C+
E	947A020	UNLAWFUL INHALATION (9.47A.020)	E
B	695040C	VIOLATION OF UNIFORM CONTROLLED SUBSTANCE ACT-NARCOTIC COUNTERFEIT SUBSTANCES (69.50.401(b)(1)(i))	B
C	695040D	VIOLATION OF UNIFORM CONTROLLED SUBSTANCE ACT NON-NARCOTIC COUNTERFEIT SUBSTANCES (69.50.401(b)(1)(ii),(iii),(iv))	C
C	695040E	VIOLATION OF UNIFORM CONTROLLED SUBSTANCE ACT-SALE OF SUBSTITUTE SUBSTANCE (69.50.401(C))	C
C	695040F	VIOLATION OF UNIFORM CONTROLLED SUBSTANCE ACT-POSSESSION OF A CONTROLLED SUBSTANCE (69.50.401(D))	C

FIREARMS AND WEAPONS

E	0941050	CARRYING LOADED PISTOL WITHOUT PERMIT (9.41.050)	E
C	0941040	POSSESSION OF FIREARMS BY MINOR (9.41.040)*	E
D+	0941250	POSSESSION OF DANGEROUS WEAPON (9.41.250)	E
D	0941270	INTIMIDATING ANOTHER PERSON BY USE OF A WEAPON (9.41.270)	E
B	9A56310	POSSESSION OF A STOLEN FIREARM (9A.56.310) ^{Note B}	C
B	0941041	UNLAWFUL POSSESSION OF A FIREARM 1 (9.41.040) ^{Note B}	C
C	0941042	UNLAWFUL POSSESSION OF A FIREARM 2 (9.41.040) ^{Note C}	D

* An offender adjudicated for Possession of Firearms by Minor must serve a minimum of 10 days of confinement.

JUVENILE SENTENCING STANDARDS

SCHEDULE A

JRA CODE, DESCRIPTION, AND OFFENSE CATEGORY

JUVENILE DISPOSITION OFFENSE CATEGORY	JRA CODE	DESCRIPTION (RCW CITATION)	JUVENILE DISPOSITION CATEGORY FOR ATTEMPT, BAILJUMP, CONSPIRACY, OR SOLICITATION
<u>HOMICIDE</u>			
A+	9A32030	MURDER 1 (9A.32.030)	A
A+	9A32050	MURDER 2 (9A.32.050)	B+
B+	9A32060	MANSLAUGHTER 1 (9A.32.060)	C+
C+	9A32070	MANSLAUGHTER 2 (9A.32.070)	D+
B+	4661520	VEHICULAR HOMICIDE (46.61.520)	C+
<u>KIDNAPPING</u>			
A	9A40020	KIDNAP 1 (9A.40.020)	B+
B+	9A40030	KIDNAP 2 (9A.40.030)	C+
C+	9A40040	UNLAWFUL IMPRISONMENT (9A.40.040)	D+
<u>OBSTRUCTING GOVERNMENTAL OPERATION</u>			
E	9A76020	OBSTRUCTING A LAW ENFORCEMENT OFFICER (9A.76.020)	E
E	9A76040	RESISTING ARREST (9A.76.040)	E
B	9A76140	INTRODUCING CONTRABAND 1 (9A.76.140)	C
C	9A76150	INTRODUCING CONTRABAND 2 (9A.76.150)	D
E	9A76160	INTRODUCING CONTRABAND 3 (9A.76.160)	E
B+	9A76180	INTIMIDATING A PUBLIC SERVANT (9A.76.180)	C+
B+	9A72110	INTIMIDATING A WITNESS (9A.72.110)	C+
<u>PUBLIC DISTURBANCE</u>			
C+	9A8401W	RIOT WITH WEAPON (9A.84.010)	D+
D+	9A8401U	RIOT WITHOUT WEAPON (9A.84.010)	E
E	9A84020	FAILURE TO DISPERSE (9A.84.020)	E
E	9A84030	DISORDERLY CONDUCT (9A.84.030)	E
<u>SEX CRIMES</u>			
A	9A44040	RAPE 1 (9A.44.040)	B+
A-	9A44050	RAPE 2 (9A.44.050)	B+
C+	9A44060	RAPE 3 (9A.44.060)	D+
A-	9A44073	RAPE OF A CHILD 1 (9A.44.073)	B+
B	9A44076	RAPE OF A CHILD 2 (9A.44.076)	C+
B	9A64021	INCEST 1 (9A.64.020(1))	C
C	9A64022	INCEST 2 (9A.64.020(2))	D
D+	9A8801C	INDECENT EXPOSURE (VICTIM <14) (9A.88.010)	E
E	9A8801A	INDECENT EXPOSURE (VICTIM 14+) (9A.88.010)	E

