

State of Washington  
SENTENCING GUIDELINES COMMISSION



**JUVENILE DISPOSITION MANUAL**  
**2003**

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Sentencing Guidelines Commission

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Note: Questions or comments about the juvenile disposition standards, requests for notification of Commission meetings or copies of minutes of Commission meetings should be directed to the Commission office. The Commission appreciates any comments or suggestions related to the Juvenile Disposition Manual or to any of the Commission's other publications.

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## **SECTION 1**

# **JUVENILE DISPOSITION STANDARDS**

# JUVENILE DISPOSITION STANDARDS

## OVERVIEW

Juveniles who commit criminal offenses in Washington are subject to the provisions of RCW Chapter 13.40, Juvenile Justice Act of 1977, as amended. The Act contains guidelines and procedures for the imposition of sentences, “dispositions,” and is based on a determinate sentencing model which prescribes presumptive sanctions commensurate with the offender’s age, seriousness of the current offense and prior criminal history. When a court finds that a presumptive sanction would amount to an excessive penalty, or that the juvenile presents a serious and clear danger to society, it may impose a disposition which departs from the presumptive standard range. Before imposing a sentence outside of the presumptive standard range, the court must be persuaded by clear and convincing evidence that certain requirements are met.

The goal of a determinate sentencing system is to ensure that offenders who commit similar crimes and who have similar criminal histories receive substantially similar sentences. Presumptive sentencing schedules are structured so that offenses involving greater harm to a victim and to society result in greater punishment. The disposition standards in Washington apply equally to juvenile offenders in all parts of the state, without discrimination as to any element that does not relate to the crime or to the juvenile’s previous record.

Pursuant to RCW 9.94A.040 and RCW 13.40.005, it is the responsibility of the Sentencing Guidelines Commission to review the juvenile disposition standards and to recommend revisions or modifications of those standards to the Legislature. The Commission also evaluates the application of standards and juvenile justice policies and conducts ongoing research on juvenile dispositions. The Commission reports to the Governor and the Legislature on racial and ethnic disparities in juvenile dispositions, the capacity of state and local juvenile facilities and resources, and on juvenile recidivism.

In order to advise the Legislature, the Commission requires accurate information on juvenile offenders, their crimes and the dispositions imposed under the Juvenile Justice Act. This information is derived from copies of disposition documents sent by the court clerks to the Commission office and is converted into a computerized database. The Commission produces descriptive information on juvenile dispositions and analyzes the impact of changes to the disposition standards on juvenile offender populations remanded to county detention centers and state Juvenile Rehabilitation Administration institutions.



## **INSTRUCTIONS**

The following procedures illustrate the process for determining dispositions in cases involving juveniles. Juvenile disposition standards reflect comprehensive changes enacted by the 1997 Legislature and apply to offenses committed on or after July 1, 1998.

### **Determining the Appropriate Court of Jurisdiction**

Before any court action is initiated against a juvenile, a determination must be made as to the proper court. Generally, the *juvenile court has original jurisdiction* over criminal offenses committed by juveniles 17 years of age or younger (See RCW 13.04.030, 13.40.110). Exceptions to this general rule apply in certain, well defined and clearly delineated cases.

First, adult criminal courts exercise exclusive original jurisdiction over juvenile offenders who are 16 or 17 years old *and* whose alleged offense is:

- (A) A serious violent offense, as defined in RCW 9.94A.030;
- (B) A violent offense, as defined in RCW 9.94A.030, and has a juvenile criminal history consisting of: (i) one or more prior serious violent offenses; (ii) two or more prior violent offenses; or (iii) three or more of any combination of the following offenses: any Class A felony, any Class B felony, Vehicular Assault, or Manslaughter in the Second Degree, all of which must have been committed after the juvenile's thirteenth birthday and prosecuted separately;
- (C) Robbery in the First Degree, Rape of a Child in the First Degree, or Drive-by Shooting committed on or after July 1, 1997;
- (D) Burglary in the First Degree committed on or after July 1, 1997, and the juvenile has a criminal history consisting of one or more prior felony or misdemeanor offenses; or
- (E) Any violent offense, as defined in RCW 9.94A.030, committed on or after July 1, 1997, and the juvenile is alleged to have been armed with a firearm.

The adult criminal court may also assert jurisdiction over juveniles when the juvenile court exercises its discretion to decline jurisdiction<sup>1</sup>. Unless expressly waived by the juvenile court, a “decline” hearing must be held in the following cases:

- (A) The juvenile is 15, 16, or 17 years old *and* the alleged conduct (offense) constitutes a Class A felony<sup>2</sup> or an attempt, solicitation, or conspiracy to commit a Class A felony;

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<sup>1</sup> Chapter 338, Laws of 1997.

<sup>2</sup> The amendment of charges to offenses not within the jurisdiction of adult courts requires the adult court to relinquish jurisdiction over the juvenile. See *State v. Mora*, 138 Wn.2d 43 (1999).

- (B) The juvenile is 17 years old *and* the alleged offense is any of the following: Assault in the Second Degree; Child Molestation in the Second Degree; Extortion in the First Degree; Indecent Liberties; Kidnapping in the Second Degree; or Robbery in the Second Degree; or
- (C) Any juvenile *and* the alleged offense is Escape *and* the juvenile is serving a minimum juvenile sentence to age twenty-one (21).

**Determining the Standard Range for Juvenile Dispositions**

In cases where the juvenile falls within the jurisdiction of juvenile court, the following factors should be considered in determining an appropriate disposition:

- (1) The offense category of the current offense(s);
- (2) The number of prior adjudications; and
- (3) The point of intersection of the Current Offense Category row and the Prior Adjudications column on the juvenile disposition “grid” to identify the appropriate cell.

**Offense Category**

Most juvenile offenses are categorized in RCW 13.40.0357. Offenses not listed in that section of the code may be determined by converting adult offense classifications into juvenile offense categories in the following manner:

<u>Adult Offense</u>	<u>Juvenile Completed Offense</u>	<u>Juvenile Anticipatory Offense</u>
Class A felony	Offense Category A	Offense Category B+
Class B felony	Offense Category B	Offense Category C
Class C felony	Offense Category C	Offense Category D
Gross Misdemeanor	Offense Category D	Offense Category E
Misdemeanor	Offense Category E	Offense Category E
Violations	Offense Category V	Offense Category V

Two statutorily recognized exceptions to this method of categorizing offenses should be noted.

- (1) All violations of the Uniform Controlled Substances Act (RCW 69.50), both completed and anticipatory, are assigned to the same offense category.

- (2) Escape in the First and Second Degrees and Attempted Escape in the First and Second Degrees fall within Category C offenses, but require their own standard range confinement terms, as follows:
- First escape or attempted escape during a 12-month period: four (4) weeks confinement;
  - Second escape or attempted escape during a 12-month period: eight (8) weeks confinement;
  - Third and subsequent escape or attempted escape during a 12-month period: twelve (12) weeks confinement.

### **Prior Adjudications**

“Adjudication” has the same meaning as “conviction” in RCW 9.94A.030 of the Sentencing Reform Act. The terms must be construed identically and may be used interchangeably. (*See* RCW 13.04.011(1)).

Prior felony adjudications count as one point each on the juvenile disposition grid. Each prior violation, misdemeanor or gross misdemeanor adjudication counts as  $\frac{1}{4}$  point (fractions are rounded down). Non-felony offenses (*i.e.*, misdemeanors and gross misdemeanors) generally include all Category D and E offenses. A “violation” may include any act or omission, which if committed by an adult, must be proven beyond a reasonable doubt, and is punishable by sanctions that do not include incarceration (*See* RCW 13.40.020).

A prior offense does *not* count for any points in the juvenile’s criminal history “score” if the adjudication of the prior offense occurred *after* the alleged commission of the current offense. Current offenses do not count for any points in the juvenile’s criminal history “score.” If a juvenile is convicted of two or more charges arising out of the same course of conduct, only the highest charge is counted in the juvenile’s criminal history “score.” Diversion agreements under RCW 13.40.080 do *not* count for any points in the juvenile’s criminal history “score,” although diversions do appear in a juvenile’s criminal record. *See* Juvenile Court Rule 7.12 and RCW 13.40.020(7)(b). A *successfully completed* deferred adjudication entered before July 1, 1998, as well as a *successfully completed* deferred disposition, may not be considered part of the juvenile’s criminal record.

### **Appropriate Cell in the Juvenile Disposition Grid**

To find the appropriate standard range disposition for a particular offense, find the intersection of the proper “Current Offense Category” row and the proper “Prior Adjudications” column. The sentences for multiple current offenses are served consecutively by the offender (*See* RCW 13.40.180). Confinement is discretionary with the court when the standard disposition falls into a “Local Sanctions” cell. Select one of the available disposition options from the following Juvenile Offender Sentencing Grid:

## OPTION A JUVENILE OFFENDER SENTENCING GRID

### STANDARD RANGE

<b>CURRENT OFFENSE CATEGORY</b>	<b>A+</b>	180 Weeks to Age 21 for All Category A+ Offenses				
	<b>A</b>	103 - 129 Weeks for All Category A Offenses				
	<b>A-</b>	15 - 36 Weeks <small>Except 30 - 40 Weeks for 15 to 17 Year Olds</small>	52 - 65 Weeks	80 - 100 Weeks	103 - 129 Weeks	103 - 129 Weeks
	<b>B+</b>	15 - 36 Weeks	15 - 36 Weeks	52 - 65 Weeks	80 - 100 Weeks	103 - 129 Weeks
	<b>B</b>	LS	LS	15 - 36 Weeks	15 - 36 Weeks	52 - 65 Weeks
	<b>C+</b>	LS	LS	LS	15 - 36 Weeks	15 - 36 Weeks
	<b>C</b>	LS	LS	LS	LS	15 - 36 Weeks
	<b>D+</b>	LS	LS	LS	LS	LS
	<b>D</b>	LS	LS	LS	LS	LS
	<b>E</b>	LS	LS	LS	LS	LS
		<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4 or More</b>
		<b>PRIOR ADJUDICATIONS</b>				

- (1) The vertical axis of the grid is the current offense category. The current offense category is determined by the offense of adjudication.
- (2) The horizontal axis of the grid is the number of prior adjudications included in the juvenile's criminal history. Each prior felony adjudication counts as one point. Each prior violation, misdemeanor, and gross misdemeanor adjudication counts as 1/4 point. Fractional points are rounded down.
- (3) The standard range disposition for each offense is determined by the intersection of the column defined by the prior adjudications and the row defined by the current offense category.
- (4) RCW 13.40.180 applies if the offenders is being sentenced for more than one offense.
- (5) A current offense that is a violation is equivalent to an offense category of E. However, a disposition for a violation shall not include confinement.

**LS = Local Sanctions:** 0 - 30 Days of Confinement, and/or  
 0 - 12 Months of Community Supervision, and/or  
 0 - 150 Hours of Community Restitution, and/or  
 \$0 - \$500 Fine

During the 2003 Regular Session, the 58<sup>th</sup> Washington State Legislature enacted ESSB 5903, which increased the sentencing options or available juvenile offender disposition alternatives.

### **Suspended Disposition Alternative (Option B)**

If the offender is subject to a standard range disposition involving confinement by JRA and the court finds that the offender and community would benefit from the use of a suspended disposition, the court may impose the standard range and suspend execution of the disposition on condition that the offender comply with one or more local sanctions and any educational or treatment requirement. The treatment programs provided to the offender must be research-based best practice programs.

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

An offender is ineligible for the suspended disposition option if the offender:

Committed a category A+ offense or is fourteen years or older and committed a category A offense (completed and anticipatory) or committed:

- Manslaughter in the first degree
- Assault in the second degree
- Extortion in the first degree
- Robbery in the second degree
- Residential Burglary
- Burglary in the second degree
- Drive-by Shooting
- Vehicle Homicide (RCW 46.61.520)
- Hit and Run Death (RCW 46.52.020(4)(a))
- Intimidating a Witness (RCW 9A.72.110)
- Violation of the Uniform Controlled Substance Act
- Manslaughter<sup>2</sup>, when the offense includes infliction of bodily harm upon another or when during the commission or immediate withdrawal from the offense the respondent was armed with a deadly weapon
- Ordered to serve a disposition for a firearm violation under RCW 13.40.193 or
- A sex offense as defined in RCW 9.94A.030

## **CDDA – The Chemical Dependency Disposition Alternative (Option C)**

If the juvenile offender is subject to a standard range disposition of local sanctions or 15 to 36 weeks of confinement and has not committed a category A- or B+ offense, the court, under a finding that the offender is chemically dependent and amenable to treatment, may suspend an Option A disposition and impose a disposition outside of the standard range. *See* RCW 13.40.165. The court may place the offender on community supervision for one year and, as a condition of the suspended Option A disposition, the court:

- Must require the offender to undergo available inpatient/outpatient drug or alcohol treatment; and
- May require up to 30 days confinement, 150 hours of community service, and/or payment of legal financial obligations and restitution.

The combination of inpatient treatment and confinement may not exceed 90 days. The treatment provider must submit monthly progress reports and the court may schedule treatment review hearings. The suspension may be revoked and the disposition executed (with credit for confinement time served on the same offense) for violating conditions or failing to make satisfactory progress in treatment. RCW 13.40.165 sets forth all provisions related to the CDDA.

## **Manifest Injustice (Option D)**

If the court determines that a disposition under Option A or B would effectuate a “Manifest Injustice,” the court may impose a disposition outside the standard range. *See* RCW 13.40.160(2). The court’s findings of a Manifest Injustice must be supported by clear and convincing evidence. A disposition outside the standard range must be determinate and must be comprised of confinement or community supervision, or a combination thereof. A disposition outside the standard range may be appealed by the state or by the respondent.

When a judge finds a Manifest Injustice and imposes a sentence of confinement exceeding 30 days, the court must sentence the juvenile to a maximum term. When the maximum term in the range is ninety days or less, the minimum term in the range may be no less than 50% of the maximum term in the range. When the maximum term in the range is greater than ninety days but not greater than one year, the minimum term in the range may be no less than 75% of the maximum term in the range. If the maximum term in the range is more than one year, the minimum term in the range may be no less than 80% of the maximum term in the range. *See* RCW 13.40.030(2).

## **SSODA – Special Sex Offender Disposition Alternative**

When a juvenile is found to have committed a sex offense, other than a sex offense that is also a serious violent offense as defined in RCW 9.94A.030, and has no history of a prior sex offense, the court may order an examination to determine whether the offender is amenable to treatment. If, following such an examination, the court determines that the offender and the community would benefit from the use of the Special Sex Offender Disposition Alternative, the court may impose a determinate disposition within the standard range or under Option C (manifest

injustice) suspend the execution of the disposition and place the offender on community supervision for at least two years. As a condition of the suspended disposition, the court may impose conditions of community supervision and other conditions, including up to thirty days of confinement and requirements that the offender do any of the following:

- Devote time to a specific education, employment, or occupation;
- Undergo available outpatient sex offender treatment for up to two years, or inpatient treatment sex offender treatment not to exceed the standard range of confinement for that offense;
- Remain within prescribed geographical boundaries and notify the court or the probation counselor prior to any change in the offender's address, educational program or employment;
- Report to the prosecutor and the probation counselor prior to any change in a sex offender treatment provider (Prior approval by the court is required for any change);
- Report as directed to the court and a probation counselor;
- Pay all court-ordered legal financial obligations, perform community service, or any combination thereof;
- Make restitution to the victim for counseling costs reasonably related to the offense;
- Comply with the conditions of any court-ordered probation bond; or
- The court shall order that the offender may not attend the public or approved private elementary, middle or high school attended by the victim or the victim's siblings.

A disposition entered under the SSODA option may not be appealed. RCW 13.40.160(3) contains a complete description of the requirements for imposition of the SSODA sentencing option.

### **Mental Health Disposition Alternative<sup>3</sup>**

When an offender is subject to a standard range commitment of 15 to 65 weeks and has not committed a sex or violent offense as defined in RCW 9.94A.030, the court may order an examination to determine if the youth is amendable to treatment (see RCW 13.40.167). If, following such an examination the court finds that the alternative would benefit the offender and the community would benefit from the use of the Mental Health Disposition Alternative, the court may impose the standard range or suspend the standard range disposition of not more than 65 weeks and place the youth on community supervision for up to one year. As condition of the suspended disposition, the court may impose local sanction conditions not to exceed 30 days and require the offender to do the following:

- Undergo available treatment in the local community consistent with the American Psychiatry Association's Diagnostic and Statistical Manual standards and programs proven to have been successful in addressing mental health disorders as well as identified as research-based best practice programs.
- May be required to devote time to educational and vocational pursuits.

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<sup>3</sup> For more information about this disposition, please refer to Section 4 of this manual.

- May be required to alcohol and chemical dependency assessments to identify co-occurring disorders.
- Report to the court and probation counselor as directed.
- May be required to pay court ordered financial obligations.

A disposition entered under this option may not be appealed. *See* RCW 13.40.160(3)

### **Firearm Enhancements**

The 1997 Legislature established an enhancement to be applied when a juvenile, or an accomplice, was armed with a firearm. The enhancement applies to all felonies except those where the use of a firearm is an element of the offense.<sup>4</sup> The enhancement, which must be served *consecutively* to the base sentence, is six months for a Class A felony, four months for a Class B felony and two months for a Class C felony. *See* RCW 13.40.193.

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<sup>4</sup> Possession of a Machine Gun, Possession of a Stolen Firearm, Drive-by Shooting, Theft of a Firearm, Unlawful Possession of a Firearm 1 or 2, or Use of a Machine Gun in a Felony.





## **SECTION 2**

### **LIST OF OFFENSES**



# **LIST OF OFFENSES**

## **ALPHABETICAL**



## JUVENILE DISPOSITION STANDARD OFFENSE LIST – ALPHABETICAL

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
Animal Cruelty 1st (Post 6/30/98)	C	16.52.205	ANIMCRUEL1
Animal Cruelty 1st Attempt	D	16.52.205	ANIMCRUEL1
Animal Cruelty 1st Conspiracy	D	16.52.205	ANIMCRUEL1
Animal Cruelty 1st Solicitation	D	16.52.205	ANIMCRUEL1
Animal Cruelty 2nd	E	16.52.207	ANIMCRUEL2
Arson 1 (Post 6/30/98)	A	9A.48.020	ARSON1
Arson 1 Attempt (Post 6/30/98)	B+	9A.48.020	ARSON1
Arson 1 Conspiracy	B+	9A.48.020	ARSON1
Arson 1 Solicitation	B+	9A.48.020	ARSON1
Arson 2 (Post 6/30/98)	B	9A.48.030	ARSON2
Arson 2 Attempt (Post 6/30/98)	C	9A.48.030	ARSON2
Arson 2 Conspiracy	C	9A.48.030	ARSON2
Arson 2 Solicitation	C	9A.48.030	ARSON2
Assault 1	A	9A.36.011	ASSAULT1
Assault 1 Attempt (Post 6/30/98)	B+	9A.36.011	ASSAULT1
Assault 1 Conspiracy	B+	9A.36.011	ASSAULT1
Assault 1 Solicitation	B+	9A.36.011	ASSAULT1
Assault 2 (Post 6/30/98)	B+	9A.36.021	ASSAULT2
Assault 2 Attempt (Post 6/30/98)	C+	9A.36.021	ASSAULT2
Assault 2 Conspiracy	C+	9A.36.021	ASSAULT2
Assault 2 Solicitation	C+	9A.36.021	ASSAULT2
Assault 3 (Post 6/30/98)	C+	9A.36.031	ASSAULT3
Assault 3 Attempt (Post 6/30/98)	D+	9A.36.031	ASSAULT3
Assault 3 Conspiracy (Post 6/30/98)	D+	9A.36.031	ASSAULT3
Assault 3 Solicitation (Post 6/30/98)	D+	9A.36.031	ASSAULT3
Assault 4 (Post 6/30/98)	D+	9A.36.041	ASSAULT4
Assault 4 Attempt	E	9A.36.041	ASSAULT4
Assault 4 Conspiracy	E	9A.36.041	ASSAULT4
Assault 4 Solicitation	E	9A.36.041	ASSAULT4
Assault By Watercraft	B	79A.60.060	ASSAULTWC
Assault By Watercraft Attempt	C	79A.60.060	ASSAULTWC
Assault By Watercraft Conspiracy	C	79A.60.060	ASSAULTWC
Assault By Watercraft Solicitation	C	79A.60.060	ASSAULTWC
Assault Of Child 1	A	9A.36.120	ASSAULTCH1
Assault Of Child 1 Attempt	B	9A.36.120	ASSAULTCH1
Assault Of Child 1 Conspiracy	B	9A.36.120	ASSAULTCH1
Assault Of Child 1 Solicitation	B	9A.36.120	ASSAULTCH1
Assault Of Child 2	B	9A.36.130	ASSAULTCH2
Assault Of Child 2 Attempt	C	9A.36.130	ASSAULTCH2
Assault Of Child 2 Conspiracy	C	9A.36.130	ASSAULTCH2
Assault Of Child 2 Solicitation	C	9A.36.130	ASSAULTCH2
Bomb Threat (Post 6/30/98)	B	9.61.160	BOMBTHREAT
Bomb Threat Attempt (Post 6/30/98)	C	9.61.160	BOMBTHREAT
Bomb Threat Conspiracy	C	9.61.160	BOMBTHREAT
Bomb Threat Solicitation	C	9.61.160	BOMBTHREAT
Burg Tools (Possession Of)	D	9A.52.020	BURGTTOOLS
Burg Tools (Possession Of) Attempt	E	9A.52.020	BURGTTOOLS
Burg Tools (Possession Of) Conspiracy	E	9A.52.020	BURGTTOOLS
Burg Tools (Possession Of) Solicitation	E	9A.52.020	BURGTTOOLS
Burglary 1 (Post 6/30/98)	B+	9A.52.020	BURG1
Burglary 1 Attempt (Post 6/30/98)	C+	9A.52.020	BURG1

