

# **STATISTICAL SUMMARY OF ADULT FELONY SENTENCING**

**FISCAL YEAR 2010**

**January 2011**



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# TABLE OF CONTENTS

<b>PREFACE</b> .....	iv
<b>EXECUTIVE SUMMARY</b> .....	vi

## AVERAGE SENTENCE LENGTHS

Table 1. Average Sentence Length by Forecasting Crime Type.....	1
Table 2. Average Sentence Length Imposed by Offense .....	2

## NUMBER OF SENTENCES

Table 3A. Sentencing Grid Frequencies .....	14
Table 3B. Drug Sentencing Grid Frequencies .....	15
Table 4. Number of Sentences for Violent and Nonviolent Offenses by Facility Type and County .....	16
Table 5. Percentage of Sentences for Violent and Nonviolent Offenses by Facility Type and County .....	17
Table 6. VUCSA Dealing and Non-dealing Sentences by County .....	18
Table 7. Sentences with A Deadly Weapon Finding.....	19
Table 8. Sentences with A Sexual Motivation Finding.....	20
Table 9. Type of Verdict Imposed by Crime Type .....	21

## SENTENCE DEPARTURES

Table 10. Sentence Departures by Type and Direction.....	22
Table 11. Sentence Departures by Type and Offense .....	23
Table 12. Length of Sentence Relative to Standard Range.....	32

## PERSISTENT OFFENDERS

Table 13. Average Sentence of "Most Serious Offenders" by County .....	39
Table 14. "Persistent Offender" Sentences by County .....	40

## EXCEPTIONAL SENTENCES

Table 15. Aggravated Exceptional Sentence Reasons .....	42
Table 16. Mitigated Exceptional Sentence Reasons.....	44
Table 17. Within Standard Range Exceptional Sentence Reasons.....	46

## SEX OFFENDER SENTENCING UNDER RCW 9.94A.507

Table 18. "Determinate Plus" Sex Offense Sentences by County .....	48
Table 19. Sentences with Domestic Violence by County .....	49

## APPENDICES

Appendix A. Adult Felony Sentencing Grid.....	51
Appendix B. Offenses Included Within Each Seriousness Level.....	52
Appendix C. Drug Offense Sentencing Grid .....	60
Appendix D. Drug Offenses Included Within Each Seriousness Level .....	60

## PREFACE

This report summarizes data on adult felony sentences in the state of Washington for the period July 1, 2009 through June 30, 2010 (Fiscal Year 2010). There were 22,662 felony sentences imposed during this period, which is a 12.1 percent decrease from the number of sentences imposed in Fiscal Year 2009.

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 2010, 4.47 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 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, domestic violence, and other specified offenses. This prohibition extends to persons with prior convictions as well.

The legislature has created sentence enhancements for situations such as 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 2010. Comments or questions may be directed to the Commission at:

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# EXECUTIVE SUMMARY<sup>1</sup>

- In FY10, the total number of felony sentences imposed in Washington decreased 12.01%, from 25,756 sentences in FY09 to 22,662 sentences in FY10.
- Changes in the rate and number of sentences imposed between FY09 and FY10 are summarized as follows:

+19.2 % Robbery (from 641 to 764)	-19.8 % Drugs (from 7,464 to 5,986)
-22.2 % Property (from 9,346 to 7,269)	-23.4 % Manslaughter (from 107 to 82)
+12.5 % Assaults (from 4,711 to 5,302)	+1.8 % Murder (from 113 to 115)
+2.9 % Sex (from 918 to 945)	
- In FY10, 18 offenders were sentenced to life in prison as persistent offenders under the “three strikes” provision of RCW 9.94A.030(37)(a). The 18 new persistent offender sentences imposed in FY10 resulted in a decrease of 28 % from the 25 sentences in FY09.
- The percentage of felony sentences that resulted in a prison sentence increased slightly from 35.8% in FY09 to 37.5% in FY10.
- The average prison sentence in FY10 was 41.8 months, up from 39.4 months in FY09. The average jail sentence length in FY10 was 3.2 months, slightly up from 3.1 months in FY09. Overall, the average sentence length of all felony sentences increased from 16 months in FY09 to 17.5 months in FY10.
- In FY10, the number of sentences imposed for Violations of the Uniform Controlled Substances Act (VUCSA) decreased by 20.2% from the previous year. The number of sentences for “dealing” offenses decreased by 14.1% and the number of sentences for “non-dealing” offenses decreased by 22%.
- The number of First-time Offender Waivers (FTOW) granted increased from 1,410 in FY09 to 1,469 in FY10, a 4.2% increase. Approximately 58% of the First Time Offender Waivers were below the standard range minimum, and 41.3% were within the standard range.
- The number of Special Sex Offender Sentencing Alternative (SSOSA) sentences imposed by the court increased from 118 in FY09 to 131 in FY10, a 11% increase.
- The number of Drug Offender Sentencing Alternative (DOSA) sentences imposed by the court increased from 1,424 sentences in FY09 to 1,488 in FY10, an increase of 4.5%. Among 1,488 DOSA sentences, there were 907 Prison-based DOSA and 581 Residential DOSA. These are all non-exceptional sentences.

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<sup>1</sup> The numbers of sentences referenced in this report are as of December 29, 2010. These are subject to change as missing sentencing data becomes available.

**Table 1. Average Sentence Length by Forecasting Crime Type  
Fiscal Year 2010**

CATEGORY	PRISON SENTENCE		JAIL SENTENCE		OTHER SENTENCE	TOTAL
	Number	Months	Number	Months	Number	Number
Murder 1	48	453.4	0	n.a.	0	48
Murder 1*	1	Death	0	n.a.	0	1
Murder 1**	9	Life	0	n.a.	0	9
Murder 2	57	199.5	0	n.a.	0	57
Manslaughter	80	74.1	2	7.5	0	82
Sex	641	80.0	295	7.2	4	940
Sex**	5	Life	0	n.a.	0	5
Robbery	572	62.1	187	6.5	0	759
Robbery**	5	Life	0	n.a.	0	5
Assault	2,172	41.5	2,997	4.0	126	5,295
Assault**	7	Life	0	n.a.	0	7
Property	2,407	30.6	4,567	2.8	295	7,269
Drug	1,804	25.4	3,830	2.8	352	5,986
Other	484	27.6	1,171	3.2	48	1,703
Failure to Register as Sex Offender	198	26.7	283	2.0	15	496
<b>TOTAL</b>	<b>8,490</b>	<b>41.8</b>	<b>13,332</b>	<b>3.2</b>	<b>840</b>	<b>22,662</b>

\* 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.

NOTE 5: Other sentence includes non-confinement sentences such as residential drug offender sentencing alternative.

**Table 2. Average Sentence Length\* Imposed by Offense  
Fiscal Year 2010**

OFFENSE	PRISON			NON-PRISON **			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
AGGRAVATED MURDER 1 (7/1/90-7/24/99)	1	100.0%	Life	0	0.0%	0.0	1	Life
AGGRAVATED MURDER 1 (POST 7/24/99)	7	100.0%	Life	0	0.0%	0.0	7	Life
AGGRAVATED MURDER 1 (POST 7/24/99)	1	100.0%	Death	0	0.0%	0.0	1	Death
ALIEN IN POSSESSION OF A FIREARM	2	5.3%	18.0	36	94.7%	2.8	38	3.6
ALTER OR FORG VEHICLE TITLE	0	0.0%	0.0	1	100.0%	10.0	1	10.0
ANIMAL CRUELTY 1	0	0.0%	0.0	17	100.0%	5.0	17	5.0
ANIMAL FIGHTING	0	0.0%	0.0	6	100.0%	0.9	6	0.9
ARSON 1	18	100.0%	71.9	0	0.0%	0.0	18	71.9
ARSON 1 <attempt>	4	100.0%	18.0	0	0.0%	0.0	4	18.0
ARSON 1 <solic.>	1	100.0%	20.3	0	0.0%	0.0	1	20.3
ARSON 2	10	32.3%	42.8	21	67.7%	5.1	31	17.3
ARSON 2 <attempt>	0	0.0%	0.0	5	100.0%	6.8	5	6.8
ARSON 2 <solic.>	0	0.0%	0.0	1	100.0%	9.0	1	9.0
ASSAULT 1-POST 7/1/90(NEW L12)	78	100.0%	192.7	0	0.0%	0.0	78	192.7
ASSAULT 1-POST 7/1/90(NEW L12) <attempt>	6	100.0%	106.6	0	0.0%	0.0	6	106.6
ASSAULT 1-POST 7/1/90(NEW L12)	3	100.0%	Life	0	0.0%	0.0	3	Life
ASSAULT 2 - POST 7/1/88	387	52.5%	34.0	350	47.5%	6.3	737	20.8
ASSAULT 2 - POST 7/1/88 <attempt>	28	33.7%	32.9	55	66.3%	5.2	83	14.5
ASSAULT 2 - POST 7/1/88 <consp.>	0	0.0%	0.0	1	100.0%	9.0	1	9.0
ASSAULT 2 - POST 7/1/88	1	100.0%	Life	0	0.0%	0.0	1	Life
ASSAULT 3 - POST 7/1/88	288	21.0%	34.3	1082	79.0%	3.2	1370	9.8
ASSAULT 3 - POST 7/1/88	1	100.0%	Life	0	0.0%	0.0	1	Life
ASSAULT BY WATERCRAFT	0	0.0%	0.0	1	100.0%	6.0	1	6.0
ASSAULT OF A CHILD 1	10	100.0%	159.3	0	0.0%	0.0	10	159.3
ASSAULT OF A CHILD 1 <attempt>	1	100.0%	240.0	0	0.0%	0.0	1	240.0
ASSAULT OF A CHILD 2	15	100.0%	61.5	0	0.0%	0.0	15	61.5
ASSAULT OF A CHILD 2 <attempt>	1	100.0%	41.0	0	0.0%	0.0	1	41.0
ASSAULT OF A CHILD 3	6	12.5%	73.7	42	87.5%	3.5	48	12.2
ATTEMPT ELUDE POLICE VEHICLE	182	33.4%	20.2	363	66.6%	2.6	545	8.5
BAIL JUMP W/ CLASS A (POST 7/89)	5	100.0%	20.2	0	0.0%	0.0	5	20.2
BAIL JUMP W/ CLASS B or C (POST 7/89)	102	36.8%	29.4	175	63.2%	3.4	277	13.0
BIGAMY	0	0.0%	0.0	1	100.0%	0.0	1	0.0
BIGAMY <attempt>	0	0.0%	0.0	1	100.0%	0.0	1	0.0
BRIBE RCV'D BY WITNESS	1	100.0%	33.0	0	0.0%	0.0	1	33.0

NOTE:

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

\*\* Non-prison includes non-confinement sentences as well as jail sentences

OFFENSE	PRISON			NON-PRISON **			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
BRIBING A WITNESS	1	100.0%	17.0	0	0.0%	0.0	1	17.0
BURGLARY 1	124	97.6%	60.1	3	2.4%	12.0	127	58.9
BURGLARY 1 <attempt>	5	71.4%	22.8	2	28.6%	11.3	7	19.5
BURGLARY 1 <consp.>	0	0.0%	0.0	1	100.0%	11.3	1	11.3
BURGLARY 2 - PRE 7/90	0	0.0%	0.0	1	100.0%	0.0	1	0.0
BURGLARY 2 (NONDWELLING)-POST 7/90	310	36.0%	32.6	550	64.0%	3.5	860	14.0
BURGLARY 2 (NONDWELLING)-POST 7/90 <attempt>	26	28.3%	32.4	66	71.7%	3.4	92	11.6
BURGLARY 2 (NONDWELLING)-POST 7/90 <consp.>	3	42.9%	33.8	4	57.1%	2.9	7	16.2
CHEATING 1	0	0.0%	0.0	1	100.0%	9.0	1	9.0
CHILD MOLEST 1 (7/90 - 8/31/01)	9	60.0%	95.7	6	40.0%	8.0	15	60.6
CHILD MOLEST 1 (7/90 - 8/31/01) <attempt>	0	0.0%	0.0	1	100.0%	6.0	1	6.0
CHILD MOLEST 1 >17 (POST 8/31/01) (.712)	59	62.1%	92.5	36	37.9%	9.0	95	60.8
CHILD MOLEST 1 >17 (POST 8/31/01) (.712) <attempt>	8	88.9%	45.2	1	11.1%	11.3	9	41.4
CHILD MOLEST 1 >17 (POST 8/31/01) (.712) <consp.>	1	100.0%	51.0	0	0.0%	0.0	1	51.0
CHILD MOLEST 1 >17 (POST 8/31/01) (.712) <sollic.>	1	100.0%	38.3	0	0.0%	0.0	1	38.3
CHILD MOLEST 2 (POST 7/90)	75	86.2%	41.9	12	13.8%	6.0	87	36.9
CHILD MOLEST 2 (POST 7/90) <attempt>	1	20.0%	20.3	4	80.0%	11.3	5	13.1
CHILD MOLEST 3 (POST 7/90)	19	31.7%	55.4	41	68.3%	8.3	60	23.2
COMMERCIAL FISHING W/O A LICENSE - 1ST	0	0.0%	0.0	1	100.0%	1.0	1	1.0
COMMERCIAL SEX ABUSE/MINOR - PROMOTE	4	100.0%	103.5	0	0.0%	0.0	4	103.5
COMMERCIAL SEX ABUSE/MINOR - PROMOTE <attempt>	2	100.0%	52.9	0	0.0%	0.0	2	52.9
COMMUNICATION WITH A MINOR new	16	48.5%	41.1	17	51.5%	3.0	33	21.5
COMPUTER TRESPASS 1	2	66.7%	57.0	1	33.3%	0.0	3	38.0
CRE DEL POS COUNTERFEIT CTRL SUBS NARC 1ST OFF	2	100.0%	45.5	0	0.0%	0.0	2	45.5
CRE DEL POS COUNTERFEIT CTRL SUBS NON-NARC 1ST	1	100.0%	12.0	0	0.0%	0.0	1	12.0
CRIMINAL IMPERSONATION 1	4	4.3%	12.5	88	95.7%	2.3	92	2.8
CRIMINAL MISTREATMENT 1 (POST 06/07/06)	3	100.0%	107.3	0	0.0%	0.0	3	107.3
CRIMINAL MISTREATMENT 2	0	0.0%	0.0	1	100.0%	1.2	1	1.2
CRIMINAL MISTREATMENT 2 (POST 06/07/06)	2	33.3%	36.0	4	66.7%	8.3	6	17.5
CTRL SUBS HOMICIDE-POST 7/89 -1ST	2	100.0%	58.0	0	0.0%	0.0	2	58.0

NOTE:

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

\*\* Non-prison includes non-confinement sentences as well as jail sentences

OFFENSE	PRISON			NON-PRISON **			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
CUSTODIAL ASSAULT - POST 7/89	17	37.8%	28.5	28	62.2%	4.8	45	13.8
CUSTODIAL INTERFERENCE 1	0	0.0%	0.0	7	100.0%	4.3	7	4.3
CYBERSTALKING	1	33.3%	19.0	2	66.7%	3.5	3	8.7
DEALING IN DEPIC. OF MINOR (POST 6/30/01)	2	66.7%	37.5	1	33.3%	2.0	3	25.7
DEFRAUDING INNKEEPER > \$75	0	0.0%	0.0	2	100.0%	6.8	2	6.8
DEFRAUDING PUBLIC UTILITY 1	0	0.0%	0.0	3	100.0%	3.0	3	3.0
DEL MAT IN LIEU OF CS-POST7/89 2+	2	66.7%	52.5	1	33.3%	11.0	3	38.7
DEL MAT IN LIEU OF CS-POST7/89 2+ <consp.>	0	0.0%	0.0	1	100.0%	3.5	1	3.5
DEL MAT IN LIEU OF CS-POST7/89 -1ST	4	80.0%	30.5	1	20.0%	1.0	5	24.6
DEL MAT IN LIEU OF CS-POST7/89 -1ST <attempt>	0	0.0%	0.0	1	100.0%	6.0	1	6.0
DEL MAT IN LIEU OF CS-POST7/89 -1ST <consp.>	1	14.3%	24.0	6	85.7%	4.4	7	7.2
DEL POS W/I METH - 1ST OFF (POST 6/30/98)	310	92.5%	32.6	25	7.5%	0.0	335	30.2
DEL POS W/I METH - 1ST OFF (POST 6/30/98) <attempt>	3	17.6%	33.8	14	82.4%	6.4	17	11.2
DEL POS W/I METH - 1ST OFF (POST 6/30/98) <consp.>	8	9.2%	12.0	79	90.8%	4.1	87	4.8
DEL POS W/I METH - 1ST OFF (POST 6/30/98) <solic.>	2	50.0%	30.0	2	50.0%	9.5	4	19.8
DEL POS W/I METH - 2ND OFF (POST 6/30/98)	6	85.7%	58.5	1	14.3%	6.0	7	51.0
DEL POS W/I METH - SCH ZONE OFF (POST 6/30/98)	24	96.0%	64.7	1	4.0%	0.0	25	62.1
DELIVERY FIREARM TO INELIG PERSON	0	0.0%	0.0	3	100.0%	4.7	3	4.7
DESECRATION OF A GRAVE SITE	0	0.0%	0.0	1	100.0%	0.4	1	0.4
DIGITAL SIGNATURE FRAUD	0	0.0%	0.0	1	100.0%	1.2	1	1.2
DISARM A LAW ENFORCEMENT OR CORR OFFICER	0	0.0%	0.0	2	100.0%	1.4	2	1.4
DISTRIB / RETAIL TOBACCO PRODT LIC VIO (POST 07/24)	0	0.0%	0.0	1	100.0%	0.0	1	0.0
DOMESTIC VIOLENCE CT ORDER VIOL (POST 6/30/00)	429	60.3%	24.9	283	39.7%	3.9	712	16.6
DRIVE- BY SHOOTING (POST 6/30/97)	43	97.7%	40.9	1	2.3%	6.5	44	40.1
DRIVE- BY SHOOTING (POST 6/30/97) <attempt>	1	100.0%	21.0	0	0.0%	0.0	1	21.0
DRIVE- BY SHOOTING (POST 6/30/97) <consp.>	1	100.0%	12.0	0	0.0%	0.0	1	12.0
DRIVING UNDER INFLUENCE (FELONY) (POST 07/01/07)	95	95.0%	36.4	5	5.0%	9.6	100	35.1
ELECTIONS VIOLATION	0	0.0%	0.0	1	100.0%	0.2	1	0.2