JUVENILE SENTENCING STANDARDS

SCHEDULE A

JRA CODE, DESCRIPTION, AND OFFENSE CATEGORY

JUVENILE DISPOSITION OFFENSE CATEGORY	JRA CODE	DESCRIPTION (RCW CITATION)	JUVENILE DISPOSITION CATEGORY FOR ATTEMPT, BAILJUMP, CONSPIRACY, OR SOLICITATION
B+	9A88070	PROMOTING PROSTITUTION 1 (9A.88.070)	C+
C+	9A88080	PROMOTING PROSTITUTION 2 (9A.88.080)	D+
E	9A88030	O & A (PROSTITUTION) (9A.88.030)	E
B+	9A4410F	INDECENT LIBERTIES WITH FORCIBLE COMPULSION (9A.44.100)	C+
B+	9A44100	INDECENT LIBERTIES WITHOUT FORCIBLE COMPULSION (9A.44.100)	C+
B+	9A44083	CHILD MOLESTATION 1 (9A.44.083)	C+
C+	9A44086	CHILD MOLESTATION 2 (9A.44.086)	C
C	9A44130	FAILURE TO REGISTER AS A CLASS A SEX OFFENDER (9A.44.130) ^{Note C}	D
D	9A44131	FAILURE TO REGISTER AS A SEX OFFENDER (9A.44.130) ^{Note D}	E

THEFT, ROBBERY, EXTORTION, AND FORGERY

B	9A56030	THEFT 1 (9A.56.030)	C
C	9A56040	THEFT 2 (9A.56.040)	D
D	9A56050	THEFT 3 (9A.56.050)	E
B	9A56300	THEFT OF FIREARM (9A.56.300) ^{Note B}	C
B	9A56080	THEFT OF LIVESTOCK (9A.56.080)	C
C	9A60020	FORGERY (9A.60.020)	D
A	9A56200	ROBBERY 1 (9A.56.200)	B+
B+	9A56210	ROBBERY 2 (9A.56.210)	C+
B+	9A56120	EXTORTION 1 (9A.56.120)	C+
C+	9A56130	EXTORTION 2 (9A.56.130)	D+
B	9A56150	POSSESSION OF STOLEN PROPERTY 1 (9A.56.150)	C
C	9A56160	POSSESSION OF STOLEN PROPERTY 2 (9A.56.160)	D
D	9A56170	POSSESSION OF STOLEN PROPERTY 3 (9A.56.170)	E
C	9A56070	TAKING MOTOR VEHICLE WITHOUT OWNER'S PERMISSION (9A.56.070)	D

MOTOR VEHICLE RELATED CRIMES

E	4620021	DRIVING WITHOUT A LICENSE (46.20.021)	E
C	4652021	HIT AND RUN-INJURY (46.52.020(4))	D
D	4652022	HIT AND RUN-ATTENDED (46.52.020(5))	E
E	4652010	HIT AND RUN-UNATTENDED (46.52.010)	E
C	4661522	VEHICULAR ASSAULT (46.61.522)	D
C	4661024	ATTEMPTING TO ELUDE PURSUING POLICE VEHICLE (46.61.024)	D
E	4661500	RECKLESS DRIVING (46.61.500)	E