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – ALPHABETICAL

<b>OFFENSE DESCRIPTION</b>	<b>LEVEL</b>	<b>RCW</b>	<b>JRA CODE</b>
Burglary 1 Conspiracy	C+	9A.52.020	BURG1
Burglary 1 Solicitation	C+	9A.52.020	BURG1
Burglary 2 (Post 6/30/98)	B	9A.52.030	BURG2
Burglary 2 Attempt (Post 6/30/98)	C	9A.52.030	BURG2
Burglary 2 Conspiracy	C	9A.52.030	BURG2
Burglary 2 Solicitation	C	9A.52.030	BURG2
Carry Weapon To School	D	9.41.280	CARWEAPSCH
Carry Weapon To School Attempt	E	9.41.280	CARWEAPSCH
Carry Weapon To School Conspiracy	E	9.41.280	CARWEAPSCH
Carry Weapon To School Solicitation	E	9.41.280	CARWEAPSCH
Child Molestation 1 (Post 6/30/98)	A-	9A.44.083	CHILDMOL1
Child Molestation 1 Attempt (Post 6/30/98)	B+	9A.44.083	CHILDMOL1
Child Molestation 1 Conspiracy	B+	9A.44.083	CHILDMOL1
Child Molestation 1 Solicitation	B+	9A.44.083	CHILDMOL1
Child Molestation 2 (Post 6/30/98)	B	9A.44.086	CHILDMOL2
Child Molestation 2 Attempt (Post 5/11/98)	C+	9A.44.086	CHILDMOL2
Child Molestation 2 Conspiracy	C+	9A.44.086	CHILDMOL2
Child Molestation 2 Solicitation	C+	9A.44.086	CHILDMOL2
Coercion	D+	9A.36.070	COERCION
Coercion Attempt	E	9A.36.070	COERCION
Coercion Conspiracy	E	9A.36.070	COERCION
Coercion Solicitation	E	9A.36.070	COERCION
Commit Crime With Firearms	C+	94.10.25	CRIMEARMS
Commit Crime With Firearms Attempt	D+	94.10.25	CRIMEARMS
Communication With A Minor For Immoral Purpose (Post 2/1/90)	D	9.68A.091	COMMINOR
Communicating With A Minor For Immoral Purpose Subsequent Sex (Post 6/30/98)	C	9.68A.090	COMMINORSS
Communicating With A Minor For Immoral Purpose Subsequent Sex Attempt	D	9.68A.090	COMMINORSS
Communicating With A Minor For Immoral Purpose Subsequent Sex Conspiracy	D	9.68A.090	COMMINORSS
Communicating With A Minor For Immoral Purpose Subsequent Sex Solicitation	D	9.68A.090	COMMINORSS
Communicating With A Minor For Immoral Purpose Attempt	E	9.68A.091	COMMINOR
Communicating With A Minor For Immoral Purpose Conspiracy	E	9.68A.091	COMMINOR
Communicating With A Minor For Immoral Purpose Solicitation	E	9.68A.091	COMMINOR
Criminal Contempt	E	9.23.010	CRIMCONT
Criminal Trespass 1	D	9A.52.070	CRIMTRES1
Criminal Trespass 1 Attempt (Effective 4/10/81-7/1/00)	E	9A.52.070	CRIMTRES1
Criminal Trespass 1 Conspiracy	E	9A.52.070	CRIMTRES1
Criminal Trespass 1 Solicitation	E	9A.52.070	CRIMTRES1
Criminal Trespass 2	E	9A.52.080	CRIMTRES2
Criminal Trespass 2 Attempt	E	9A.52.080	CRIMTRES2
Criminal Trespass 2 Conspiracy	E	9A.52.080	CRIMTRES2
Criminal Trespass 2 Solicitation	E	9A.52.080	CRIMTRES2
Custodial Assault (Post 6/30/98)	C+	9A.36.100	CUSASSAULT
Custodial Assault Attempt (Post 6/30/98)	D+	9A.36.100	CUSASSAULT
Custodial Assault Conspiracy	D+	9A.36.100	CUSASSAULT
Custodial Assault Solicitation	D+	9A.36.100	CUSASSAULT
Custodial Interference	E	9A.400.50	CUSINTER
Disorderly Conduct	E	9A.84.030	DISCONDUCT

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – ALPHABETICAL

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
Disorderly Conduct Attempt	E	9A.84.030	DISCONDUCT
Disorderly Conduct Conspiracy	E	9A.84.030	DISCONDUCT
Disorderly Conduct Solicitation	E	9A.84.030	DISCONDUCT
Drive By Shooting (Post 6/30/98)	B+	9A.36.045	DBSHOOTING
Drive By Shooting Attempt (Post 6/30/98)	C+	9A.36.045	DBSHOOTING
Drive By Shooting Conspiracy	C+	9A.36.045	DBSHOOTING
Drive By Shooting Solicitation	C+	9A.36.045	DBSHOOTING
Driving Under Influence	D	46.61.502	DUI
		46.61.504	
Driving Under Influence Attempt	E	46.61.502	DUI
		46.61.504	
Driving Under Influence Conspiracy	E	46.61.502	DUI
		46.61.504	
Driving Under Influence Solicitation	E	46.61.502	DUI
		46.61.504	
Driving Without A License	E	46.20.005	DWOL
Drug Paraphernalia	E	69.50.412	DRUGPARA
Elude A Police Vehicle (Post 6/30/98)	C	46.61.024	ELUDEPV
Elude A Police Vehicle Attempt	D	46.61.024	ELUDEPV
Elude A Police Vehicle Conspiracy	D	46.61.024	ELUDEPV
Elude A Police Vehicle Solicitation	D	46.61.024	ELUDEPV
Escape 1 (Post 6/30/98)	C	9A.76.110	ESCAPE1
Escape 1 Attempt (Post 6/30/98)	C	9A.76.110	ESCAPE1
Escape 1 Conspiracy	C	9A.76.110	ESCAPE1
Escape 1 Solicitation	C	9A.76.110	ESCAPE1
Escape 2 (Post 6/30/98)	C	9A.76.120	ESCAPE2
Escape 2 Attempt	C	9A.76.120	ESCAPE2
Escape 2 Conspiracy	C	9A.76.120	ESCAPE2
Escape 2 Solicitation	C	9A.76.120	ESCAPE2
Escape 3	D	9A.76.130	ESCAPE3
Escape 3 Attempt	E	9A.76.130	ESCAPE3
Escape 3 Conspiracy	E	9A.76.130	ESCAPE3
Escape 3 Solicitation	E	9A.76.130	ESCAPE3
Extortion1 (Post 6/30/98)	B+	9A.56.120	EXTORTION1
Extortion 1 Attempt (Post 6/30/98)	C+	9A.56.120	EXTORTION1
Extortion 1 Conspiracy	C+	9A.56.120	EXTORTION1
Extortion 1 Solicitation	C+	9A.56.120	EXTORTION1
Extortion 2 (Post 6/30/98)	C+	9A.56.130	EXTORTION2
Extortion 2 Attempt	D+	9A.56.130	EXTORTION2
Extortion 2 Conspiracy	D+	9A.56.130	EXTORTION2
Extortion 2 Solicitation	D+	9A.56.130	EXTORTION2
Fail To Register As A Kidnapper (Post 6/30/98)	C	9A.44.132	FAILREGK
Fail To Register As A Kidnapper Attempt	D	9A.44.132	FAILREGK
Fail To Register As A Kidnapper Conspiracy	D	9A.44.132	FAILREGK
Fail To Register As A Kidnapper Solicitation	D	9A.44.132	FAILREGK
Fail To Register As A Sex Offender (Post 6/30/89)	C	9A.44.131	FAILREGS
Fail To Register As A Sex Offender Attempt	D	9A.44.131	FAILREGS
Fail To Register As A Sex Offender Conspiracy	D	9A.44.131	FAILREGS
Fail To Register As A Sex Offender Solicitation	D	9A.44.131	FAILREGS
Failure To Disperse	E	9A.56.130	FAILDISP
False Reporting	D	9A.84.040	FALSEREP



## JUVENILE DISPOSITION STANDARD OFFENSE LIST – ALPHABETICAL

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
False Reporting Attempt	E	9A.84.040	FALSEREP
False Reporting Conspiracy	E	9A.84.040	FALSEREP
False Reporting Solicitation	E	9A.84.040	FALSEREP
Forgery (Post 6/30/98)	C	9A.60.020	FORGERY
Forgery Attempt	D	9A.60.020	FORGERY
Forgery Conspiracy	D	9A.60.020	FORGERY
Forgery Solicitation	D	9A.60.020	FORGERY
Fraudulently Obtaining Controlled Substance (Post 6/30/98)	C	96.50.403	FRAUDBTCS
Harassment - First Time With Threat To Kill (Post 6/30/98)	C	9A.46.020	HARASSTHRT
Harassment (Repeat) (Post 6/30/98)	C	9A.46.020	HARASSREP
Harassment (Repeat) Attempt	D	9A.46.020	HARASSREP
Harassment (Repeat) Conspiracy	D	9A.46.020	HARASSREP
Harassment (Repeat) Solicitation	D	9A.46.020	HARASSREP
Harassment - 1st Time	D	9A.46.020	HARASS
Harassment - 1st Time Attempt	E	9A.46.020	HARASS
Harassment - 1st Time Conspiracy	E	9A.46.020	HARASS
Harassment - 1st Time Solicitation	E	9A.46.020	HARASS
Hit and Run Attended	D	46.52.022	HITRUNAT
Hit and Run Attended Attempt	E	46.52.022	HITRUNAT
Hit and Run Attended Conspiracy	E	46.52.022	HITRUNAT
Hit and Run Attended Solicitation	E	46.52.022	HITRUNAT
Hit and Run Injury (Post 6/30/98)	C	46.52.021	HITRUNIN
Hit and Run Injury Attempt	D	46.52.021	HITRUNIN
Hit and Run Injury Conspiracy	D	46.52.021	HITRUNIN
Hit and Run Injury Solicitation	D	46.52.021	HITRUNIN
Hit and Run Unattended	E	46.52.010	HITRUNUN
Homicide By Watercraft, By Disregard For The Safety Of Others (Post 6/30/98)	A	79A.60.050	HOMICIDEWD
Homicide By Watercraft, By Disregard For The Safety Of Others Attempt (Post 6/30/98)	B	79A.60.050	HOMICIDEWD
Homicide By Watercraft, By Disregard For The Safety Of Others Conspiracy	B	79A.60.050	HOMICIDEWD
Homicide By Watercraft, By Disregard For The Safety Of Others Solicitation	B	79A.60.050	HOMICIDEWD
Homicide By Watercraft, Operating Any Vessel In A Reckless Manner (Post 6/30/98)	A	79A.60.050	HOMICIDEWR
Homicide By Watercraft, Operating Any Vessel In A Reckless Manner Attempt (Post 6/30/98)	B	79A.60.050	HOMICIDEWR
Homicide By Watercraft, Operating Any Vessel In A Reckless Manner Conspiracy	B	79A.60.050	HOMICIDEWR
Homicide By Watercraft, Operating Any Vessel In A Reckless Manner Solicitation	B	79A.60.050	HOMICIDEWR
Homicide By Watercraft, While Under The Influence Of Intoxicating Liquor Or Any Drug (Post 6/30/98)	A	79A.60.050	HOMICIDEWI
Homicide By Watercraft, While Under The Influence Of Intoxicating Liquor Or Any Drug Attempt (Post 6/30/98)	B	79A.60.050	HOMICIDEWI
Homicide By Watercraft, While Under The Influence Of Intoxicating Liquor Or Any Drug Conspiracy	B	79A.60.050	HOMICIDEWI
Homicide By Watercraft, While Under The Influence Of Intoxicating Liquor Or Any Drug Solicitation	B	79A.60.050	HOMICIDEWI
Incest 1 (Post 6/30/98)	B	9A.64.020	INCEST1

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – ALPHABETICAL

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
Incest 1 Attempt (Post 6/30/98)	C	9A.64.020	INCEST1
Incest 1 Conspiracy	C	9A.64.020	INCEST1
Incest 1 Solicitation	C	9A.64.020	INCEST1
Incest 2 (Post 6/30/98)	C	9A.64.020	INCEST2
Incest 2 Attempt (Post 6/30/98)	D	9A.64.020	INCEST2
Incest 2 Conspiracy	D	9A.64.020	INCEST2
Incest 2 Solicitation	D	9A.64.020	INCEST2
Indecent Exposure (Victim <14)	D+	9A.88.010	INDEXP
Indecent Exposure (Victim <14) Repeat (Post 6/30/98)	C	9A.88.010	INDEXP<14R
Indecent Exposure (Victim <14) Attempt	E	9A.88.010	INDEXP<14
Indecent Exposure (Victim <14) Conspiracy	E	9A.88.010	INDEXP<14
Indecent Exposure (Victim <14) Solicitation	E	9A.88.010	INDEXP<14
Indecent Exposure (Victim 14+) (Post 6/30/98)	E	9A.88.010	INDEXP14+
Indecent Exposure (Victim 14+) Repeat (Post 6/30/98)	C	9A.88.010	INDEXP14+R
Indecent Liberties With Forcible Compulsion (Post 6/30/98)	B+	9A.44.100	INDLIBFC
Indecent Liberties With Forcible Compulsion Attempt (Post 6/30/98)	C+	9A.44.100	INDLIBFC
Indecent Liberties With Forcible Compulsion Conspiracy	C+	9A.44.100	INDLIBFC
Indecent Liberties With Forcible Compulsion Solicitation	C+	9A.44.100	INDLIBFC
Indecent Liberties Without Forcible Compulsion (Post 6/30/98)	B+	9A.44.100	INDLIB
Indecent Liberties Without Forcible Compulsion Attempt (Post 6/30/98)	C+	9A.44.100	INDLIB
Indecent Liberties Without Forcible Compulsion Conspiracy	C+	9A.44.100	INDLIB
Indecent Liberties Without Forcible Compulsion Solicitation	C+	9A.44.100	INDLIBWOC
Intimidating A Public Servant (Post 6/30/98)	B+	9A.76.180	INTPUBSERV
Intimidating A Public Servant Attempt (Post 6/30/98)	C+	9A.76.180	INTPUBSERV
Intimidating A Public Servant Conspiracy	C+	9A.76.180	INTPUBSERV
Intimidating A Public Servant Solicitation	C+	9A.76.180	INTPUBSERV
Intimidating Another Person By Use Of A Weapon	D	9.41.270	INTWWEAPON
Intimidating Another Person By Use Of A Weapon Attempt	E	9.41.270	INTWWEAPON
Intimidating Another Person By Use Of A Weapon Conspiracy	E	9.41.270	INTWWEAPON
Intimidating Another Person By Use Of A Weapon Solicitation	E	9.41.270	INTWWEAPON
Intimidating Witness (Post 6/30/98)	B+	9A.72.110	INTWITNESS
Intimidating Witness Attempt (Post 6/30/98)	C+	9A.72.110	INTWITNESS
Intimidating Witness Conspiracy	C+	9A.72.110	INTWITNESS
Intimidating Witness Solicitation	C+	9A.72.110	INTWITNESS
Introducing Contraband 1 (Post 6/30/98)	B	9A.76.140	INTCONT1
Introducing Contraband 1 Attempt (Post 6/30/98)	C	9A.76.140	INTCONT1
Introducing Contraband 1 Conspiracy	C	9A.76.140	INTCONT1
Introducing Contraband 1 Solicitation	C	9A.76.140	INTCONT1
Introducing Contraband 2 (Post 6/30/98)	C	9A.76.150	INTCONT2
Introducing Contraband 2 Attempt (Post 6/30/98)	D	9A.76.150	INTCONT2
Introducing Contraband 2 Conspiracy	D	9A.76.150	INTCONT2
Introducing Contraband 2 Solicitation	D	9A.76.150	INTCONT2
Introducing Contraband 3	E	9A.76.160	INTCONT3
Kidnap 1 (Post 6/30/98)	A	9A.40.020	KIDNAP1
Kidnap 1 Attempt (Post 6/30/98)	B+	9A.40.020	KIDNAP1
Kidnap 1 Conspiracy	B+	9A.40.020	KIDNAP1
Kidnap 1 Solicitation	B+	9A.40.020	KIDNAP1
Kidnap 2 (Post 6/30/89)	B+	9A.40.030	KIDNAP2
Kidnap 2 Attempt (Post 6/30/98)	C+	9A.40.030	KIDNAP2
Kidnap 2 Conspiracy	C+	9A.40.030	KIDNAP2

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – ALPHABETICAL

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
Kidnap 2 Solicitation	C+	9A.40.030	KIDNAP2
Legend Drug With Intent To Deliver (Post 6/30/98)	C+	69.41.030.	LEGDRUGSAL
Legend Drug With Intent to Deliver Attempt	D+	69.41.030.	LEGDRUGSAL
Legend Drug With Intent to Deliver Conspiracy	D+	69.41.030	LEGDRUGSAL
Legend Drug With Intent to Deliver Solicitation	D+	69.41.030	LEGDRUGSAL
Maintain A Dwelling Or Place For Controlled Substance	C	69.50.402	MDCONTSUB
Malicious Mischief 1 (Post 6/30/98)	B	9A.48.070	MALMIS1
Malicious Mischief 1 Attempt (Post 6/30/98)	C	9A.48.070	MALMIS1
Malicious Mischief 1 Conspiracy	C	9A.48.070	MALMIS1
Malicious Mischief 1 Solicitation	C	9A.48.070	MALMIS1
Malicious Mischief 2 (Post 6/30/98)	C	9A.48.080	MALMIS2
Malicious Mischief 2 Attempt	D	9A.48.080	MALMIS2
Malicious Mischief 2 Conspiracy	D	9A.48.080	MALMIS2
Malicious Mischief 2 Solicitation	D	9A.48.080	MALMIS2
Malicious Mischief 3 (<\$50 is Class E) (Post 6/30/78)	D	9A.48.090	MALMIS3<50
Malicious Mischief 3 Attempt	E	9A.48.090	MALMIS3
Malicious Mischief 3 Conspiracy	E	9A.48.090	MALMIS3
Malicious Mischief 3 Solicitation	E	9A.48.090	MALMIS3
Manslaughter 1 (Post 6/30/89)	B+	9A.32.060	MANSL1
Manslaughter 1 Attempt (Post 6/30/98)	C+	9A.32.060	MANSL1
Manslaughter 1 Conspiracy	C+	9A.32.060	MANSL1
Manslaughter 1 Solicitation	C+	9A.32.060	MANSL1
Manslaughter 2 (Post 6/30/98)	C+	9A.32.070	MANSL2
Manslaughter 2 Attempt (Post 6/30/98)	D+	9A.32.070	MANSL2
Manslaughter 2 Conspiracy	D+	9A.32.070	MANSL2
Manslaughter 2 Solicitation	D+	9A.32.070	MANSL2
Murder 1 (Post 6/30/98)	A+	9A.32.030	MURDER1
Murder 1 Attempt (Post 6/30/98)	A	9A.32.030	MURDER1
Murder 1 Conspiracy	A	9A.32.030	MURDER1
Murder 1 Solicitation	A	9A.32.030	MURDER1
Murder 2 (Post 6/30/98)	A+	9A.32.050	MURDER2
Murder 2 Attempt (Post 6/30/98)	B+	9A.32.050	MURDER2
Murder 2 Conspiracy	B+	9A.32.050	MURDER2
Murder 2 Solicitation	B+	9A.32.050	MURDER2
Negligent Homicide-Vehicular (Post 6/30/98)	B+	46.61.520	VEHHOMICID
Negligent Homicide-Vehicular Attempt (Post 6/30/98)	C+	46.61.520	VEHHOMICID
Negligent Homicide-Vehicular Conspiracy	C+	46.61.520	VEHHOMICID
Negligent Homicide-Vehicular Solicitation	C+	46.61.520	VEHHOMICID
Obscene Phone Calls	E	9.61.230	OBSCENEPC
Obstructing Law Enforcement Officer	D	9A.76.020	OBSLAWOFF
Obstructing Law Enforcement Officer Attempt	E	9A.76.020	OBSLAWOFF
Obstructing Law Enforcement Officer Conspiracy	E	9A.76.020	OBSLAWOFF
Obstructing Law Enforcement Officer Solicitation	E	9A.76.020	OBSLAWOFF
Obstructing A Public Servant	D	9A.76.020	OBSPUBSERV
Obstructing A Public Servant Attempt	E	9A.76.020	OBSPUBSERV
Obtain Legend Drug (Post 6/30/98)	C	69.41.030	OBTLEGDRUG
Obtain Legend Drug Attempt	D	69.41.030	OBTLEGDRUG
Obtain Legend Drug Conspiracy	D	69.41.030	OBTLEGDRUG
Obtain Legend Drug Solicitation	D	69.41.030	OBTLEGDRUG
Offering And Agreeing (Prostitution)	E	9A.32.050	O&APROST
Other A Offense (Post 6/30/98)	A	13.40.030	OTHERAOFF

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – ALPHABETICAL

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
Other A Offense Attempt (Post 6/30/98)	B+	13.40.030	OTHERAOFF
Other A Offense Conspiracy	B+	13.40.030	OTHERAOFF
Other A Offense Solicitation	B+	13.40.030	OTHERAOFF
Other B Offense (Post 6/30/98)	B	13.40.030	OTHERBOFF
Other B Offense Attempt (Post 6/30/98)	C	13.40.030	OTHERBOFF
Other B Offense Conspiracy	C	13.40.030	OTHERBOFF
Other B Offense Solicitation	C	13.40.030	OTHERBOFF
Other B+ Offense (Post 6/30/98)	B+	9A.20.010	OTHERB+OFF
Other B+ Offense Attempt (Post 6/30/98)	C+	9A.20.010	OTHERB+OFF
Other B+ Offense Conspiracy	C+	9A.20.010	OTHERB+OFF
Other B+ Offense Solicitation	C+	9A.20.010	OTHERB+OFF
Other C Offense (Post 6/30/98)	C	9A.20.010	OTHERCOFF
Other C Offense Attempt	D	9A.20.010	OTHERCOFF
Other C Offense Conspiracy	D	9A.20.010	OTHERCOFF
Other C Offense Solicitation	D	9A.20.010	OTHERCOFF
Other C+ Offense (Post 6/30/98)	C+	9A.20.010	OTHERC+OFF
Other C+ Offense Attempt	D+	9A.20.010	OTHERC+OFF
Other C+ Offense Conspiracy	D+	9A.20.010	OTHERC+OFF
Other C+ Offense Solicitation	D+	9A.20.010	OTHERC+OFF
Other D+ Offense	D+	13.40.030	OTHERD+OFF
Other D+ Offense Attempt	E	13.40.030	OTHERD+OFF
Other D+ Offense Conspiracy	E	13.40.030	OTHERD+OFF
Other D+ Offense Solicitation	E	13.40.030	OTHERD+OFF
Other Offense Equivalent To Adult Gross Misdemeanor	D	13.40.030	OTHERDOFF
Other Offense Equivalent To Adult Gross Misdemeanor Attempt	E	13.40.030	OTHERDOFF
Other Offense Equivalent To Adult Gross Misdemeanor Conspiracy	E	13.40.030	OTHERDOFF
Other Offense Equivalent To Adult Gross Misdemeanor Solicitation	E	13.40.030	OTHERDOFF
Other Offense Equivalent To Adult Misdemeanor	E	13.40.030	OTHEREOFF
Possession Of Controlled Substance	C	69.50.401(d)	POSCONTSUB
Possession Of Dangerous Weapon (Post 6/30/78)	D+	9.41.250	POSDANGW
Possession Of Dangerous Weapon Attempt	E	9.41.250	POSDANGW
Possession Of Dangerous Weapon Conspiracy	E	9.41.250	POSDANGW
Possession Of Dangerous Weapon Solicitation	E	9.41.250	POSDANGW
Possession Of Explosive Devices (Post 6/30/98)	A	70.74.180	POSEXPDEV
Possession Of Explosive Devices Attempt (Post 6/30/98)	B	70.74.180	POSEXPDEV
Possession Of Explosive Devices Conspiracy	B	70.74.180	POSEXPDEV
Possession Of Explosive Devices Solicitation	B	70.74.180	POSEXPDEV
Possession Of A Firearm 1	B	9.41.040(1)(a)	PFIREARM1
Possession Of A Firearm 1 Attempt	C	9.41.040(1)(a)	PFIREARM1
Possession Of A Firearm 1 Conspiracy	C	9.41.040(1)(a)	PFIREARM1
Possession Of A Firearm 1 Solicitation	C	9.41.040(1)(a)	PFIREARM1
Possession Of A Firearm 2 (Post 6/30/98)	C	9.41.040(1)(b)	PFIREARM2
Possession Of A Firearm 2 Attempt	D	9.41.040(1)(b)	PFIREARM2
Possession Of A Firearm 2 Conspiracy	D	9.41.040(1)(b)	PFIREARM2
Possession Of A Firearm 2 Solicitation	D	9.41.040(1)(b)	PFIREARM2
Possession Of A Firearm By Minor (<18 Years)	C	9.41.040	PFIREARMM
Possession Of A Firearm By Minor (<18 Years) Attempt	D	9.41.040	PFIREARMM
Possession Of A Firearm By Minor (<18 Years) Conspiracy	D	9.41.040	PFIREARMM
Possession Of A Firearm By Minor (<18 Years) Solicitation	D	9.41.040	PFIREARMM
Possession Of Illegal Fireworks	E	70.77.255	POSILLFWKS
Possession Of Incendiary (Post 6/30/98)	A	9.40.120	POSINCEND