NOTE:

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

\*\* Non-prison includes non-confinement sentences as well as jail sentences

OFFENSE	PRISON			NON-PRISON **			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
ENDANGERMENT WITH A CONTROLLED SUBSTANCE	1	25.0%	24.0	3	75.0%	7.0	4	11.3
ESCAPE 1	30	90.9%	35.9	3	9.1%	2.1	33	32.8
ESCAPE 1 <attempt>	2	100.0%	22.8	0	0.0%	0.0	2	22.8
ESCAPE 2	32	51.6%	27.6	30	48.4%	5.4	62	16.9
ESCAPE FROM COMMUNITY CUSTODY- POST 6/92	1	1.3%	17.0	76	98.7%	2.0	77	2.2
EXPLOSIVE DEVICES PROHIBITED	1	100.0%	41.0	0	0.0%	0.0	1	41.0
EXPLOSIVE LICENSING VIOLATION	0	0.0%	0.0	7	100.0%	3.1	7	3.1
EXTORTION 1	2	50.0%	17.0	2	50.0%	10.5	4	13.8
EXTORTION 1 <attempt>	0	0.0%	0.0	1	100.0%	9.8	1	9.8
EXTORTION 2	2	33.3%	38.0	4	66.7%	4.3	6	15.5
FAIL TO REGISTER KIDNAPPER - POST 7/24/99	0	0.0%	0.0	14	100.0%	1.9	14	1.9
FAIL TO REGISTER SEX OFF (POST 7/24/99)	3	1.1%	13.7	265	98.9%	1.4	268	1.6
FAIL TO REGISTER SEX OFF 2+ (POST 06/07/06)	195	85.9%	26.9	32	14.1%	5.6	227	23.9
FAIL TO REGISTER SEX OFF -CL A (PRE 7/27/97)	0	0.0%	0.0	1	100.0%	0.0	1	0.0
FALSE VERIFICATION FOR WELFARE	0	0.0%	0.0	5	100.0%	1.6	5	1.6
FALSE VERIFICATION FOR WELFARE <attempt>	0	0.0%	0.0	1	100.0%	12.0	1	12.0
FORGED PRESCRIPTION VUCSA - 1ST	16	11.2%	14.8	127	88.8%	1.8	143	3.2
FORGED PRESCRIPTION VUCSA - 1ST <attempt>	0	0.0%	0.0	6	100.0%	1.0	6	1.0
FORGED PRESCRIPTION VUCSA - 1ST <consp.>	0	0.0%	0.0	3	100.0%	1.8	3	1.8
FORGED PRESCRIPTION VUCSA 2+	0	0.0%	0.0	2	100.0%	0.7	2	0.7
FORGED PRESCRIPTION VULDA	0	0.0%	0.0	7	100.0%	2.8	7	2.8
FORGERY	162	25.8%	19.8	467	74.2%	2.2	629	6.7
HARASSMENT	59	15.6%	29.3	320	84.4%	3.4	379	7.4
HARMING A POLICE DOG	0	0.0%	0.0	1	100.0%	3.0	1	3.0
HIT AND RUN - DEATH (POST 7/21/01)	12	100.0%	65.4	0	0.0%	0.0	12	65.4
HIT AND RUN - INJURY (POST 6/7/00)	36	40.9%	27.7	52	59.1%	4.1	88	13.7
IDENTITY THEFT (PRE 7/22/01)	0	0.0%	0.0	1	100.0%	0.2	1	0.2
IDENTITY THEFT 1 (POST 7/21/01)	65	63.1%	43.4	38	36.9%	2.5	103	28.3
IDENTITY THEFT 1 (POST 7/21/01) <attempt>	3	100.0%	41.9	0	0.0%	0.0	3	41.9
IDENTITY THEFT 2 (POST 7/21/01)	245	41.5%	28.6	346	58.5%	2.8	591	13.5
ILLEGAL TRANSFER OF MOTOR VEHICLE CERTIFICATE	0	0.0%	0.0	8	100.0%	5.5	8	5.5
INCENDIARY DEVICES (POST 7/24/99)	1	25.0%	215.0	3	75.0%	1.7	4	55.0

NOTE:

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\*\* Non-prison includes non-confinement sentences as well as jail sentences

OFFENSE	PRISON			NON-PRISON **			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
INCEST 1	18	85.7%	36.7	3	14.3%	7.3	21	32.5
INCEST 2	3	30.0%	36.7	7	70.0%	10.3	10	18.2
INCITING CRIMINAL PROFITEERING	2	100.0%	60.0	0	0.0%	0.0	2	60.0
INDECENT EXPOSURE (POST 7/24/99)	8	29.6%	35.5	19	70.4%	5.5	27	14.4
INDECENT EXPOSURE (PRE 7/25/99)	0	0.0%	0.0	2	100.0%	6.4	2	6.4
INDECENT LIB /FORCE VICT w/DIMI CAP(POST 03/20/06)	1	100.0%	68.0	0	0.0%	0.0	1	68.0
INDECENT LIB -DD VICTM (POST 7/90)	33	78.6%	46.3	9	21.4%	7.9	42	38.0
INDECENT LIB -DD VICTM (POST 7/90) <attempt>	4	80.0%	31.4	1	20.0%	11.3	5	27.4
INDECENT LIB W/FORCE (POST 8/31/01) (.712)	9	90.0%	105.8	1	10.0%	6.0	10	95.8
INDECENT LIB W/FORCE (POST 8/31/01) (.712) <attempt>	3	100.0%	78.8	0	0.0%	0.0	3	78.8
INDECENT LIBERTIES BY HEALTHCARE PROVIDER	0	0.0%	0.0	1	100.0%	3.0	1	3.0
INJURY-PUBLIC RECORD	0	0.0%	0.0	1	100.0%	0.1	1	0.1
INSURANCE FRAUD	1	33.3%	12.0	2	66.7%	0.7	3	4.5
INSURANCE FRAUD-FALSE CLAIMS	0	0.0%	0.0	11	100.0%	1.5	11	1.5
INTERFERENCE WITH OFFICER'S DUITES/HOLDING HOSTAGE	1	50.0%	24.0	1	50.0%	12.0	2	18.0
INTIMIDATING A JUDGE	3	75.0%	68.7	1	25.0%	0.7	4	51.7
INTIMIDATING A PUBLIC SERVANT	4	19.0%	17.5	17	81.0%	3.2	21	5.9
INTIMIDATING A PUBLIC SERVANT <attempt>	1	100.0%	38.3	0	0.0%	0.0	1	38.3
INTIMIDATING A WITNESS	18	100.0%	66.1	0	0.0%	0.0	18	66.1
INTIMIDATING A WITNESS <attempt>	1	100.0%	14.0	0	0.0%	0.0	1	14.0
INTIMIDATION WITH AN EXPLOSIVE	0	0.0%	0.0	1	100.0%	3.8	1	3.8
INTRODUCING CONTRABAND 2	0	0.0%	0.0	2	100.0%	7.5	2	7.5
INVOLVING MINOR IN DRUG DEAL- POST 7/89- 2+ <consp.>	0	0.0%	0.0	1	100.0%	6.0	1	6.0
KIDNAP 1	16	100.0%	159.8	0	0.0%	0.0	16	159.8
KIDNAP 1 <attempt>	1	100.0%	64.0	0	0.0%	0.0	1	64.0
KIDNAP 1	2	100.0%	Life	0	0.0%	0.0	2	Life
KIDNAP 1 W/SEX.MOT-VICT <15 (POST 03/20/06)	1	100.0%	300.0	0	0.0%	0.0	1	300.0
KIDNAP 2	11	73.3%	44.1	4	26.7%	9.8	15	34.9
KIDNAP 2 <attempt>	0	0.0%	0.0	3	100.0%	3.9	3	3.9
KIDNAP 2 <consp.>	2	40.0%	13.0	3	60.0%	4.1	5	7.6
LEADING ORGANIZED CRIME	2	100.0%	164.5	0	0.0%	0.0	2	164.5
LOTTERY ACT VIOLATION	0	0.0%	0.0	2	100.0%	3.5	2	3.5

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OFFENSE	PRISON			NON-PRISON **			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
LOTTERY ACT VIOLATION <attempt>	0	0.0%	0.0	1	100.0%	0.3	1	0.3
LURING OF CHILD	2	16.7%	18.0	10	83.3%	3.6	12	6.0
M/D/P W/I AMPHET - 1ST OFF (POST 6/10/98)	4	100.0%	40.5	0	0.0%	0.0	4	40.5
M/D/P W/I HER COC - SCH Z (POST 6/30/02) (L7)	20	100.0%	58.4	0	0.0%	0.0	20	58.4
M/D/P W/I HER COC - SCH Z (POST 6/30/02) (L8) <consp.>	0	0.0%	0.0	1	100.0%	6.4	1	6.4
M/D/P W/I HER COC (POST 6/30/02) (L7)	375	88.2%	30.4	50	11.8%	1.4	425	27.0
M/D/P W/I HER COC (POST 6/30/02) (L7) <attempt>	4	33.3%	14.0	8	66.7%	4.4	12	7.6
M/D/P W/I HER COC (POST 6/30/02) (L7) <consp.>	10	4.8%	16.7	199	95.2%	4.2	209	4.8
M/D/P W/I HER COC (POST 6/30/02) (L7) <sollic.>	31	44.9%	27.6	38	55.1%	8.4	69	17.0
M/D/P W/I HER COC (POST 6/30/02) (L8)	3	100.0%	31.4	0	0.0%	0.0	3	31.4
M/D/P W/I HER COC (POST 6/30/02) (L8) <consp.>	0	0.0%	0.0	6	100.0%	6.2	6	6.2
M/D/P W/I HER COC (POST 6/30/02) (L8) <sollic.>	1	50.0%	45.0	1	50.0%	9.0	2	27.0
M/D/P W/I HER COC (PRE 7/1/02)	1	100.0%	12.0	0	0.0%	0.0	1	12.0
M/D/P W/I HER COC (PRE 7/1/02) <consp.>	0	0.0%	0.0	2	100.0%	6.5	2	6.5
M/D/P W/I HER COC (PRE 7/1/02) <sollic.>	2	100.0%	30.4	0	0.0%	0.0	2	30.4
M/D/P W/I HER COC 2+ (POST 6/30/02) (L7)	19	100.0%	39.3	0	0.0%	0.0	19	39.3
M/D/P W/I HER COC 2+ (POST 6/30/02) (L7) <consp.>	0	0.0%	0.0	7	100.0%	6.9	7	6.9
M/D/P W/I HER COC 2+ (POST 6/30/02) (L7) <sollic.>	1	100.0%	26.3	0	0.0%	0.0	1	26.3
M/D/P W/I HER COC 2+ (POST 6/30/02) (L8)	3	100.0%	46.7	0	0.0%	0.0	3	46.7
M/D/P W/I HER COC 2+ (POST 6/30/02) (L8) <consp.>	0	0.0%	0.0	3	100.0%	3.0	3	3.0
M/D/P W/I IMITATION CTRL SUBS-POST 7/89	1	100.0%	26.0	0	0.0%	0.0	1	26.0
M/D/P W/I MARIJ - 1ST OFF	52	9.6%	14.9	488	90.4%	2.6	540	3.8
M/D/P W/I MARIJ - 1ST OFF <attempt>	0	0.0%	0.0	18	100.0%	2.9	18	2.9
M/D/P W/I MARIJ - 1ST OFF <consp.>	1	3.7%	16.0	26	96.3%	2.6	27	3.1
M/D/P W/I MARIJ - 2ND OFFENSE	5	71.4%	21.2	2	28.6%	0.5	7	15.3
M/D/P W/I MARIJ - 2ND OFFENSE <consp.>	0	0.0%	0.0	1	100.0%	1.0	1	1.0
M/D/P W/I MARIJ - CORR FAC	1	100.0%	15.0	0	0.0%	0.0	1	15.0
M/D/P W/I MARIJ - SCH ZONE	6	100.0%	48.0	0	0.0%	0.0	6	48.0
M/D/P W/I OTH,EXC MJ/METH/AMP/FLUN-1ST(POST 6/98)	2	100.0%	40.0	0	0.0%	0.0	2	40.0
M/D/P W/I OTH,EXC MJ/METH/AMP/FLUN-SZ(POST 6/98)	1	100.0%	36.0	0	0.0%	0.0	1	36.0

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OFFENSE	PRISON			NON-PRISON **			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
M/D/P W/I SC I/II NARC OR FLUNT-1ST OFF	81	84.4%	20.0	15	15.6%	0.1	96	16.9
M/D/P W/I SC I/II NARC OR FLUNT-1ST OFF <attempt>	0	0.0%	0.0	6	100.0%	5.6	6	5.6
M/D/P W/I SC I/II NARC OR FLUNT-1ST OFF <consp.>	1	4.0%	29.0	24	96.0%	3.0	25	4.0
M/D/P W/I SC I/II NARC OR FLUNT-1ST OFF <solic.>	1	100.0%	60.0	0	0.0%	0.0	1	60.0
MAINTN PLAC FOR DRUGS (69.50)- 1ST (POST 7/24/99)	4	100.0%	26.5	0	0.0%	0.0	4	26.5
MALICIOUS HARASSMENT	4	26.7%	21.8	11	73.3%	4.6	15	9.2
MALICIOUS MISCHIEF 1	14	21.5%	26.4	51	78.5%	2.9	65	7.9
MALICIOUS MISCHIEF 1 <attempt>	1	33.3%	16.5	2	66.7%	5.6	3	9.2
MALICIOUS MISCHIEF 2	40	13.7%	18.4	253	86.3%	1.9	293	4.2
MALICIOUS PLACEMENT OF EXPLOSIVES 3 (POST 7/26/97) <attempt>	1	100.0%	15.8	0	0.0%	0.0	1	15.8
MALICIOUS PROSECUTION	0	0.0%	0.0	1	100.0%	2.0	1	2.0
MANSLAUGHTER 1 (POST 7/26/97)	22	100.0%	125.6	0	0.0%	0.0	22	125.6
MANSLAUGHTER 1 (POST 7/26/97) <attempt>	1	100.0%	74.0	0	0.0%	0.0	1	74.0
MANSLAUGHTER 1 (POST 7/26/97) <consp.>	3	100.0%	62.5	0	0.0%	0.0	3	62.5
MANSLAUGHTER 1 (PRE 7/27/97)	1	100.0%	116.0	0	0.0%	0.0	1	116.0
MANSLAUGHTER 2 (POST 7/26/97)	16	94.1%	66.7	1	5.9%	9.0	17	63.3
MANSLAUGHTER 2 (POST 7/26/97) <attempt>	1	100.0%	60.0	0	0.0%	0.0	1	60.0
MEDICAID FRAUD	0	0.0%	0.0	2	100.0%	1.6	2	1.6
MEDICAL MARIJUANA FRADULENT RECORDS	0	0.0%	0.0	1	100.0%	0.5	1	0.5
MFG METH - 1ST OFFENSE (POST 6/30/98)	21	100.0%	69.1	0	0.0%	0.0	21	69.1
MFG METH - 1ST OFFENSE (POST 6/30/98) <attempt>	0	0.0%	0.0	2	100.0%	7.5	2	7.5
MFG METH - 1ST OFFENSE (POST 6/30/98) <consp.>	0	0.0%	0.0	13	100.0%	6.8	13	6.8
MFG METH - 2ND OFFENSE (POST 6/30/98)	1	100.0%	108.0	0	0.0%	0.0	1	108.0
MFG METH - SCH ZONE OFF (POST 6/30/98)	5	100.0%	98.6	0	0.0%	0.0	5	98.6
MONEY LAUNDERING	2	8.7%	73.0	21	91.3%	3.1	23	9.2
MONEY LAUNDERING <attempt>	0	0.0%	0.0	2	100.0%	0.8	2	0.8
MONEY LAUNDERING <consp.>	0	0.0%	0.0	1	100.0%	9.0	1	9.0
MURDER 1 (POST 7/24/99)	29	100.0%	491.9	0	0.0%	0.0	29	491.9
MURDER 1 (POST 7/24/99) <attempt>	11	100.0%	328.6	0	0.0%	0.0	11	328.6
MURDER 1 (POST 7/24/99) <solic.>	2	100.0%	418.5	0	0.0%	0.0	2	418.5
MURDER 1 (POST 7/24/99) <attempt>	1	100.0%	Life	0	0.0%	0.0	1	Life
MURDER 1 - PRE 7/1/90	4	100.0%	531.8	0	0.0%	0.0	4	531.8