JUVENILE SENTENCING STANDARDS

SCHEDULE A

JRA CODE, DESCRIPTION, AND OFFENSE CATEGORY

JUVENILE DISPOSITION OFFENSE CATEGORY	JRA CODE	DESCRIPTION (RCW CITATION)	JUVENILE DISPOSITION CATEGORY FOR ATTEMPT, BAILJUMP, CONSPIRACY, OR SOLICITATION
D	4661515	DRIVING WHILE UNDER INFLUENCE (46.61.515)	E
D	9A52100	VEHICLE PROWLING (9A.52.100)	E
C	9A56070	TAKING MOTOR VEHICLE WITHOUT OWNER'S PERMISSION (9A.56.070)	D
<u>OTHER</u>			
C	1652205	ANIMAL CRUELTY (16.52.205) ^{Note C}	D
B	0961160	BOMB THREAT (9.61.160)	C
C	9A76110	ESCAPE 1* (9A.76.110)	C
C	9A76120	ESCAPE 2* (9A.76.120)	C
D	9A76130	ESCAPE 3 (9A.76.130)	E
C	1019130	FAILURE TO APPEAR IN COURT (10.19.130)	D
E	0961230	OBSCENE, HARASSING, ETC., PHONE CALLS (9.61.230)	E
D	9A46110	STALKING (9A.46.110) ^{Note D}	E
C	9A46111	STALKING (REPEAT) (9A.46.110) ^{Note C}	D
D	9A46020	HARASSMENT (9A.46.020) ^{Note D}	E
C	9A46021	HARASSMENT (REPEAT) (9A.46.020) ^{Note C}	D
A	0009988	OTHER OFFENSE EQUIVALENT TO AN ADULT CLASS A FELONY	B+
B	0009986	OTHER OFFENSE EQUIVALENT TO AN ADULT CLASS B FELONY	C
C	0009984	OTHER OFFENSE EQUIVALENT TO AN ADULT CLASS C FELONY	D
D	0009982	OTHER OFFENSE EQUIVALENT TO AN ADULT GROSS MISDEMEANOR	E
E	0009981	OTHER OFFENSE EQUIVALENT TO AN ADULT MISDEMEANOR	E
V	0009980	VIOLATION OF ORDER OF RESTITUTION, COMMUNITY SUPERVISION, OR CONFINEMENT (13.40.200)**	V
V	0009979	VIOLATION OF SPECIAL SEX OFFENDER DISPOSITION ALTERNATIVE (SSODA) CONDITIONS (13.40.160)**	V

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

1st escape or attempted escape during 12 month period = 4 weeks confinement.

2nd escape or attempted escape during 12 month period = 8 weeks confinement.

3rd and subsequent escape or attempted escape during 12 month period = 12 weeks confinement.

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

JUVENILE SENTENCING STANDARDS

SCHEDULE A

JRA CODE, DESCRIPTION, AND OFFENSE CATEGORY

<u>JUVENILE DISPOSITION OFFENSE CATEGORY</u>	<u>JRA CODE</u>	<u>DESCRIPTION (RCW CITATION)</u>	<u>JUVENILE DISPOSITION CATEGORY FOR ATTEMPT, BAILJUMP, CONSPIRACY, OR SOLICITATION</u>
--	---------------------	-----------------------------------	---

Note B: These offenses have not yet been listed in Schedule A in RCW 13.40.0357. These offenses should be assigned a Juvenile Disposition Offense Category of B because they are Class B felonies.

Note C: These offenses have not yet been listed in Schedule A in RCW 13.40.0357. These offenses should be assigned a Juvenile Disposition Offense Category of C because they are Class C felonies.

Note D: These offenses have not yet been listed in Schedule A in RCW 13.40.0357. These offenses should be assigned a Juvenile Disposition Offense Category of D because they are Gross Misdemeanors.