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – ALPHABETICAL

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
Possession Of Incendiary Attempt (Post 6/30/98)	B+	9.40.120	POSINCEND
Possession Of Incendiary Conspiracy	B+	9.40.120	POSINCEND
Possession Of Incendiary Solicitation	B+	9.40.120	POSINCEND
Possession Of Legend Drug	E	69.41.030	POSLEGDRUG
Possession Of Machine Gun Or Short-Barreled Shotgun Or Rifle	C	9.41.190	POSMACHGUN
Possession Of Machine Gun Or Short-Barreled Shotgun Or Rifle Attempt	D	9.41.190	POSMACHGUN
Possession Of Machine Gun Or Short-Barreled Shotgun Or Rifle Conspiracy	D	9.41.190	POSMACHGUN
Possession Of Machine Gun Or Short-Barreled Shotgun Or Rifle Solicitation	D	9.41.190	POSMACHGUN
Possession Of Marijuana <40 Grams	E	69.50.401	POSPOT<40
Possession Of Stolen Firearm	B	9.41.040	PSFIREARM
Possession Of Stolen Firearm Attempt	C	9.41.040	PSFIREARM
Possession Of Stolen Firearm Conspiracy	C	9.41.040	PSFIREARM
Possession Of Stolen Firearm Solicitation	C	9.41.040	PSFIREARM
Possession Of Stolen Property 1 (Post 6/30/98)	B	9A.56.150	PSP1
Possession Of Stolen Property 1 Attempt (Post 6/30/98)	C	9A.56.150	PSP1
Possession Of Stolen Property 1 Conspiracy	C	9A.56.150	PSP1
Possession Of Stolen Property 1 Solicitation	C	9A.56.150	PSP1
Possession Of Stolen Property 2 (Post 6/30/98)	C	9A.56.160	PSP2
Possession Of Stolen Property 2 Attempt	D	9A.56.160	PSP2
Possession Of Stolen Property 2 Conspiracy	D	9A.56.160	PSP2
Possession Of Stolen Property 2 Solicitation	D	9A.56.160	PSP2
Possession Of Stolen Property 3	D	9A.56.170	PSP3
Possession Of Stolen Property 3 Attempt	E	9A.56.170	PSP3
Possession Of Stolen Property 3 Conspiracy	E	9A.56.170	PSP3
Possession Of Stolen Property 3 Solicitation	E	9A.56.170	PSP3
Possession/Consumption Of Alcohol	E	66.44.270	POSOFALCOH
Promote Suicide (Post 6/30/98)	C+	9A.36.060	PROSUICIDE
Promote Suicide Attempt	D+	9A.36.060	PROSUICIDE
Promote Suicide Conspiracy	D+	9A.36.060	PROSUICIDE
Promote Suicide Solicitation	D+	9A.36.060	PROSUICIDE
Promoting Prostitution 1 (Post 6/30/98)	B+	9A.88.070	PROPROST1
Promoting Prostitution 1 Attempt (Post 6/30/98)	C+	9A.88.070	PROPROST1
Promoting Prostitution 1 Conspiracy	C+	9A.88.070	PROPROST1
Promoting Prostitution 1 Solicitation	C+	9A.88.070	PROPROST1
Promoting Prostitution 2 (Post 6/30/98)	C+	9A.88.080	PROPROST2
Promoting Prostitution 2 Attempt	D+	9A.88.080	PROPROST2
Promoting Prostitution 2 Conspiracy	D+	9A.88.080	PROPROST2
Promoting Prostitution 2 Solicitation	D+	9A.88.080	PROPROST2
Rape 1 (Post 6/30/98)	A	9A.44.040	RAPE1
Rape 1 Attempt (Post 6/30/98)	B+	9A.44.040	RAPE1
Rape 1 Conspiracy	B+	9A.44.040	RAPE1
Rape 1 Solicitation	B+	9A.44.040	RAPE1
Rape 2 (Post 6/30/98)	A-	9A.44.050	RAPE2
Rape 2 Attempt (Post 6/30/98)	B+	9A.44.050	RAPE2
Rape 2 Conspiracy	B+	9A.44.050	RAPE2
Rape 2 Solicitation	B+	9A.44.050	RAPE2
Rape 3 (Post 6/30/98)	C+	9A.44.060	RAPE3
Rape 3 Attempt	D+	9A.44.060	RAPE3

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – ALPHABETICAL

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
Rape 3 Conspiracy	D+	9A.44.060	RAPE3
Rape 3 Solicitation	D+	9A.44.060	RAPE3
Rape Of A Child 1 (Post 6/30/98)	A-	9A.44.073	RAPECHILD1
Rape Of A Child 1 Attempt (Post 6/30/98)	B+	9A.44.073	RAPECHILD1
Rape Of A Child 1 Conspiracy	B+	9A.44.073	RAPECHILD1
Rape Of A Child 1 Solicitation	B+	9A.44.073	RAPECHILD1
Rape Of A Child 2 (Post 6/30/98)	B+	9A.44.050	RAPECHILD2
Rape Of A Child 2 Attempt (Post 6/30/98)	C+	9A.44.050	RAPECHILD2
Rape Of A Child 2 Conspiracy	C+	9A.44.050	RAPECHILD2
Rape Of A Child 2 Solicitation	C+	9A.44.050	RAPECHILC2
Rape Of A Child 3 (Post 6/30/98)	C	9A.44.060	RAPECHILD3
Rape Of A Child 3 Attempt	D	9A.44.060	RAPECHILD3
Rape Of A Child 3 Conspiracy	D	9A.44.060	RAPECHILD3
Rape Of A Child 3 Solicitation	D	9A.44.060	RAPECHILD3
Reckless Burning 1 (Post 6/30/98)	C	9A.48.040	RECKBURN1
Reckless Burning 1 Attempt	D	9A.48.040	RECKBURN1
Reckless Burning 1 Conspiracy	D	9A.48.040	RECKBURN1
Reckless Burning 1 Solicitation	D	9A.48.040	RECKBURN1
Reckless Burning 2	D	9A.48.050	RECKBURN2
Reckless Burning 2 Attempt	E	9A.48.050	RECKBURN2
Reckless Burning 2 Conspiracy	E	9A.48.050	RECKBURN2
Reckless Burning 2 Solicitation	E	9A.48.050	RECKBURN2
Reckless Driving (Pre 7/1/78)	E	46.61.500	RECKDRIV
Reckless Endangerment (Post 6/30/78)	D+	9A.36.050	RECKEND
Reckless Endangerment 1 (Post 6/30/98)	B	9A.36.050	RECKEND1
Reckless Endangerment 1 Attempt (Post 6/30/98)	C	9A.36.050	RECKEND1
Reckless Endangerment 2	D+	9A.36.050	RECKEND2
Reckless Endangerment 2 Attempt	E	9A.36.050	RECKEND2
Reckless Endangerment Attempt	E	9A.36.050	RECKEND
Reckless Endangerment Conspiracy	E	9A.36.050	RECKEND
Reckless Endangerment Solicitation	E	9A.36.050	RECKEND
Rendering Criminal Assistance 1 (Post 6/30/98)	C	9A.76.070	RENDCRIM
Rendering Criminal Assistance 1 Attempt	D	9A.76.070	RENDCRIM
Rendering Criminal Assistance 1 Conspiracy	D	9A.76.070	RENDCRIM
Rendering Criminal Assistance 1 Solicitation	D	9A.76.070	RENDCRIM
Residential Burglary (Post 6/30/98)	B	9A.52.025	BURGRES
Residential Burglary Attempt (Post 6/30/98)	C	9A.52.025	BURGRES
Residential Burglary Conspiracy	C	9A.52.025	BURGRES
Residential Burglary Solicitation	C	9A.52.025	BURGRES
Resisting Arrest	E	9A.76.040	RESARREST
Riot With Weapon (Post 6/30/98)	C+	9A.84.010	RIOTWWEAP
Riot With Weapon Attempt	D+	9A.84.010	RIOTWWEAP
Riot With Weapon Conspiracy	D+	9A.84.010	RIOTWWEAP
Riot With Weapon Solicitation	D+	9A.84.010	RIOTWWEAP
Riot Without Weapon	D+	9A.84.010	RIOTWOWEAP
Riot Without Weapon Attempt	E	9A.84.010	RIOTWOWEAP
Riot Without Weapon Conspiracy	E	9A.84.010	RIOTWOWEAP
Riot Without Weapon Solicitation	E	9A.84.010	RIOTWOWEAP
Robbery 1 (Post 6/30/98)	A	9A.56.200	ROBBERY1
Robbery 1 Attempt (Post 6/30/98)	B+	9A.56.200	ROBBERY1
Robbery 1 Conspiracy	B+	9A.56.200	ROBBERY1

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – ALPHABETICAL

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
Robbery 1 Solicitation	B+	9A.56.200	ROBBERY1
Robbery 2 (Post 6/30/98)	B+	9A.56.210	ROBBERY2
Robbery 2 Attempt (Post 6/30/98)	C+	9A.56.210	ROBBERY2
Robbery 2 Conspiracy	C+	9A.56.210	ROBBERY2
Robbery 2 Solicitation	C+	9A.56.210	ROBBERY2
Sale Of Control Substance For Profit (Post 6/30/98)	C+	69.50.410	SALECONSUB
Sex Offender Parole Revoke	V	9A.44.130	SOPARREV
Sexual Violation Of Human Remains (Post 6/30/98)	C	9A.44.105	SEXVIOLREM
Sexual Violation Of Human Remains Attempt	D	9A.44.105	SEXVIOLREM
Sexual Violation Of Human Remains Conspiracy	D	9A.44.105	SEXVIOLREM
Sexual Violation Of Human Remains Solicitation	D	9A.44.105	SEXVIOLREM
Stalking (1st Time)	D	9A.46.110	STALK
Stalking (1st Time) Attempt	E	9A.46.110	STALK
Stalking (1st Time) Conspiracy	E	9A.46.110	STALK
Stalking (1st Time) Solicitation	E	9A.46.110	STALK
Stalking (Repeat) (Post 6/30/98)	C	9A.46.110	STALKREP
Stalking (Repeat) Attempt	D	9A.46.110	STALKREP
Stalking (Repeat) Conspiracy	D	9A.46.110	STALKREP
Stalking (Repeat) Solicitation	D	9A.46.110	STALKREP
Taking Motor Vehicle Without Permission 1 (Post 6/12/02)	C	9A.56.070(1)	TAMVWOOP1
Taking Motor Vehicle Without Permission 1 Attempt	D	9A.56.070(1)	TAMVWOOP1
Taking Motor Vehicle Without Permission 1 Conspiracy	D	9A.56.070(1)	TAMVWOOP1
Taking Motor Vehicle Without Permission 1 Solicitation	D	9A.56.070(1)	TAMVWOOP1
Taking Motor Vehicle Without Permission 2 (Post 6/12/02)	C	9A.56.070(2)	TAMVWOOP2
Taking Motor Vehicle Without Permission 2 Attempt	D	9A.56.070(2)	TAMVWOOP2
Taking Motor Vehicle Without Permission 2 Conspiracy	D	9A.56.070(2)	TAMVWOOP2
Taking Motor Vehicle Without Permission 2 Solicitation	D	9A.56.070(2)	TAMVWOOP2
Tampering With A Witness (Post 6/30/98)	C	9A.72.120	TAMPWITN
Tampering With A Witness Attempt	D	9A.72.120	TAMPWITN
Tampering With A Witness Conspiracy	D	9A.72.120	TAMPWITN
Tampering With A Witness Solicitation	D	9A.72.120	TAMPWITN
Tampering With Fire Alarm Apparatus	E	9.40.100	TAMPFIREAL
Theft 1 (Post 6/30/98)	B	9A.56.030	THEFT1
Theft 1 Attempt (Post 6/30/98)	C	9A.56.030	THEFT1
Theft 1 Conspiracy	C	9A.56.030	THEFT1
Theft 1 Solicitation	C	9A.56.030	THEFT1
Theft 2 (Post 6/30/98)	C	9A.56.040	THEFT2
Theft 2 Attempt	D	9A.56.040	THEFT2
Theft 2 Conspiracy	D	9A.56.040	THEFT2
Theft 2 Solicitation	D	9A.56.040	THEFT2
Theft 3 (Post 6/30/98)	D	9A.56.050	THEFT3
Theft 3 Attempt	E	9A.56.050	THEFT3
Theft 3 Conspiracy	E	9A.56.050	THEFT3
Theft 3 Solicitation	E	9A.56.050	THEFT3
Theft Of Firearm	B	9A.56.300	THEFTFIREA
Theft Of Firearm Attempt	C	9A.56.300	THEFTFIREA
Theft Of Firearm Conspiracy	C	9A.56.300	THEFTFIREA
Theft Of Firearm Solicitation	C	9A.56.300	THEFTFIREA
Theft Of Livestock (Post 6/30/98)	B	9A.56.080	THEFTLIVES
Theft Of Livestock Attempt	C	9A.56.080	THEFTLIVES
Theft Of Livestock Conspiracy	C	9A.56.080	THEFTLIVES

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – ALPHABETICAL

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
Theft Of Livestock Solicitation	C	9A.56.080	THEFTLIVES
Trafficking In Stolen Property (Post 6/30/98)	B	9A.82.050	TRAFSTPROP
Trafficking In Stolen Property Attempt (Post 6/30/98)	C	9A.82.050	TRAFSTPROP
Trafficking In Stolen Property Conspiracy	C	9A.82.050	TRAFSTPROP
Trafficking In Stolen Property Solicitation	C	9A.82.050	TRAFSTPROP
Unlawful Imprison (Post 6/30/98)	C+	9A.40.040	UNLAWIMPRI
Unlawful Imprison Attempt	D+	9A.40.040	UNLAWIMPRI
Unlawful Imprison Conspiracy	D+	9A.40.040	UNLAWIMPRI
Unlawful Imprison Solicitation	D+	9A.40.040	UNLAWIMPRI
Unlawful Inhalation	E	9.47A.020	UNLAWINHAL
Vehicle Prowling 1 (Post 6/30/98)	C	9A.52.095	VEHPROWL1
Vehicle Prowling 1 Attempt	D	9A.52.095	VEHPROWL1
Vehicle Prowling 1 Conspiracy	D	9A.52.095	VEHPROWL1
Vehicle Prowling 1 Solicitation	D	9A.52.095	VEHPROWL1
Vehicle Prowling 2	D	9A.52.100	VEHPROWL2
Vehicle Prowling 2 Attempt	E	9A.52.100	VEHPROWL2
Vehicle Prowling 2 Conspiracy	E	9A.52.100	VEHPROWL2
Vehicle Prowling 2 Solicitation	E	9A.52.100	VEHPROWL2
Vehicular Assault (Post 6/30/98)	C	46.61.522	VEHASSAULT
Vehicular Assault Attempt	D	46.61.522	VEHASSAULT
Vehicular Assault Conspiracy	D	46.61.522	VEHASSAULT
Vehicular Assault Solicitation	D	46.61.522	VEHASSAULT
Violation Of Uniform Controlled Substances Act - Narcotic, Methamphetamine, Or Flunitrazepam Counterfeit Substance (Post 6/30/98)	B	69.50.401	COUNTNARC
Violation Of Uniform Controlled Substances Act - Narcotic, Methamphetamine, Or Flunitrazepam Sale (Post 6/30/98)	B+	69.50.401	SALENARC
Violation Of Uniform Controlled Substances Act - Narcotic Counterfeit Substance (Post 6/30/98)	C	69.50.401	COUNTNNARC
Violation Of Uniform Controlled Substances Act - Non-Narcotic Sale (Post 6/30/98)	C	69.50.401	SALENNARC
Violation Of Uniform Controlled Substances Act - Possession Of A Controlled Substance (Post 6/30/98)	C	69.50.401(f)	POSCONTSUB
Violation Of Uniform Controlled Substances Act - Sale Of Substitute Substance (Post 6/30/98)	C	69.50.401(e)	SALESUBSUB
Voyeurism	C	9A.44.155	VOYEURISM
Voyeurism Attempt	D	9A.44.155	VOYEURISM
Voyeurism Conspiracy	D	9A.44.115	VOYEURISM
Voyeurism Solicitation	D	9A.44.115	VOYEURISM
Weapon Without A Permit	E	9.41.050	WEAPONWOP





# **LIST OF OFFENSES**

## **BY OFFENSE LEVEL**

**JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY LEVEL**

<b>OFFENSE DESCRIPTION</b>	<b>LEVEL</b>	<b>RCW</b>	<b>JRA CODE</b>
Arson 1 (Post 6/30/98)	A	9A.48.020	ARSON1
Assault 1	A	9A.36.011	ASSAULT1
Assault Of Child 1	A	9A.36.120	ASSAULTCH1
Homicide By Watercraft, By Disregard For The Safety Of Others (Post 6/30/98)	A	79A.60.050	HOMICIDEWD
Homicide By Watercraft, Operating Any Vessel In A Reckless Manner (Post 6/30/98)	A	79A.60.050	HOMICIDEWR
Homicide By Watercraft, While Under The Influence Of Intoxicating Liquor Or Any Drug (Post 6/30/98)	A	79A.60.050	HOMICIDEWI
Kidnap 1 (Post 6/30/98)	A	9A.40.020	KIDNAP1
Murder 1 Attempt (Post 6/30/98)	A	9A.32.030	MURDER1
Murder 1 Conspiracy	A	9A.32.030	MURDER1
Murder 1 Solicitation	A	9A.32.030	MURDER1
Other A Offense (Post 6/30/98)	A	13.40.030	OTHEAOFF
Possession Of Explosive Devices (Post 6/30/98)	A	70.74.180	POSEXPDEV
Possession Of Incendiary (Post 6/30/98)	A	9.40.120	POSINCEND
Rape 1 (Post 6/30/98)	A	9A.44.040	RAPE1
Robbery 1 (Post 6/30/98)	A	9A.56.200	ROBBERY1
Child Molestation 1 (Post 6/30/98)	A-	9A.44.083	CHILDMOL1
Rape 2 (Post 6/30/98)	A-	9A.44.050	RAPE2
Rape Of A Child 1 (Post 6/30/98)	A-	9A.44.073	RAPECHILD1
Murder 1 (Post 6/30/98)	A+	9A.32.030	MURDER1
Murder 2 (Post 6/30/98)	A+	9A.32.050	MURDER2
Arson 2 (Post 6/30/98)	B	9A.48.030	ARSON2
Assault By Watercraft	B	79A.60.060	ASSAULTWC
Assault Of Child 1 Attempt	B	9A.36.120	ASSAULTCH1
Assault Of Child 1 Conspiracy	B	9A.36.120	ASSAULTCH1
Assault Of Child 1 Solicitation	B	9A.36.120	ASSAULTCH1
Assault Of Child 2	B	9A.36.130	ASSAULTCH2
Bomb Threat (Post 6/30/98)	B	9.61.160	BOMBTHREAT
Burglary 2 (Post 6/30/98)	B	9A.52.030	BURG2
Child Molestation 2 (Post 6/30/98)	B	9A.44.086	CHILDMOL2
Homicide By Watercraft, By Disregard For The Safety Of Others Attempt (Post 6/30/98)	B	79A.60.050	HOMICIDEWD
Homicide By Watercraft, By Disregard For The Safety Of Others Conspiracy	B	79A.60.050	HOMICIDEWD
Homicide By Watercraft, By Disregard For The Safety Of Others Solicitation	B	79A.60.050	HOMICIDEWD
Homicide By Watercraft, Operating Any Vessel In A Reckless Manner Attempt (Post 6/30/98)	B	79A.60.050	HOMICIDEWR
Homicide By Watercraft, Operating Any Vessel In A Reckless Manner Conspiracy	B	79A.60.050	HOMICIDEWR
Homicide By Watercraft, Operating Any Vessel In A Reckless Manner Solicitation	B	79A.60.050	HOMICIDEWR
Homicide By Watercraft, While Under The Influence Of Intoxicating Liquor Or Any Drug Attempt (Post 6/30/98)	B	79A.60.050	HOMICIDEWI
Homicide By Watercraft, While Under The Influence Of Intoxicating Liquor Or Any Drug Conspiracy	B	79A.60.050	HOMICIDEWI
Homicide By Watercraft, While Under The Influence Of Intoxicating Liquor Or Any Drug Solicitation	B	79A.60.050	HOMICIDEWI
Incest 1 (Post 6/30/98)	B	9A.64.020	INCEST1

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY LEVEL

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
Introducing Contraband 1 (Post 6/30/98)	B	9A.76.140	INTCONT1
Malicious Mischief 1 (Post 6/30/98)	B	9A.48.070	MALMIS1
Other B Offense (Post 6/30/98)	B	13.40.030	OTHERBOFF
Possession Of Explosive Devices Attempt (Post 6/30/98)	B	70.74.180	POSEXPDEV
Possession Of Explosive Devices Conspiracy	B	70.74.180	POSEXPDEV
Possession Of Explosive Devices Solicitation	B	70.74.180	POSEXPDEV
Possession Of A Firearm 1	B	9.41.040(1)(a)	PFIREARM1
Possession Of Stolen Firearm	B	9.41.040	PSFIREARM
Possession Of Stolen Property 1 (Post 6/30/98)	B	9A.56.150	PSP1
Reckless Endangerment 1 (Post 6/30/98)	B	9A.36.050	RECKEND1
Residential Burglary (Post 6/30/98)	B	9A.52.025	BURGRES
Theft 1 (Post 6/30/98)	B	9A.56.030	THEFT1
Theft Of Firearm	B	9A.56.300	THEFTFIREA
Theft Of Livestock (Post 6/30/98)	B	9A.56.080	THEFTLIVES
Trafficking In Stolen Property (Post 6/30/98)	B	9A.82.050	TRAFSTPROP
Violation Of Uniform Controlled Substances Act - Narcotic, Methamphetamine, Or Flunitrazepam Counterfeit Substance (Post 6/30/98)	B	69.50.401	COUNTNARC
Arson 1 Attempt (Post 6/30/98)	B+	9A.48.020	ARSON1
Arson 1 Conspiracy	B+	9A.48.020	ARSON1
Arson 1 Solicitation	B+	9A.48.020	ARSON1
Assault 1 Attempt (Post 6/30/98)	B+	9A.36.011	ASSAULT1
Assault 1 Conspiracy	B+	9A.36.011	ASSAULT1
Assault 1 Solicitation	B+	9A.36.011	ASSAULT1
Assault 2 (Post 6/30/98)	B+	9A.36.021	ASSAULT2
Burglary 1 (Post 6/30/98)	B+	9A.52.020	BURG1
Child Molestation 1 Attempt (Post 6/30/98)	B+	9A.44.083	CHILDMOL1
Child Molestation 1 Conspiracy	B+	9A.44.083	CHILDMOL1
Child Molestation 1 Solicitation	B+	9A.44.083	CHILDMOL1
Drive By Shooting (Post 6/30/98)	B+	9A.36.045	DBSHOOTING
Extortion1 (Post 6/30/98)	B+	9A.56.120	EXTORTION1
Indecent Liberties With Forcible Compulsion (Post 6/30/98)	B+	9A.44.100	INDLIBFC
Indecent Liberties Without Forcible Compulsion (Post 6/30/98)	B+	9A.44.100	INDLIB
Intimidating A Public Servant (Post 6/30/98)	B+	9A.76.180	INTPUBSERV
Intimidating Witness (Post 6/30/98)	B+	9A.72.110	INTWITNESS
Kidnap 1 Attempt (Post 6/30/98)	B+	9A.40.020	KIDNAP1
Kidnap 1 Conspiracy	B+	9A.40.020	KIDNAP1
Kidnap 1 Solicitation	B+	9A.40.020	KIDNAP1
Kidnap 2 (Post 6/30/89)	B+	9A.40.030	KIDNAP2
Manslaughter 1 (Post 6/30/89)	B+	9A.32.060	MANSL1
Murder 2 Attempt (Post 6/30/98)	B+	9A.32.050	MURDER2
Murder 2 Conspiracy	B+	9A.32.050	MURDER2
Murder 2 Solicitation	B+	9A.32.050	MURDER2
Negligent Homicide-Vehicular (Post 6/30/98)	B+	46.61.520	VEHHOMICID
Other A Offense Attempt (Post 6/30/98)	B+	13.40.030	OTHERAOFF
Other A Offense Conspiracy	B+	13.40.030	OTHERAOFF
Other A Offense Solicitation	B+	13.40.030	OTHERAOFF
Other B+ Offense (Post 6/30/98)	B+	9A.20.010	OTHERB+OFF
Possession Of Incendiary Attempt (Post 6/30/98)	B+	9.40.120	POSINCEND
Possession Of Incendiary Conspiracy	B+	9.40.120	POSINCEND
Possession Of Incendiary Solicitation	B+	9.40.120	POSINCEND