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OFFENSE	PRISON			NON-PRISON **			TOTAL	
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MURDER 1 (7/1/90-7/24/99)	2	100.0%	461.0	0	0.0%	0.0	2	461.0
MURDER 2 (POST 7/24/99)	48	100.0%	210.5	0	0.0%	0.0	48	210.5
MURDER 2 (POST 7/24/99) <attempt>	5	100.0%	164.4	0	0.0%	0.0	5	164.4
MURDER 2 (POST 7/24/99) <consp.>	1	100.0%	86.0	0	0.0%	0.0	1	86.0
MURDER 2 (POST 7/24/99) <sollic.>	1	100.0%	244.0	0	0.0%	0.0	1	244.0
OBTAIN SIGNATURE BY DECEPTION	0	0.0%	0.0	1	100.0%	0.0	1	0.0
OFFER FALSE DOCUMENT	0	0.0%	0.0	2	100.0%	0.5	2	0.5
ORGANIZED RETAIL THEFT 1	1	25.0%	29.8	3	75.0%	3.3	4	9.9
ORGANIZED RETAIL THEFT 2	16	30.8%	25.6	36	69.2%	2.2	52	9.4
OVER 18 - DEL OTH TO MINOR	1	100.0%	60.0	0	0.0%	0.0	1	60.0
OVER 18 - DEL S I/II NARC/FLUNT/METH MINOR	2	100.0%	48.9	0	0.0%	0.0	2	48.9
OWNER OF DOG THAT ATTACKS	0	0.0%	0.0	1	100.0%	3.0	1	3.0
PATRONIZING A JUV PROSTITUTE (POST 6/30/01)	0	0.0%	0.0	1	100.0%	3.0	1	3.0
PERJURY 1	1	50.0%	62.0	1	50.0%	3.0	2	32.5
PERJURY 2	2	16.7%	17.0	10	83.3%	1.7	12	4.2
PERSISTENT PRISON MISBEHAVIOR	0	0.0%	0.0	1	100.0%	7.1	1	7.1
POS CNTL SUBS - BY PRISONERS	0	0.0%	0.0	16	100.0%	2.5	16	2.5
POS CNTL SUBS - OTHER EXC.PCP/FLUNIT	470	21.5%	15.8	1711	78.5%	2.2	2181	5.1
POS CNTL SUBS - OTHER EXC.PCP/FLUNIT <attempt>	1	1.0%	12.0	100	99.0%	2.6	101	2.7
POS CNTL SUBS - OTHER EXC.PCP/FLUNIT <consp.>	0	0.0%	0.0	93	100.0%	2.9	93	2.9
POS CNTL SUBS - SCH I/II IN CORR FACIL	1	50.0%	24.0	1	50.0%	0.0	2	12.0
POS CNTL SUBS SCH I/II OR FLUNIT	285	23.4%	16.2	934	76.6%	2.3	1219	5.5
POS CNTL SUBS SCH I/II OR FLUNIT <attempt>	0	0.0%	0.0	70	100.0%	3.4	70	3.4
POS CNTL SUBS SCH I/II OR FLUNIT <consp.>	0	0.0%	0.0	55	100.0%	2.5	55	2.5
POS DEPICTION OF MINORS - POST 06/07/06	25	80.6%	34.9	6	19.4%	3.1	31	28.7
POS DEPICTION OF MINORS - POST 06/07/06 <attempt>	0	0.0%	0.0	4	100.0%	9.4	4	9.4
POS EPHEP/PSEUDO/AMMO W/I MFG METH-1ST (POST6/00)	2	100.0%	40.4	0	0.0%	0.0	2	40.4
POS EPHEP/PSEUDO/AMMO W/I MFG METH-1ST (POST6/00) <attempt>	1	100.0%	44.6	0	0.0%	0.0	1	44.6
POS MACH GUN/SHOT BARL SHOT GUN (POST 7/24/99)	1	11.1%	15.0	8	88.9%	1.9	9	3.4
POS PHENCYCLIDINE (PCP)	0	0.0%	0.0	2	100.0%	2.0	2	2.0
POS PHENCYCLIDINE (PCP) <consp.>	0	0.0%	0.0	1	100.0%	2.2	1	2.2

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OFFENSE	PRISON			NON-PRISON **			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
POS STOLEN FIREARM	27	50.9%	38.4	26	49.1%	4.1	53	21.6
POS STOLEN FIREARM <attempt>	0	0.0%	0.0	1	100.0%	4.5	1	4.5
POS STOLEN PROPERTY 1	25	30.9%	24.6	56	69.1%	3.0	81	9.7
POS STOLEN PROPERTY 1 <attempt>	1	100.0%	24.8	0	0.0%	0.0	1	24.8
POS STOLEN PROPERTY 1 <solic.>	0	0.0%	0.0	1	100.0%	1.0	1	1.0
POS STOLEN PROPERTY 2	86	25.0%	20.0	258	75.0%	2.3	344	6.7
POS STOLEN VEHICLE	228	59.5%	32.1	155	40.5%	2.6	383	20.1
POS STOLEN VEHICLE <attempt>	7	87.5%	29.6	1	12.5%	1.0	8	26.0
POS STOLEN VEHICLE <consp.>	0	0.0%	0.0	2	100.0%	9.5	2	9.5
PRACTICE OF PROFESSION W/O LICENSE	0	0.0%	0.0	1	100.0%	0.0	1	0.0
PROMOTING PROSTITUTION 1	7	100.0%	31.3	0	0.0%	0.0	7	31.3
PROMOTING PROSTITUTION 1 <attempt>	2	100.0%	71.3	0	0.0%	0.0	2	71.3
PROMOTING PROSTITUTION 1 <consp.>	2	100.0%	87.0	0	0.0%	0.0	2	87.0
PROMOTING PROSTITUTION 2	5	33.3%	26.6	10	66.7%	2.7	15	10.7
RAPE 1 (POST 8/31/01) (.712)	11	100.0%	198.7	0	0.0%	0.0	11	198.7
RAPE 1 (POST 8/31/01) (.712) <attempt>	1	100.0%	72.0	0	0.0%	0.0	1	72.0
RAPE 1 (POST 8/31/01) (.712)	3	100.0%	Life	0	0.0%	0.0	3	Life
RAPE 2 (7/27/97 - 8/31/01)	1	100.0%	146.0	0	0.0%	0.0	1	146.0
RAPE 2 (POST 8/31/01) (.712)	27	90.0%	149.4	3	10.0%	8.3	30	135.3
RAPE 2 (POST 8/31/01) (.712) <attempt>	3	100.0%	119.0	0	0.0%	0.0	3	119.0
RAPE 2 (POST 8/31/01) (.712)	1	100.0%	Life	0	0.0%	0.0	1	Life
RAPE 3	25	52.1%	27.2	23	47.9%	9.2	48	18.5
RAPE OF A CHILD 1 (7/27/97 - 8/31/01)	9	64.3%	172.3	5	35.7%	7.4	14	113.4
RAPE OF A CHILD 1 (7/90 - 7/26/97)	1	100.0%	102.0	0	0.0%	0.0	1	102.0
RAPE OF A CHILD 1 .712 >=18 /FEE (POST 07/22/07)	1	100.0%	160.0	0	0.0%	0.0	1	160.0
RAPE OF A CHILD 1 <18 (POST 8/31/01)	7	100.0%	155.3	0	0.0%	0.0	7	155.3
RAPE OF A CHILD 1 >17 (POST 8/31/01) (.712)	49	73.1%	200.7	18	26.9%	10.0	67	149.5
RAPE OF A CHILD 1 >17 (POST 8/31/01) (.712) <attempt>	1	100.0%	180.0	0	0.0%	0.0	1	180.0
RAPE OF A CHILD 1 >17 (POST 8/31/01) (.712) <consp.>	1	100.0%	180.0	0	0.0%	0.0	1	180.0
RAPE OF A CHILD 1 >17 (POST 8/31/01) (.712) <solic.>	1	100.0%	45.0	0	0.0%	0.0	1	45.0
RAPE OF A CHILD 2 (7/27/97 - 8/31/01)	3	75.0%	145.7	1	25.0%	12.0	4	112.3
RAPE OF A CHILD 2 (PRE 7/90)	1	100.0%	120.0	0	0.0%	0.0	1	120.0
RAPE OF A CHILD 2 <18 (POST 8/31/01)	2	100.0%	112.5	0	0.0%	0.0	2	112.5
RAPE OF A CHILD 2 <18 (POST 8/31/01) <solic.>	1	100.0%	174.0	0	0.0%	0.0	1	174.0

NOTE:

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

\*\* Non-prison includes non-confinement sentences as well as jail sentences

OFFENSE	PRISON			NON-PRISON **			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
RAPE OF A CHILD 2 >17 (POST 8/31/01) (.712)	40	83.3%	148.2	8	16.7%	9.4	48	125.0
RAPE OF A CHILD 2 >17 (POST 8/31/01) (.712) <attempt>	3	100.0%	78.8	0	0.0%	0.0	3	78.8
RAPE OF A CHILD 2 >17 (POST 8/31/01) (.712)	1	100.0%	Life	0	0.0%	0.0	1	Life
RAPE OF A CHILD 2 PREDATORY (.712) (POST 03/20/06)	1	100.0%	300.0	0	0.0%	0.0	1	300.0
RAPE OF A CHILD 3-POST 7/90	83	83.0%	25.7	17	17.0%	6.7	100	22.5
RECKLESS BURNING 1	2	11.1%	22.0	16	88.9%	2.6	18	4.8
RENDERING CRIMINAL ASSTANCE 1	11	33.3%	27.0	22	66.7%	5.5	33	12.7
RESIDENTIAL BURGLARY-POST 7/90	407	48.4%	34.3	434	51.6%	3.4	841	18.4
RESIDENTIAL BURGLARY-POST 7/90 <attempt>	38	40.9%	29.5	55	59.1%	4.5	93	14.7
RESIDENTIAL BURGLARY-POST 7/90 <consp.>	4	66.7%	49.1	2	33.3%	0.5	6	32.9
RETAIL THEFT W/EXTENU CIRCUMSTN 1	2	100.0%	31.5	0	0.0%	0.0	2	31.5
RETAIL THEFT W/EXTENU CIRCUMSTN 2	6	33.3%	25.2	12	66.7%	2.5	18	10.0
RETAIL THEFT W/EXTENU CIRCUMSTN 3	5	4.7%	17.6	102	95.3%	2.5	107	3.2
RIOT	9	4.4%	19.0	195	95.6%	3.0	204	3.7
ROBBERY 1	315	99.4%	82.4	2	0.6%	12.0	317	82.0
ROBBERY 1 <attempt>	54	94.7%	60.7	3	5.3%	10.7	57	58.1
ROBBERY 1 <consp.>	9	81.8%	47.2	2	18.2%	11.0	11	40.6
ROBBERY 1	2	100.0%	Life	0	0.0%	0.0	2	Life
ROBBERY 2	169	54.5%	30.2	141	45.5%	6.6	310	19.4
ROBBERY 2 <attempt>	19	39.6%	30.5	29	60.4%	4.9	48	15.1
ROBBERY 2 <consp.>	1	25.0%	18.0	3	75.0%	8.3	4	10.7
ROBBERY 2 <solic.>	1	100.0%	60.0	0	0.0%	0.0	1	60.0
ROBBERY 2	3	100.0%	Life	0	0.0%	0.0	3	Life
SECURITY ACT VIOLATION-POST 7/89	1	100.0%	120.0	0	0.0%	0.0	1	120.0
SELL OR DELIVER LEGEND DRUGS	0	0.0%	0.0	2	100.0%	2.1	2	2.1
SELLING FOR PROFIT-POST 7/91 1ST	2	100.0%	88.0	0	0.0%	0.0	2	88.0
SELLING FOR PROFIT-POST 7/91 2ND	1	100.0%	120.0	0	0.0%	0.0	1	120.0
SEND/BRING SEXUAL DEPICTIONS OF MINOR-POST 6/30/01	1	100.0%	36.0	0	0.0%	0.0	1	36.0
SEXUAL EXPLOITATION (POST 6/30/01)	7	70.0%	76.1	3	30.0%	4.3	10	54.6
SEXUAL EXPLOITATION (POST 6/30/01) <attempt>	1	100.0%	57.8	0	0.0%	0.0	1	57.8
SEXUAL MISCONDUCT 1 (POST 7/90)	3	60.0%	31.5	2	40.0%	7.1	5	21.7
SEXUALLY VIOLENT PREDATOR ESCAPE <attempt>	1	100.0%	66.8	0	0.0%	0.0	1	66.8

NOTE:

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

\*\* Non-prison includes non-confinement sentences as well as jail sentences

OFFENSE	PRISON			NON-PRISON **			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
STALKING (POST 6/30/00)	18	64.3%	49.8	10	35.7%	4.9	28	33.8
STATUTORY RAPE 3 (PRE 7/88)	1	100.0%	24.0	0	0.0%	0.0	1	24.0
TAMPERING WITH A WITNESS	26	39.4%	36.8	40	60.6%	4.2	66	17.1
TAMPERING WITH A WITNESS <attempt>	0	0.0%	0.0	1	100.0%	0.7	1	0.7
TELECOMMUNICATIONS FRAUD	0	0.0%	0.0	1	100.0%	0.0	1	0.0
TELEPHONE HARASSMENT (POST 7/24/99)	8	38.1%	26.5	13	61.9%	5.9	21	13.7
THEFT 1	151	25.2%	32.4	448	74.8%	2.8	599	10.2
THEFT 1 <attempt>	14	22.2%	22.8	49	77.8%	3.3	63	7.6
THEFT 1 <solic.>	0	0.0%	0.0	1	100.0%	9.5	1	9.5
THEFT 1 - WELFARE FRAUD	2	10.0%	23.5	18	90.0%	1.0	20	3.2
THEFT 2	193	17.1%	19.7	937	82.9%	2.0	1130	5.0
THEFT 2 - WELFARE FRAUD	0	0.0%	0.0	4	100.0%	0.3	4	0.3
THEFT OF A FIREARM (POST 7/22/95)	39	60.9%	38.6	25	39.1%	1.8	64	24.2
THEFT OF A FIREARM (POST 7/22/95) <attempt>	1	100.0%	12.0	0	0.0%	0.0	1	12.0
THEFT OF MOTOR VEHICLE	71	49.7%	34.7	72	50.3%	3.2	143	18.9
THEFT OF MOTOR VEHICLE <attempt>	13	38.2%	28.3	21	61.8%	3.0	34	12.7
THEFT OF RENTAL OR LEASED PROPERTY (\$250-\$1500)	2	10.0%	17.4	18	90.0%	0.9	20	2.6
THEFT OF RENTAL OR LEASED PROPERTY (<\$1,500)	0	0.0%	0.0	8	100.0%	2.4	8	2.4
THEFT OF TELECOMMUNICATIONS SVC	0	0.0%	0.0	2	100.0%	2.0	2	2.0
THEFT W/ INTENT RESELL 1	0	0.0%	0.0	1	100.0%	2.0	1	2.0
THEFT W/ INTENT RESELL 2	1	16.7%	12.0	5	83.3%	1.6	6	3.3
THREATS TO BOMB - POST 7/89	4	25.0%	20.3	12	75.0%	3.1	16	7.4
THREATS TO BOMB - POST 7/89 <attempt>	0	0.0%	0.0	1	100.0%	12.0	1	12.0
TMVWOP 1 (POST 6/12/02)	4	100.0%	61.5	0	0.0%	0.0	4	61.5
TMVWOP 2 (POST 6/12/02)	179	37.4%	20.1	300	62.6%	2.3	479	8.9
TRAFFICKING IN STOLEN PROP 1	107	47.6%	28.4	118	52.4%	2.8	225	15.0
TRAFFICKING IN STOLEN PROP 1 <attempt>	1	16.7%	27.6	5	83.3%	4.6	6	8.4
TRAFFICKING IN STOLEN PROP 1 <consp.>	2	100.0%	13.4	0	0.0%	0.0	2	13.4
TRAFFICKING IN STOLEN PROP 2	36	23.4%	23.2	118	76.6%	3.6	154	8.1
UNLAWFUL DISCHARGE OF A LASER 1	0	0.0%	0.0	1	100.0%	0.5	1	0.5
UNLAWFUL FACTORING CREDIT/PAY CARD TRANSACTION-1ST	3	75.0%	25.3	1	25.0%	2.0	4	19.5
UNLAWFUL HUNTING BIG GAME - 1ST	0	0.0%	0.0	3	100.0%	8.0	3	8.0
UNLAWFUL IMPRISONMENT	22	26.8%	47.9	60	73.2%	3.3	82	15.3
UNLAWFUL ISSUE OF CHECKS/DRAFT	8	14.3%	26.0	48	85.7%	1.9	56	5.3
UNLAWFUL POSS OF FICTITIOUS IDENTIFICATION	1	50.0%	22.0	1	50.0%	0.8	2	11.4

NOTE:

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

\*\* Non-prison includes non-confinement sentences as well as jail sentences

OFFENSE	PRISON			NON-PRISON **			TOTAL	
	(N)	%	Months	(N)	%	Months	(N)	Months
UNLAWFUL POSS OF FIREARM 1	138	97.9%	62.8	3	2.1%	5.0	141	61.6
UNLAWFUL POSS OF FIREARM 1 <attempt>	4	100.0%	23.6	0	0.0%	0.0	4	23.6
UNLAWFUL POSS OF FIREARM 2	126	31.1%	28.7	279	68.9%	4.4	405	12.0
UNLAWFUL POSS OF PAYMENT INSTRUMENTS	5	33.3%	19.0	10	66.7%	2.0	15	7.7
UNLAWFUL PRODUCTION OF PAYMENT INSTRUMENTS	0	0.0%	0.0	2	100.0%	4.0	2	4.0
UNLAWFUL TRAFFICKING FISH OR WILDLIFE - 1ST	0	0.0%	0.0	1	100.0%	0.0	1	0.0
USE BUILDING FOR DRUGS (69.53) (POST 7/24/99)	1	33.3%	12.0	2	66.7%	7.4	3	8.9
USE BUILDING FOR DRUGS (69.53) (PRE 7/25/99)	0	0.0%	0.0	1	100.0%	6.0	1	6.0
VEHICLE PROWL 1	4	33.3%	16.6	8	66.7%	1.9	12	6.8
VEHICULAR ASSAULT DISREGARD SAFETY (POST 7/21/01)	8	15.1%	33.6	45	84.9%	3.6	53	8.1
VEHICULAR ASSAULT DISREGARD SAFETY (POST 7/21/01) <attempt>	0	0.0%	0.0	2	100.0%	4.5	2	4.5
VEHICULAR ASSAULT UND INFL/RECKLESS (POST 7/21/01)	36	33.6%	31.0	71	66.4%	5.7	107	14.2
VEHICULAR ASSAULT UND INFL/RECKLESS (POST 7/21/01) <attempt>	1	100.0%	47.3	0	0.0%	0.0	1	47.3
VEHICULAR HOMICIDE - DISREGARD SAFETY-VIOLENT	11	91.7%	24.5	1	8.3%	6.0	12	23.0
VEHICULAR HOMICIDE - DRUNK (POST 6/5/96)	19	100.0%	64.7	0	0.0%	0.0	19	64.7
VEHICULAR HOMICIDE - RECKLESS MANNER (POST 6/5/96)	6	100.0%	27.2	0	0.0%	0.0	6	27.2
VIOLATION OF FOREIGN PROTECTION ORDER	2	4.0%	16.5	48	96.0%	5.0	50	5.4
VIOLATION OF SUSPEN OF DEPT. PRIVILEGES 1ST DEG.	0	0.0%	0.0	1	100.0%	0.2	1	0.2
VOTER REGISTRATION VIOLATION	0	0.0%	0.0	1	100.0%	1.0	1	1.0
VOYEURISM	1	5.6%	120.0	17	94.4%	3.4	18	9.9
VOYEURISM (POST 06/07/06)	1	10.0%	12.0	9	90.0%	3.8	10	4.6
VUCSA - GENERIC	0	0.0%	0.0	1	100.0%	9.0	1	9.0
VUCSA - GENERIC <consp.>	0	0.0%	0.0	1	100.0%	1.5	1	1.5
WEAP POSS BY PRISONER/COUNTY FACILITY	0	0.0%	0.0	3	100.0%	1.2	3	1.2
	8,490	37.5%	41.8	14,172	62.5%	3.0	22,662	17.5

NOTE:

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

\*\* Non-prison includes non-confinement sentences as well as jail sentences

**Table 3A. Sentencing Grid Frequencies  
Fiscal Year 2010**

SERIOUSNESS LEVEL	OFFENDER SCORE										TOTAL
	0	1	2	3	4	5	6	7	8	9	
XVI	8	0	0	0	0	0	0	0	0	0	8
XV	16	2	6	2	1	4	2	4	1	6	44
XIV	36	3	3	5	2	1	2	1	0	4	57
XIII	1	0	2	0	0	0	0	1	0	0	4
XII	51	14	19	49	4	13	20	7	6	23	206
XI	39	7	9	24	9	4	6	4	1	18	121
X	52	3	7	36	6	5	20	8	5	22	164
IX	107	44	64	41	36	34	22	29	11	61	449
VIII	22	4	6	8	6	5	4	4	6	4	69
VII	117	42	45	64	42	36	42	26	17	54	485
VI	84	34	15	40	8	8	16	6	4	30	245
V	312	158	143	122	84	86	49	40	21	81	1,096
IV	870	451	328	210	190	159	105	93	68	328	2,802
III	1,334	741	536	313	254	194	165	119	85	304	4,045
II	567	311	200	208	138	154	141	112	88	495	2,414
I	1,001	523	347	308	236	233	144	138	127	507	3,564
Unranked	1,687	9	9	13	7	6	2	1	3	5	1,742
<b>TOTAL</b>	6,304	2,346	1,739	1,443	1,023	942	740	593	443	1,942	17,515

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 2010**

SERIOUSNESS LEVEL	OFFENDER SCORE			TOTAL
	0 - 2	3 - 5	6 - 9	
III	23	7	16	46
II	504	303	212	1,019
I	2,573	804	705	4,082
<b>TOTAL</b>	3,100	1,114	933	5,147

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 2010**

COUNTY	VIOLENT			NONVIOLENT			TOTAL			TOTAL
	Jail	Prison	Other*	Jail	Prison	Other*	Jail	Prison	Other*	
Adams	1	11	0	50	23	0	51	34	0	85
Asotin	1	7	0	80	37	1	81	44	1	126
Benton	15	42	0	451	266	22	466	308	22	796
Chelan	4	13	0	175	69	14	179	82	14	275
Clallam	10	7	0	192	41	26	202	48	26	276
Clark	65	145	0	914	500	14	979	645	14	1,638
Columbia	1	1	0	13	9	1	14	10	1	25
Cowlitz	4	37	0	521	276	77	525	313	77	915
Douglas	0	3	0	89	46	7	89	49	7	145
Ferry	0	1	0	11	0	1	11	1	1	13
Franklin	9	15	0	150	81	1	159	96	1	256
Garfield	0	0	0	5	2	0	5	2	0	7
Grant	19	20	0	268	80	9	287	100	9	396
Grays Harbor	6	21	0	148	83	23	154	104	23	281
Island	5	12	0	82	35	0	87	47	0	134
Jefferson	0	2	0	42	24	8	42	26	8	76
King	151	418	0	1,538	1,175	176	1,689	1,593	176	3,458
Kitsap	17	46	0	550	273	26	567	319	26	912
Kittitas	3	4	0	97	56	1	100	60	1	161
Klickitat	1	3	0	36	22	0	37	25	0	62
Lewis	10	27	0	229	160	20	239	187	20	446
Lincoln	1	1	0	16	4	0	17	5	0	22
Mason	5	21	0	127	100	21	132	121	21	274
Okanogan	2	9	0	115	35	2	117	44	2	163
Pacific	0	7	0	54	30	3	54	37	3	94
Pend Oreille	0	1	0	18	1	3	18	2	3	23
Pierce	121	289	1	2,152	1,263	95	2,273	1,552	96	3,921
San Juan	0	1	0	17	9	1	17	10	1	28
Skagit	17	32	0	315	161	4	332	193	4	529
Skamania	0	4	0	23	1	1	23	5	1	29
Snohomish	49	107	0	774	417	67	823	524	67	1,414
Spokane	67	139	1	1,324	413	136	1,391	552	137	2,080
Stevens	4	9	0	101	28	9	105	37	9	151
Thurston	33	73	0	574	343	15	607	416	15	1,038
Wahkiakum	0	0	0	7	3	0	7	3	0	10
Walla Walla	6	11	0	134	62	4	140	73	4	217
Whatcom	18	60	0	548	265	3	566	325	3	894
Whitman	1	5	0	42	12	3	43	17	3	63
Yakima	27	80	0	677	401	44	704	481	44	1,229
<b>TOTAL</b>	<b>673</b>	<b>1,684</b>	<b>2</b>	<b>12,659</b>	<b>6,806</b>	<b>838</b>	<b>13,332</b>	<b>8,490</b>	<b>840</b>	<b>22,662</b>

\* Other sentence includes non-confinement sentences such as residential drug offender sentencing alternative.

**Table 5. Percentage of Sentences for Violent and Nonviolent Offenses by Facility Type and County  
Fiscal Year 2010**

COUNTY	VIOLENT		NONVIOLENT		TOTAL	
	Jail	Prison	Jail	Prison	Jail	Prison
Adams	8.3%	91.7%	68.5%	31.5%	60.0%	40.0%
Asotin	12.5%	87.5%	68.4%	31.6%	64.8%	35.2%
Benton	26.3%	73.7%	62.9%	37.1%	60.2%	39.8%
Chelan	23.5%	76.5%	71.7%	28.3%	68.6%	31.4%
Clallam	58.8%	41.2%	82.4%	17.6%	80.8%	19.2%
Clark	31.0%	69.0%	64.6%	35.4%	60.3%	39.7%
Columbia	50.0%	50.0%	59.1%	40.9%	58.3%	41.7%
Cowlitz	9.8%	90.2%	65.4%	34.6%	62.6%	37.4%
Douglas	0.0%	100.0%	65.9%	34.1%	64.5%	35.5%
Ferry	0.0%	100.0%	100.0%	0.0%	91.7%	8.3%
Franklin	37.5%	62.5%	64.9%	35.1%	62.4%	37.6%
Garfield	n.a.	n.a.	71.4%	28.6%	71.4%	28.6%
Grant	48.7%	51.3%	77.0%	23.0%	74.2%	25.8%
Grays Harbor	22.2%	77.8%	64.1%	35.9%	59.7%	40.3%
Island	29.4%	70.6%	70.1%	29.9%	64.9%	35.1%
Jefferson	0.0%	100.0%	63.6%	36.4%	61.8%	38.2%
King	26.5%	73.5%	56.7%	43.3%	51.5%	48.5%
Kitsap	27.0%	73.0%	66.8%	33.2%	64.0%	36.0%
Kittitas	42.9%	57.1%	63.4%	36.6%	62.5%	37.5%
Klickitat	25.0%	75.0%	62.1%	37.9%	59.7%	40.3%
Lewis	27.0%	73.0%	58.9%	41.1%	56.1%	43.9%
Lincoln	50.0%	50.0%	80.0%	20.0%	77.3%	22.7%
Mason	19.2%	80.8%	55.9%	44.1%	52.2%	47.8%
Okanogan	18.2%	81.8%	76.7%	23.3%	72.7%	27.3%
Pacific	0.0%	100.0%	64.3%	35.7%	59.3%	40.7%
Pend Oreille	0.0%	100.0%	94.7%	5.3%	90.0%	10.0%
Pierce	29.5%	70.5%	63.0%	37.0%	59.4%	40.6%
San Juan	0.0%	100.0%	65.4%	34.6%	63.0%	37.0%
Skagit	34.7%	65.3%	66.2%	33.8%	63.2%	36.8%
Skamania	0.0%	100.0%	95.8%	4.2%	82.1%	17.9%
Snohomish	31.4%	68.6%	65.0%	35.0%	61.1%	38.9%
Spokane	32.5%	67.5%	76.2%	23.8%	71.6%	28.4%
Stevens	30.8%	69.2%	78.3%	21.7%	73.9%	26.1%
Thurston	31.1%	68.9%	62.6%	37.4%	59.3%	40.7%
Wahkiakum	n.a.	n.a.	70.0%	30.0%	70.0%	30.0%
Walla Walla	35.3%	64.7%	68.4%	31.6%	65.7%	34.3%
Whatcom	23.1%	76.9%	67.4%	32.6%	63.5%	36.5%
Whitman	16.7%	83.3%	77.8%	22.2%	71.7%	28.3%
Yakima	25.2%	74.8%	62.8%	37.2%	59.4%	40.6%
<b>TOTAL</b>	<b>28.6%</b>	<b>71.4%</b>	<b>65.0%</b>	<b>35.0%</b>	<b>61.1%</b>	<b>38.9%</b>

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

**Table 6. VUCSA\* Dealing and Non-dealing Sentences by County  
Fiscal Year 2010**

COUNTY	DEALING	NON-DEALING	TOTAL
Adams	2	12	14
Asotin	22	17	39
Benton	63	179	242
Chelan	51	40	91
Clallam	20	65	85
Clark	87	308	395
Columbia	1	1	2
Cowlitz	22	246	268
Douglas	21	32	53
Ferry	1	0	1
Franklin	11	56	67
Garfield	1	1	2
Grant	11	75	86
Grays Harbor	4	70	74
Island	7	21	28
Jefferson	7	19	26
King	124	249	373
Kitsap	91	173	264
Kittitas	19	42	61
Klickitat	8	5	13
Lewis	34	99	133
Lincoln	1	2	3
Mason	10	73	83
Okanogan	13	23	36
Pacific	7	22	29
Pend Oreille	2	5	7
Pierce	194	791	985
San Juan	1	2	3
Skagit	19	74	93
Skamania	4	3	7
Snohomish	51	212	263
Spokane	101	376	477
Stevens	12	35	47
Thurston	85	145	230
Wahkiakum	0	4	4
Walla Walla	20	36	56
Whatcom	42	170	212
Whitman	8	10	18
Yakima	80	187	267
<b>TOTAL</b>	<b>1,257</b>	<b>3,880</b>	<b>5,137</b>

\* Violation of the Uniform Controlled Substance Act.

## Table 7. Sentences with a Deadly Weapon Finding Fiscal Year 2010

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)	2	2	4
ASSAULT 1-POST 7/1/90(NEW L12)	24	16	40
ASSAULT 1-POST 7/1/90(NEW L12) <attempt >	0	2	2
ASSAULT 2 - POST 7/1/88	39	77	116
ASSAULT 2 - POST 7/1/88 <attempt >	0	3	3
ASSAULT 3 - POST 7/1/88	0	6	6
ASSAULT OF A CHILD 2	1	0	1
ATTEMPT ELUDE POLICE VEHICLE	0	2	2
BURGLARY 1	13	8	21
BURGLARY 2 (NONDWELLING)-POST 7/90	0	1	1
DEL POS W/I METH - 1ST OFF (POST 6/30/98)	1	3	4
HARASSMENT	1	0	1
INTIMIDATING A PUBLIC SERVANT	0	1	1
INTIMIDATING A WITNESS	0	1	1
KIDNAP 1	2	3	5
KIDNAP 1 <attempt >	0	1	1
KIDNAP 2	0	1	1
M/D/P W/I AMPHET - 1ST OFF (POST 6/10/98)	1	0	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)	2	0	2
M/D/P W/I HER COC (POST 6/30/02) (L7) <solic. >	0	1	1
M/D/P W/I IMITATION CTRL SUBS-POST 7/89	0	1	1
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)	1	0	1
MALICIOUS HARASSMENT	0	1	1
MALICIOUS MISCHIEF 2	0	1	1
MANSLAUGHTER 1 (POST 7/26/97)	5	3	8
MANSLAUGHTER 2 (POST 7/26/97)	2	0	2
MURDER 1 (POST 7/24/99)	17	5	22
MURDER 1 (POST 7/24/99) <attempt >	2	4	6
MURDER 2 (POST 7/24/99)	8	11	19
MURDER 2 (POST 7/24/99) <attempt >	1	1	2
MURDER 2 (POST 7/24/99) <solic. >	0	1	1
RAPE 1 (POST 8/31/01) (.712)	2	1	3
RAPE 2 (POST 8/31/01) (.712)	0	1	1
RESIDENTIAL BURGLARY-POST 7/90	1	1	2
RIOT	0	13	13
ROBBERY 1	34	26	60
ROBBERY 1 <attempt >	10	6	16
ROBBERY 1 <consp. >	1	0	1
ROBBERY 2	2	17	19
ROBBERY 2 <attempt >	1	0	1
TAMPERING WITH A WITNESS	0	1	1
THEFT 2	1	0	1
UNLAWFUL IMPRISONMENT	1	0	1
VIOLATION OF FOREIGN PROTECTION ORDER	0	2	2
<b>TOTAL</b>	<b>177</b>	<b>224</b>	<b>401</b>

**Table 8. Sentences with a Sexual Motivation Finding  
Fiscal Year 2010**

OFFENSES	NUMBER OF SENTENCES WITH SEXUAL MOTIVATION FINDING	TOTAL OF CASES WITH SAME UNDERLYING OFFENSE THAT WAS COMMITTED FOR EACH*
ANIMAL CRUELTY 1	1	17
ASSAULT 2 - POST 7/1/88	16	822
ASSAULT 3 - POST 7/1/88	15	1,371
ASSAULT OF A CHILD 3	1	48
BURGLARY 1	2	135
INDECENT EXPOSURE (POST 7/24/99)	4	27
KIDNAP 1	2	19
LURING OF CHILD	2	12
RESIDENTIAL BURGLARY-POST 7/90	3	940
UNLAWFUL IMPRISONMENT	2	82
<b>TOTAL</b>	<b>48</b>	<b>3,473</b>

\* 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 2010**

TYPE OF VERDICT	NONVIOLENT		VIOLENT		TOTAL	
	Number	Percent	Number	Percent	Number	Percent
BENCH TRIAL	481	2.4%	26	1.1%	507	2.2%
JURY TRIAL	523	2.6%	302	12.8%	825	3.6%
GUILTY PLEA	19,299	95.1%	2,031	86.1%	21,330	94.1%
<b>TOTAL</b>	<b>20,303</b>	<b>100.0%</b>	<b>2,359</b>	<b>100.0%</b>	<b>22,662</b>	<b>100.0%</b>

**Table 10. Sentence Departures by Type and Direction  
Fiscal Year 2010**

<b>SENTENCE RELATIVE TO THE STANDARD RANGE</b>				
<b>SENTENCE TYPE</b>	<b>BELOW</b>	<b>WITHIN</b>	<b>ABOVE</b>	<b>TOTAL</b>
Exceptional*	568 55.6%	50 4.9%	404 39.5%	1,022 100.0%
SSOSA** ( 622 Eligible <sup>1</sup> )	130 99.2%	1 0.8%	0 0.0%	131 100.0%
First-time Offender Waiver*** ( 6827 Eligible <sup>1</sup> )	851 57.9%	606 41.3%	12 0.8%	1,469 100.0%
Prison Drug Offender Sentencing Alternative	853 94.0%	51 5.6%	3 0.3%	907 100.0%
Residential Drug Offender Sentencing Alternative	566 97.4%	15 2.6%	0 0.0%	581 100.0%
Standard****	66 0.4%	18,449 99.4%	37 0.2%	18,552 100.0%
<b>TOTAL</b>	<b>3,034 13.4%</b>	<b>19,172 84.6%</b>	<b>456 2.0%</b>	<b>22,662</b>

\* 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.