JUVENILE SENTENCING STANDARDS

SCHEDULE B

PRIOR OFFENSE INCREASE FACTOR

For use with all CURRENT OFFENSES occurring on or after June 13, 1994

OFFENSE CATEGORY	TIME SPAN		
	1-12 MONTHS	13-24 MONTHS	25 MONTHS OR MORE
A+	.9	.9	.9
A	.9	.8	.6
A-	.9	.8	.5
B+	.9	.7	.4
B	.9	.6	.3
C+	.6	.3	.2
C	.5	.2	.2
D+	.3	.2	.1
D	.2	.1	.1
E	.1	.1	.1

Prior History: Any offense in which a diversion agreement or counsel and release form was signed, or any offense which has been adjudicated by court to be correct prior to the commission of the current offense(s).

JUVENILE SENTENCING STANDARDS

SCHEDULE C

CURRENT OFFENSE POINTS

For use with all CURRENT OFFENSES occurring on or after June 13, 1994

AGE						
OFFENSE CATEGORY	12 & UNDER	13	14	15	16	17
A+	STANDARD RANGE 180-224 WEEKS					
A	250	300	350	375	375	375
A-	150	150	150	200	200	200
B+	110	110	120	130	140	150
B	45	45	50	50	57	57
C+	44	44	49	49	55	55
C	40	40	45	45	50	50
D+	16	18	20	22	24	26
D	14	16	18	20	22	24
E	4	4	4	6	8	10

JUVENILE SENTENCING STANDARDS SCHEDULE D-1

This schedule may only be used for minor/first offenders. After the determination is made that a youth is a minor/first offender, the court has the discretion to select sentencing option A,B, or C.

MINOR/FIRST OFFENDER

OPTION A

<u>STANDARD RANGE</u>			
<u>Points</u>	<u>Community Supervision</u>	<u>Community Service Hours</u>	<u>Fine</u>
1 - 9	0 - 3 months	&/or 0 - 8	&/or 0 - \$10
10 - 19	0 - 3 months	&/or 0 - 8	&/or 0 - \$10
20 - 29	0 - 3 months	&/or 0 - 16	&/or 0 - \$10
30 - 39	0 - 3 months	&/or 8 - 24	&/or 0 - \$25
40 - 49	3 - 6 months	&/or 16 - 32	&/or 0 - \$25
50 - 59	3 - 6 months	&/or 24 - 40	&/or 0 - \$25
60 - 69	6 - 9 months	&/or 32 - 48	&/or 0 - \$50
70 - 79	6 - 9 months	&/or 40 - 56	&/or 0 - \$50
80 - 89	9 - 12 months	&/or 48 - 64	&/or 0 - \$100
90 - 109	9 - 12 months	&/or 56 - 72	&/or 0 - \$100

OR

OPTION B

<u>STATUTORY OPTION</u>
0 - 12 Months Community Supervision 0 - 150 Hours Community Service \$0 - \$100 Fine
A term of community supervision with a maximum of 150 hours, \$100 fine, and 12 months supervision.

OR

OPTION C

MANIFEST INJUSTICE

When a term of community supervision would effectuate a manifest injustice, another disposition may be imposed. When a judge imposes a sentence of confinement exceeding 30 days, the court shall sentence the juvenile to a maximum term and the provisions of RCW 13.40.030(2), as now or hereafter amended, shall be used to determine the range.

JUVENILE SENTENCING STANDARDS SCHEDULE D-2

This schedule may only be used for middle offenders. After the determination is made that a youth is a middle offender, the court has the discretion to select sentencing option A,B, or C.