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY LEVEL

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
Promoting Prostitution 1 (Post 6/30/98)	B+	9A.88.070	PROPROST1
Rape 1 Attempt (Post 6/30/98)	B+	9A.44.040	RAPE1
Rape 1 Conspiracy	B+	9A.44.040	RAPE1
Rape 1 Solicitation	B+	9A.44.040	RAPE1
Rape 2 Attempt (Post 6/30/98)	B+	9A.44.050	RAPE2
Rape 2 Conspiracy	B+	9A.44.050	RAPE2
Rape 2 Solicitation	B+	9A.44.050	RAPE2
Rape Of A Child 1 Attempt (Post 6/30/98)	B+	9A.44.073	RAPECHILD1
Rape Of A Child 1 Conspiracy	B+	9A.44.073	RAPECHILD1
Rape Of A Child 1 Solicitation	B+	9A.44.073	RAPECHILD1
Rape Of A Child 2 (Post 6/30/98)	B+	9A.44.050	RAPECHILD2
Robbery 1 Attempt (Post 6/30/98)	B+	9A.56.200	ROBBERY1
Robbery 1 Conspiracy	B+	9A.56.200	ROBBERY1
Robbery 1 Solicitation	B+	9A.56.200	ROBBERY1
Robbery 2 (Post 6/30/98)	B+	9A.56.210	ROBBERY2
Violation Of Uniform Controlled Substances Act - Narcotic, Methamphetamine, Or Flunitrazepam Sale (Post 6/30/98)	B+	69.50.401	SALENARC
Animal Cruelty 1st (Post 6/30/98)	C	16.52.205	ANIMCRUEL1
Arson 2 Attempt (Post 6/30/98)	C	9A.48.030	ARSON2
Arson 2 Conspiracy	C	9A.48.030	ARSON2
Arson 2 Solicitation	C	9A.48.030	ARSON2
Assault By Watercraft Attempt	C	79A.60.060	ASSAULTWC
Assault By Watercraft Conspiracy	C	79A.60.060	ASSAULTWC
Assault By Watercraft Solicitation	C	79A.60.060	ASSAULTWC
Assault Of Child 2 Attempt	C	9A.36.130	ASSAULTCH2
Assault Of Child 2 Conspiracy	C	9A.36.130	ASSAULTCH2
Assault Of Child 2 Solicitation	C	9A.36.130	ASSAULTCH2
Bomb Threat Attempt (Post 6/30/98)	C	9.61.160	BOMBTHREAT
Bomb Threat Conspiracy	C	9.61.160	BOMBTHREAT
Bomb Threat Solicitation	C	9.61.160	BOMBTHREAT
Burglary 2 Attempt (Post 6/30/98)	C	9A.52.030	BURG2
Burglary 2 Conspiracy	C	9A.52.030	BURG2
Burglary 2 Solicitation	C	9A.52.030	BURG2
Communicating With A Minor For Immoral Purpose Subsequent Sex (Post 6/30/98)	C	9.68A.090	COMMFORSS
Elude A Police Vehicle (Post 6/30/98)	C	46.61.024	ELUDEPV
Escape 1 (Post 6/30/98)	C	9A.76.110	ESCAPE1
Escape 1 Attempt (Post 6/30/98)	C	9A.76.110	ESCAPE1
Escape 1 Conspiracy	C	9A.76.110	ESCAPE1
Escape 1 Solicitation	C	9A.76.110	ESCAPE1
Escape 2 (Post 6/30/98)	C	9A.76.120	ESCAPE2
Escape 2 Attempt	C	9A.76.120	ESCAPE2
Escape 2 Conspiracy	C	9A.76.120	ESCAPE2
Escape 2 Solicitation	C	9A.76.120	ESCAPE2
Fail To Register As A Kidnapper (Post 6/30/98)	C	9A.44.132	FAILREGK
Fail To Register As A Sex Offender (Post 6/30/89)	C	9A.44.131	FAILREGS
Forgery (Post 6/30/98)	C	9A.60.020	FORGERY
Fraudulently Obtaining Controlled Substance (Post 6/30/98)	C	96.50.403	FRAUOBTCS
Harassment - First Time With Threat To Kill (Post 6/30/98)	C	9A.46.020	HARASSTHRT
Harassment (Repeat) (Post 6/30/98)	C	9A.46.020	HARASSREP
Hit and Run Injury (Post 6/30/98)	C	46.52.021	HITRUNIN

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY LEVEL

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
Incest 1 Attempt (Post 6/30/98)	C	9A.64.020	INCEST1
Incest 1 Conspiracy	C	9A.64.020	INCEST1
Incest 1 Solicitation	C	9A.64.020	INCEST1
Incest 2 (Post 6/30/98)	C	9A.64.020	INCEST2
Indecent Exposure (Victim <14) Repeat (Post 6/30/98)	C	9A.88.010	INDEXP<14R
Indecent Exposure (Victim 14+) Repeat (Post 6/30/98)	C	9A.88.010	INDEXP14+R
Introducing Contraband 1 Attempt (Post 6/30/98)	C	9A.76.140	INTCONT1
Introducing Contraband 1 Conspiracy	C	9A.76.140	INTCONT1
Introducing Contraband 1 Solicitation	C	9A.76.140	INTCONT1
Introducing Contraband 2 (Post 6/30/98)	C	9A.76.150	INTCONT2
Maintain A Dwelling Or Place For Controlled Substance	C	69.50.402	MDCONTSUB
Malicious Mischief 1 Attempt (Post 6/30/98)	C	9A.48.070	MALMIS1
Malicious Mischief 1 Conspiracy	C	9A.48.070	MALMIS1
Malicious Mischief 1 Solicitation	C	9A.48.070	MALMIS1
Malicious Mischief 2 (Post 6/30/98)	C	9A.48.080	MALMIS2
Obtain Legend Drug (Post 6/30/98)	C	69.41.030	OBTLEGDRUG
Other B Offense Attempt (Post 6/30/98)	C	13.40.030	OTHERBOFF
Other B Offense Conspiracy	C	13.40.030	OTHERBOFF
Other B Offense Solicitation	C	13.40.030	OTHERBOFF
Other C Offense (Post 6/30/98)	C	9A.20.010	OTHERCOFF
Possession Of Controlled Substance	C	69.50.401(d)	POSCONTSUB
Possession Of A Firearm 1 Attempt	C	9.41.040(1)(a)	PFIREARM1
Possession Of A Firearm 1 Conspiracy	C	9.41.040(1)(a)	PFIREARM1
Possession Of A Firearm 1 Solicitation	C	9.41.040(1)(a)	PFIREARM1
Possession Of A Firearm 2 (Post 6/30/98)	C	9.41.040(1)(b)	PFIREARM2
Possession Of A Firearm By Minor (<18 Years)	C	9.41.040	PFIREARMM
Possession Of Machine Gun Or Short-Barreled Shotgun Or Rifle	C	9.41.190	POSMACHGUN
Possession Of Stolen Firearm Attempt	C	9.41.040	PSFIREARM
Possession Of Stolen Firearm Conspiracy	C	9.41.040	PSFIREARM
Possession Of Stolen Firearm Solicitation	C	9.41.040	PSFIREARM
Possession Of Stolen Property 1 Attempt (Post 6/30/98)	C	9A.56.150	PSP1
Possession Of Stolen Property 1 Conspiracy	C	9A.56.150	PSP1
Possession Of Stolen Property 1 Solicitation	C	9A.56.150	PSP1
Possession Of Stolen Property 2 (Post 6/30/98)	C	9A.56.160	PSP2
Rape Of A Child 3 (Post 6/30/98)	C	9A.44.060	RAPECHILD3
Reckless Burning 1 (Post 6/30/98)	C	9A.48.040	RECKBURN1
Reckless Endangerment 1 Attempt (Post 6/30/98)	C	9A.36.050	RECKEND1
Rendering Criminal Assistance 1 (Post 6/30/98)	C	9A.76.070	RENDCRIM
Residential Burglary Attempt (Post 6/30/98)	C	9A.52.025	BURGRES
Residential Burglary Conspiracy	C	9A.52.025	BURGRES
Residential Burglary Solicitation	C	9A.52.025	BURGRES
Sexual Violation Of Human Remains (Post 6/30/98)	C	9A.44.105	SEXVIOLREM
Stalking (Repeat) (Post 6/30/98)	C	9A.46.110	STALKREP
Taking Motor Vehicle Without Permission 1 (Post 6/12/02)	C	9A.56.070(1)	TAMVWOOP1
Taking Motor Vehicle Without Permission 2 (Post 6/12/02)	C	9A.56.070(2)	TAMVWOOP2
Tampering With A Witness (Post 6/30/98)	C	9A.72.120	TAMPWITN
Theft 1 Attempt (Post 6/30/98)	C	9A.56.030	THEFT1
Theft 1 Conspiracy	C	9A.56.030	THEFT1
Theft 1 Solicitation	C	9A.56.030	THEFT1
Theft 2 (Post 6/30/98)	C	9A.56.040	THEFT2
Theft Of Firearm Attempt	C	9A.56.300	THEFTFIREA

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY LEVEL

<b>OFFENSE DESCRIPTION</b>	<b>LEVEL</b>	<b>RCW</b>	<b>JRA CODE</b>
Theft Of Firearm Conspiracy	C	9A.56.300	THEFTFIREA
Theft Of Firearm Solicitation	C	9A.56.300	THEFTFIREA
Theft Of Livestock Attempt	C	9A.56.080	THEFTLIVES
Theft Of Livestock Conspiracy	C	9A.56.080	THEFTLIVES
Theft Of Livestock Solicitation	C	9A.56.080	THEFTLIVES
Trafficking In Stolen Property Attempt (Post 6/30/98)	C	9A.82.050	TRAFSTPROP
Trafficking In Stolen Property Conspiracy	C	9A.82.050	TRAFSTPROP
Trafficking In Stolen Property Solicitation	C	9A.82.050	TRAFSTPROP
Vehicle Prowling 1 (Post 6/30/98)	C	9A.52.095	VEHPROWL1
Vehicular Assault (Post 6/30/98)	C	46.61.522	VEHASSAULT
Violation Of Uniform Controlled Substances Act - Narcotic Counterfeit Substance (Post 6/30/98)	C	69.50.401	COUNTNNARC
Violation Of Uniform Controlled Substances Act - Non-Narcotic Sale (Post 6/30/98)	C	69.50.401	SALENNARC
Violation Of Uniform Controlled Substances Act - Possession Of A Controlled Substance (Post 6/30/98)	C	69.50.401(f)	POSCONTSUB
Violation Of Uniform Controlled Substances Act - Sale Of Substitute Substance (Post 6/30/98)	C	69.50.401(e)	SALESUBSUB
Voyeurism	C	9A.44.155	VOYEURISM
Assault 2 Attempt (Post 6/30/98)	C+	9A.36.021	ASSAULT2
Assault 2 Conspiracy	C+	9A.36.021	ASSAULT2
Assault 2 Solicitation	C+	9A.36.021	ASSAULT2
Assault 3 (Post 6/30/98)	C+	9A.36.031	ASSAULT3
Burglary 1 Attempt (Post 6/30/98)	C+	9A.52.020	BURG1
Burglary 1 Conspiracy	C+	9A.52.020	BURG1
Burglary 1 Solicitation	C+	9A.52.020	BURG1
Child Molestation 2 Attempt (Post 5/11/98)	C+	9A.44.086	CHILDMOL2
Child Molestation 2 Conspiracy	C+	9A.44.086	CHILDMOL2
Child Molestation 2 Solicitation	C+	9A.44.086	CHILDMOL2
Commit Crime With Firearms	C+	9A.10.25	CRIMEARMS
Custodial Assault (Post 6/30/98)	C+	9A.36.100	CUSASSAULT
Drive By Shooting Attempt (Post 6/30/98)	C+	9A.36.045	DBSHOOTING
Drive By Shooting Conspiracy	C+	9A.36.045	DBSHOOTING
Drive By Shooting Solicitation	C+	9A.36.045	DBSHOOTING
Extortion 1 Attempt (Post 6/30/98)	C+	9A.56.120	EXTORTION1
Extortion 1 Conspiracy	C+	9A.56.120	EXTORTION1
Extortion 1 Solicitation	C+	9A.56.120	EXTORTION1
Extortion 2 (Post 6/30/98)	C+	9A.56.130	EXTORTION2
Indecent Liberties With Forcible Compulsion Attempt (Post 6/30/98)	C+	9A.44.100	INDLIBFC
Indecent Liberties With Forcible Compulsion Conspiracy	C+	9A.44.100	INDLIBFC
Indecent Liberties With Forcible Compulsion Solicitation	C+	9A.44.100	INDLIBFC
Indecent Liberties Without Forcible Compulsion Attempt (Post 6/30/98)	C+	9A.44.100	INDLIB
Indecent Liberties Without Forcible Compulsion Conspiracy	C+	9A.44.100	INDLIB
Indecent Liberties Without Forcible Compulsion Solicitation	C+	9A.44.100	INDLIBWOC
Intimidating A Public Servant Attempt (Post 6/30/98)	C+	9A.76.180	INTPUBSERV
Intimidating A Public Servant Conspiracy	C+	9A.76.180	INTPUBSERV
Intimidating A Public Servant Solicitation	C+	9A.76.180	INTPUBSERV
Intimidating Witness Attempt (Post 6/30/98)	C+	9A.72.110	INTWITNESS
Intimidating Witness Conspiracy	C+	9A.72.110	INTWITNESS
Intimidating Witness Solicitation	C+	9A.72.110	INTWITNESS

**JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY LEVEL**

<b>OFFENSE DESCRIPTION</b>	<b>LEVEL</b>	<b>RCW</b>	<b>JRA CODE</b>
Kidnap 2 Attempt (Post 6/30/98)	C+	9A.40.030	KIDNAP2
Kidnap 2 Conspiracy	C+	9A.40.030	KIDNAP2
Kidnap 2 Solicitation	C+	9A.40.030	KIDNAP2
Legend Drug With Intent To Deliver (Post 6/30/98)	C+	69.41.030	LEGDRUGSAL
Manslaughter 1 Attempt (Post 6/30/98)	C+	9A.32.060	MANSL1
Manslaughter 1 Conspiracy	C+	9A.32.060	MANSL1
Manslaughter 1 Solicitation	C+	9A.32.060	MANSL1
Manslaughter 2 (Post 6/30/98)	C+	9A.32.070	MANSL2
Negligent Homicide-Vehicular Attempt (Post 6/30/98)	C+	46.61.520	VEHHOMICID
Negligent Homicide-Vehicular Conspiracy	C+	46.61.520	VEHHOMICID
Negligent Homicide-Vehicular Solicitation	C+	46.61.520	VEHHOMICID
Other B+ Offense Attempt (Post 6/30/98)	C+	9A.20.010	OTHERB+OFF
Other B+ Offense Conspiracy	C+	9A.20.010	OTHERB+OFF
Other B+ Offense Solicitation	C+	9A.20.010	OTHERB+OFF
Other C+ Offense (Post 6/30/98)	C+	9A.20.010	OTHERC+OFF
Promote Suicide (Post 6/30/98)	C+	9A.36.060	PROSUICIDE
Promoting Prostitution 1 Attempt (Post 6/30/98)	C+	9A.88.070	PROPROST1
Promoting Prostitution 1 Conspiracy	C+	9A.88.070	PROPROST1
Promoting Prostitution 1 Solicitation	C+	9A.88.070	PROPROST1
Promoting Prostitution 2 (Post 6/30/98)	C+	9A.88.080	PROPROST2
Rape 3 (Post 6/30/98)	C+	9A.44.060	RAPE3
Rape Of A Child 2 Attempt (Post 6/30/98)	C+	9A.44.050	RAPECHILD2
Rape Of A Child 2 Conspiracy	C+	9A.44.050	RAPECHILD2
Rape Of A Child 2 Solicitation	C+	9A.44.050	RAPECHILC2
Riot With Weapon (Post 6/30/98)	C+	9A.84.010	RIOTWWEAP
Robbery 2 Attempt (Post 6/30/98)	C+	9A.56.210	ROBBERY2
Robbery 2 Conspiracy	C+	9A.56.210	ROBBERY2
Robbery 2 Solicitation	C+	9A.56.210	ROBBERY2
Sale Of Control Substance For Profit (Post 6/30/98)	C+	69.50.410	SALECONSUB
Unlawful Imprison (Post 6/30/98)	C+	9A.40.040	UNLAWIMPRI
Animal Cruelty 1st Attempt	D	16.52.205	ANIMCRUEL1
Animal Cruelty 1st Conspiracy	D	16.52.205	ANIMCRUEL1
Animal Cruelty 1st Solicitation	D	16.52.205	ANIMCRUEL1
Burg Tools (Possession Of)	D	9A.52.020	BURGTTOOLS
Carry Weapon To School	D	9.41.280	CARWEAPSCH
Communication With A Minor For Immoral Purpose (Post 2/1/90)	D	9.68A.091	COMMIMOR
Communicating With A Minor For Immoral Purpose Subsequent Sex Attempt	D	9.68A.090	COMMIMORSS
Communicating With A Minor For Immoral Purpose Subsequent Sex Conspiracy	D	9.68A.090	COMMIMORSS
Communicating With A Minor For Immoral Purpose Subsequent Sex Solicitation	D	9.68A.090	COMMIMORSS
Criminal Trespass 1	D	9A.52.070	CRIMTRES1
Driving Under Influence	D	46.61.502	DUI
		46.61.504	
Elude A Police Vehicle Attempt	D	46.61.024	ELUDEPV
Elude A Police Vehicle Conspiracy	D	46.61.024	ELUDEPV
Elude A Police Vehicle Solicitation	D	46.61.024	ELUDEPV
Escape 3	D	9A.76.130	ESCAPE3
Fail To Register As A Kidnapper Attempt	D	9A.44.132	FAILREGK
Fail To Register As A Kidnapper Conspiracy	D	9A.44.132	FAILREGK



## JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY LEVEL

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
Fail To Register As A Kidnapper Solicitation	D	9A.44.132	FAILREGK
Fail To Register As A Sex Offender Attempt	D	9A.44.131	FAILREGS
Fail To Register As A Sex Offender Conspiracy	D	9A.44.131	FAILREGS
Fail To Register As A Sex Offender Solicitation	D	9A.44.131	FAILREGS
False Reporting	D	9A.84.040	FALSEREP
Forgery Attempt	D	9A.60.020	FORGERY
Forgery Conspiracy	D	9A.60.020	FORGERY
Forgery Solicitation	D	9A.60.020	FORGERY
Harassment (Repeat) Attempt	D	9A.46.020	HARASSREP
Harassment (Repeat) Conspiracy	D	9A.46.020	HARASSREP
Harassment (Repeat) Solicitation	D	9A.46.020	HARASSREP
Harassment - 1st Time	D	9A.46.020	HARASS
Hit and Run Attended	D	46.52.022	HITRUNAT
Hit and Run Injury Attempt	D	46.52.021	HITRUNIN
Hit and Run Injury Conspiracy	D	46.52.021	HITRUNIN
Hit and Run Injury Solicitation	D	46.52.021	HITRUNIN
Incest 2 Attempt (Post 6/30/98)	D	9A.64.020	INCEST2
Incest 2 Conspiracy	D	9A.64.020	INCEST2
Incest 2 Solicitation	D	9A.64.020	INCEST2
Intimidating Another Person By Use Of A Weapon	D	9.41.270	INTWWEAPON
Introducing Contraband 2 Attempt (Post 6/30/98)	D	9A.76.150	INTCONT2
Introducing Contraband 2 Conspiracy	D	9A.76.150	INTCONT2
Introducing Contraband 2 Solicitation	D	9A.76.150	INTCONT2
Malicious Mischief 2 Attempt	D	9A.48.080	MALMIS2
Malicious Mischief 2 Conspiracy	D	9A.48.080	MALMIS2
Malicious Mischief 2 Solicitation	D	9A.48.080	MALMIS2
Malicious Mischief 3 (<\$50 is Class E) (Post 6/30/78)	D	9A.48.090	MALMIS3<50
Obstructing Law Enforcement Officer	D	9A.76.020	OBSLAWOFF
Obstructing A Public Servant	D	9A.76.020	OBSPUBSERV
Obtain Legend Drug Attempt	D	69.41.030	OBTLEGDRUG
Obtain Legend Drug Conspiracy	D	69.41.030	OBTLEGDRUG
Obtain Legend Drug Solicitation	D	69.41.030	OBTLEGDRUG
Other C Offense Attempt	D	9A.20.010	OTHERCOFF
Other C Offense Conspiracy	D	9A.20.010	OTHERCOFF
Other C Offense Solicitation	D	9A.20.010	OTHERCOFF
Other Offense Equivalent To Adult Gross Misdemeanor	D	13.40.030	OTHERDOFF
Possession Of A Firearm 2 Attempt	D	9.41.040(1)(b)	PFIREARM2
Possession Of A Firearm 2 Conspiracy	D	9.41.040(1)(b)	PFIREARM2
Possession Of A Firearm 2 Solicitation	D	9.41.040(1)(b)	PFIREARM2
Possession Of A Firearm By Minor (<18 Years) Attempt	D	9.41.040	PFIREARMM
Possession Of A Firearm By Minor (<18 Years) Conspiracy	D	9.41.040	PFIREARMM
Possession Of A Firearm By Minor (<18 Years) Solicitation	D	9.41.040	PFIREARMM
Possession Of Machine Gun Or Short-Barreled Shotgun Or Rifle Attempt	D	9.41.190	POSMACHGUN
Possession Of Machine Gun Or Short-Barreled Shotgun Or Rifle Conspiracy	D	9.41.190	POSMACHGUN
Possession Of Machine Gun Or Short-Barreled Shotgun Or Rifle Solicitation	D	9.41.190	POSMACHGUN
Possession Of Stolen Property 2 Attempt	D	9A.56.160	PSP2
Possession Of Stolen Property 2 Conspiracy	D	9A.56.160	PSP2
Possession Of Stolen Property 2 Solicitation	D	9A.56.160	PSP2