<sup>1</sup> 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 2010**

OFFENSE	EXCEPTIONAL				SSOSA		FTOW		DOSA		WEC*		TOTAL
	Above	Below	Within	%	N	%	N	%	N	%	N	%	
AGGRAVATED MURDER 1 (7/1/90-7/24/99)	0	0	0	0.0%	0	0.0%	0	0.0%	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%	8
ALIEN IN POSSESSION OF A FIREARM	2	0	0	5.3%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	38
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	0	0	1	5.9%	0	0.0%	1	5.9%	0	0.00%	0	0.00%	17
ANIMAL FIGHTING	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	6
ARSON 1	3	1	0	17.4%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	23
ARSON 2	0	4	0	10.8%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	37
ASSAULT 1-POST 7/1/90(NEW L12)	4	9	0	14.9%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	87
ASSAULT 2 - POST 7/1/88	36	21	5	7.5%	0	0.0%	8	1.0%	0	0.00%	0	0.00%	822
ASSAULT 3 - POST 7/1/88	39	38	5	6.0%	0	0.0%	235	17.1%	24	1.75%	0	0.00%	1,371
ASSAULT BY WATERCRAFT	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
ASSAULT OF A CHILD 1	3	0	0	27.3%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	11
ASSAULT OF A CHILD 2	2	0	0	12.5%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	16
ASSAULT OF A CHILD 3	3	1	0	8.3%	0	0.0%	15	31.3%	0	0.00%	0	0.00%	48
ATTEMPT ELUDE POLICE VEHICLE	8	7	1	2.9%	0	0.0%	15	2.8%	9	1.65%	0	0.00%	545
BAIL JUMP W/ CLASS A (POST 7/89)	1	0	0	20.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	5
BAIL JUMP W/ CLASS B or C (POST 7/89)	4	12	0	5.8%	0	0.0%	29	10.5%	13	4.69%	0	0.00%	277
BIGAMY	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
BRIBE RCV'D BY WITNESS	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
BRIBING A WITNESS	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
BURGLARY 1	4	5	0	6.7%	0	0.0%	0	0.0%	0	0.00%	1	0.74%	135
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	14	19	1	3.5%	0	0.0%	94	9.8%	76	7.92%	0	0.00%	959
CHEATING 1	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	1	0	12.5%	7	43.8%	0	0.0%	0	0.00%	0	0.00%	16
CHILD MOLEST 1 >17 (POST 8/31/01) (.712)	2	4	0	5.7%	35	33.0%	0	0.0%	0	0.00%	0	0.00%	106
CHILD MOLEST 2 (POST 7/90)	5	1	0	6.5%	11	12.0%	0	0.0%	0	0.00%	0	0.00%	92
CHILD MOLEST 3 (POST 7/90)	4	3	1	13.3%	6	10.0%	0	0.0%	0	0.00%	0	0.00%	60
COMMERCIAL FISHING W/O A LICENSE - 1ST	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	%	
COMMERCIAL SEX ABUSE/MINOR - PROMOTE	1	0	0	16.7%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	6
COMMUNICATION WITH A MINOR new	3	0	0	9.1%	1	3.0%	0	0.0%	0	0.00%	0	0.00%	33
COMPUTER TRESPASS 1	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
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%	2
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
CRIMINAL IMPERSONATION 1	4	0	0	4.3%	0	0.0%	4	4.3%	0	0.00%	0	0.00%	92
CRIMINAL MISTREATMENT 1 (POST 06/07/06)	1	0	0	33.3%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
CRIMINAL MISTREATMENT 2	0	0	0	0.0%	0	0.0%	1	100.0%	0	0.00%	0	0.00%	1
CRIMINAL MISTREATMENT 2 (POST 06/07/06)	0	0	0	0.0%	0	0.0%	1	16.7%	0	0.00%	0	0.00%	6
CTRL SUBS HOMICIDE-POST 7/89 -1ST	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
CUSTODIAL ASSAULT - POST 7/89	1	1	0	4.4%	0	0.0%	4	8.9%	0	0.00%	0	0.00%	45
CUSTODIAL INTERFERENCE 1	0	0	0	0.0%	0	0.0%	1	14.3%	0	0.00%	0	0.00%	7
CYBERSTALKING	0	0	0	0.0%	0	0.0%	0	0.0%	1	33.33%	0	0.00%	3
DEALING IN DEPIC. OF MINOR (POST 6/30/01)	1	0	0	33.3%	1	33.3%	0	0.0%	0	0.00%	0	0.00%	3
DEFRAUDING INNKEEPER > \$75	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
DEFRAUDING PUBLIC UTILITY 1	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
DEL MAT IN LIEU OF CS-POST7/89 2+	0	1	0	25.0%	0	0.0%	0	0.0%	1	25.00%	0	0.00%	4
DEL MAT IN LIEU OF CS-POST7/89 -1ST	1	0	0	7.7%	0	0.0%	1	7.7%	1	7.69%	0	0.00%	13
DEL POS W/I METH - 1ST OFF (POST 6/30/98)	13	8	0	4.7%	0	0.0%	0	0.0%	42	9.48%	0	0.00%	443
DEL POS W/I METH - 2ND OFF (POST 6/30/98)	0	1	0	14.3%	0	0.0%	0	0.0%	1	14.29%	0	0.00%	7
DEL POS W/I METH - SCH ZONE OFF (POST 6/30/98)	0	0	0	0.0%	0	0.0%	0	0.0%	6	24.00%	0	0.00%	25
DELIVERY FIREARM TO INELIG PERSON	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
DESECRATION OF A GRAVE SITE	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
DIGITAL SIGNATURE FRAUD	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
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
DISTRIB / RETAIL TOBACCO PRODT LIC VIO (POST 07/24)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
DOMESTIC VIOLENCE CT ORDER VIOL (POST 6/30/00)	11	93	0	14.6%	0	0.0%	86	12.1%	35	4.92%	0	0.00%	712
DRIVE- BY SHOOTING (POST 6/30/97)	2	1	0	6.5%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	46
DRIVING UNDER INFLUENCE (FELONY) (POST 07/01/07)	0	8	0	8.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	100

OFFENSE	EXCEPTIONAL				SSOSA		FTOW		DOSA		WEC*		TOTAL
	Above	Below	Within	%	N	%	N	%	N	%	N	%	
ELECTIONS VIOLATION	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
ENDANGERMENT WITH A CONTROLLED SUBSTANCE	1	0	0	25.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	4
ESCAPE 1	0	1	0	2.9%	0	0.0%	0	0.0%	9	25.71%	0	0.00%	35
ESCAPE 2	1	2	0	4.8%	0	0.0%	0	0.0%	2	3.23%	0	0.00%	62
ESCAPE FROM COMMUNITY CUSTODY-POST 6/92	2	3	0	6.5%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	77
EXPLOSIVE DEVICES PROHIBITED	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
EXPLOSIVE LICENSING VIOLATION	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	7
EXTORTION 1	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	5
EXTORTION 2	0	0	0	0.0%	0	0.0%	1	16.7%	0	0.00%	0	0.00%	6
FAIL TO REGISTER KIDNAPPER - POST 7/24/99	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	14
FAIL TO REGISTER SEX OFF (POST 7/24/99)	2	0	2	1.5%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	268
FAIL TO REGISTER SEX OFF 2+ (POST 06/07/06)	2	63	1	29.1%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	227
FAIL TO REGISTER SEX OFF -CL A (PRE 7/27/97)	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%	6
FORGED PRESCRIPTION VUCSA - 1ST	0	2	0	1.3%	0	0.0%	11	7.2%	4	2.63%	0	0.00%	152
FORGED PRESCRIPTION VUCSA 2+	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
FORGED PRESCRIPTION VULDA	0	1	0	14.3%	0	0.0%	1	14.3%	0	0.00%	0	0.00%	7
FORGERY	5	9	0	2.2%	0	0.0%	38	6.0%	24	3.82%	0	0.00%	629
HARASSMENT	5	6	3	3.7%	0	0.0%	84	22.2%	4	1.06%	0	0.00%	379
HARMING A POLICE DOG	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
HIT AND RUN - DEATH (POST 7/21/01)	0	2	0	16.7%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	12
HIT AND RUN - INJURY (POST 6/7/00)	3	3	0	6.8%	0	0.0%	17	19.3%	1	1.14%	0	0.00%	88
IDENTITY THEFT (PRE 7/22/01)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
IDENTITY THEFT 1 (POST 7/21/01)	3	0	0	2.8%	0	0.0%	31	29.2%	25	23.58%	0	0.00%	106
IDENTITY THEFT 2 (POST 7/21/01)	5	12	2	3.2%	0	0.0%	72	12.2%	88	14.89%	0	0.00%	591
ILLEGAL TRANSFER OF MOTOR VEHICLE CERTIFICATE	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	8
INCENDIARY DEVICES (POST 7/24/99)	1	0	0	25.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	4
INCEST 1	0	0	0	0.0%	3	14.3%	0	0.0%	0	0.00%	0	0.00%	21
INCEST 2	1	0	1	20.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	10
INCITING CRIMINAL PROFITEERING	0	0	0	0.0%	0	0.0%	0	0.0%	1	50.00%	0	0.00%	2
INDECENT EXPOSURE (POST 7/24/99)	1	1	1	11.1%	0	0.0%	1	3.7%	0	0.00%	0	0.00%	27
INDECENT EXPOSURE (PRE 7/25/99)	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	%	
INDECENT LIB /FORCE VICT w/DIMI CAP(POST 03/20/06)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
INDECENT LIB -DD VICTM (POST 7/90)	4	3	1	17.0%	7	14.9%	0	0.0%	0	0.00%	0	0.00%	47
INDECENT LIB W/FORCE (POST 8/31/01) (.712)	1	0	0	7.7%	1	7.7%	0	0.0%	0	0.00%	0	0.00%	13
INDECENT LIBERTIES BY HEALTHCARE PROVIDER	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
INJURY-PUBLIC RECORD	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
INSURANCE FRAUD	1	0	0	33.3%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
INSURANCE FRAUD-FALSE CLAIMS	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	11
INTERFERENCE WITH OFFICER'S DUITES/HOLDING HOSTAGE	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
INTIMIDATING A JUDGE	0	0	0	0.0%	0	0.0%	1	25.0%	1	25.00%	0	0.00%	4
INTIMIDATING A PUBLIC SERVANT	1	0	0	4.5%	0	0.0%	3	13.6%	0	0.00%	0	0.00%	22
INTIMIDATING A WITNESS	2	1	0	15.8%	0	0.0%	0	0.0%	3	15.79%	0	0.00%	19
INTIMIDATION WITH AN EXPLOSIVE	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
INTRODUCING CONTRABAND 2	0	1	0	50.0%	0	0.0%	1	50.0%	0	0.00%	0	0.00%	2
INVOLVING MINOR IN DRUG DEAL- POST 7/89- 2+	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
KIDNAP 1	1	0	0	5.3%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	19
KIDNAP 1 W/SEX.MOT-VICT <15 (POST 03/20/06)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
KIDNAP 2	1	1	0	8.7%	0	0.0%	2	8.7%	0	0.00%	0	0.00%	23
LEADING ORGANIZED CRIME	1	0	0	50.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
LOTTERY ACT VIOLATION	0	0	0	0.0%	0	0.0%	1	33.3%	0	0.00%	0	0.00%	3
LURING OF CHILD	1	0	0	8.3%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	12
M/D/P W/I AMPHET - 1ST OFF (POST 6/10/98)	0	0	1	25.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	4
M/D/P W/I HER COC - SCH Z (POST 6/30/02) (L7)	2	1	0	15.0%	0	0.0%	0	0.0%	4	20.00%	0	0.00%	20
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%	0	0.00%	0	0.00%	1
M/D/P W/I HER COC (POST 6/30/02) (L7)	8	16	0	3.4%	0	0.0%	3	0.4%	54	7.55%	0	0.00%	715
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%	11
M/D/P W/I HER COC (PRE 7/1/02)	0	0	0	0.0%	0	0.0%	0	0.0%	1	20.00%	0	0.00%	5
M/D/P W/I HER COC 2+ (POST 6/30/02) (L7)	0	0	0	0.0%	0	0.0%	0	0.0%	3	11.11%	0	0.00%	27
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	16.67%	0	0.00%	6
M/D/P W/I IMITATION CTRL SUBS-POST 7/89	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
M/D/P W/I MARIJ - 1ST OFF	10	1	0	1.9%	0	0.0%	24	4.1%	1	0.17%	0	0.00%	585
M/D/P W/I MARIJ - 2ND OFFENSE	0	0	0	0.0%	0	0.0%	0	0.0%	1	12.50%	0	0.00%	8
M/D/P W/I MARIJ - CORR FAC	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	%	
M/D/P W/I MARIJ - SCH ZONE	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	6
M/D/P W/I OTH,EXC MJ/METH/AMP/FLUN-1ST(POST 6/98)	0	0	1	50.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
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-1ST OFF	0	1	1	1.6%	0	0.0%	1	0.8%	6	4.69%	0	0.00%	128
MAINTN PLACE FOR DRUGS (69.50)- 1ST (POST 7/24/99)	0	0	0	0.0%	0	0.0%	0	0.0%	1	25.00%	0	0.00%	4
MALICIOUS HARASSMENT	0	0	0	0.0%	0	0.0%	3	20.0%	0	0.00%	0	0.00%	15
MALICIOUS MISCHIEF 1	0	1	0	1.5%	0	0.0%	4	5.9%	3	4.41%	0	0.00%	68
MALICIOUS MISCHIEF 2	1	3	0	1.4%	0	0.0%	14	4.8%	4	1.37%	0	0.00%	293
MALICIOUS PLACEMENT OF EXPLOSIVES 3 (POST 7/26/97)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
MALICIOUS PROSECUTION	0	0	0	0.0%	0	0.0%	1	100.0%	0	0.00%	0	0.00%	1
MANSLAUGHTER 1 (POST 7/26/97)	1	5	0	23.1%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	26
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)	2	2	0	22.2%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	18
MEDICAID FRAUD	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
MEDICAL MARIJUANA FRADULENT RECORDS	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	1	0	5.6%	0	0.0%	0	0.0%	11	30.56%	0	0.00%	36
MFG METH - 2ND OFFENSE (POST 6/30/98)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
MFG METH - SCH ZONE OFF (POST 6/30/98)	0	0	0	0.0%	0	0.0%	0	0.0%	1	20.00%	0	0.00%	5
MONEY LAUNDERING	2	0	0	7.7%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	26
MURDER 1 (POST 7/24/99)	1	0	1	4.7%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	43
MURDER 1 - PRE 7/1/90	1	0	0	25.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	4
MURDER 1 (7/1/90-7/24/99)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
MURDER 2 (POST 7/24/99)	1	2	0	5.5%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	55
OBTAIN SIGNATURE BY DECEPTION	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
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	25.00%	0	0.00%	4
ORGANIZED RETAIL THEFT 2	0	0	0	0.0%	0	0.0%	1	1.9%	1	1.92%	0	0.00%	52
OVER 18 - DEL OTH TO MINOR	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
OVER 18 - DEL S I/II NARC/FLUNT/METH MINOR	0	0	0	0.0%	0	0.0%	0	0.0%	1	50.00%	0	0.00%	2
OWNER OF DOG THAT ATTACKS	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
PATRONIZING A JUV PROSTITUTE (POST 6/30/01)	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	%	
PERJURY 1	0	0	0	0.0%	0	0.0%	1	50.0%	0	0.00%	0	0.00%	2
PERJURY 2	0	1	0	8.3%	0	0.0%	5	41.7%	0	0.00%	0	0.00%	12
PERSISTENT PRISON MISBEHAVIOR	0	1	0	100.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
POS CNTL SUBS - BY PRISONERS	0	0	0	0.0%	0	0.0%	3	18.8%	0	0.00%	0	0.00%	16
POS CNTL SUBS - OTHER EXC.PCP/FLUNIT	7	28	1	1.5%	0	0.0%	114	4.8%	26	1.09%	0	0.00%	2,375
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%	2
POS CNTL SUBS SCH I/II OR FLUNIT	5	8	0	1.0%	0	0.0%	60	4.5%	14	1.04%	0	0.00%	1,344
POS DEPICTION OF MINORS - POST 06/07/06	1	0	1	5.7%	5	14.3%	0	0.0%	0	0.00%	0	0.00%	35
POS EPHED/PSEUDO/AMMO W/I MFG METH-1ST (POST6/00)	0	0	0	0.0%	0	0.0%	0	0.0%	1	33.33%	0	0.00%	3
POS MACH GUN/SHOT BARL SHOT GUN (POST 7/24/99)	0	1	0	11.1%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	9
POS PHENCYCLIDINE (PCP)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
POS STOLEN FIREARM	0	3	0	5.6%	0	0.0%	13	24.1%	3	5.56%	0	0.00%	54
POS STOLEN PROPERTY 1	0	8	0	9.6%	0	0.0%	2	2.4%	1	1.20%	0	0.00%	83
POS STOLEN PROPERTY 2	1	6	1	2.3%	0	0.0%	6	1.7%	12	3.49%	0	0.00%	344
POS STOLEN VEHICLE	1	5	0	1.5%	0	0.0%	9	2.3%	56	14.25%	1	0.25%	393
PRACTICE OF PROFESSION W/O LICENSE	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
PROMOTING PROSTITUTION 1	4	0	0	36.4%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	11
PROMOTING PROSTITUTION 2	0	0	0	0.0%	0	0.0%	1	6.7%	1	6.67%	0	0.00%	15
RAPE 1 (POST 8/31/01) (.712)	0	0	1	6.7%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	15
RAPE 2 (7/27/97 - 8/31/01)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
RAPE 2 (POST 8/31/01) (.712)	0	0	0	0.0%	2	5.9%	0	0.0%	0	0.00%	0	0.00%	34
RAPE 3	2	3	3	16.7%	1	2.1%	0	0.0%	0	0.00%	0	0.00%	48
RAPE OF A CHILD 1 (7/27/97 - 8/31/01)	0	0	0	0.0%	5	35.7%	0	0.0%	0	0.00%	0	0.00%	14
RAPE OF A CHILD 1 (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 1 .712 >=18 /FEE (POST 07/22/07)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
RAPE OF A CHILD 1 <18 (POST 8/31/01)	1	0	0	14.3%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	7
RAPE OF A CHILD 1 >17 (POST 8/31/01) (.712)	3	1	0	5.7%	18	25.7%	0	0.0%	0	0.00%	0	0.00%	70
RAPE OF A CHILD 2 (7/27/97 - 8/31/01)	0	0	0	0.0%	1	25.0%	0	0.0%	0	0.00%	0	0.00%	4
RAPE OF A CHILD 2 (PRE 7/90)	1	0	0	100.0%	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%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
RAPE OF A CHILD 2 >17 (POST 8/31/01) (.712)	0	1	0	1.9%	8	15.4%	0	0.0%	0	0.00%	0	0.00%	52