MIDDLE OFFENDER

OPTION A

<u>STANDARD RANGE</u>				
Points	Community Supervision	Community Service Hours	Fine	Confinement Days _____ Weeks
1 - 9	0 - 3 months	&/or 0 - 8	&/or 0 - \$10	&/or 0
10 - 19	0 - 3 months	&/or 0 - 8	&/or 0 - \$10	&/or 0
20 - 29	0 - 3 months	&/or 0 - 16	&/or 0 - \$10	&/or 0
30 - 39	0 - 3 months	&/or 8 - 24	&/or 0 - \$25	&/or 2 - 4
40 - 49	3 - 6 months	&/or 16 - 32	&/or 0 - \$25	&/or 2 - 4
50 - 59	3 - 6 months	&/or 24 - 40	&/or 0 - \$25	&/or 5 - 10
60 - 69	6 - 9 months	&/or 32 - 48	&/or 0 - \$50	&/or 5 - 10
70 - 79	6 - 9 months	&/or 40 - 56	&/or 0 - \$50	&/or 10 - 20
80 - 89	9 - 12 months	&/or 48 - 64	&/or 0 - \$100	&/or 10 - 20
90 - 109	9 - 12 months	&/or 56 - 72	&/or 0 - \$100	&/or 15 - 30
110 - 129				8 - 12
130 - 149				13 - 16
150 - 199				21 - 28
200 - 249				30 - 40
250 - 299				52 - 65
300 - 374				80 - 100
375+				103 - 129
All A+ Offenses				180 - 224

Middle offenders with more than 110 points do not have to be committed. They may be assigned community supervision under Option B.

OPTION B

<u>STATUTORY OPTION</u>
0 - 12 Months Community Supervision 0 - 150 Hours Community Service \$0 - \$100 Fine
The court may impose a determinate disposition of community supervision and/or up to 30 days confinement; in which case, if confinement has been imposed, the court shall state either aggravating or mitigating factors as set forth in RCW 13.40.150, as now or hereafter amended.

OR

OR OPTION C

MANIFEST INJUSTICE

If the court determines that a disposition under A or B would effectuate a manifest injustice, the court shall sentence the juvenile to a maximum term and the provisions of RCW 13.40.030(2), as now or hereafter amended, shall be used to determine the range.

JUVENILE SENTENCING STANDARDS SCHEDULE D-3

This schedule may only be used for serious offenders. After the determination is made that a youth is a serious offender, the court has the discretion to select sentencing option A or B.

SERIOUS OFFENDER

OPTION A

<u>STANDARD RANGE</u>	
<u>Points</u>	<u>Confinement Weeks</u>
0 - 129	8 - 12
130 - 149	13 - 16
150 - 199	21 - 28
200 - 249	30 - 40
250 - 299	52 - 65
300 - 374	80 - 100
375+	103 - 129
All A+ Offenses	180 - 224

OR

OPTION B

<u>MANIFEST INJUSTICE</u>
<p>A disposition outside the standard range shall be determined and shall be comprised of confinement or community supervision or a combination thereof. When a judge finds a manifest injustice and imposes a sentence of confinement exceeding 30 days, the court shall sentence the juvenile to a maximum term, and the provisions of RCW 13.40.030(2), as now or hereafter amended, shall be used to determine the range.</p>

JUVENILE REHABILITATION ADMINISTRATION

Sentencing Worksheet Instructions

These instructions describe the use of the Juvenile Rehabilitation Administration (JRA) Sentencing Worksheet DSHS 20-198 (6-94).

Purpose:

The JRA Sentencing Worksheet is used to report information pertinent to the sentencing of each juvenile offender committed to JRA, or those sentenced to community supervision through the Special Sex Offender Disposition Alternative (SSODA) or Option B. The form serves as a worksheet for determining the minimum and maximum length of the standard range of confinement for each offense. The structure of the form conforms to and facilitates the application of the sentencing standards developed by the Sentencing Guidelines Commission, as required by RCW 13.40.030.

The sentencing standards utilize a point system. A youth's age and current offense establish a base point number which is multiplied by an "increase factor" determined by the extent of criminal history and whether the offense was committed while the youth was on parole; the resulting points establish what the standard disposition will be for that particular current offense.