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY LEVEL

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
Possession Of Stolen Property 3	D	9A.56.170	PSP3
Rape Of A Child 3 Attempt	D	9A.44.060	RAPECHILD3
Rape Of A Child 3 Conspiracy	D	9A.44.060	RAPECHILD3
Rape Of A Child 3 Solicitation	D	9A.44.060	RAPECHILD3
Reckless Burning 1 Attempt	D	9A.48.040	RECKBURN1
Reckless Burning 1 Conspiracy	D	9A.48.040	RECKBURN1
Reckless Burning 1 Solicitation	D	9A.48.040	RECKBURN1
Reckless Burning 2	D	9A.48.050	RECKBURN2
Rendering Criminal Assistance 1 Attempt	D	9A.76.070	RENDCRIM
Rendering Criminal Assistance 1 Conspiracy	D	9A.76.070	RENDCRIM
Rendering Criminal Assistance 1 Solicitation	D	9A.76.070	RENDCRIM
Sexual Violation Of Human Remains Attempt	D	9A.44.105	SEXVIOLREM
Sexual Violation Of Human Remains Conspiracy	D	9A.44.105	SEXVIOLREM
Sexual Violation Of Human Remains Solicitation	D	9A.44.105	SEXVIOLREM
Stalking (1st Time)	D	9A.46.110	STALK
Stalking (Repeat) Attempt	D	9A.46.110	STALKREP
Stalking (Repeat) Conspiracy	D	9A.46.110	STALKREP
Stalking (Repeat) Solicitation	D	9A.46.110	STALKREP
Taking Motor Vehicle Without Permission 1 Attempt	D	9A.56.070(1)	TAMVWOOP1
Taking Motor Vehicle Without Permission 1 Conspiracy	D	9A.56.070(1)	TAMVWOOP1
Taking Motor Vehicle Without Permission 1 Solicitation	D	9A.56.070(1)	TAMVWOOP1
Taking Motor Vehicle Without Permission 2 Attempt	D	9A.56.070(2)	TAMVWOOP2
Taking Motor Vehicle Without Permission 2 Conspiracy	D	9A.56.070(2)	TAMVWOOP2
Taking Motor Vehicle Without Permission 2 Solicitation	D	9A.56.070(2)	TAMVWOOP2
Tampering With A Witness Attempt	D	9A.72.120	TAMPWITN
Tampering With A Witness Conspiracy	D	9A.72.120	TAMPWITN
Tampering With A Witness Solicitation	D	9A.72.120	TAMPWITN
Theft 2 Attempt	D	9A.56.040	THEFT2
Theft 2 Conspiracy	D	9A.56.040	THEFT2
Theft 2 Solicitation	D	9A.56.040	THEFT2
Theft 3 (Post 6/30/98)	D	9A.56.050	THEFT3
Vehicle Prowling 1 Attempt	D	9A.52.095	VEHPROWL1
Vehicle Prowling 1 Conspiracy	D	9A.52.095	VEHPROWL1
Vehicle Prowling 1 Solicitation	D	9A.52.095	VEHPROWL1
Vehicle Prowling 2	D	9A.52.100	VEHPROWL2
Vehicular Assault Attempt	D	46.61.522	VEHASSAULT
Vehicular Assault Conspiracy	D	46.61.522	VEHASSAULT
Vehicular Assault Solicitation	D	46.61.522	VEHASSAULT
Voyeurism Attempt	D	9A.44.155	VOYEURISM
Voyeurism Conspiracy	D	9A.44.115	VOYEURISM
Voyeurism Solicitation	D	9A.44.115	VOYEURISM
Assault 3 Attempt (Post 6/30/98)	D+	9A.36.031	ASSAULT3
Assault 3 Conspiracy (Post 6/30/98)	D+	9A.36.031	ASSAULT3
Assault 3 Solicitation (Post 6/30/98)	D+	9A.36.031	ASSAULT3
Assault 4 (Post 6/30/98)	D+	9A.36.041	ASSAULT4
Coercion	D+	9A.36.070	COERCION
Commit Crime With Firearms Attempt	D+	94.10.25	CRIMEARMS
Custodial Assault Attempt (Post 6/30/98)	D+	9A.36.100	CUSASSAULT
Custodial Assault Conspiracy	D+	9A.36.100	CUSASSAULT
Custodial Assault Solicitation	D+	9A.36.100	CUSASSAULT
Extortion 2 Attempt	D+	9A.56.130	EXTORTION2

**JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY LEVEL**

<b>OFFENSE DESCRIPTION</b>	<b>LEVEL</b>	<b>RCW</b>	<b>JRA CODE</b>
Extortion 2 Conspiracy	D+	9A.56.130	EXTORTION2
Extortion 2 Solicitation	D+	9A.56.130	EXTORTION2
Indecent Exposure (Victim <14)	D+	9A.88.010	INDEXP
Legend Drug With Intent to Deliver Attempt	D+	69.41.030	LEGDRUGSAL
Legend Drug With Intent to Deliver Conspiracy	D+	69.41.030	LEGDRUGSAL
Legend Drug With Intent to Deliver Solicitation	D+	69.41.030	LEGDRUGSAL
Manslaughter 2 Attempt (Post 6/30/98)	D+	9A.32.070	MANSL2
Manslaughter 2 Conspiracy	D+	9A.32.070	MANSL2
Manslaughter 2 Solicitation	D+	9A.32.070	MANSL2
Other C+ Offense Attempt	D+	9A.20.010	OTHERC+OFF
Other C+ Offense Conspiracy	D+	9A.20.010	OTHERC+OFF
Other C+ Offense Solicitation	D+	9A.20.010	OTHERC+OFF
Other D+ Offense	D+	13.40.030	OTHERD+OFF
Possession Of Dangerous Weapon (Post 6/30/78)	D+	9.41.250	POSDANGW
Promote Suicide Attempt	D+	9A.36.060	PROSUICIDE
Promote Suicide Conspiracy	D+	9A.36.060	PROSUICIDE
Promote Suicide Solicitation	D+	9A.36.060	PROSUICIDE
Promoting Prostitution 2 Attempt	D+	9A.88.080	PROPROST2
Promoting Prostitution 2 Conspiracy	D+	9A.88.080	PROPROST2
Promoting Prostitution 2 Solicitation	D+	9A.88.080	PROPROST2
Rape 3 Attempt	D+	9A.44.060	RAPE3
Rape 3 Conspiracy	D+	9A.44.060	RAPE3
Rape 3 Solicitation	D+	9A.44.060	RAPE3
Reckless Endangerment (Post 6/30/78)	D+	9A.36.050	RECKEND
Reckless Endangerment 2	D+	9A.36.050	RECKEND2
Riot With Weapon Attempt	D+	9A.84.010	RIOTWWEAP
Riot With Weapon Conspiracy	D+	9A.84.010	RIOTWWEAP
Riot With Weapon Solicitation	D+	9A.84.010	RIOTWWEAP
Riot Without Weapon	D+	9A.84.010	RIOTWOWEAP
Unlawful Imprison Attempt	D+	9A.40.040	UNLAWIMPRI
Unlawful Imprison Conspiracy	D+	9A.40.040	UNLAWIMPRI
Unlawful Imprison Solicitation	D+	9A.40.040	UNLAWIMPRI
Animal Cruelty 2nd	E	16.52.207	ANIMCRUEL2
Assault 4 Attempt	E	9A.36.041	ASSAULT4
Assault 4 Conspiracy	E	9A.36.041	ASSAULT4
Assault 4 Solicitation	E	9A.36.041	ASSAULT4
Burg Tools (Possession Of) Attempt	E	9A.52.020	BURGTTOOLS
Burg Tools (Possession Of) Conspiracy	E	9A.52.020	BURGTTOOLS
Burg Tools (Possession Of) Solicitation	E	9A.52.020	BURGTTOOLS
Carry Weapon To School Attempt	E	9.41.280	CARWEAPSCH
Carry Weapon To School Conspiracy	E	9.41.280	CARWEAPSCH
Carry Weapon To School Solicitation	E	9.41.280	CARWEAPSCH
Coercion Attempt	E	9A.36.070	COERCION
Coercion Conspiracy	E	9A.36.070	COERCION
Coercion Solicitation	E	9A.36.070	COERCION
Communicating With A Minor For Immoral Purpose Attempt	E	9.68A.091	COMMIMOR
Communicating With A Minor For Immoral Purpose Conspiracy	E	9.68A.091	COMMIMOR
Communicating With A Minor For Immoral Purpose Solicitation	E	9.68A.091	COMMIMOR
Criminal Contempt	E	9.23.010	CRIMCONT
Criminal Trespass 1 Attempt (Effective 4/10/81-7/1/00)	E	9A.52.070	CRIMTRES1
Criminal Trespass 1 Conspiracy	E	9A.52.070	CRIMTRES1

**JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY LEVEL**

<b>OFFENSE DESCRIPTION</b>	<b>LEVEL</b>	<b>RCW</b>	<b>JRA CODE</b>
Criminal Trespass 1 Solicitation	E	9A.52.070	CRIMTRES1
Criminal Trespass 2	E	9A.52.080	CRIMTRES2
Criminal Trespass 2 Attempt	E	9A.52.080	CRIMTRES2
Criminal Trespass 2 Conspiracy	E	9A.52.080	CRIMTRES2
Criminal Trespass 2 Solicitation	E	9A.52.080	CRIMTRES2
Custodial Interference	E	9A.400.50	CUSINTER
Disorderly Conduct	E	9A.84.030	DISCONDUCT
Disorderly Conduct Attempt	E	9A.84.030	DISCONDUCT
Disorderly Conduct Conspiracy	E	9A.84.030	DISCONDUCT
Disorderly Conduct Solicitation	E	9A.84.030	DISCONDUCT
Driving Under Influence Attempt	E	46.61.502	DUI
		46.61.504	
Driving Under Influence Conspiracy	E	46.61.502	DUI
		46.61.504	
Driving Under Influence Solicitation	E	46.61.502	DUI
		46.61.504	
Driving Without A License	E	46.20.005	DWOL
Drug Paraphernalia	E	69.50.412	DRUGPARA
Escape 3 Attempt	E	9A.76.130	ESCAPE3
Escape 3 Conspiracy	E	9A.76.130	ESCAPE3
Escape 3 Solicitation	E	9A.76.130	ESCAPE3
Failure To Disperse	E	9A.56.130	FAILDISP
False Reporting Attempt	E	9A.84.040	FALSEREP
False Reporting Conspiracy	E	9A.84.040	FALSEREP
False Reporting Solicitation	E	9A.84.040	FALSEREP
Harassment - 1st Time Attempt	E	9A.46.020	HARASS
Harassment - 1st Time Conspiracy	E	9A.46.020	HARASS
Harassment - 1st Time Solicitation	E	9A.46.020	HARASS
Hit and Run Attended Attempt	E	46.52.022	HITRUNAT
Hit and Run Attended Conspiracy	E	46.52.022	HITRUNAT
Hit and Run Attended Solicitation	E	46.52.022	HITRUNAT
Hit and Run Unattended	E	46.52.010	HITRUNUN
Indecent Exposure (Victim <14) Attempt	E	9A.88.010	INDEXP<14
Indecent Exposure (Victim <14) Conspiracy	E	9A.88.010	INDEXP<14
Indecent Exposure (Victim <14) Solicitation	E	9A.88.010	INDEXP<14
Indecent Exposure (Victim 14+) (Post 6/30/98)	E	9A.88.010	INDEXP14+
Intimidating Another Person By Use Of A Weapon Attempt	E	9.41.270	INTWWEAPON
Intimidating Another Person By Use Of A Weapon Conspiracy	E	9.41.270	INTWWEAPON
Intimidating Another Person By Use Of A Weapon Solicitation	E	9.41.270	INTWWEAPON
Introducing Contraband 3	E	9A.76.160	INTCONT3
Malicious Mischief 3 Attempt	E	9A.48.090	MALMIS3
Malicious Mischief 3 Conspiracy	E	9A.48.090	MALMIS3
Malicious Mischief 3 Solicitation	E	9A.48.090	MALMIS3
Obscene Phone Calls	E	9.61.230	OBSCENEPC
Obstructing Law Enforcement Officer Attempt	E	9A.76.020	OBSLAWOFF
Obstructing Law Enforcement Officer Conspiracy	E	9A.76.020	OBSLAWOFF
Obstructing Law Enforcement Officer Solicitation	E	9A.76.020	OBSLAWOFF
Obstructing A Public Servant Attempt	E	9A.76.020	OBSPUBSERV
Offering And Agreeing (Prostitution)	E	9A.32.050	O&APROST
Other D+ Offense Attempt	E	13.40.030	OTHERD+OFF
Other D+ Offense Conspiracy	E	13.40.030	OTHERD+OFF

**JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY LEVEL**

<b>OFFENSE DESCRIPTION</b>	<b>LEVEL</b>	<b>RCW</b>	<b>JRA CODE</b>
Other D+ Offense Solicitation	E	13.40.030	OTHERD+OFF
Other Offense Equivalent To Adult Gross Misdemeanor Attempt	E	13.40.030	OTHERDOFF
Other Offense Equivalent To Adult Gross Misdemeanor Conspiracy	E	13.40.030	OTHERDOFF
Other Offense Equivalent To Adult Gross Misdemeanor Solicitation	E	13.40.030	OTHERDOFF
Other Offense Equivalent To Adult Misdemeanor	E	13.40.030	OTHEREOFF
Possession Of Dangerous Weapon Attempt	E	9.41.250	POSDANGW
Possession Of Dangerous Weapon Conspiracy	E	9.41.250	POSDANGW
Possession Of Dangerous Weapon Solicitation	E	9.41.250	POSDANGW
Possession OF A Illegal Fireworks	E	70.77.255	POSILLFWKS
Possession Of Legend Drug	E	69.41.030	POSLEGDRUG
Possession Of Marijuana <40 Grams	E	69.50.401	POSPOT<40
Possession Of Stolen Property 3 Attempt	E	9A.56.170	PSP3
Possession Of Stolen Property 3 Conspiracy	E	9A.56.170	PSP3
Possession Of Stolen Property 3 Solicitation	E	9A.56.170	PSP3
Possession/Consumption Of Alcohol	E	66.44.270	POSOFALCOH
Reckless Burning 2 Attempt	E	9A.48.050	RECKBURN2
Reckless Burning 2 Conspiracy	E	9A.48.050	RECKBURN2
Reckless Burning 2 Solicitation	E	9A.48.050	RECKBURN2
Reckless Driving (Pre 7/1/78)	E	46.61.500	RECKDRIV
Reckless Endangerment 2 Attempt	E	9A.36.050	RECKEND2
Reckless Endangerment Attempt	E	9A.36.050	RECKEND
Reckless Endangerment Conspiracy	E	9A.36.050	RECKEND
Reckless Endangerment Solicitation	E	9A.36.050	RECKEND
Resisting Arrest	E	9A.76.040	RESARREST
Riot Without Weapon Attempt	E	9A.84.010	RIOTWOWEAP
Riot Without Weapon Conspiracy	E	9A.84.010	RIOTWOWEAP
Riot Without Weapon Solicitation	E	9A.84.010	RIOTWOWEAP
Stalking (1st Time) Attempt	E	9A.46.110	STALK
Stalking (1st Time) Conspiracy	E	9A.46.110	STALK
Stalking (1st Time) Solicitation	E	9A.46.110	STALK
Tampering With Fire Alarm Apparatus	E	9.40.100	TAMPFIREAL
Theft 3 Attempt	E	9A.56.050	THEFT3
Theft 3 Conspiracy	E	9A.56.050	THEFT3
Theft 3 Solicitation	E	9A.56.050	THEFT3
Unlawful Inhalation	E	9.47A.020	UNLAWINHAL
Vehicle Prowling 2 Attempt	E	9A.52.100	VEHPROWL2
Vehicle Prowling 2 Conspiracy	E	9A.52.100	VEHPROWL2
Vehicle Prowling 2 Solicitation	E	9A.52.100	VEHPROWL2
Weapon Without A Permit	E	9.41.050	WEAPONWOP
Sex Offender Parole Revoke	V	9A.44.130	SOPARREV



# **LIST OF OFFENSES**

## **BY CATEGORY**

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY CATEGORY

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
<b>Arson and Malicious Mischief</b>			
Arson 1 (Post 6/30/98)	A	9A.48.020	ARSON1
Arson 1 Attempt (Post 6/30/98)	B+	9A.48.020	ARSON1
Arson 1 Conspiracy	B+	9A.48.020	ARSON1
Arson 1 Solicitation	B+	9A.48.020	ARSON1
Arson 2 (Post 6/30/98)	B	9A.48.030	ARSON2
Arson 2 Attempt (Post 6/30/98)	C	9A.48.030	ARSON2
Arson 2 Conspiracy	C	9A.48.030	ARSON2
Arson 2 Solicitation	C	9A.48.030	ARSON2
Malicious Mischief 1 (Post 6/30/98)	B	9A.48.070	MALMIS1
Malicious Mischief 1 Attempt (Post 6/30/98)	C	9A.48.070	MALMIS1
Malicious Mischief 1 Conspiracy	C	9A.48.070	MALMIS1
Malicious Mischief 1 Solicitation	C	9A.48.070	MALMIS1
Malicious Mischief 2 (Post 6/30/98)	C	9A.48.080	MALMIS2
Malicious Mischief 2 Attempt	D	9A.48.080	MALMIS2
Malicious Mischief 2 Conspiracy	D	9A.48.080	MALMIS2
Malicious Mischief 2 Solicitation	D	9A.48.080	MALMIS2
Malicious Mischief 3 (<\$50 is Class E) (Post 6/30/78)	D	9A.48.090	MALMIS3<50
Malicious Mischief 3 Attempt	E	9A.48.090	MALMIS3
Malicious Mischief 3 Conspiracy	E	9A.48.090	MALMIS3
Malicious Mischief 3 Solicitation	E	9A.48.090	MALMIS3
Possession OF A Illegal Fireworks	E	70.77.255	POSILLFWKS
Possession Of Explosive Devices (Post 6/30/98)	A	70.74.180	POSEXPDEV
Possession Of Explosive Devices Attempt (Post 6/30/98)	B	70.74.180	POSEXPDEV
Possession Of Explosive Devices Conspiracy	B	70.74.180	POSEXPDEV
Possession Of Explosive Devices Solicitation	B	70.74.180	POSEXPDEV
Possession Of Incendiary (Post 6/30/98)	A	9.40.120	POSINCEND
Possession Of Incendiary Attempt (Post 6/30/98)	B+	9.40.120	POSINCEND
Possession Of Incendiary Conspiracy	B+	9.40.120	POSINCEND
Possession Of Incendiary Solicitation	B+	9.40.120	POSINCEND
Reckless Burning 1 (Post 6/30/98)	C	9A.48.040	RECKBURN1
Reckless Burning 1 Attempt	D	9A.48.040	RECKBURN1
Reckless Burning 1 Conspiracy	D	9A.48.040	RECKBURN1
Reckless Burning 1 Solicitation	D	9A.48.040	RECKBURN1
Reckless Burning 2	D	9A.48.050	RECKBURN2
Reckless Burning 2 Attempt	E	9A.48.050	RECKBURN2
Reckless Burning 2 Conspiracy	E	9A.48.050	RECKBURN2
Reckless Burning 2 Solicitation	E	9A.48.050	RECKBURN2
Tampering With Fire Alarm Apparatus	E	9.40.100	TAMPFIREAL
<b>Assault and Other Crimes Involving Physical Harm</b>			
Assault 1	A	9A.36.011	ASSAULT1
Assault 1 Attempt (Post 6/30/98)	B+	9A.36.011	ASSAULT1
Assault 1 Conspiracy	B+	9A.36.011	ASSAULT1
Assault 1 Solicitation	B+	9A.36.011	ASSAULT1
Assault 2 (Post 6/30/98)	B+	9A.36.021	ASSAULT2
Assault 2 Attempt (Post 6/30/98)	C+	9A.36.021	ASSAULT2
Assault 2 Conspiracy	C+	9A.36.021	ASSAULT2
Assault 2 Solicitation	C+	9A.36.021	ASSAULT2
Assault 3 (Post 6/30/98)	C+	9A.36.031	ASSAULT3
Assault 3 Attempt (Post 6/30/98)	D+	9A.36.031	ASSAULT3



## JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY CATEGORY

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
<b>Assault and Other Crimes Involving Physical Harm (Continued)</b>			
Assault 3 Conspiracy (Post 6/30/98)	D+	9A.36.031	ASSAULT3
Assault 3 Solicitation (Post 6/30/98)	D+	9A.36.031	ASSAULT3
Assault 4 (Post 6/30/98)	D+	9A.36.041	ASSAULT4
Assault 4 Attempt	E	9A.36.041	ASSAULT4
Assault 4 Conspiracy	E	9A.36.041	ASSAULT4
Assault 4 Solicitation	E	9A.36.041	ASSAULT4
Assault By Watercraft	B	79A.60.060	ASSAULTWC
Assault By Watercraft Attempt	C	79A.60.060	ASSAULTWC
Assault By Watercraft Conspiracy	C	79A.60.060	ASSAULTWC
Assault By Watercraft Solicitation	C	79A.60.060	ASSAULTWC
Assault Of Child 1	A	9A.36.120	ASSAULTCH1
Assault Of Child 1 Attempt	B	9A.36.120	ASSAULTCH1
Assault Of Child 1 Conspiracy	B	9A.36.120	ASSAULTCH1
Assault Of Child 1 Solicitation	B	9A.36.120	ASSAULTCH1
Assault Of Child 2	B	9A.36.130	ASSAULTCH2
Assault Of Child 2 Attempt	C	9A.36.130	ASSAULTCH2
Assault Of Child 2 Conspiracy	C	9A.36.130	ASSAULTCH2
Assault Of Child 2 Solicitation	C	9A.36.130	ASSAULTCH2
Coercion	D+	9A.36.070	COERCION
Coercion Attempt	E	9A.36.070	COERCION
Coercion Conspiracy	E	9A.36.070	COERCION
Coercion Solicitation	E	9A.36.070	COERCION
Custodial Assault (Post 6/30/98)	C+	9A.36.100	CUSASSAULT
Custodial Assault Attempt (Post 6/30/98)	D+	9A.36.100	CUSASSAULT
Custodial Assault Conspiracy	D+	9A.36.100	CUSASSAULT
Custodial Assault Solicitation	D+	9A.36.100	CUSASSAULT
Drive By Shooting (Post 6/30/98)	B+	9A.36.045	DBSHOOTING
Drive By Shooting Attempt (Post 6/30/98)	C+	9A.36.045	DBSHOOTING
Drive By Shooting Conspiracy	C+	9A.36.045	DBSHOOTING
Drive By Shooting Solicitation	C+	9A.36.045	DBSHOOTING
Promote Suicide (Post 6/30/98)	C+	9A.36.060	PROSUICIDE
Promote Suicide Attempt	D+	9A.36.060	PROSUICIDE
Promote Suicide Conspiracy	D+	9A.36.060	PROSUICIDE
Promote Suicide Solicitation	D+	9A.36.060	PROSUICIDE
Reckless Endangerment (Post 6/30/78)	D+	9A.36.050	RECKEND
Reckless Endangerment 1 (Post 6/30/98)	B	9A.36.050	RECKEND1
Reckless Endangerment 1 Attempt (Post 6/30/98)	C	9A.36.050	RECKEND1
Reckless Endangerment 2	D+	9A.36.050	RECKEND2
Reckless Endangerment 2 Attempt	E	9A.36.050	RECKEND2
Reckless Endangerment Attempt	E	9A.36.050	RECKEND
Reckless Endangerment Conspiracy	E	9A.36.050	RECKEND
Reckless Endangerment Solicitation	E	9A.36.050	RECKEND
<b>Burglary and Trespass</b>			
Burglary 1 (Post 6/30/98)	B+	9A.52.020	BURG1
Burglary 1 Attempt (Post 6/30/98)	C+	9A.52.020	BURG1
Burglary 1 Conspiracy	C+	9A.52.020	BURG1
Burglary 1 Solicitation	C+	9A.52.020	BURG1
Burglary 2 (Post 6/30/98)	B	9A.52.030	BURG2
Burglary 2 Attempt (Post 6/30/98)	C	9A.52.030	BURG2