OFFENSE	EXCEPTIONAL				SSOSA		FTOW		DOSA		WEC*		TOTAL
	Above	Below	Within	%	N	%	N	%	N	%	N	%	
RAPE OF A CHILD 2 PREDATORY (.712) (POST 03/20/06)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
RAPE OF A CHILD 3-POST 7/90	2	4	1	7.0%	14	14.0%	0	0.0%	0	0.00%	0	0.00%	100
RECKLESS BURNING 1	0	1	0	5.6%	0	0.0%	4	22.2%	0	0.00%	0	0.00%	18
RENDERING CRIMINAL ASSTANCE 1	1	5	0	18.2%	0	0.0%	6	18.2%	2	6.06%	0	0.00%	33
RESIDENTIAL BURGLARY-POST 7/90	12	11	2	2.7%	0	0.0%	150	16.0%	135	14.36%	1	0.11%	940
RETAIL THEFT W/EXTENU CIRCUMSTN 1	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
RETAIL THEFT W/EXTENU CIRCUMSTN 2	1	0	0	5.6%	0	0.0%	2	11.1%	0	0.00%	0	0.00%	18
RETAIL THEFT W/EXTENU CIRCUMSTN 3	4	0	1	4.7%	0	0.0%	3	2.8%	1	0.93%	0	0.00%	107
RIOT	4	0	0	2.0%	0	0.0%	4	2.0%	0	0.00%	0	0.00%	204
ROBBERY 1	6	11	1	4.7%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	387
ROBBERY 2	10	8	6	6.6%	0	0.0%	5	1.4%	2	0.55%	0	0.00%	366
SECURITY ACT VIOLATION-POST 7/89	1	0	0	100.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
SELL OR DELIVER LEGEND DRUGS	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
SELLING FOR PROFIT-POST 7/91 1ST	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
SELLING FOR PROFIT-POST 7/91 2ND	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
SEND/BRING SEXUAL DEPICTIONS OF MINOR- POST 6/30/01	0	1	0	100.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
SEXUAL EXPLOITATION (POST 6/30/01)	1	0	0	9.1%	3	27.3%	0	0.0%	0	0.00%	0	0.00%	11
SEXUAL MISCONDUCT 1 (POST 7/90)	0	0	0	0.0%	1	20.0%	0	0.0%	0	0.00%	0	0.00%	5
SEXUALLY VIOLENT PREDATOR ESCAPE	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
STALKING (POST 6/30/00)	2	1	0	10.7%	0	0.0%	3	10.7%	0	0.00%	0	0.00%	28
STATUTORY RAPE 3 (PRE 7/88)	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
TAMPERING WITH A WITNESS	1	2	0	4.5%	0	0.0%	5	7.5%	1	1.49%	0	0.00%	67
TELECOMMUNICATIONS FRAUD	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
TELEPHONE HARASSMENT (POST 7/24/99)	0	2	0	9.5%	0	0.0%	3	14.3%	1	4.76%	0	0.00%	21
THEFT 1	36	12	0	7.2%	0	0.0%	72	10.9%	26	3.92%	0	0.00%	663
THEFT 1 - WELFARE FRAUD	0	0	0	0.0%	0	0.0%	3	15.0%	1	5.00%	0	0.00%	20
THEFT 2	10	13	1	2.1%	0	0.0%	47	4.2%	27	2.39%	0	0.00%	1,130
THEFT 2 - WELFARE FRAUD	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	4
THEFT OF A FIREARM (POST 7/22/95)	0	2	0	3.1%	0	0.0%	18	27.7%	8	12.31%	0	0.00%	65
THEFT OF MOTOR VEHICLE	1	1	0	1.1%	0	0.0%	9	5.1%	14	7.91%	1	0.56%	177
THEFT OF RENTAL OR LEASED PROPERTY (\$250-\$1500)	0	0	0	0.0%	0	0.0%	1	5.0%	1	5.00%	0	0.00%	20

OFFENSE	EXCEPTIONAL				SSOSA		FTOW		DOSA		WEC*		TOTAL
	Above	Below	Within	%	N	%	N	%	N	%	N	%	
THEFT OF RENTAL OR LEASED PROPERTY (<\$1,500)	0	0	0	0.0%	0	0.0%	1	12.5%	0	0.00%	0	0.00%	8
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%	1	100.0%	0	0.00%	0	0.00%	1
THEFT W/ INTENT RESELL 2	1	0	0	16.7%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	6
THREATS TO BOMB - POST 7/89	1	3	0	23.5%	0	0.0%	4	23.5%	0	0.00%	0	0.00%	17
TMVWOP 1 (POST 6/12/02)	0	0	0	0.0%	0	0.0%	0	0.0%	1	25.00%	0	0.00%	4
TMVWOP 2 (POST 6/12/02)	2	8	0	2.1%	0	0.0%	10	2.1%	24	5.01%	0	0.00%	479
TRAFFICKING IN STOLEN PROP 1	4	4	0	3.4%	0	0.0%	51	21.9%	32	13.73%	0	0.00%	233
TRAFFICKING IN STOLEN PROP 2	0	4	0	2.6%	0	0.0%	17	11.0%	14	9.09%	0	0.00%	154
UNLAWFUL DISCHARGE OF A LASER 1	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
UNLAWFUL FACTORING CREDIT/PAY CARD TRANSACTION-1ST	0	1	0	25.0%	0	0.0%	0	0.0%	1	25.00%	0	0.00%	4
UNLAWFUL HUNTING BIG GAME - 1ST	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
UNLAWFUL IMPRISONMENT	2	2	1	6.1%	0	0.0%	9	11.0%	2	2.44%	0	0.00%	82
UNLAWFUL ISSUE OF CHECKS/DRAFT	1	2	0	5.4%	0	0.0%	2	3.6%	1	1.79%	0	0.00%	56
UNLAWFUL POSS OF FICTITIOUS IDENTIFICATION	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
UNLAWFUL POSS OF FIREARM 1	3	6	0	6.2%	0	0.0%	0	0.0%	14	9.66%	0	0.00%	145
UNLAWFUL POSS OF FIREARM 2	14	8	0	5.4%	0	0.0%	6	1.5%	17	4.20%	0	0.00%	405
UNLAWFUL POSS OF PAYMENT INSTRUMENTS	0	0	0	0.0%	0	0.0%	1	6.7%	1	6.67%	0	0.00%	15
UNLAWFUL PRODUCTION OF PAYMENT INSTRUMENTS	0	1	0	50.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
UNLAWFUL TRAFFICKING FISH OR WILDLIFE - 1ST	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)	1	1	0	66.7%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
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%	1
VEHICLE PROWL 1	0	0	0	0.0%	0	0.0%	0	0.0%	2	16.67%	0	0.00%	12
VEHICULAR ASSAULT DISREGARD SAFETY (POST 7/21/01)	1	0	0	1.8%	0	0.0%	8	14.5%	0	0.00%	0	0.00%	55
VEHICULAR ASSAULT UND INFL/RECKLESS (POST 7/21/01)	4	2	0	5.6%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	108
VEHICULAR HOMICIDE - DISREGARD SAFETY-VIOLENT	0	2	0	16.7%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	12
VEHICULAR HOMICIDE - DRUNK (POST 6/5/96)	1	1	0	10.5%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	19

OFFENSE	EXCEPTIONAL				SSOSA		FTOW		DOSA		WEC*		TOTAL
	Above	Below	Within	%	N	%	N	%	N	%	N	%	
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%	6
VIOLATION OF FOREIGN PROTECTION ORDER	2	0	0	4.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	50
VIOLATION OF SUSPEN OF DEPT. PRIVILEGES 1ST DEG.	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
VOTER REGISTRATION VIOLATION	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	1
VOYEURISM	1	0	1	11.1%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	18
VOYEURISM (POST 06/07/06)	0	0	0	0.0%	1	10.0%	0	0.0%	0	0.00%	0	0.00%	10
VUCSA - GENERIC	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	2
WEAP POSS BY PRISONER/COUNTY FACILITY	0	0	0	0.0%	0	0.0%	0	0.0%	0	0.00%	0	0.00%	3
<b>TOTAL ALL OFFENSES</b>	404	568	50	4.5%	131	0.6%	1,469	6.5%	907	4.0%	4	0.0%	22,662

WEC\*: Work Ethic Camp

**Table 12. Length of Sentence Relative to Standard Range <sup>1 2</sup>  
Fiscal Year 2010**

OFFENSE	SENTENCE RELATIVE TO STANDARD RANGE			AVERAGE OF WHERE IN THE RANGE?
	Below	Within	Above	
<Death Sent> AGGRAVATED MURDER 1 (POST 7/24/99)	0	1	0	n.a.
<Life Sent> AGGRAVATED MURDER 1 (7/1/90-7/24/99)	0	1	0	n.a.
<Life Sent> AGGRAVATED MURDER 1 (POST 7/24/99)	0	7	0	n.a.
<Life Sent> ASSAULT 1-POST 7/1/90(NEW L12)	0	3	0	n.a.
<Life Sent> ASSAULT 2 - POST 7/1/88	0	1	0	n.a.
<Life Sent> ASSAULT 3 - POST 7/1/88	0	1	0	n.a.
<Life Sent> KIDNAP 1	0	2	0	n.a.
<Life Sent> MURDER 1 (POST 7/24/99)	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	1	0	n.a.
<Life Sent> RAPE OF A CHILD 2 >17 (POST 8/31/01) (.712)	0	1	0	n.a.
<Life Sent> ROBBERY 1	0	2	0	n.a.
<Life Sent> ROBBERY 2	0	3	0	n.a.
ALIEN IN POSSESSION OF A FIREARM	0	36	2	23.5%
ALTER OR FORG VEHICLE TITLE	0	1	0	83.3%
ANIMAL CRUELTY 1	0	17	0	41.4%
ANIMAL FIGHTING	0	6	0	7.6%
ARSON 1	1	19	3	48.5%
ARSON 2	4	33	0	29.4%
ASSAULT 1-POST 7/1/90(NEW L12)	9	71	4	43.3%
ASSAULT 2 - POST 7/1/88	27	756	38	38.8%
ASSAULT 3 - POST 7/1/88	210	1,119	41	36.0%
ASSAULT BY WATERCRAFT	0	1	0	50.0%
ASSAULT OF A CHILD 1	0	7	4	82.6%
ASSAULT OF A CHILD 2	0	14	2	44.3%
ASSAULT OF A CHILD 3	10	35	3	45.5%
ATTEMPT ELUDE POLICE VEHICLE	28	504	13	42.2%
BAIL JUMP W/ CLASS A (POST 7/89)	0	4	1	65.0%
BAIL JUMP W/ CLASS B or C (POST 7/89)	58	214	5	23.5%
BIGAMY	0	2	0	0.2%
BRIBE RCV'D BY WITNESS	0	1	0	0.0%
BRIBING A WITNESS	0	1	0	100.0%
BURGLARY 1	5	126	4	37.5%
BURGLARY 2 - PRE 7/90	0	1	0	0.0%
BURGLARY 2 (NONDWELLING)-POST 7/90	184	761	14	22.6%
CHEATING 1	0	1	0	100.0%
CHILD MOLEST 1 (7/90 - 8/31/01)	8	7	1	66.4%
CHILD MOLEST 1 >17 (POST 8/31/01) (.712)	40	64	2	46.7%

OFFENSE	SENTENCE RELATIVE TO STANDARD RANGE			AVERAGE OF WHERE IN THE RANGE?
	Below	Within	Above	
CHILD MOLEST 2 (POST 7/90)	12	75	5	64.8%
CHILD MOLEST 3 (POST 7/90)	9	47	4	54.0%
COMMERCIAL FISHING W/O A LICENSE - 1ST	0	1	0	8.3%
COMMERCIAL SEX ABUSE/MINOR - PROMOTE	0	5	1	82.8%
COMMUNICATION WITH A MINOR new	1	29	3	34.3%
COMPUTER TRESPASS 1	0	3	0	66.7%
CRE DEL POS COUNTERFEIT CTRL SUBS NARC 1ST OFF	0	2	0	13.7%
CRE DEL POS COUNTERFEIT CTRL SUBS NON-NARC 1ST	0	1	0	0.0%
CRIMINAL IMPERSONATION 1	1	87	4	19.7%
CRIMINAL MISTREATMENT 1 (POST 06/07/06)	1	1	1	100.0%
CRIMINAL MISTREATMENT 2	0	1	0	7.5%
CRIMINAL MISTREATMENT 2 (POST 06/07/06)	1	5	0	63.3%
CTRL SUBS HOMICIDE-POST 7/89 -1ST	0	2	0	41.2%
CUSTODIAL ASSAULT - POST 7/89	3	41	1	40.4%
CUSTODIAL INTERFERENCE 1	0	7	0	35.6%
CYBERSTALKING	1	2	0	12.5%
DEALING IN DEPIC. OF MINOR (POST 6/30/01)	1	1	1	0.0%
DEFRAUDING INNKEEPER > \$75	0	2	0	57.0%
DEFRAUDING PUBLIC UTILITY 1	0	3	0	25.0%
DEL MAT IN LIEU OF CS-POST7/89 2+	2	2	0	14.5%
DEL MAT IN LIEU OF CS-POST7/89 -1ST	1	11	1	33.6%
DEL POS W/I METH - 1ST OFF (POST 6/30/98)	74	354	15	32.0%
DEL POS W/I METH - 2ND OFF (POST 6/30/98)	2	5	0	37.0%
DEL POS W/I METH - SCH ZONE OFF (POST 6/30/98)	7	18	0	31.6%
DELIVERY FIREARM TO INELIG PERSON	0	3	0	22.2%
DESECRATION OF A GRAVE SITE	0	1	0	3.3%
DIGITAL SIGNATURE FRAUD	0	1	0	9.6%
DISARM A LAW ENFORCEMENT OR CORR OFFICER	0	2	0	11.9%
DISTRIB / RETAIL TOBACCO PRODT LIC VIO (POST 07/24	0	1	0	0.0%
DOMESTIC VIOLENCE CT ORDER VIOL (POST 6/30/00)	263	438	11	30.6%
DRIVE- BY SHOOTING (POST 6/30/97)	1	43	2	42.0%
DRIVING UNDER INFLUENCE (FELONY) (POST 07/01/07)	10	90	0	40.3%
ELECTIONS VIOLATION	0	1	0	1.4%
ENDANGERMENT WITH A CONTROLLED SUBSTANCE	1	2	1	64.3%
ESCAPE 1	12	22	1	27.7%
ESCAPE 2	7	54	1	16.6%
ESCAPE FROM COMMUNITY CUSTODY-POST 6/92	3	72	2	22.4%
EXPLOSIVE DEVICES PROHIBITED	0	1	0	0.0%
EXPLOSIVE LICENSING VIOLATION	0	7	0	26.0%
EXTORTION 1	0	5	0	30.0%
EXTORTION 2	0	6	0	34.0%
FAIL TO REGISTER KIDNAPPER - POST 7/24/99	0	14	0	15.6%
FAIL TO REGISTER SEX OFF (POST 7/24/99)	0	265	3	11.8%