If manifest injustice is invoked or the 300% or 150% rule is in effect, the length of the actual sentence ordered by the court should be entered on the worksheet in lieu of the standard range.

Data from the JRA Sentencing Worksheet will be processed and stored in JRA computer files in Olympia. For youths committed to JRA, the data will be used by JRA facilities for setting minimum and maximum release dates. Data about offenders assigned to the community through SSODA and Option B will be used to track offenders in those programs. Data extracted from the system will be used by JRA to study the impact of the implementation of the Juvenile Justice Act.

General Instructions:

A JRA Sentencing Worksheet is completed for each juvenile committed to the Juvenile Rehabilitation Administration and each juvenile sentenced to community supervision through either SSODA or Option B.

The Juvenile Disposition Sentencing Standards are reviewed by the Sentencing Guidelines Commission each year and are submitted to the legislature for possible revisions in every even year. In addition, the legislature may revise the standards during any legislative

session. It is the responsibility of the sentencing court to ensure that the appropriate standards are being used for a specific offender.

Questions regarding the use of the juvenile sentencing standards should be referred to:

Sentencing Guidelines Commission
PO Box 40927
Olympia, WA 98504-0927
(360) 753-3084

Questions regarding the use or completion of the JRA sentencing worksheet should be referred to:

Information Services Manager
Juvenile Rehabilitation Administration
Mailstop 45720
Olympia, Washington 98504
(360) 902-8085

Personnel designated by the administrator of each juvenile court are responsible for the accuracy of the information provided to JRA. Please read the detailed instructions on the following pages before completing the report. If you have any questions regarding the report or these instructions, please contact the JRA Information Services Manager.

For offenders committed to JRA, the court should retain the white original and send a copy of the worksheet to the JRA program where the juvenile will be received. The worksheet should be sent, along with any other commitment documents, in time to precede or coincide with the juvenile's arrival.

For offenders sentenced to community supervision through SSODA or Option B, the court should send a copy of the worksheet to the JRA regional office. The worksheet should be sent as soon as possible after the offender's disposition.

This worksheet is used to determine the standard range sentence for each current offense. Compute the increase factor separately for each current offense.

Up to four current offenses can be put on a worksheet. If there are more than four offenses, attach a second sheet.

If there are more than eight prior offenses, compute the increase factors for each offense after the eighth and enter the sum of these values in the space marked "Additional prior offense increase factor."

Supply of Forms:

Requests for blank forms should be directed to your local JRA regional office.

Instructions for Completing Each Item:

The following definitions and procedures are to be used for completing the individual items. (The numbers correspond to the numbers on the attached sample worksheet.)

IDENTIFICATION INFORMATION

1. Name: Enter the youth's last name, first name, and middle initial as they appear on the court order.
2. Assignment Date: Enter the date that the youth was assigned to the program for which this form is being completed. For most youths (including all youths directly committed to JRA), this is the date of disposition. For those youths entering JRA because of a SSODA or Option B revocation, this is the date of the revocation. For youths assigned to the SSODA or Option B programs, enter the date the program begins (i.e., generally, the disposition date).
3. Court Order Number: Enter the court order number that has been assigned by the court for the sentences being entered on this form.
4. Serious Offender: If the youth is classified as a serious offender, check the box marked "yes". If not, check the box marked "no".
5. Detention Credit: If the youth has pre-commitment detention credit, enter the days to be taken off the sentence. Pre-commitment detention credit is time in detention prior to the court hearing at which a commitment to JRA is ordered. Any additional "pre-admission" detention credit, i.e., credit for time served after commitment but prior to admission, will be determined separately by the JRA admitting agency.
6. Birth date: Enter the year, month, and day of the youth's birth. For example, enter 780901 for a youth born on September 1, 1978.
7. JUVIS Number: Enter the youth's six digit JUVIS number.
8. Sex: Indicate whether the youth is male or female.
9. Assigning County: Enter the name of the county from which this youth has been assigned. Also enter the three digit code from Appendix A.
10. Race: Enter the two-digit code for the youth's race from Appendix A. Enter the race with which the individual most identifies himself/herself. These race codes are in accordance with U.S. Bureau of the Census.
11. Hispanic Origin: Enter the one-digit code for the youth's Hispanic origin. (Also found in Appendix A.) Hispanic origin is requested separately on this form in accordance with the U.S. Bureau of the Census.