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY CATEGORY

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
<b>Burglary and Trespass (Continued)</b>			
Burglary 2 Conspiracy	C	9A.52.030	BURG2
Burglary 2 Solicitation	C	9A.52.030	BURG2
Burglary Tools (Possession Of)	D	9A.52.020	BURGTOOLS
Burglary Tools (Possession Of) Attempt	E	9A.52.020	BURGTOOLS
Burglary Tools (Possession Of) Conspiracy	E	9A.52.020	BURGTOOLS
Burglary Tools (Possession Of) Solicitation	E	9A.52.020	BURGTOOLS
Criminal Trespass 1	D	9A.52.070	CRIMTRES1
Criminal Trespass 1 Attempt (Effective 4/10/81-7/1/00)	E	9A.52.070	CRIMTRES1
Criminal Trespass 1 Conspiracy	E	9A.52.070	CRIMTRES1
Criminal Trespass 1 Solicitation	E	9A.52.070	CRIMTRES1
Criminal Trespass 2	E	9A.52.080	CRIMTRES2
Criminal Trespass 2 Attempt	E	9A.52.080	CRIMTRES2
Criminal Trespass 2 Conspiracy	E	9A.52.080	CRIMTRES2
Criminal Trespass 2 Solicitation	E	9A.52.080	CRIMTRES2
Residential Burglary (Post 6/30/98)	B	9A.52.025	BURGRES
Residential Burglary Attempt (Post 6/30/98)	C	9A.52.025	BURGRES
Residential Burglary Conspiracy	C	9A.52.025	BURGRES
Residential Burglary Solicitation	C	9A.52.025	BURGRES
Vehicle Prowling 1 (Post 6/30/98)	C	9A.52.095	VEHPROWL1
Vehicle Prowling 1 Attempt	D	9A.52.095	VEHPROWL1
Vehicle Prowling 1 Conspiracy	D	9A.52.095	VEHPROWL1
Vehicle Prowling 1 Solicitation	D	9A.52.095	VEHPROWL1
Vehicle Prowling 2	D	9A.52.100	VEHPROWL2
Vehicle Prowling 2 Attempt	E	9A.52.100	VEHPROWL2
Vehicle Prowling 2 Conspiracy	E	9A.52.100	VEHPROWL2
Vehicle Prowling 2 Solicitation	E	9A.52.100	VEHPROWL2
<b>Drugs</b>			
Drug Paraphernalia	E	69.50.412	DRUGPARA
Fraudulently Obtaining Controlled Substance (Post 6/30/98)	C	96.50.403	FRAUODOBPCS
Legend Drug With Intent To Deliver (Post 6/30/98)	C+	69.41.030.	LEGDRUGSAL
Legend Drug With Intent to Deliver Attempt	D+	69.41.030.	LEGDRUGSAL
Legend Drug With Intent to Deliver Conspiracy	D+	69.41.030	LEGDRUGSAL
Legend Drug With Intent to Deliver Solicitation	D+	69.41.030	LEGDRUGSAL
Maintain A Dwelling Or Place For Controlled Substance	C	69.50.402	MDCONTSUB
Obtain Legend Drug (Post 6/30/98)	C	69.41.030	OBTLEGDRUG
Obtain Legend Drug Attempt	D	69.41.030	OBTLEGDRUG
Obtain Legend Drug Conspiracy	D	69.41.030	OBTLEGDRUG
Obtain Legend Drug Solicitation	D	69.41.030	OBTLEGDRUG
Possession Of Controlled Substance	C	69.50.401(d)	POSCONTSUB
Possession Of Legend Drug	E	69.41.030	POSLEGDRUG
Possession Of Marijuana <40 Grams	E	69.50.401	POSPOT<40
Possession/Consumption Of Alcohol	E	66.44.270	POSOFALCOH
Sale Of Control Substance For Profit (Post 6/30/98)	C+	69.50.410	SALECONSUB
Unlawful Inhalation	E	9.47A.020	UNLAWINHAL
Violation Of Uniform Controlled Substances Act - Narcotic Counterfeit Substance (Post 6/30/98)	C	69.50.401	COUNTNNARC
Violation Of Uniform Controlled Substances Act - Narcotic, Methamphetamine, Or Flunitrazepam Counterfeit Substance (Post 6/30/98)	B	69.50.401	COUNTNARC

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY CATEGORY

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
<b>Drugs (Continued)</b>			
Violation Of Uniform Controlled Substances Act - Narcotic, Methamphetamine, Or Flunitrazepam Sale (Post 6/30/98)	B+	69.50.401	SALENARC
Violation Of Uniform Controlled Substances Act - Non-Narcotic Sale (Post 6/30/98)	C	69.50.401	SALENNARC
Violation Of Uniform Controlled Substances Act - Possession Of A Controlled Substance (Post 6/30/98)	C	69.50.401(f)	POSCONTSUB
Violation Of Uniform Controlled Substances Act - Sale Of Substitute Substance (Post 6/30/98)	C	69.50.401(e)	SALESUBSUB
<b>Firearms and Weapons</b>			
Carry Weapon To School	D	9.41.280	CARWEAPSCH
Carry Weapon To School Attempt	E	9.41.280	CARWEAPSCH
Carry Weapon To School Conspiracy	E	9.41.280	CARWEAPSCH
Carry Weapon To School Solicitation	E	9.41.280	CARWEAPSCH
Commit Crime With Firearms	C+	94.10.25	CRIMEARMS
Commit Crime With Firearms Attempt	D+	94.10.25	CRIMEARMS
Possession Of A Firearm 1	B	9.41.040(1)(a)	PFIREARM1
Possession Of A Firearm 1 Attempt	C	9.41.040(1)(a)	PFIREARM1
Possession Of A Firearm 1 Conspiracy	C	9.41.040(1)(a)	PFIREARM1
Possession Of A Firearm 1 Solicitation	C	9.41.040(1)(a)	PFIREARM1
Possession Of A Firearm 2 (Post 6/30/98)	C	9.41.040(1)(b)	PFIREARM2
Possession Of A Firearm 2 Attempt	D	9.41.040(1)(b)	PFIREARM2
Possession Of A Firearm 2 Conspiracy	D	9.41.040(1)(b)	PFIREARM2
Possession Of A Firearm 2 Solicitation	D	9.41.040(1)(b)	PFIREARM2
Possession Of A Firearm By Minor (<18 Years)	C	9.41.040	PFIREARMM
Possession Of A Firearm By Minor (<18 Years) Attempt	D	9.41.040	PFIREARMM
Possession Of A Firearm By Minor (<18 Years) Conspiracy	D	9.41.040	PFIREARMM
Possession Of A Firearm By Minor (<18 Years) Solicitation	D	9.41.040	PFIREARMM
Possession Of Dangerous Weapon (Post 6/30/78)	D+	9.41.250	POSDANGW
Possession Of Dangerous Weapon Attempt	E	9.41.250	POSDANGW
Possession Of Dangerous Weapon Conspiracy	E	9.41.250	POSDANGW
Possession Of Dangerous Weapon Solicitation	E	9.41.250	POSDANGW
Possession Of Machine Gun Or Short-Barreled Shotgun Or Rifle	C	9.41.190	POSMACHGUN
Possession Of Machine Gun Or Short-Barreled Shotgun Or Rifle Attempt	D	9.41.190	POSMACHGUN
Possession Of Machine Gun Or Short-Barreled Shotgun Or Rifle Conspiracy	D	9.41.190	POSMACHGUN
Possession Of Machine Gun Or Short-Barreled Shotgun Or Rifle Solicitation	D	9.41.190	POSMACHGUN
Possession Of Stolen Firearm	B	9.41.040	PSFIREARM
Possession Of Stolen Firearm Attempt	C	9.41.040	PSFIREARM
Possession Of Stolen Firearm Conspiracy	C	9.41.040	PSFIREARM
Possession Of Stolen Firearm Solicitation	C	9.41.040	PSFIREARM
Weapon Without A Permit	E	9.41.050	WEAPONWOP
<b>Homicide</b>			
Homicide By Watercraft, By Disregard For The Safety Of Others (Post 6/30/98)		79A.60.050	HOMICIDEWD
Homicide By Watercraft, By Disregard For The Safety Of Others Attempt (Post 6/30/98)	B	79A.60.050	HOMICIDEWD

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY CATEGORY

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
<b>Homicide (Continued)</b>			
Homicide By Watercraft, By Disregard For The Safety Of Others Conspiracy	B	79A.60.050	HOMICIDEWD
Homicide By Watercraft, By Disregard For The Safety Of Others Solicitation	B	79A.60.050	HOMICIDEWD
Homicide By Watercraft, Operating Any Vessel In A Reckless Manner (Post 6/30/98)	A	79A.60.050	HOMICIDEWR
Homicide By Watercraft, Operating Any Vessel In A Reckless Manner Attempt (Post 6/30/98)	B	79A.60.050	HOMICIDEWR
Homicide By Watercraft, Operating Any Vessel In A Reckless Manner Conspiracy	B	79A.60.050	HOMICIDEWR
Homicide By Watercraft, Operating Any Vessel In A Reckless Manner Solicitation	B	79A.60.050	HOMICIDEWR
Homicide By Watercraft, While Under The Influence Of Intoxicating Liquor Or Any Drug (Post 6/30/98)	A	79A.60.050	HOMICIDEWI
Homicide By Watercraft, While Under The Influence Of Intoxicating Liquor Or Any Drug Attempt (Post 6/30/98)	B	79A.60.050	HOMICIDEWI
Homicide By Watercraft, While Under The Influence Of Intoxicating Liquor Or Any Drug Conspiracy	B	79A.60.050	HOMICIDEWI
Homicide By Watercraft, While Under The Influence Of Intoxicating Liquor Or Any Drug Solicitation	B	79A.60.050	HOMICIDEWI
Manslaughter 1 (Post 6/30/89)	B+	9A.32.060	MANS1
Manslaughter 1 Attempt (Post 6/30/98)	C+	9A.32.060	MANS1
Manslaughter 1 Conspiracy	C+	9A.32.060	MANS1
Manslaughter 1 Solicitation	C+	9A.32.060	MANS1
Manslaughter 2 (Post 6/30/98)	C+	9A.32.070	MANS2
Manslaughter 2 Attempt (Post 6/30/98)	D+	9A.32.070	MANS2
Manslaughter 2 Conspiracy	D+	9A.32.070	MANS2
Manslaughter 2 Solicitation	D+	9A.32.070	MANS2
Murder 1 (Post 6/30/98)	A+	9A.32.030	MURDER1
Murder 1 Attempt (Post 6/30/98)	A	9A.32.030	MURDER1
Murder 1 Conspiracy	A	9A.32.030	MURDER1
Murder 1 Solicitation	A	9A.32.030	MURDER1
Murder 2 (Post 6/30/98)	A+	9A.32.050	MURDER2
Murder 2 Attempt (Post 6/30/98)	B+	9A.32.050	MURDER2
Murder 2 Conspiracy	B+	9A.32.050	MURDER2
Murder 2 Solicitation	B+	9A.32.050	MURDER2
Negligent Homicide-Vehicular (Post 6/30/98)	B+	46.61.520	VEHHOMICID
Negligent Homicide-Vehicular Attempt (Post 6/30/98)	C+	46.61.520	VEHHOMICID
Negligent Homicide-Vehicular Conspiracy	C+	46.61.520	VEHHOMICID
Negligent Homicide-Vehicular Solicitation	C+	46.61.520	VEHHOMICID
<b>Kidnapping</b>			
Fail To Register As A Kidnapper (Post 6/30/98)	C	9A.44.132	FAILREGK
Fail To Register As A Kidnapper Attempt	D	9A.44.132	FAILREGK
Fail To Register As A Kidnapper Conspiracy	D	9A.44.132	FAILREGK
Fail To Register As A Kidnapper Solicitation	D	9A.44.132	FAILREGK
Kidnap 1 (Post 6/30/98)	A	9A.40.020	KIDNAP1
Kidnap 1 Attempt (Post 6/30/98)	B+	9A.40.020	KIDNAP1
Kidnap 1 Conspiracy	B+	9A.40.020	KIDNAP1
Kidnap 1 Solicitation	B+	9A.40.020	KIDNAP1

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY CATEGORY

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
<b>Kidnapping (Continued)</b>			
Kidnap 2 (Post 6/30/89)	B+	9A.40.030	KIDNAP2
Kidnap 2 Attempt (Post 6/30/98)	C+	9A.40.030	KIDNAP2
Kidnap 2 Conspiracy	C+	9A.40.030	KIDNAP2
Kidnap 2 Solicitation	C+	9A.40.030	KIDNAP2
Unlawful Imprison (Post 6/30/98)	C+	9A.40.040	UNLAWIMPRI
Unlawful Imprison Attempt	D+	9A.40.040	UNLAWIMPRI
Unlawful Imprison Conspiracy	D+	9A.40.040	UNLAWIMPRI
Unlawful Imprison Solicitation	D+	9A.40.040	UNLAWIMPRI
<b>Motor Vehicle-Related Crimes</b>			
Driving Under Influence	D	46.61.502	DUI
		46.61.504	
Driving Under Influence Attempt	E	46.61.502	DUI
		46.61.504	
Driving Under Influence Conspiracy	E	46.61.502	DUI
		46.61.504	
Driving Under Influence Solicitation	E	46.61.502	DUI
		46.61.504	
Driving Without A License	E	46.20.005	DWOL
Elude A Police Vehicle (Post 6/30/98)	C	46.61.024	ELUDEPV
Elude A Police Vehicle Attempt	D	46.61.024	ELUDEPV
Elude A Police Vehicle Conspiracy	D	46.61.024	ELUDEPV
Elude A Police Vehicle Solicitation	D	46.61.024	ELUDEPV
Hit and Run Attended	D	46.52.022	HITRUNAT
Hit and Run Attended Attempt	E	46.52.022	HITRUNAT
Hit and Run Attended Conspiracy	E	46.52.022	HITRUNAT
Hit and Run Attended Solicitation	E	46.52.022	HITRUNAT
Hit and Run Injury (Post 6/30/98)	C	46.52.021	HITRUNIN
Hit and Run Injury Conspiracy	D	46.52.021	HITRUNIN
Hit and Run Injury Solicitation	D	46.52.021	HITRUNIN
Hit and Run Injury Attempt	D	46.52.021	HITRUNIN
Hit and Run Unattended	E	46.52.010	HITRUNUN
Reckless Driving (Pre 7/1/78)	E	46.61.500	RECKDRIV
Vehicular Assault (Post 6/30/98)	C	46.61.522	VEHASSAULT
Vehicular Assault Attempt	D	46.61.522	VEHASSAULT
Vehicular Assault Conspiracy	D	46.61.522	VEHASSAULT
Vehicular Assault Solicitation	D	46.61.522	VEHASSAULT
<b>Obstructing Governmental Operation</b>			
Tampering With A Witness (Post 6/30/98)	C	9A.72.120	TAMPWITN
Tampering With A Witness Attempt	D	9A.72.120	TAMPWITN
Tampering With A Witness Conspiracy	D	9A.72.120	TAMPWITN
Tampering With A Witness Solicitation	D	9A.72.120	TAMPWITN
Intimidating A Public Servant (Post 6/30/98)	B+	9A.76.180	INTPUBSERV
Intimidating A Public Servant Attempt (Post 6/30/98)	C+	9A.76.180	INTPUBSERV
Intimidating A Public Servant Conspiracy	C+	9A.76.180	INTPUBSERV
Intimidating A Public Servant Solicitation	C+	9A.76.180	INTPUBSERV
Intimidating Another Person By Use Of A Weapon	D	9.41.270	INTWWEAPON
Intimidating Another Person By Use Of A Weapon Attempt	E	9.41.270	INTWWEAPON
Intimidating Another Person By Use Of A Weapon Conspiracy	E	9.41.270	INTWWEAPON

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY CATEGORY

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
<b>Obstructing Governmental Operation (Continued)</b>			
Intimidating Another Person By Use Of A Weapon Solicitation	E	9A.41.270	INTWWEAPON
Intimidating Witness (Post 6/30/98)	B+	9A.72.110	INTWITNESS
Intimidating Witness Attempt (Post 6/30/98)	C+	9A.72.110	INTWITNESS
Intimidating Witness Conspiracy	C+	9A.72.110	INTWITNESS
Intimidating Witness Solicitation	C+	9A.72.110	INTWITNESS
Introducing Contraband 1 (Post 6/30/98)	B	9A.76.140	INTCONT1
Introducing Contraband 1 Attempt (Post 6/30/98)	C	9A.76.140	INTCONT1
Introducing Contraband 1 Conspiracy	C	9A.76.140	INTCONT1
Introducing Contraband 1 Solicitation	C	9A.76.140	INTCONT1
Introducing Contraband 2 (Post 6/30/98)	C	9A.76.150	INTCONT2
Introducing Contraband 2 Attempt (Post 6/30/98)	D	9A.76.150	INTCONT2
Introducing Contraband 2 Conspiracy	D	9A.76.150	INTCONT2
Introducing Contraband 2 Solicitation	D	9A.76.150	INTCONT2
Introducing Contraband 3	E	9A.76.160	INTCONT3
Obstructing A Public Servant	D	9A.76.020	OBSPUBSERV
Obstructing A Public Servant Attempt	E	9A.76.020	OBSPUBSERV
Obstructing Law Enforcement Officer	D	9A.76.020	OBSLAWOFF
Obstructing Law Enforcement Officer Attempt	E	9A.76.020	OBSLAWOFF
Obstructing Law Enforcement Officer Conspiracy	E	9A.76.020	OBSLAWOFF
Obstructing Law Enforcement Officer Solicitation	E	9A.76.020	OBSLAWOFF
Resisting Arrest	E	9A.76.040	RESARREST
Stalking (Repeat) Attempt	D	9A.46.110	STALKREP
Stalking (Repeat) Conspiracy	D	9A.46.110	STALKREP
Stalking (Repeat) Solicitation	D	9A.46.110	STALKREP
<b>Public Disturbance</b>			
Disorderly Conduct	E	9A.84.030	DISCONDUCT
Disorderly Conduct Attempt	E	9A.84.030	DISCONDUCT
Disorderly Conduct Conspiracy	E	9A.84.030	DISCONDUCT
Disorderly Conduct Solicitation	E	9A.84.030	DISCONDUCT
Failure To Disperse	E	9A.56.130	FAILDISP
Riot With Weapon (Post 6/30/98)	C+	9A.84.010	RIOTWWEAP
Riot With Weapon Attempt	D+	9A.84.010	RIOTWWEAP
Riot With Weapon Conspiracy	D+	9A.84.010	RIOTWWEAP
Riot With Weapon Solicitation	D+	9A.84.010	RIOTWWEAP
Riot Without Weapon	D+	9A.84.010	RIOTWOWEAP
Riot Without Weapon Attempt	E	9A.84.010	RIOTWOWEAP
Riot Without Weapon Conspiracy	E	9A.84.010	RIOTWOWEAP
Riot Without Weapon Solicitation	E	9A.84.010	RIOTWOWEAP
<b>Sex Crimes</b>			
Child Molestation 1 (Post 6/30/98)	A-	9A.44.083	CHILDMOL1
Child Molestation 1 Attempt (Post 6/30/98)	B+	9A.44.083	CHILDMOL1
Child Molestation 1 Conspiracy	B+	9A.44.083	CHILDMOL1
Child Molestation 1 Solicitation	B+	9A.44.083	CHILDMOL1
Child Molestation 2 (Post 6/30/98)	B	9A.44.086	CHILDMOL2
Child Molestation 2 Attempt (Post 5/11/98)	C+	9A.44.086	CHILDMOL2
Child Molestation 2 Conspiracy	C+	9A.44.086	CHILDMOL2
Child Molestation 2 Solicitation	C+	9A.44.086	CHILDMOL2

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY CATEGORY

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
<b>Sex Crimes (Continued)</b>			
Communicating With A Minor For Immoral Purpose Subsequent Sex Attempt	D	9.68A.090	COMMINORSS
Communicating With A Minor For Immoral Purpose Attempt	E	9.68A.091	COMMINOR
Communicating With A Minor For Immoral Purpose Conspiracy	E	9.68A.091	COMMINOR
Communicating With A Minor For Immoral Purpose Solicitation	E	9.68A.091	COMMINOR
Communicating With A Minor For Immoral Purpose Subsequent Sex (Post 6/30/98)	C	9.68A.090	COMMINORSS
Communicating With A Minor For Immoral Purpose Subsequent Sex Conspiracy	D	9.68A.090	COMMINORSS
Communicating With A Minor For Immoral Purpose Subsequent Sex Solicitation	D	9.68A.090	COMMINORSS
Communication With A Minor For Immoral Purpose (Post 2/1/90)	D	9.68A.091	COMMINOR
Incest 1 (Post 6/30/98)	B	9A.64.020	INCEST1
Incest 1 Attempt (Post 6/30/98)	C	9A.64.020	INCEST1
Incest 1 Conspiracy	C	9A.64.020	INCEST1
Incest 1 Solicitation	C	9A.64.020	INCEST1
Incest 2 (Post 6/30/98)	C	9A.64.020	INCEST2
Incest 2 Attempt (Post 6/30/98)	D	9A.64.020	INCEST2
Incest 2 Conspiracy	D	9A.64.020	INCEST2
Incest 2 Solicitation	D	9A.64.020	INCEST2
Indecent Exposure (Victim <14)	D+	9A.88.010	INDEXP
Indecent Exposure (Victim <14) Attempt	E	9A.88.010	INDEXP<14
Indecent Exposure (Victim <14) Conspiracy	E	9A.88.010	INDEXP<14
Indecent Exposure (Victim <14) Repeat (Post 6/30/98)	C	9A.88.010	INDEXP<14R
Indecent Exposure (Victim <14) Solicitation	E	9A.88.010	INDEXP<14
Indecent Exposure (Victim 14+) Repeat (Post 6/30/98)	C	9A.88.010	INDEXP14+R
Indecent Exposure (Victim 14+) (Post 6/30/98)	E	9A.88.010	INDEXP14+
Indecent Liberties With Forcible Compulsion (Post 6/30/98)	B+	9A.44.100	INDLIBFC
Indecent Liberties With Forcible Compulsion Attempt (Post 6/30/98)	C+	9A.44.100	INDLIBFC
Indecent Liberties With Forcible Compulsion Conspiracy	C+	9A.44.100	INDLIBFC
Indecent Liberties With Forcible Compulsion Solicitation	C+	9A.44.100	INDLIBFC
Indecent Liberties Without Forcible Compulsion (Post 6/30/98)	B+	9A.44.100	INDLIB
Indecent Liberties Without Forcible Compulsion Attempt (Post 6/30/98)	C+	9A.44.100	INDLIB
Indecent Liberties Without Forcible Compulsion Conspiracy	C+	9A.44.100	INDLIB
Indecent Liberties Without Forcible Compulsion Solicitation	C+	9A.44.100	INDLIBWOC
Offering And Agreeing (Prostitution)	E	9A.32.050	O&APROST
Promoting Prostitution 1 (Post 6/30/98)	B+	9A.88.070	PROPROST1
Promoting Prostitution 1 Attempt (Post 6/30/98)	C+	9A.88.070	PROPROST1
Promoting Prostitution 1 Conspiracy	C+	9A.88.070	PROPROST1
Promoting Prostitution 1 Solicitation	C+	9A.88.070	PROPROST1
Promoting Prostitution 2 (Post 6/30/98)	C+	9A.88.080	PROPROST2
Promoting Prostitution 2 Attempt	D+	9A.88.080	PROPROST2
Promoting Prostitution 2 Conspiracy	D+	9A.88.080	PROPROST2
Promoting Prostitution 2 Solicitation	D+	9A.88.080	PROPROST2
Rape 1 (Post 6/30/98)	A	9A.44.040	RAPE1
Rape 1 Attempt (Post 6/30/98)	B+	9A.44.040	RAPE1
Rape 1 Conspiracy	B+	9A.44.040	RAPE1
Rape 1 Solicitation	B+	9A.44.040	RAPE1
Rape 2 (Post 6/30/98)	A-	9A.44.050	RAPE2