OFFENSE	SENTENCE RELATIVE TO STANDARD RANGE			AVERAGE OF WHERE IN THE RANGE?
	Below	Within	Above	
FAIL TO REGISTER SEX OFF 2+ (POST 06/07/06)	63	162	2	11.9%
FAIL TO REGISTER SEX OFF -CL A (PRE 7/27/97)	0	1	0	0.0%
FALSE VERIFICATION FOR WELFARE	0	6	0	25.8%
FORGED PRESCRIPTION VUCSA - 1ST	15	137	0	20.2%
FORGED PRESCRIPTION VUCSA 2+	1	1	0	24.8%
FORGED PRESCRIPTION VULDA	1	6	0	20.3%
FORGERY	54	570	5	37.7%
HARASSMENT	50	324	5	31.1%
HARMING A POLICE DOG	0	1	0	25.0%
HIT AND RUN - DEATH (POST 7/21/01)	2	10	0	76.2%
HIT AND RUN - INJURY (POST 6/7/00)	19	66	3	21.0%
IDENTITY THEFT (PRE 7/22/01)	0	1	0	1.4%
IDENTITY THEFT 1 (POST 7/21/01)	57	46	3	42.7%
IDENTITY THEFT 2 (POST 7/21/01)	169	416	6	32.1%
ILLEGAL TRANSFER OF MOTOR VEHICLE CERTIFICATE	0	8	0	45.6%
INCENDIARY DEVICES (POST 7/24/99)	0	3	1	33.3%
INCEST 1	3	18	0	59.7%
INCEST 2	0	9	1	77.8%
INCITING CRIMINAL PROFITEERING	1	1	0	52.9%
INDECENT EXPOSURE (POST 7/24/99)	4	22	1	34.7%
INDECENT EXPOSURE (PRE 7/25/99)	0	2	0	53.7%
INDECENT LIB /FORCE VICT w/DIMI CAP(POST 03/20/06)	0	1	0	4.5%
INDECENT LIB -DD VICTM (POST 7/90)	10	32	5	59.0%
INDECENT LIB W/FORCE (POST 8/31/01) (.712)	2	9	2	55.3%
INDECENT LIBERTIES BY HEALTHCARE PROVIDER	0	1	0	25.0%
INJURY-PUBLIC RECORD	0	1	0	0.6%
INSURANCE FRAUD	0	2	1	5.9%
INSURANCE FRAUD-FALSE CLAIMS	0	11	0	12.6%
INTERFERENCE WITH OFFICER'S DUITES/HOLDING HOSTAGE	0	2	0	100.0%
INTIMIDATING A JUDGE	2	2	0	100.0%
INTIMIDATING A PUBLIC SERVANT	3	18	1	23.4%
INTIMIDATING A WITNESS	4	13	2	47.9%
INTIMIDATION WITH AN EXPLOSIVE	0	1	0	32.0%
INTRODUCING CONTRABAND 2	1	1	0	0.0%
INVOLVING MINOR IN DRUG DEAL- POST 7/89- 2+	0	1	0	50.0%
KIDNAP 1	0	16	1	52.3%
KIDNAP 1 W/SEX.MOT-VICT <15 (POST 03/20/06)	0	1	0	0.0%
KIDNAP 2	3	19	1	39.3%
LEADING ORGANIZED CRIME	0	1	1	0.0%
LOTTERY ACT VIOLATION	0	3	0	20.7%
LURING OF CHILD	0	11	1	27.0%
M/D/P W/I AMPHET - 1ST OFF (POST 6/10/98)	0	4	0	60.4%
M/D/P W/I HER COC - SCH Z (POST 6/30/02) (L7)	5	13	2	31.1%

OFFENSE	SENTENCE RELATIVE TO STANDARD RANGE			AVERAGE OF WHERE IN THE RANGE?
	Below	Within	Above	
M/D/P W/I HER COC - SCH Z (POST 6/30/02) (L8)	0	1	0	53.4%
M/D/P W/I HER COC (POST 6/30/02) (L7)	107	599	9	24.2%
M/D/P W/I HER COC (POST 6/30/02) (L8)	0	11	0	10.5%
M/D/P W/I HER COC (PRE 7/1/02)	2	3	0	19.4%
M/D/P W/I HER COC 2+ (POST 6/30/02) (L7)	3	24	0	20.4%
M/D/P W/I HER COC 2+ (POST 6/30/02) (L8)	1	5	0	20.0%
M/D/P W/I IMITATION CTRL SUBS-POST 7/89	0	1	0	100.0%
M/D/P W/I MARIJ - 1ST OFF	15	559	11	30.7%
M/D/P W/I MARIJ - 2ND OFFENSE	1	7	0	36.8%
M/D/P W/I MARIJ - CORR FAC	0	1	0	0.0%
M/D/P W/I MARIJ - SCH ZONE	0	5	1	50.0%
M/D/P W/I OTH,EXC MJ/METH/AMP/FLUN-1ST(POST 6/98)	0	2	0	50.0%
M/D/P W/I OTH,EXC MJ/METH/AMP/FLUN-SZ(POST 6/98)	0	1	0	0.4%
M/D/P W/I SC I/II NARC OR FLUNT-1ST OFF	21	107	0	29.4%
MAINTN PLACE FOR DRUGS (69.50)- 1ST (POST 7/24/99)	1	3	0	58.2%
MALICIOUS HARASSMENT	2	13	0	22.6%
MALICIOUS MISCHIEF 1	5	63	0	42.5%
MALICIOUS MISCHIEF 2	9	281	3	35.7%
MALICIOUS PLACEMENT OF EXPLOSIVES 3 (POST 7/26/97)	0	1	0	0.0%
MALICIOUS PROSECUTION	0	1	0	16.7%
MANSLAUGHTER 1 (POST 7/26/97)	5	20	1	62.2%
MANSLAUGHTER 1 (PRE 7/27/97)	0	1	0	100.0%
MANSLAUGHTER 2 (POST 7/26/97)	2	14	2	61.0%
MEDICAID FRAUD	0	2	0	13.2%
MEDICAL MARIJUANA FRADULENT RECORDS	0	1	0	4.1%
MFG METH - 1ST OFFENSE (POST 6/30/98)	12	22	2	47.5%
MFG METH - 2ND OFFENSE (POST 6/30/98)	0	1	0	39.9%
MFG METH - SCH ZONE OFF (POST 6/30/98)	1	4	0	53.8%
MONEY LAUNDERING	0	24	2	27.5%
MURDER 1 (POST 7/24/99)	0	41	1	68.9%
MURDER 1 - PRE 7/1/90	0	3	1	59.2%
MURDER 1 (7/1/90-7/24/99)	0	2	0	100.0%
MURDER 2 (POST 7/24/99)	2	52	1	48.5%
OBTAIN SIGNATURE BY DECEPTION	0	1	0	0.0%
OFFER FALSE DOCUMENT	0	2	0	4.2%
ORGANIZED RETAIL THEFT 1	1	3	0	8.3%
ORGANIZED RETAIL THEFT 2	3	49	0	33.0%
OVER 18 - DEL OTH TO MINOR	0	1	0	52.9%
OVER 18 - DEL S I/II NARC/FLUNT/METH MINOR	1	1	0	100.0%
OWNER OF DOG THAT ATTACKS	0	1	0	25.0%
PATRONIZING A JUV PROSTITUTE (POST 6/30/01)	0	1	0	100.0%
PERJURY 1	1	1	0	0.0%
PERJURY 2	6	6	0	6.3%

OFFENSE	SENTENCE RELATIVE TO STANDARD RANGE			AVERAGE OF WHERE IN THE RANGE?
	Below	Within	Above	
PERSISTENT PRISON MISBEHAVIOR	1	0	0	n.a.
POS CNTL SUBS - BY PRISONERS	0	16	0	20.7%
POS CNTL SUBS - OTHER EXC.PCP/FLUNIT	161	2,204	10	26.4%
POS CNTL SUBS - SCH I/II IN CORR FACIL	1	1	0	50.0%
POS CNTL SUBS SCH I/II OR FLUNIT	89	1,248	7	27.6%
POS DEPICTION OF MINORS - POST 06/07/06	6	28	1	26.1%
POS EPHEM/PSEUDO/AMMO W/ MFG METH-1ST (POST6/00)	1	1	1	0.0%
POS MACH GUN/SHOT BARL SHOT GUN (POST 7/24/99)	1	8	0	40.2%
POS PHENCYCLIDINE (PCP)	0	3	0	28.3%
POS STOLEN FIREARM	21	33	0	26.5%
POS STOLEN PROPERTY 1	13	70	0	35.9%
POS STOLEN PROPERTY 2	26	316	2	37.2%
POS STOLEN VEHICLE	77	314	2	34.8%
PRACTICE OF PROFESSION W/O LICENSE	0	1	0	1.0%
PROMOTING PROSTITUTION 1	0	7	4	28.6%
PROMOTING PROSTITUTION 2	0	15	0	15.4%
RAPE 1 (POST 8/31/01) (.712)	0	12	0	68.4%
RAPE 2 (7/27/97 - 8/31/01)	0	1	0	0.0%
RAPE 2 (POST 8/31/01) (.712)	2	31	0	50.0%
RAPE 3	4	42	2	54.2%
RAPE OF A CHILD 1 (7/27/97 - 8/31/01)	5	9	0	61.5%
RAPE OF A CHILD 1 (7/90 - 7/26/97)	0	1	0	100.0%
RAPE OF A CHILD 1 .712 >=18 /FEE (POST 07/22/07)	0	1	0	100.0%
RAPE OF A CHILD 1 <18 (POST 8/31/01)	0	6	1	13.6%
RAPE OF A CHILD 1 >17 (POST 8/31/01) (.712)	19	48	3	55.7%
RAPE OF A CHILD 2 (7/27/97 - 8/31/01)	1	3	0	66.7%
RAPE OF A CHILD 2 (PRE 7/90)	0	0	1	n.a.
RAPE OF A CHILD 2 <18 (POST 8/31/01)	0	3	0	61.5%
RAPE OF A CHILD 2 >17 (POST 8/31/01) (.712)	10	40	1	54.5%
RAPE OF A CHILD 2 PREDATORY (.712) (POST 03/20/06)	0	1	0	2.7%
RAPE OF A CHILD 3-POST 7/90	18	80	2	61.0%
RECKLESS BURNING 1	1	15	2	42.2%
RENDERING CRIMINAL ASSTANCE 1	14	18	1	49.2%
RESIDENTIAL BURGLARY-POST 7/90	339	588	13	26.8%
RETAIL THEFT W/EXTENU CIRCUMSTN 1	0	2	0	0.0%
RETAIL THEFT W/EXTENU CIRCUMSTN 2	1	16	1	38.7%
RETAIL THEFT W/EXTENU CIRCUMSTN 3	0	103	4	22.0%
RIOT	0	200	4	26.0%
ROBBERY 1	13	365	7	36.5%
ROBBERY 2	15	338	10	37.6%
SECURITY ACT VIOLATION-POST 7/89	0	0	1	n.a.
SELL OR DELIVER LEGEND DRUGS	0	2	0	17.9%
SELLING FOR PROFIT-POST 7/91 1ST	0	1	1	100.0%

OFFENSE	SENTENCE RELATIVE TO STANDARD RANGE			AVERAGE OF WHERE IN THE RANGE?
	Below	Within	Above	
SELLING FOR PROFIT-POST 7/91 2ND	0	1	0	100.0%
SEND/BRING SEXUAL DEPICTIONS OF MINOR-POST 6/30/01	1	0	0	n.a.
SEXUAL EXPLOITATION (POST 6/30/01)	3	7	1	57.1%
SEXUAL MISCONDUCT 1 (POST 7/90)	1	4	0	87.5%
SEXUALLY VIOLENT PREDATOR ESCAPE	0	1	0	100.0%
STALKING (POST 6/30/00)	5	21	2	51.4%
STATUTORY RAPE 3 (PRE 7/88)	0	1	0	0.0%
TAMPERING WITH A WITNESS	7	59	1	38.5%
TELECOMMUNICATIONS FRAUD	0	1	0	0.3%
TELEPHONE HARASSMENT (POST 7/24/99)	5	16	0	39.2%
THEFT 1	83	542	38	35.7%
THEFT 1 - WELFARE FRAUD	3	17	0	27.0%
THEFT 2	67	1,047	16	35.3%
THEFT 2 - WELFARE FRAUD	0	4	0	16.5%
THEFT OF A FIREARM (POST 7/22/95)	33	32	0	23.2%
THEFT OF MOTOR VEHICLE	26	150	1	35.3%
THEFT OF RENTAL OR LEASED PROPERTY (\$250-\$1500)	1	19	0	29.1%
THEFT OF RENTAL OR LEASED PROPERTY (<\$1,500)	1	7	0	38.1%
THEFT OF TELECOMMUNICATIONS SVC	0	2	0	16.5%
THEFT W/ INTENT RESELL 1	1	0	0	n.a.
THEFT W/ INTENT RESELL 2	1	4	1	31.8%
THREATS TO BOMB - POST 7/89	6	10	1	18.7%
TMVWOP 1 (POST 6/12/02)	1	3	0	66.7%
TMVWOP 2 (POST 6/12/02)	50	426	3	31.9%
TRAFFICKING IN STOLEN PROP 1	106	123	4	23.8%
TRAFFICKING IN STOLEN PROP 2	37	117	0	20.3%
UNLAWFUL DISCHARGE OF A LASER 1	0	1	0	3.8%
UNLAWFUL FACTORING CREDIT/PAY CARD TRANSACTION-1ST	2	2	0	50.0%
UNLAWFUL HUNTING BIG GAME - 1ST	0	3	0	66.7%
UNLAWFUL IMPRISONMENT	10	70	2	41.5%
UNLAWFUL ISSUE OF CHECKS/DRAFT	6	49	1	28.8%
UNLAWFUL POSS OF FICTITIOUS IDENTIFICATION	0	2	0	69.8%
UNLAWFUL POSS OF FIREARM 1	20	121	4	41.3%
UNLAWFUL POSS OF FIREARM 2	35	355	15	26.6%
UNLAWFUL POSS OF PAYMENT INSTRUMENTS	2	13	0	40.2%
UNLAWFUL PRODUCTION OF PAYMENT INSTRUMENTS	1	1	0	0.0%
UNLAWFUL TRAFFICKING FISH OR WILDLIFE - 1ST	0	1	0	0.0%
USE BUILDING FOR DRUGS (69.53) (POST 7/24/99)	1	1	1	46.0%
USE BUILDING FOR DRUGS (69.53) (PRE 7/25/99)	0	1	0	50.0%
VEHICLE PROWL 1	2	10	0	43.7%
VEHICULAR ASSAULT DISREGARD SAFETY (POST 7/21/01)	4	47	4	48.2%
VEHICULAR ASSAULT UND INFL/RECKLESS (POST 7/21/01)	3	101	4	33.8%
VEHICULAR HOMICIDE - DISREGARD SAFETY-VIOLENT	2	10	0	28.2%

OFFENSE	SENTENCE RELATIVE TO STANDARD RANGE			AVERAGE OF WHERE IN THE RANGE?
	Below	Within	Above	
VEHICULAR HOMICIDE - DRUNK (POST 6/5/96)	1	17	1	49.7%
VEHICULAR HOMICIDE - RECKLESS MANNER (POST 6/5/96)	0	6	0	66.7%
VIOLATION OF FOREIGN PROTECTION ORDER	0	48	2	41.4%
VIOLATION OF SUSPEN OF DEPT. PRIVILEGES 1ST DEG.	0	1	0	1.3%
VOTER REGISTRATION VIOLATION	0	1	0	8.3%
VOYEURISM	0	17	1	28.2%
VOYEURISM (POST 06/07/06)	1	9	0	45.1%
VUCSA - GENERIC	0	2	0	43.7%
WEAP POSS BY PRISONER/COUNTY FACILITY	0	3	0	10.4%
<b>ALL OFFENSES</b>	3,034	19,172	456	32.1%

**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 2010**

*This table excludes life and death sentences.*

COUNTY	Number	Months
Adams	15	38.5
Asotin	8	120.4
Benton	65	62.4
Chelan	24	79.5
Clallam	23	36.5
Clark	246	55.8
Columbia	2	15.5
Cowlitz	49	87.7
Douglas	4	56.0
Ferry	1	407.0
Franklin	31	46.3
Grant	47	33.8
Grays Harbor	33	56.7
Island	24	46.8
Jefferson	2	722.0
King	661	64.9
Kitsap	79	42.2
Kittitas	9	34.8
Klickitat	5	26.8
Lewis	49	51.9
Lincoln	2	16.0
Mason	36	97.4
Okanogan	11	74.5
Pacific	9	158.0
Pend Oreille	1	20.0
Pierce	525	62.2
San Juan	1	112.0
Skagit	69	37.5
Skamania	4	182.5
Snohomish	198	59.8
Spokane	263	48.8
Stevens	17	63.8
Thurston	127	70.6
Wahkiakum	2	25.5
Walla Walla	22	33.2
Whatcom	102	51.0
Whitman	6	219.2
Yakima	124	65.9
<b>TOTAL</b>	<b>2,896</b>	<b>60.7</b>

**ONLY LIFE OR DEATH\* SENTENCES BY COUNTY**

COUNTY	Number	Sentence
Clallam	1	Life
King	6	Life
King	1	Death
Lewis	2	Life
Okanogan	1	Life
Pierce	5	Life
Skagit	1	Life
Spokane	4	Life
Thurston	1	Life
Whatcom	1	Life
Yakima	3	Life
<b>TOTAL</b>	<b>26</b>	