A. CURRENT OFFENSE INFORMATION

Directions: Complete the following for each current offense.

Current Offense Code: Enter the seven-digit Offense Code (found in Schedule A of the Sentencing Standards) of the youth's current offense. If the youth has multiple current offenses, enter the most serious offense in the first column, the next most serious offense in the second column, and so on up to four current offenses. Use a second sheet for more than four current offenses.

Current Offense Category: Enter the juvenile disposition offense category from Schedule A, Sentencing Standards. Seriousness is indicated by the offense category, an A+ offense being the most serious and E offense being the least serious. If the offense cannot be found in Schedule A, locate the Criminal Class of this offense in RCW Title 9 and assign the same juvenile disposition offense category. Note that the disposition category in the case of an attempt, bail jump, conspiracy, or solicitation is found in the right hand column of Schedule A.

Age at Current Offense: Enter the youth's age at the time the offense occurred. Round down to a whole number (e.g., if the youth was 14 years and 11 months, enter 14).

Current Offense Date: Enter the year, month, and day of the youth's current offense.

Disposition: Check the appropriate disposition from the following:

Standard Range: Check if the standard range sentence was used.

Manifest Injustice: Check if manifest injustice was invoked.

150%: Check if the 150% rule has been invoked, limiting the length of the youth's sentence. The 150% rule is intended to limit the amount of sanction (to 150% of the sanction for the most serious offense) that an offender may receive for offenses committed through a single act or omission.

300%: Check if the 300% rule has been invoked, limiting the length of the youth's sentence. The 300% rule is intended to limit the amount of sanction (to 300% of the sanction for the most serious offense) that an offender may receive for multiple offenses which are disposed of during a court appearance. (See RCW 13.40.180 for an explanation.)

B. PRIOR OFFENSE INFORMATION

Total Number of Prior Offenses: For each current offense, enter the total number of prior offenses. This is especially important if all eight prior offense codes are filled in,

and there are additional prior offenses and an additional increase factor. In order to count as prior history, an offense must have been adjudicated before the current offense was committed.

Prior Offense Code: Space is provided for up to eight offenses committed by the youth prior to his/her current offense(s). If there are more than eight priors, indicate the most recent prior offenses. Enter the seven digit offense code (from Schedule A) for each prior offense.

Prior Offense Category: Enter the offense category of the prior offense from Schedule A of the Sentencing Standards.

Prior Offense Date: Enter the year, month, and day of the youth's prior offense.

Time Span: Compute the elapsed time from the date of the prior offense to the date of the CURRENT OFFENSE. Enter a "1" if within 1 year, a "2" if within 2 years, or a "3" if greater than 2 years.

Increase Factor: For each prior offense, determine the increase factor from Schedule B of the Sentencing Standards, using offense category and time span.

For each current offense, enter the following:

Additional Prior Offense Increase Factor: If there are more than eight prior offenses, compute the increase factor for each additional offense, sum them, and enter here.

Constant: This value is 1.0 for all prior offenses and has been pre-coded.

Total Increase Factor: Enter the sum of the increase factor column including the additional increase factor, the parole increase factor, and the constant.

C. SENTENCING INFORMATION

Current Offense Points: Using Schedule C of the Sentencing Standards, determine the number of points resulting from the youth's age and the juvenile disposition offense category for the current offense. Enter the offense points for each current offense.