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY CATEGORY

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
<b>Sex Crimes (Continued)</b>			
Rape 2 Attempt (Post 6/30/98)	B+	9A.44.050	RAPE2
Rape 2 Conspiracy	B+	9A.44.050	RAPE2
Rape 2 Solicitation	B+	9A.44.050	RAPE2
Rape 3 (Post 6/30/98)	C+	9A.44.060	RAPE3
Rape 3 Attempt	D+	9A.44.060	RAPE3
Rape 3 Conspiracy	D+	9A.44.060	RAPE3
Rape 3 Solicitation	D+	9A.44.060	RAPE3
Rape Of A Child 1 (Post 6/30/98)	A-	9A.44.073	RAPECHILD1
Rape Of A Child 1 Attempt (Post 6/30/98)	B+	9A.44.073	RAPECHILD1
Rape Of A Child 1 Conspiracy	B+	9A.44.073	RAPECHILD1
Rape Of A Child 1 Solicitation	B+	9A.44.073	RAPECHILD1
Rape Of A Child 2 (Post 6/30/98)	B+	9A.44.050	RAPECHILD2
Rape Of A Child 2 Attempt (Post 6/30/98)	C+	9A.44.050	RAPECHILD2
Rape Of A Child 2 Conspiracy	C+	9A.44.050	RAPECHILD2
Rape Of A Child 2 Solicitation	C+	9A.44.050	RAPECHILC2
Rape Of A Child 3 (Post 6/30/98)	C	9A.44.060	RAPECHILD3
Rape Of A Child 3 Attempt	D	9A.44.060	RAPECHILD3
Rape Of A Child 3 Conspiracy	D	9A.44.060	RAPECHILD3
Rape Of A Child 3 Solicitation	D	9A.44.060	RAPECHILD3
Sexual Violation Of Human Remains (Post 6/30/98)	C	9A.44.105	SEXVIOLREM
Sexual Violation Of Human Remains Attempt	D	9A.44.105	SEXVIOLREM
Sexual Violation Of Human Remains Conspiracy	D	9A.44.105	SEXVIOLREM
Sexual Violation Of Human Remains Solicitation	D	9A.44.105	SEXVIOLREM
Voyeurism	C	9A.44.155	VOYEURISM
Voyeurism Attempt	D	9A.44.155	VOYEURISM
Voyeurism Conspiracy	D	9A.44.115	VOYEURISM
Voyeurism Solicitation	D	9A.44.115	VOYEURISM
<b>Theft, Robbery, Extortion and Forgery</b>			
Extortion 1 (Post 6/30/98)	B+	9A.56.120	EXTORTION1
Extortion 1 Attempt (Post 6/30/98)	C+	9A.56.120	EXTORTION1
Extortion 1 Conspiracy	C+	9A.56.120	EXTORTION1
Extortion 1 Solicitation	C+	9A.56.120	EXTORTION1
Extortion 2 (Post 6/30/98)	C+	9A.56.130	EXTORTION2
Extortion 2 Attempt	D+	9A.56.130	EXTORTION2
Extortion 2 Conspiracy	D+	9A.56.130	EXTORTION2
Extortion 2 Solicitation	D+	9A.56.130	EXTORTION2
Forgery (Post 6/30/98)	C	9A.60.020	FORGERY
Forgery Attempt	D	9A.60.020	FORGERY
Forgery Conspiracy	D	9A.60.020	FORGERY
Forgery Solicitation	D	9A.60.020	FORGERY
Possession Of Stolen Property 1 (Post 6/30/98)	B	9A.56.150	PSP1
Possession Of Stolen Property 1 Attempt (Post 6/30/98)	C	9A.56.150	PSP1
Possession Of Stolen Property 1 Conspiracy	C	9A.56.150	PSP1
Possession Of Stolen Property 1 Solicitation	C	9A.56.150	PSP1
Possession Of Stolen Property 2 (Post 6/30/98)	C	9A.56.160	PSP2
Possession Of Stolen Property 2 Attempt	D	9A.56.160	PSP2
Possession Of Stolen Property 2 Conspiracy	D	9A.56.160	PSP2
Possession Of Stolen Property 2 Solicitation	D	9A.56.160	PSP2
Possession Of Stolen Property 3	D	9A.56.170	PSP3



## JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY CATEGORY

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
<b>Theft, Robbery, Extortion and Forgery (Continued)</b>			
Possession Of Stolen Property 3 Attempt	E	9A.56.170	PSP3
Possession Of Stolen Property 3 Conspiracy	E	9A.56.170	PSP3
Possession Of Stolen Property 3 Solicitation	E	9A.56.170	PSP3
Robbery 1 (Post 6/30/98)	A	9A.56.200	ROBBERY1
Robbery 1 Attempt (Post 6/30/98)	B+	9A.56.200	ROBBERY1
Robbery 1 Conspiracy	B+	9A.56.200	ROBBERY1
Robbery 1 Solicitation	B+	9A.56.200	ROBBERY1
Robbery 2 (Post 6/30/98)	B+	9A.56.210	ROBBERY2
Robbery 2 Attempt (Post 6/30/98)	C+	9A.56.210	ROBBERY2
Robbery 2 Conspiracy	C+	9A.56.210	ROBBERY2
Robbery 2 Solicitation	C+	9A.56.210	ROBBERY2
Taking Motor Vehicle Without Permission 1 (Post 6/12/02)	C	9A.56.070(1)	TAMVWOOP1
Taking Motor Vehicle Without Permission 1 Attempt	D	9A.56.070(1)	TAMVWOOP1
Taking Motor Vehicle Without Permission 1 Conspiracy	D	9A.56.070(1)	TAMVWOOP1
Taking Motor Vehicle Without Permission 1 Solicitation	D	9A.56.070(1)	TAMVWOOP1
Taking Motor Vehicle Without Permission 2 (Post 6/12/02)	C	9A.56.070(2)	TAMVWOOP2
Taking Motor Vehicle Without Permission 2 Attempt	D	9A.56.070(2)	TAMVWOOP2
Taking Motor Vehicle Without Permission 2 Conspiracy	D	9A.56.070(2)	TAMVWOOP2
Taking Motor Vehicle Without Permission 2 Solicitation	D	9A.56.070(2)	TAMVWOOP2
Theft 1 (Post 6/30/98)	B	9A.56.030	THEFT1
Theft 1 Attempt (Post 6/30/98)	C	9A.56.030	THEFT1
Theft 1 Conspiracy	C	9A.56.030	THEFT1
Theft 1 Solicitation	C	9A.56.030	THEFT1
Theft 2 (Post 6/30/98)	C	9A.56.040	THEFT2
Theft 2 Attempt	D	9A.56.040	THEFT2
Theft 2 Conspiracy	D	9A.56.040	THEFT2
Theft 2 Solicitation	D	9A.56.040	THEFT2
Theft 3 (Post 6/30/98)	D	9A.56.050	THEFT3
Theft 3 Attempt	E	9A.56.050	THEFT3
Theft 3 Conspiracy	E	9A.56.050	THEFT3
Theft 3 Solicitation	E	9A.56.050	THEFT3
Theft Of Firearm	B	9A.56.300	THEFTFIREA
Theft Of Firearm Attempt	C	9A.56.300	THEFTFIREA
Theft Of Firearm Conspiracy	C	9A.56.300	THEFTFIREA
Theft Of Firearm Solicitation	C	9A.56.300	THEFTFIREA
Theft Of Livestock (Post 6/30/98)	B	9A.56.080	THEFTLIVES
Theft Of Livestock Attempt	C	9A.56.080	THEFTLIVES
Theft Of Livestock Conspiracy	C	9A.56.080	THEFTLIVES
Theft Of Livestock Solicitation	C	9A.56.080	THEFTLIVES
Trafficking In Stolen Property (Post 6/30/98)	B	9A.82.050	TRAFSTPROP
Trafficking In Stolen Property Attempt (Post 6/30/98)	C	9A.82.050	TRAFSTPROP
Trafficking In Stolen Property Conspiracy	C	9A.82.050	TRAFSTPROP
Trafficking In Stolen Property Solicitation	C	9A.82.050	TRAFSTPROP
<b>Other Crimes</b>			
Animal Cruelty 1st (Post 6/30/98)	C	16.52.205	ANIMCRUEL1
Animal Cruelty 1st Attempt	D	16.52.205	ANIMCRUEL1
Animal Cruelty 1st Conspiracy	D	16.52.205	ANIMCRUEL1
Animal Cruelty 1st Solicitation	D	16.52.205	ANIMCRUEL1
Animal Cruelty 2nd	E	16.52.207	ANIMCRUEL2

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY CATEGORY

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
<b>Other Crimes (Continued)</b>			
Bomb Threat (Post 6/30/98)	B	9.61.160	BOMBTHREAT
Bomb Threat Attempt (Post 6/30/98)	C	9.61.160	BOMBTHREAT
Bomb Threat Conspiracy	C	9.61.160	BOMBTHREAT
Bomb Threat Solicitation	C	9.61.160	BOMBTHREAT
Criminal Contempt	E	9.23.010	CRIMCONT
Custodial Interference	E	9A.400.50	CUSINTER
Escape 1 (Post 6/30/98)	C	9A.76.110	ESCAPE1
Escape 1 Attempt (Post 6/30/98)	C	9A.76.110	ESCAPE1
Escape 1 Conspiracy	C	9A.76.110	ESCAPE1
Escape 1 Solicitation	C	9A.76.110	ESCAPE1
Escape 2 (Post 6/30/98)	C	9A.76.120	ESCAPE2
Escape 2 Attempt	C	9A.76.120	ESCAPE2
Escape 2 Conspiracy	C	9A.76.120	ESCAPE2
Escape 2 Solicitation	C	9A.76.120	ESCAPE2
Escape 3	D	9A.76.130	ESCAPE3
Escape 3 Attempt	E	9A.76.130	ESCAPE3
Escape 3 Conspiracy	E	9A.76.130	ESCAPE3
Escape 3 Solicitation	E	9A.76.130	ESCAPE3
Fail To Register As A Sex Offender (Post 6/30/89)	C	9A.44.131	FAILREGS
Fail To Register As A Sex Offender Attempt	D	9A.44.131	FAILREGS
Fail To Register As A Sex Offender Conspiracy	D	9A.44.131	FAILREGS
Fail To Register As A Sex Offender Solicitation	D	9A.44.131	FAILREGS
False Reporting	D	9A.84.040	FALSEREP
False Reporting Attempt	E	9A.84.040	FALSEREP
False Reporting Conspiracy	E	9A.84.040	FALSEREP
False Reporting Solicitation	E	9A.84.040	FALSEREP
Harassment - 1st Time	D	9A.46.020	HARASS
Harassment - 1st Time Attempt	E	9A.46.020	HARASS
Harassment - 1st Time Conspiracy	E	9A.46.020	HARASS
Harassment - 1st Time Solicitation	E	9A.46.020	HARASS
Harassment - First Time With Threat To Kill (Post 6/30/98)	C	9A.46.020	HARASSTHRT
Harassment (Repeat) (Post 6/30/98)	C	9A.46.020	HARASSREP
Harassment (Repeat) Attempt	D	9A.46.020	HARASSREP
Harassment (Repeat) Conspiracy	D	9A.46.020	HARASSREP
Harassment (Repeat) Solicitation	D	9A.46.020	HARASSREP
Obscene Phone Calls	E	9.61.230	OBSCENEPC
Other A Offense (Post 6/30/98)	A	13.40.030	OTHERAOFF
Other A Offense Attempt (Post 6/30/98)	B+	13.40.030	OTHERAOFF
Other A Offense Conspiracy	B+	13.40.030	OTHERAOFF
Other A Offense Solicitation	B+	13.40.030	OTHERAOFF
Other B Offense (Post 6/30/98)	B	13.40.030	OTHERBOFF
Other B Offense Attempt (Post 6/30/98)	C	13.40.030	OTHERBOFF
Other B Offense Conspiracy	C	13.40.030	OTHERBOFF
Other B Offense Solicitation	C	13.40.030	OTHERBOFF
Other B+ Offense (Post 6/30/98)	B+	9A.20.010	OTHERB+OFF
Other B+ Offense Attempt (Post 6/30/98)	C+	9A.20.010	OTHERB+OFF
Other B+ Offense Conspiracy	C+	9A.20.010	OTHERB+OFF
Other B+ Offense Solicitation	C+	9A.20.010	OTHERB+OFF
Other C Offense (Post 6/30/98)	C	9A.20.010	OTHERCOFF
Other C Offense Attempt	D	9A.20.010	OTHERCOFF

## JUVENILE DISPOSITION STANDARD OFFENSE LIST – BY CATEGORY

OFFENSE DESCRIPTION	LEVEL	RCW	JRA CODE
<b>Other Crimes (Continued)</b>			
Other C Offense Conspiracy	D	9A.20.010	OTHERCOFF
Other C Offense Solicitation	D	9A.20.010	OTHERCOFF
Other C+ Offense (Post 6/30/98)	C+	9A.20.010	OTHERC+OFF
Other C+ Offense Attempt	D+	9A.20.010	OTHERC+OFF
Other C+ Offense Conspiracy	D+	9A.20.010	OTHERC+OFF
Other C+ Offense Solicitation	D+	9A.20.010	OTHERC+OFF
Other D+ Offense	D+	13.40.030	OTHERD+OFF
Other D+ Offense Attempt	E	13.40.030	OTHERD+OFF
Other D+ Offense Conspiracy	E	13.40.030	OTHERD+OFF
Other D+ Offense Solicitation	E	13.40.030	OTHERD+OFF
Other Offense Equivalent To Adult Gross Misdemeanor	D	13.40.030	OTHERDOFF
Other Offense Equivalent To Adult Gross Misdemeanor Attempt	E	13.40.030	OTHERDOFF
Other Offense Equivalent To Adult Gross Misdemeanor Conspiracy	E	13.40.030	OTHERDOFF
Other Offense Equivalent To Adult Gross Misdemeanor Solicitation	E	13.40.030	OTHERDOFF
Other Offense Equivalent To Adult Misdemeanor	E	13.40.030	OTHEREOFF
Rendering Criminal Assistance 1 (Post 6/30/98)	C	9A.76.070	RENDCRIM
Rendering Criminal Assistance 1 Attempt	D	9A.76.070	RENDCRIM
Rendering Criminal Assistance 1 Conspiracy	D	9A.76.070	RENDCRIM
Rendering Criminal Assistance 1 Solicitation	D	9A.76.070	RENDCRIM
Sex Offender Parole Revoke	V	9A.44.130	SOPARREV
Stalking (1st Time)	D	9A.46.110	STALK
Stalking (1st Time) Attempt	E	9A.46.110	STALK
Stalking (1st Time) Conspiracy	E	9A.46.110	STALK
Stalking (1st Time) Solicitation	E	9A.46.110	STALK
Stalking (Repeat) (Post 6/30/98)	C	9A.46.110	STALKREP

**SECTION 3**

**JUVENILE JUSTICE ACT OF 1977, AS AMENDED  
RCW 13.40**

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**JUVENILE JUSTICE ACT OF 1977, AS AMENDED**

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**CHAPTER 13.40 RCW**  
**JUVENILE JUSTICE ACT OF 1977, AS AMENDED**

**RCW 13.40.005 Juvenile disposition standards commission--Abolished--References to commission--Transfer of powers, duties, and functions.** (1) The juvenile disposition standards commission is hereby abolished and its powers, duties, and functions are hereby transferred to the sentencing guidelines commission. All references to the director or the juvenile disposition standards commission in the Revised Code of Washington shall be construed to mean the director or the sentencing guidelines commission.

(2)(a) All reports, documents, surveys, books, records, files, papers, or written material in the possession of the juvenile disposition standards commission shall be delivered to the custody of the sentencing guidelines commission. All cabinets, furniture, office equipment, motor vehicles, and other tangible property employed by the juvenile disposition standards commission shall be made available to the sentencing guidelines commission. All funds, credits, or other assets held by the juvenile disposition standards commission shall be assigned to the sentencing guidelines commission.

(b) Any appropriations made to the juvenile disposition standards commission shall, on June 30, 1997, be transferred and credited to the sentencing guidelines commission.

(c) If any question arises as to the transfer of any personnel, funds, books, documents, records, papers, files, equipment, or other tangible property used or held in the exercise of the powers and the performance of the duties and functions transferred, the director of financial management shall make a determination as to the proper allocation and certify the same to the state agencies concerned.

(3) All employees of the juvenile disposition standards commission are transferred to the jurisdiction of the sentencing guidelines commission. All employees classified under chapter 41.06 RCW, the state civil service law, are assigned to the sentencing guidelines commission to perform their usual duties upon the same terms as formerly, without any loss of rights, subject to any action that may be appropriate thereafter in accordance with the laws and rules governing state civil service.

(4) All rules and all pending business before the juvenile disposition standards commission shall be continued and acted upon by the sentencing guidelines commission. All existing contracts and obligations shall remain in full force and shall be performed by the sentencing guidelines commission.

(5) The transfer of the powers, duties, functions, and personnel of the juvenile disposition standards commission shall not affect the validity of any act performed before June 30, 1997.

(6) If apportionments of budgeted funds are required because of the transfers directed by this section, the director of financial management shall certify the apportionments to the agencies affected, the state auditor, and the state treasurer. Each of these shall make the appropriate transfer and adjustments in funds and appropriation accounts and equipment records in accordance with the certification.

(7) Nothing contained in this section may be construed to alter any existing collective bargaining unit or the provisions of any existing collective bargaining agreement until the agreement has expired or until the bargaining unit has been modified by action of the personnel board as provided by law. [1995 c 269 § 301.]

**RCW 13.40.010 Short title--Intent--Purpose.** (1) This chapter shall be known and cited as the Juvenile Justice Act of 1977.

(2) It is the intent of the legislature that a system capable of having primary responsibility for, being accountable for, and responding to the needs of youthful offenders, as defined by this chapter, be established. It is the further intent of the legislature that youth, in turn, be held accountable for their offenses and that communities, families, and the juvenile courts carry out their functions consistent with this intent. To effectuate these policies, the legislature declares the following to be equally important purposes of this chapter:

- (a) Protect the citizenry from criminal behavior;
- (b) Provide for determining whether accused juveniles have committed offenses as defined by this chapter;
- (c) Make the juvenile offender accountable for his or her criminal behavior;
- (d) Provide for punishment commensurate with the age, crime, and criminal history of the juvenile offender;
- (e) Provide due process for juveniles alleged to have committed an offense;
- (f) Provide necessary treatment, supervision, and custody for juvenile offenders;
- (g) Provide for the handling of juvenile offenders by communities whenever consistent with public safety;
- (h) Provide for restitution to victims of crime;
- (i) Develop effective standards and goals for the operation, funding, and evaluation of all components of the juvenile justice system and related services at the state and local levels;
- (j) Provide for a clear policy to determine what types of offenders shall receive punishment, treatment, or both, and to determine the jurisdictional limitations of the courts, institutions, and community services; and
- (k) Encourage the parents, guardian, or custodian of the juvenile to actively participate in the juvenile justice process. [1997 c 338 § 8; 1992 c 205 § 101; 1977 ex.s. c 291 § 55.]

**RCW 13.40.020 Definitions.** For the purposes of this chapter:

(1) "Community-based rehabilitation" means one or more of the following: Employment; attendance of information classes; literacy classes; counseling, outpatient substance abuse treatment programs, outpatient mental health programs, anger management classes, education or outpatient treatment programs to prevent animal cruelty, or other services; or attendance at school or other educational programs appropriate for the juvenile as determined by the school district. Placement in community-based rehabilitation programs is subject to available funds;

(2) Community-based sanctions may include one or more of the following:

- (a) A fine, not to exceed five hundred dollars;
- (b) Community restitution not to exceed one hundred fifty hours of community restitution;

(3) "Community restitution" means compulsory service, without compensation, performed for the benefit of the community by the offender as punishment for committing an offense. Community restitution may be performed through public or private organizations or through work crews;

(4) "Community supervision" means an order of disposition by the court of an adjudicated youth not committed to the department or an order granting a deferred disposition.