\*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 2010**

<b>COUNTY</b>	<b>TOTAL</b>
Clallam	1
King	4
Lewis	2
Pierce	4
Spokane	3
Thurston	1
Whatcom	1
Yakima	2
<b>TOTAL</b>	<b>18</b>

## 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 2010**

REASON	NUMBER
Defendant agreed to prison, greater sentence, or treatment.	317
Criminal history score greater than 9 points.	21
Victim was particularly vulnerable.	19
The multiple offense policy results in a clearly lenient presumptive sent.	13
Major economic offense - used position of trust, confidence, responsibility.	12
Rapid recidivism.	12
Defendant was in a position of trust (not an economic or drug offense).	11
Major economic offense involving multiple victims or multiple incidents.	9
The sentence was the result of a plea	9
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.	8
Major economic offense substantially greater than typical for the offense.	8
Other aggravating factor.	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
A domestic violence offense that occurred in sight or sound of victim's children under age 18.	5
Multiple victims or multiple incidents per victim (not an economic offense).	4
The crime was gang related.	4
Deliberate cruelty to the victim.	4
Blakely	4
Part of an ongoing pattern of sexual abuse of the same victim under 18.	3
Seriousness of the offense/more egregious than the typical circumstances of the crime.	3
The offense was a violent offense and the offender knew the victim was pregnant.	2
Crime injured/harmed a person other than the victim.	2
A law enforcement officer was either the victim or injured as a result of the offense.	2
The defendant committed the crime with sexual motivation.	2
Additional incidents which, if charged, would result in higher range.	2
Factors in criminal record.	2
Drug offense - manufacture of controlled substances for use by others.	2
Drug offense - quantity substantially larger than personal use (dealing).	2
Defendant violated zone of privacy.	1
Defendant showed no remorse.	1
Offense resulted in the pregnancy of a child victim of rape	1
No resources in the community.	1
Defendant is not amenable to treatment.	1

**Table 15. Aggravated Exceptional Sentence Reasons  
Fiscal Year 2010**

<b>REASON</b>	<b>NUMBER</b>
Defendant is a threat to the community.	1
Continuing criminal activity after arrest or while on probation or parole.	1
Total Aggravated Reasons:	505
Total Aggravated Sentences:	425
Total Reasons Per Case:	1.2

**Table 16. Mitigated Exceptional Sentence Reasons  
Fiscal Year 2010**

<b>REASON</b>	<b>NUMBER</b>
All parties agreed to mitigated sentence.	259
Exceptional sentence is more appropriate/is in the interests of justice.	179
Part of a Mitigated Plea Agreement	63
Victim was an initiator, willing participant, aggressor, or provoker.	26
Capacity to appreciate the wrongfulness was significantly impaired.	20
The defendant's mental condition.	18
For defendant's rehabilitation or treatment.	9
Mitigated total confinement imposed w/extended community custody	8
Assisted law enforcement/agreed to help in prosecution of codefendant.	7
Offender's guilty plea allowed victim to avoid testimony at trial	6
Other mitigating factor.	6
No prior convictions or they are remote in time.	5
Crime committed under duress, coercion, threat, or compulsion.	5
With no apparent predisposition, was induced by others to participate.	5
To make frugal use of the state's resources.	4
Defendant is addicted to drugs or alcohol.	4
Before detection, the defendant compensated victim, or made effort.	3
Defendant's physical condition.	3
The multiple offense policy results in a clearly excessive presumptive sent.	3
Defendant is remorseful.	2
Defendant's age.	2
Offense principally accomplished by another, defendant caution or concern.	2
Defendant poses no threat to the community.	2
Defendant is making an effort to change criminal behavior or demonstrates a desire to do so.	1
The current offense was less serious than similar crimes of this nature.	1
Defendant to be deported or released into the custody of INS.	1
The defendant is addressing an alcohol problem.	1
The delay in filing the case was lengthy.	1
Defendant is addressing psychological problem.	1
Confession before apprehension.	1
Victim or family requests lower sentence.	1
Strong relationship between drug or alcohol addiction and criminal activity.	1
Exceptional sentence is one day less than range.	1
No injury to the victim.	1
Defendant's actions did not intend crime or harm.	1

**Table 16. Mitigated Exceptional Sentence Reasons  
Fiscal Year 2010**

<b>REASON</b>	<b>NUMBER</b>
Defendant should be sentenced according to agreed range (clerical error).	1
Defendant has community or family support.	1
<hr/>	
Total Mitigated Reasons:	655
Total Mitigated Sentences:	569
Total Reasons Per Case:	1.2

**Table 17. Within Standard Range Exceptional Sentence Reasons  
Fiscal Year 2010**

<b>REASON</b>	<b>NUMBER</b>
Exceptional sentence is within the presumptive range.	19
Total Reasons:	19
Total Sentences:	19
Total Reasons Per Case:	1.0

## **SEX OFFENDER SENTENCING UNDER RCW 9.94A.507**

During the 2001, 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.507(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.031(36)(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 Offense Sentences by County  
Fiscal Year 2010**

COUNTY	FELONY CLASS OF QUALIFYING OFFENSE			TOTAL DETERMINATE PLUS SENTENCES
	CLASS A	CLASS B	CLASS C	
Adams	2	0	0	2
Asotin	1	0	0	1
Benton	10	1	0	11
Chelan	1	0	0	1
Clallam	0	0	0	0
Clark	34	5	1	40
Columbia	0	0	0	0
Cowlitz	2	1	1	4
Douglas	0	0	0	0
Ferry	0	0	0	0
Franklin	2	1	0	3
Garfield	0	0	0	0
Grant	4	0	0	4
Grays Harbor	5	1	0	6
Island	5	0	0	5
Jefferson	0	0	0	0
King	60	4	0	64
Kitsap	10	0	0	10
Kittitas	0	0	0	0
Klickitat	0	0	0	0
Lewis	14	0	0	14
Lincoln	0	0	0	0
Mason	11	0	0	11
Okanogan	3	1	0	4
Pacific	0	0	0	0
Pend Oreille	0	0	0	0
Pierce	50	2	0	52
San Juan	0	0	0	0
Skagit	6	0	1	7
Skamania	1	0	0	1
Snohomish	19	0	0	19
Spokane	12	0	1	13
Stevens	3	0	0	3
Thurston	18	1	0	19
Wahkiakum	0	0	0	0
Walla Walla	2	0	0	2
Whatcom	8	0	0	8
Whitman	1	0	0	1
Yakima	10	0	0	10
<b>TOTAL</b>	294	17	4	315

**Table 19. Sentences with Domestic Violence by County  
Fiscal Year 2010**

<b>COUNTY</b>	<b>SENTENCE WITH DOMESTIC VIOLENCE</b>	<b>TOTAL SENTENCES</b>	<b>PERCENTAGE</b>
Adams	0	85	0.0%
Asotin	5	126	4.0%
Benton	8	796	1.0%
Chelan	12	275	4.4%
Clallam	4	276	1.4%
Clark	150	1,638	9.2%
Columbia	0	25	0.0%
Cowlitz	44	915	4.8%
Douglas	8	145	5.5%
Ferry	0	13	0.0%
Franklin	5	256	2.0%
Garfield	0	7	0.0%
Grant	16	396	4.0%
Grays Harbor	1	281	0.4%
Island	10	134	7.5%
Jefferson	2	76	2.6%
King	342	3,458	9.9%
Kitsap	92	912	10.1%
Kittitas	3	161	1.9%
Klickitat	6	62	9.7%
Lewis	13	446	2.9%
Lincoln	0	22	0.0%
Mason	15	274	5.5%
Okanogan	5	163	3.1%
Pacific	7	94	7.4%
Pend Oreille	0	23	0.0%
Pierce	170	3,921	4.3%
San Juan	3	28	10.7%
Skagit	38	529	7.2%
Skamania	2	29	6.9%
Snohomish	75	1,414	5.3%
Spokane	108	2,080	5.2%
Stevens	2	151	1.3%
Thurston	92	1,038	8.9%
Wahkiakum	0	10	0.0%
Walla Walla	9	217	4.1%
Whatcom	73	894	8.2%
Whitman	1	63	1.6%
Yakima	64	1,229	5.2%
<b>TOTAL</b>	<b>1,385</b>	<b>22,662</b>	

## **APPENDICES**

The information contained herein is current as of Fiscal Year 2010, and does not reflect any changes enacted by the 2010 Legislature. Statutes presented and cited in the appendices may have been amended and become effective subsequent to Fiscal Year 2010 – 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
<b>XI</b>	Life Sentence Without Parole/Death Penalty									
<b>XV</b>	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
<b>XIV</b>	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
<b>XIII</b>	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
<b>XII</b>	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
<b>XI</b>	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
<b>X</b>	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
<b>IX</b>	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
<b>VIII</b>	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
<b>VII</b>	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
<b>VI</b>	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
<b>V</b>	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
<b>IV</b>	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
<b>III</b>	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
<b>II</b>	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
<b>I</b>	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))
	Promoting Commercial Sexual Abuse of a Minor (RCW 9.68A.101)
	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)

LEVEL	OFFENSES
IX	Abandonment of Dependent Person 1 (RCW 9A.42.060)
	Assault of a Child 2 (RCW 9A.36.130)
	Explosive devices prohibited (RCW 70.74.180)
	Hit and Run--Death (RCW 46.52.020(4)(a))
	Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050)
	Inciting Criminal Profiteering (RCW 9A.82.060(1)(b))
	Malicious placement of an explosive 2 (RCW 70.74.270(2))
	Robbery 1 (RCW 9A.56.200)
	Sexual Exploitation (RCW 9.68A.040)
	Vehicular Homicide, by being under the influence of intoxicating liquor or any drug (RCW 46.61.520)
VIII	Arson 1 (RCW 9A.48.020)
	<b>Commercial Sexual Abuse of a Minor (RCW 9.68A.100)</b>
	Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)
	Manslaughter 2 (RCW 9A.32.070)
	Promoting Prostitution 1 (RCW 9A.88.070)
	Theft of Ammonia (RCW 69.55.010)
	Vehicular Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)
VII	Burglary 1 (RCW 9A.52.020)
	Child Molestation 2 (RCW 9A.44.086)
	Civil Disorder Training (RCW 9A.48.120)
	Dealing in depictions of minor engaged in sexually explicit conduct (RCW 9.68A.050(1))
	Drive-by Shooting (RCW 9A.36.045)
	Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)
	Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1) (b) and (c))
	Introducing Contraband 1 (RCW 9A.76.140)

LEVEL	OFFENSES
	<p>Malicious placement of an explosive 3 (RCW 70.74.270(3))</p> <p>Negligently Causing Death By Use of a Signal Preemption Device (RCW 46.37.675)</p> <p>Sending, bringing into state depictions of minor engaged in sexually explicit conduct (RCW 9.68A.060(1))</p> <p>Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1))</p> <p>Use of a Machine Gun in Commission of a Felony (RCW 9.41.225)</p> <p>Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)</p>
VI	<p>Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))</p> <p>Bribery (RCW 9A.68.010)</p> <p>Incest 1 (RCW 9A.64.020(1))</p> <p>Intimidating a Judge (RCW 9A.72.160)</p> <p>Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)</p> <p>Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))</p> <p>Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct (RCW 9.68A.070(1))</p> <p>Rape of a Child 3 (RCW 9A.44.079)</p> <p>Theft of a Firearm (RCW 9A.56.300)</p> <p>Unlawful Storage of Ammonia (RCW 69.55.020)</p>
V	<p>Abandonment of dependent person 2 (RCW 9A.42.070)</p> <p>Advancing money or property for extortionate extension of credit (RCW 9A.82.030)</p> <p>Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))</p> <p>Child Molestation 3 (RCW 9A.44.089)</p> <p>Criminal Mistreatment 2 (RCW 9A.42.030)</p> <p>Custodial Sexual Misconduct 1 (RCW 9A.44.160)</p> <p>Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.050(2))</p> <p>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)</p> <p>Driving While Under the Influence (RCW 46.61.502(6))</p> <p>Extortion 1 (RCW 9A.56.120)</p>

LEVEL	OFFENSES
	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))
	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)
	Sending, Bringing into State Depictions of Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68A.060(2))
	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))

LEVEL	OFFENSES
	<p data-bbox="326 268 1382 338">Indecent Exposure to Person Under Age Fourteen (subsequent sex offense) (RCW 9A.88.010)</p> <p data-bbox="326 359 1078 394">Influencing Outcome of Sporting Event (RCW 9A.82.070)</p> <p data-bbox="326 415 857 451">Malicious Harassment (RCW 9A.36.080)</p> <p data-bbox="326 472 1403 541">Possession of Depictions of a Minor Engaged in Sexually Explicit Conduct 2 (RCW 9.68[A].070(2))</p> <p data-bbox="326 562 837 598">Residential Burglary (RCW 9A.52.025)</p> <p data-bbox="326 619 708 655">Robbery 2 (RCW 9A.56.210)</p> <p data-bbox="326 676 834 711">Theft of Livestock 1 (RCW 9A.56.080)</p> <p data-bbox="326 732 764 768">Threats to Bomb (RCW 9.61.160)</p> <p data-bbox="326 789 980 825">Trafficking in Stolen Property 1 (RCW 9A.82.050)</p> <p data-bbox="326 846 1224 915">Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(b))</p> <p data-bbox="326 936 1370 1005">Unlawful transaction of health coverage as a health care service contractor (RCW 48.44.016(3))</p> <p data-bbox="326 1026 1411 1096">Unlawful transaction of health coverage as a health maintenance organization (RCW 48.46.033(3))</p> <p data-bbox="326 1117 1151 1152">Unlawful transaction of insurance business (RCW 48.15.023(3))</p> <p data-bbox="326 1173 1219 1209">Unlicensed practice as an insurance professional (RCW 48.17.063(3))</p> <p data-bbox="326 1230 1240 1266">Use of Proceeds of Criminal Profiteering (RCW 9A.82.080 (1) and (2))</p> <p data-bbox="326 1287 1419 1356">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 data-bbox="326 1377 1378 1446">Viewing of Depictions of a Minor Engaged in Sexually Explicit Conduct 1 (RCW 9.68A.075(1))</p> <p data-bbox="326 1467 1094 1503">Willful Failure to Return from Furlough (*RCW 72.66.060)</p>
III	<p data-bbox="326 1549 1200 1585">Animal Cruelty 1 (Sexual Conduct or Contact) (RCW 16.52.205(3))</p> <p data-bbox="326 1606 1378 1675">Assault 3 (Except Assault 3 of a Peace Officer With a Projectile Stun Gun) (RCW 9A.36.031 except subsection (1)(h))</p> <p data-bbox="326 1696 829 1732">Assault of a Child 3 (RCW 9A.36.140)</p> <p data-bbox="326 1753 1138 1789">Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))</p> <p data-bbox="326 1810 711 1845">Burglary 2 (RCW 9A.52.030)</p>

LEVEL	OFFENSES
	Communication with a Minor for Immoral Purposes (RCW 9.68A.090)
	Criminal Gang Intimidation (RCW 9A.46.120)
	Custodial Assault (RCW 9A.36.100)
	Cyberstalking (subsequent conviction or threat of death) (RCW 9.61.260(3))
	Escape 2 (RCW 9A.76.120)
	Extortion 2 (RCW 9A.56.130)
	Harassment (RCW 9A.46.020)
	Intimidating a Public Servant (RCW 9A.76.180)
	Introducing Contraband 2 (RCW 9A.76.150)
	Malicious Injury to Railroad Property (RCW 81.60.070)
	Mortgage Fraud (RCW 19.144.080)
	Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device (RCW 46.37.674)
	Organized Retail Theft 1 (RCW 9A.56.350(2))
	Perjury 2 (RCW 9A.72.030)
	Possession of Incendiary Device (RCW 9.40.120)
	Possession of Machine Gun or Short-Barreled Shotgun or Rifle (RCW 9.41.190)
	Promoting Prostitution 2 (RCW 9A.88.080)
	Retail Theft with Extenuating Circumstances 1 (RCW 9A.56.360(2))
	Securities Act violation (RCW 21.20.400)
	Tampering with a Witness (RCW 9A.72.120)
	Telephone Harassment (subsequent conviction or threat of death) (RCW 9.61.230(2))
	Theft of Livestock 2 (RCW 9A.56.083)
	Theft with the Intent to Resell 1 (RCW 9A.56.340(2))
	Trafficking in Stolen Property 2 (RCW 9A.82.055)
	Unlawful Imprisonment (RCW 9A.40.040)
	Unlawful possession of firearm in the second degree (RCW 9.41.040(2))
	Vehicular Assault, by the operation or driving of a vehicle with disregard for the safety of others (RCW 46.61.522)

LEVEL	OFFENSES
	Willful Failure to Return from Work Release (*RCW 72.65.070)
	Computer Trespass 1 (RCW 9A.52.110)
II	Counterfeiting (RCW 9.16.035(3))
	Escape from Community Custody (RCW 72.09.310)
	Failure to Register as a Sex Offender (second or subsequent offense) (**RCW 9A.44.130(10)(a))
	Health Care False Claims (RCW 48.80.030)
	Identity Theft 2 (RCW 9.35.020(3))
	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)
	Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)
I	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)

LEVEL	OFFENSES
	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 9A.56.096(5)(b))
	Transaction of insurance business beyond the scope of licensure (RCW 48.17.063)
	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)

[2010 c 289 § 11; 2010 c 227 § 9. Prior: 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**

<b>Serious Level</b>	<b>Offender Score 0 to 2</b>	<b>Offender Score 3 to 5</b>	<b>Offender Score 6 to 9+</b>
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**

<b>LEVEL</b>	<b>DRUG OFFENSES</b>
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.]