Total Current Offense Points: For each offense, multiply the Total Increase Factor by the Current Offense Points and enter the result. Round down to the nearest whole number.

Parole Increase Factor: If this current offense occurred while the youth was on parole, multiply the preceding "Total Current Offense Points" by 1.05 and enter the result in the next line. The resulting point total should then be used to determine the

sentence in Schedule D-1, D-2, or D-3.

Minimum Sentence/Maximum Sentence: If sentenced using the standard range, enter the minimum and maximum sentences (lengths of confinement) from the appropriate Schedule D of the Sentencing Standards. (If the youth is a middle offender, use Schedule D-2; if a serious offender, use Schedule D-3.) If the sentence was ordered as manifest injustice, 150% rule, or 300% rule, enter the actual sentence to be served (as shown on the court order).

If this is an Option B or SSODA placement, indicate what the standard range sentence would have been (if Option B or SSODA were not available). As an example, the attached sample worksheet shows a sentence of 30-40 weeks for the youth's third current offense, even though the youth will be assigned to community supervision through Option B.

Days or Weeks: Check whether this sentence is listed in days or weeks. (For example, a standard range detention sentence [i.e., less than 110 points] would typically be in days.)

Firearm Enhancement: If, according to the court order, a firearm enhancement is in effect because the youth used a firearm during the commission of this current offense, indicate that 90 days (or 13 weeks if the sentence is in weeks) is being added to the sentence. Note that the court has the option to add the firearm enhancement concurrently. Therefore, indicate only time that is being added consecutively to the sentence.

Total Minimum Sentence/Total Maximum Sentence: Indicate here the total of the minimum sentence/maximum sentence combined with the 90-day firearm enhancement (if ordered by the court).

Type of Placement: Using the key at the top of form, indicate the type of placement for this current offense/sentence:

JRA: Check if the youth is being directly committed to JRA.

O: Check if the youth is being assigned to community supervision through Option B. This should include all youths who, if they had received the standard range sentence, would have been committed to JRA (i.e., they had 110 or more points.)

S: Check if the youth is being assigned to community supervision through the Special Sex Offender Disposition Alternative (SSODA).

OBR: Check if the youth is being committed to JRA because an Option B sentence has been revoked.

SR: Check if the youth is being committed to JRA because a SSODA sentence has been revoked.

NAME AND TELEPHONE NUMBER OF PERSON COMPLETING FORM: Please print the name and telephone number of the person who should be contacted by JRA if there are any questions about the form.

APPENDIX A

County Codes

001 Adams
002 Asotin
003 Benton
004 Chelan
005 Clallam
006 Clark
007 Columbia
008 Cowlitz
009 Douglas
010 Ferry
011 Franklin
012 Garfield
013 Grant
014 Grays Harbor

015 Island
016 Jefferson
017 King
018 Kitsap
019 Kittitas
020 Klickitat
021 Lewis
022 Lincoln
023 Mason
024 Okanogan
025 Pacific
026 Pend Oreille
027 Pierce
028 San Juan

029 Skagit
030 Skamania
031 Snohomish
032 Spokane
033 Stevens
034 Thurston
035 Wahkiakum
036 Walla Walla
037 Whatcom
038 Whitman
039 Yakima

Race Codes

Non-Asian/Pacific Islander:

01 White/Caucasian
02 Black/African-American
03 Indian/Native American
04 Eskimo
05 Aleut
98 Other
99 Un-reported

Hispanic Origin Codes:

1 No (Not Hispanic)
2 Yes (Mexican/Mexican -
American/Chicano)
3 Yes (Puerto Rican)
4 Yes (Cuban)
5 Yes (Other Hispanic)
9 Un-reported

Asian/Pacific Islander:

11 Chinese
12 Filipino
13 Hawaiian
14 Korean
15 Vietnamese
16 Japanese
17 Samoan
18 Asian Indian
19 Guamanian
20 Cambodian
21 Laotian
29 Other Asian/Pacific Islander