A community supervision order for a single offense may be for a period of up to two years for a sex offense as defined by RCW 9.94A.030 and up to one year for other offenses. As a mandatory condition of any term of community supervision, the court shall order the juvenile to refrain from committing new offenses. As a mandatory condition of community supervision, the court shall order the juvenile to comply with the mandatory school attendance provisions of chapter 28A.225 RCW and to inform the school of the existence of this requirement. Community supervision is an individualized program comprised of one or more of the following:

- (a) Community-based sanctions;
- (b) Community-based rehabilitation;
- (c) Monitoring and reporting requirements;
- (d) Posting of a probation bond;

(5) "Confinement" means physical custody by the department of social and health services in a facility operated by or pursuant to a contract with the state, or physical custody in a detention facility operated by or pursuant to a contract with any county. The county may operate or contract with vendors to operate county detention facilities. The department may operate or contract to operate detention facilities for juveniles committed to the department. Pretrial confinement or confinement of less than thirty-one days imposed as part of a disposition or modification order may be served consecutively or intermittently, in the discretion of the court;

(6) "Court," when used without further qualification, means the juvenile court judge(s) or commissioner(s);

(7) "Criminal history" includes all criminal complaints against the respondent for which, prior to the commission of a current offense:

(a) The allegations were found correct by a court. If a respondent is convicted of two or more charges arising out of the same course of conduct, only the highest charge from among these shall count as an offense for the purposes of this chapter; or

(b) The criminal complaint was diverted by a prosecutor pursuant to the provisions of this chapter on agreement of the respondent and after an advisement to the respondent that the criminal complaint would be considered as part of the respondent's criminal history. A successfully completed deferred adjudication that was entered before July 1, 1998, or a deferred disposition shall not be considered part of the respondent's criminal history;

(8) "Department" means the department of social and health services;

(9) "Detention facility" means a county facility, paid for by the county, for the physical confinement of a juvenile alleged to have committed an offense or an adjudicated offender subject to a disposition or modification order. "Detention facility" includes county group homes, inpatient substance abuse programs, juvenile basic training camps, and electronic monitoring;

(10) "Diversion unit" means any probation counselor who enters into a diversion agreement with an alleged youthful offender, or any other person, community accountability board, youth court under the supervision of the juvenile court, or other entity except a law enforcement official or entity, with whom the juvenile court administrator has contracted to arrange and supervise such agreements pursuant to RCW 13.40.080, or any person, community accountability board, or other entity specially funded by the legislature to arrange and supervise diversion agreements in accordance with the requirements of this chapter. For purposes of this subsection, "community accountability board" means a board comprised of members of the local community in which the juvenile offender resides. The superior court shall appoint the members. The boards shall consist of at least three and not more than seven members. If possible, the board should include a variety of representatives from the community, such as a law

enforcement officer, teacher or school administrator, high school student, parent, and business owner, and should represent the cultural diversity of the local community;

(11) "Foster care" means temporary physical care in a foster family home or group care facility as defined in RCW 74.15.020 and licensed by the department, or other legally authorized care;

(12) "Institution" means a juvenile facility established pursuant to chapters 72.05 and 72.16 through 72.20 RCW;

(13) "Intensive supervision program" means a parole program that requires intensive supervision and monitoring, offers an array of individualized treatment and transitional services, and emphasizes community involvement and support in order to reduce the likelihood a juvenile offender will commit further offenses;

(14) "Juvenile," "youth," and "child" mean any individual who is under the chronological age of eighteen years and who has not been previously transferred to adult court pursuant to RCW 13.40.110 or who is otherwise under adult court jurisdiction;

(15) "Juvenile offender" means any juvenile who has been found by the juvenile court to have committed an offense, including a person eighteen years of age or older over whom jurisdiction has been extended under RCW 13.40.300;

(16) "Local sanctions" means one or more of the following: (a) 0-30 days of confinement; (b) 0-12 months of community supervision; (c) 0-150 hours of community restitution; or (d) \$0-\$500 fine;

(17) "Manifest injustice" means a disposition that would either impose an excessive penalty on the juvenile or would impose a serious, and clear danger to society in light of the purposes of this chapter;

(18) "Monitoring and reporting requirements" means one or more of the following: Curfews; requirements to remain at home, school, work, or court-ordered treatment programs during specified hours; restrictions from leaving or entering specified geographical areas; requirements to report to the probation officer as directed and to remain under the probation officer's supervision; and other conditions or limitations as the court may require which may not include confinement;

(19) "Offense" means an act designated a violation or a crime if committed by an adult under the law of this state, under any ordinance of any city or county of this state, under any federal law, or under the law of another state if the act occurred in that state;

(20) "Probation bond" means a bond, posted with sufficient security by a surety justified and approved by the court, to secure the offender's appearance at required court proceedings and compliance with court-ordered community supervision or conditions of release ordered pursuant to RCW 13.40.040 or 13.40.050. It also means a deposit of cash or posting of other collateral in lieu of a bond if approved by the court;

(21) "Respondent" means a juvenile who is alleged or proven to have committed an offense;

(22) "Restitution" means financial reimbursement by the offender to the victim, and shall be limited to easily ascertainable damages for injury to or loss of property, actual expenses incurred for medical treatment for physical injury to persons, lost wages resulting from physical injury, and costs of the victim's counseling reasonably related to the offense if the offense is a sex offense. Restitution shall not include reimbursement for damages for mental anguish, pain and suffering, or other intangible losses. Nothing in this chapter shall limit or replace civil remedies or defenses available to the victim or offender;

(23) "Secretary" means the secretary of the department of social and health services. "Assistant secretary" means the assistant secretary for juvenile rehabilitation for the department;

(24) "Services" means services which provide alternatives to incarceration for those juveniles who have pleaded or been adjudicated guilty of an offense or have signed a diversion agreement pursuant to this chapter;

(25) "Sex offense" means an offense defined as a sex offense in RCW 9.94A.030;

(26) "Sexual motivation" means that one of the purposes for which the respondent committed the offense was for the purpose of his or her sexual gratification;

(27) "Surety" means an entity licensed under state insurance laws or by the state department of licensing, to write corporate, property, or probation bonds within the state, and justified and approved by the superior court of the county having jurisdiction of the case;

(28) "Violation" means an act or omission, which if committed by an adult, must be proven beyond a reasonable doubt, and is punishable by sanctions which do not include incarceration;

(29) "Violent offense" means a violent offense as defined in RCW 9.94A.030;

(30) "Youth court" means a diversion unit under the supervision of the juvenile court. [2002 c 237 § 7; 2002 c 175 § 19; 1997 c 338 § 10; (1997 c 338 § 9 expired July 1, 1998). Prior: 1995 c 395 § 2; 1995 c 134 § 1; prior: 1994 sp.s. c 7 § 520; 1994 c 271 § 803; 1994 c 261 § 18; 1993 c 373 § 1; 1990 1st ex.s. c 12 § 1; 1990 c 3 § 301; 1989 c 407 § 1; 1988 c 145 § 17; 1983 c 191 § 7; 1981 c 299 § 2; 1979 c 155 § 54; 1977 ex.s. c 291 § 56.]

**RCW 13.40.030 Security guidelines--Legislative review--Limitations on permissible ranges of confinement.** (1) The secretary shall submit guidelines pertaining to the nature of the security to be imposed on youth placed in his or her custody based on the age, offense(s), and criminal history of the juvenile offender. Such guidelines shall be submitted to the legislature for its review no later than November 1st of each year. The department shall include security status definitions in the security guidelines it submits to the legislature pursuant to this section.

(2) The permissible ranges of confinement resulting from a finding of manifest injustice under RCW 13.40.0357 are subject to the following limitations:

(a) Where the maximum term in the range is ninety days or less, the minimum term in the range may be no less than fifty percent of the maximum term in the range;

(b) Where the maximum term in the range is greater than ninety days but not greater than one year, the minimum term in the range may be no less than seventy-five percent of the maximum term in the range; and

(c) Where the maximum term in the range is more than one year, the minimum term in the range may be no less than eighty percent of the maximum term in the range. [2003 c 207 § 5; 1996 c 232 § 5; 1989 c 407 § 3; 1985 c 73 § 1; 1983 c 191 § 6; 1981 c 299 § 5; 1979 c 155 § 55; 1977 ex.s. c 291 § 57.]

**RCW 13.40.0351 Equal application of guidelines and standards.** The sentencing guidelines and prosecuting standards apply equally to juvenile offenders in all parts of the state, without discrimination as to any element that does not relate to the crime or the previous record of the offender. [1989 c 407 § 5.]

**RCW 13.40.0357 Juvenile offender sentencing standards. (Effective until July 1, 2004).**

**DESCRIPTION AND OFFENSE CATEGORY**

JUVENILE DISPOSITION OFFENSE CATEGORY	DESCRIPTION (RCW CITATION)	JUVENILE DISPOSITION CATEGORY FOR ATTEMPT, BAILJUMP, CONSPIRACY, OR SOLICITATION
<b>Arson and Malicious Mischief</b>		
A	Arson 1 (9A.48.020)	B+
B	Arson 2 (9A.48.030)	C
C	Reckless Burning 1 (9A.48.040)	D
D	Reckless Burning 2 (9A.48.050)	E
B	Malicious Mischief 1 (9A.48.070)	C
C	Malicious Mischief 2 (9A.48.080)	D
D	Malicious Mischief 3 (<\$50 is E class) (9A.48.090)	E
E	Tampering with Fire Alarm Apparatus (9.40.100)	E
A	Possession of Incendiary Device (9.40.120)	B+
<b>Assault and Other Crimes Involving Physical Harm</b>		
A	Assault 1 (9A.36.011)	B+
B+	Assault 2 (9A.36.021)	C+
C+	Assault 3 (9A.36.031)	D+
D+	Assault 4 (9A.36.041)	E
B+	Drive-By Shooting (9A.36.045)	C+
D+	Reckless Endangerment (9A.36.050)	E
C+	Promoting Suicide Attempt (9A.36.060)	D+
D+	Coercion (9A.36.070)	E
C+	Custodial Assault (9A.36.100)	D+
<b>Burglary and Trespass</b>		
B+	Burglary 1 (9A.52.020)	C+
B	Residential Burglary (9A.52.025)	C
B	Burglary 2 (9A.52.030)	C
D	Burglary Tools (Possession of) (9A.52.060)	E
D	Criminal Trespass 1 (9A.52.070)	E
E	Criminal Trespass 2 (9A.52.080)	E
C	Mineral Trespass (78.44.330)	C
C	Vehicle Prowling 1 (9A.52.095)	D
D	Vehicle Prowling 2 (9A.52.100)	E

JUVENILE DISPOSITION OFFENSE CATEGORY	DESCRIPTION (RCW CITATION)	JUVENILE DISPOSITION CATEGORY FOR ATTEMPT, BAILJUMP, CONSPIRACY, OR SOLICITATION
<b>Drugs</b>		
E	Possession/Consumption of Alcohol (66.44.270)	E
C	Illegally Obtaining Legend Drug (69.41.020)	D
C+	Sale, Delivery, Possession of Legend Drug with Intent to Sell (69.41.030)	D+
E	Possession of Legend Drug (69.41.030)	E
B+	Violation of Uniform Controlled Substances Act – Narcotic, Methamphetamine, or Flunitrazepam Sale (69.50.401(a)(1) (i) or (ii))	B+
C	Violation of Uniform Controlled Substances Act – Nonnarcotic Sale (69.50.401(a)(1)(iii))	C
E	Possession of Marihuana <40 grams (69.50.401(e))	E
C	Fraudulently Obtaining Controlled Substance (69.50.403)	C
C+	Sale of Controlled Substance for Profit (69.50.410)	C+
E	Unlawful Inhalation (9.47A.020)	E
B	Violation of Uniform Controlled Substances Act – Narcotic, Methamphetamine, or Flunitrazepam Counterfeit Substances 69.50.401(b)(1) (i) or (ii))	B
C	Violation of Uniform Controlled Substances Act – Nonnarcotic Counterfeit Substances (69.50.401(b)(1) (iii), (iv), (v))	C
C	Violation of Uniform Controlled Substances Act – Possession of a Controlled Substance (69.50.401(d))	C
C	Violation of Uniform Controlled Substances Act – Possession of a Controlled Substance (69.50.401(c))	C
<b>Firearms and Weapons</b>		
B	Theft of Firearm (9A.56.300)	C
B	Possession of Stolen Firearm (9A.56.310)	C
E	Carrying Loaded Pistol Without Permit (9.41.050)	E
C	Possession of Firearms by Minor (<18) (9.41.040(1)(b)(iii))	C
D+	Possession of Dangerous Weapon (9.41.250)	E
D	Intimidating Another Person by use of Weapon (9.41.270)	E
<b>Homicide</b>		
A+	Murder 1 (9A.32.030)	A
A+	Murder 2 (9A.32.050)	B+
B+	Manslaughter 1 (9A.32.060)	C+
C+	Manslaughter 2 (9A.32.070)	D+
B+	Vehicular Homicide (46.61.520)	C+
<b>Kidnapping</b>		
A	Kidnap 1 (9A.40.020)	B+
B+	Kidnap 2 (9A.40.030)	C+
C+	Unlawful Imprisonment (9A.40.040)	D+

JUVENILE DISPOSITION OFFENSE CATEGORY	DESCRIPTION (RCW CITATION)	JUVENILE DISPOSITION CATEGORY FOR ATTEMPT, BAILJUMP, CONSPIRACY, OR SOLICITATION
<b>Obstructing Governmental Operation</b>		
D	Obstructing a Law Enforcement Officer (9A.76.020)	E
E	Resisting Arrest (9A.76.040)	E
B	Introducing Contraband 1 (9A.76.140)	C
C	Introducing Contraband 2 (9A.76.150)	D
E	Introducing Contraband 3 (9A.76.160)	E
B+	Intimidating a Public Servant (9A.76.180)	C+
B+	Intimidating a Witness (9A.72.110)	C+
<b>Public Disturbance</b>		
C+	Riot with Weapon (9A.84.010)	D+
D+	Riot Without Weapon (9A.84.010)	E
E	Failure to Disperse (9A.84.020)	E
E	Disorderly Conduct (9A.84.030)	E
<b>Sex Crimes</b>		
A	Rape 1 (9A.44.040)	B+
A-	Rape 2 (9A.44.050)	B+
C+	Rape 3 (9A.44.060)	D+
A-	Rape of a Child 1 (9A.44.073)	B+
B+	Rape of a Child 2 (9A.44.076)	C+
B	Incest 1 (9A.64.020(1))	C
C	Incest 2 (9A.64.020(2))	D
D+	Indecent Exposure (Victim <14) (9A.88.010)	E
E	Indecent Exposure (Victim 14 or over) (9A.88.010)	E
B+	Promoting Prostitution 1 (9A.88.070)	C+
C+	Promoting Prostitution 2 (9A.88.080)	D+
E	O & A (Prostitution) (9A.88.030)	E
B+	Indecent Liberties (9A.44.100)	C+
A-	Child Molestation 1 (9A.44.083)	B+
B	Child Molestation 2 (9A.44.086)	C+
<b>Theft, Robbery, Extortion, and Forgery</b>		
B	Theft 1 (9A.56.030)	C
C	Theft 2 (9A.56.040)	D
D	Theft 3 (9A.56.050)	E
B	Theft of Livestock (9A.56.080)	C
C	Forgery (9A.60.020)	D
A	Robbery 1 (9A.56.200)	B+
B+	Robbery 2 (9A.56.210)	C+
B+	Extortion 1 (9A.56.120)	C+
C+	Extortion 2 (9A.56.130)	D+
C	Identity Theft 1 (9.35.020(2)(a))	D
D	Identity Theft 2 (9.35.020(2)(b))	E
D	Improperly Obtaining Financial Information (9.35.010)	E



JUVENILE DISPOSITION OFFENSE CATEGORY	DESCRIPTION (RCW CITATION)	JUVENILE DISPOSITION CATEGORY FOR ATTEMPT, BAILJUMP, CONSPIRACY, OR SOLICITATION
<b>Theft, Robbery, Extortion, and Forgery (Continued)</b>		
B	Possession of Stolen Property 1 (9A.56.150)	C
C	Possession of Stolen Property 2 (9A.56.160)	D
D	Possession of Stolen Property 3 (9A.56.170)	E
C	Taking Motor Vehicle Without Permission 1 and 2 (9A.56.070(1) and (2))	D
<b>Motor Vehicle Related Crimes</b>		
E	Driving Without a License (46.20.005)	E
B+	Hit and Run – Death (46.52.020(4)(a))	C+
C	Hit and Run – Injury (46.52.020(4)(b))	D
D	Hit and Run-Attended (46.52.020(5))	E
E	Hit and Run-Unattended (46.52.010)	E
C	Vehicular Assault (46.61.522)	D
C	Attempting to Elude Pursuing Police Vehicle (46.61.024)	D
E	Reckless Driving (46.61.500)	E
D	Driving While Under the Influence (46.61.502 and 46.61.504)	E
<b>Other</b>		
B	Bomb Threat (9.61.160)	C
C	Escape 1 <sup>1</sup> (9A.76.110)	C
C	Escape 2 <sup>1</sup> (9A.76.120)	C
D	Escape 3 (9A.76.130)	E
E	Obscene, Harassing, Etc., Phone Calls (9.61.230)	E
A	Other Offense Equivalent to an Adult Class A Felony	B+
B	Other Offense Equivalent to an Adult Class B Felony	C
C	Other Offense Equivalent to an Adult Class C Felony	D
D	Other Offense Equivalent to an Adult Gross Misdemeanor	E
E	Other Offense Equivalent to an Adult Misdemeanor	E
V	Violation of Order of Restitution, Community Supervision, or Confinement (13.40.200) <sup>2</sup>	V

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

- 1st escape or attempted escape during 12-month period - 4 weeks confinement
- 2nd escape or attempted escape during 12-month period - 8 weeks confinement
- 3rd and subsequent escape or attempted escape during 12-month period - 12 weeks confinement

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

## JUVENILE SENTENCING STANDARDS

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

### OPTION A JUVENILE OFFENDER SENTENCING GRID

STANDARD RANGE						
CURRENT OFFENSE CATEGORY	A+	180 Weeks to Age 21 for All Category A+ Offenses				
	A	103 - 129 Weeks for All Category A Offenses				
	A-	15 - 36 Weeks <small>Except 30 - 40 Weeks for 15 to 17 Year Olds</small>	52 - 65 Weeks	80 - 100 Weeks	103 - 129 Weeks	103 - 129 Weeks
	B+	15 - 36 Weeks	15 - 36 Weeks	52 - 65 Weeks	80 - 100 Weeks	103 - 129 Weeks
	B	LS	LS	15 - 36 Weeks	15 - 36 Weeks	52 - 65 Weeks
	C+	LS	LS	LS	15 - 36 Weeks	15 - 36 Weeks
	C	LS	LS	LS	LS	15 - 36 Weeks
	D+	LS	LS	LS	LS	LS
	D	LS	LS	LS	LS	LS
	E	LS	LS	LS	LS	LS
		0	1	2	3	4 or More
PRIOR ADJUDICATIONS						

- (1) The vertical axis of the grid is the current offense category. The current offense category is determined by the offense of adjudication.
- (2) The horizontal axis of the grid is the number of prior adjudications included in the juvenile's criminal history. Each prior felony adjudication counts as one point. Each prior violation, misdemeanor, and gross misdemeanor adjudication counts as 1/4 point. Fractional points are rounded down.
- (3) The standard range disposition for each offense is determined by the intersection of the column defined by the prior adjudications and the row defined by the current offense category.
- (4) RCW 13.40.180 applies if the offenders is being sentenced for more than one offense.
- (5) A current offense that is a violation is equivalent to an offense category of E. However, a disposition for a violation shall not include confinement.

**LS = Local Sanctions:** 0 - 30 Days of Confinement, and/or  
 0 - 12 Months of Community Supervision, and/or  
 0 - 150 Hours of Community Restitution, and/or  
 \$0 - \$500 Fine

**OR**  
**OPTION B**  
**SUSPENDED DISPOSITION ALTERNATIVE**

(1) If the offender is subject to a standard range disposition involving confinement by the department, the court may impose the standard range and suspend the disposition on condition that the offender comply with one or more local sanctions and any educational or treatment requirement. The treatment programs provided to the offender must be research-based, best practices programs as identified by the Washington State Institute for Public Policy or the Joint Legislative Audit and Review Committee.

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

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

(a) Adjudicated of an A.+ offense;

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

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

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

(iii) Assault in the second degree (RCW 9A.36.021), extortion in the first degree (RCW 9A.56.120), kidnapping in the second degree (RCW 9A.40.030), robbery in the second degree (RCW 9A.56.210), residential burglary (RCW 9A.52.025), burglary in the second degree (RCW 9A.52.030), drive-by shooting (RCW 9A.36.045), vehicular homicide (RCW 46.61.520), hit and run death (RCW 46.52.020(4)(a)), intimidating a witness (RCW 9A.72.110), violation of the uniform controlled substances act (\*RCW 69.50.401(a)(1) (i) or (ii)), or manslaughter 2 (RCW 9A.32.070), when the offense includes infliction of bodily harm upon another or when during the commission or immediate withdrawal from the offense the respondent was armed with a deadly weapon;

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

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

**OR**  
**OPTION C**  
**CHEMICAL DEPENDENCY DISPOSITION ALTERNATIVE**

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

**OR**  
**OPTION D**  
**MANIFEST INJUSTICE**

If the court determines that a disposition under option A, B, or C would effectuate a manifest injustice, the court shall impose a disposition outside the standard range under RCW

13.40.160(2). [2003 c 378 § 2; 2003 c 335 § 6. Prior: 2002 c 324 § 3; 2002 c 175 § 20; 2001 c 217 § 13; 2000 c 66 § 3; 1998 c 290 § 5; prior: 1997 c 338 § 12; (1997 c 338 § 11 expired July 1, 1998); 1997 c 66 § 6; 1996 c 205 § 6; 1995 c 395 § 3; 1994 sp.s. c 7 § 522; 1989 c 407 § 7.]

**RCW 13.40.0357 Juvenile offender sentencing standards. (Effective July 1, 2004).**

**DESCRIPTION AND OFFENSE CATEGORY**

JUVENILE DISPOSITION OFFENSE CATEGORY	DESCRIPTION (RCW CITATION)	JUVENILE DISPOSITION CATEGORY FOR ATTEMPT, BAILJUMP, CONSPIRACY, OR SOLICITATION
	<b>Arson and Malicious Mischief</b>	
A	Arson 1 (9A.48.020)	B+
B	Arson 2 (9A.48.030)	C
C	Reckless Burning 1 (9A.48.040)	D
D	Reckless Burning 2 (9A.48.050)	E
B	Malicious Mischief 1 (9A.48.070)	C
C	Malicious Mischief 2 (9A.48.080)	D
D	Malicious Mischief 3 (<\$50 is E class) (9A.48.090 (2)(a) and (c))	E
E	Tampering with Fire Alarm Apparatus (9.40.100)	E
E	Tampering with Fire Alarm Apparatus with Intent to Commit Arson (9.40.105)	E
A	Possession of Incendiary Device (9.40.120)	B+
	<b>Assault and Other Crimes Involving Physical Harm</b>	
A	Assault 1 (9A.36.011)	B+
B+	Assault 2 (9A.36.021)	C+
C+	Assault 3 (9A.36.031)	D+
D+	Assault 4 (9A.36.041)	E
B+	Drive-By Shooting (9A.36.045)	C+
D+	Reckless Endangerment (9A.36.050)	E
C+	Promoting Suicide Attempt (9A.36.060)	D+
D+	Coercion (9A.36.070)	E
C+	Custodial Assault (9A.36.100)	D+
	<b>Burglary and Trespass</b>	
B+	Burglary 1 (9A.52.020)	C+
B	Residential Burglary (9A.52.025)	C
B	Burglary 2 (9A.52.030)	C
D	Burglary Tools (Possession of) (9A.52.060)	E
D	Criminal Trespass 1 (9A.52.070)	E
E	Criminal Trespass 2 (9A.52.080)	E
C	Mineral Trespass (78.44.330)	C
C	Vehicle Prowling 1 (9A.52.095)	D
D	Vehicle Prowling 2 (9A.52.100)	E

JUVENILE DISPOSITION OFFENSE CATEGORY	DESCRIPTION (RCW CITATION)	JUVENILE DISPOSITION CATEGORY FOR ATTEMPT, BAILJUMP, CONSPIRACY, OR SOLICITATION
<b>Drugs</b>		
E	Possession/Consumption of Alcohol (66.44.270)	E
C	Illegally Obtaining Legend Drug (69.41.020)	D
C+	Sale, Delivery, Possession of Legend Drug with Intent to Sell (69.41.030)(2)(a)	D+
E	Possession of Legend Drug (69.41.030)(2)(b)	E
B+	Violation of Uniform Controlled Substances Act – Narcotic, Methamphetamine, or Flunitrazepam Sale (69.50.401(2)(a) or (b))	B+
C	Violation of Uniform Controlled Substances Act – Nonnarcotic Sale (69.50.401(2)(c))	C
E	Possession of Marihuana <40 grams (69.50.4014)	E
C	Fraudulently Obtaining Controlled Substance (69.50.403)	C
C+	Sale of Controlled Substance for Profit (69.50.410)	C+
E	Unlawful Inhalation (9.47A.020)	E
B	Violation of Uniform Controlled Substances Act – Narcotic, Methamphetamine, or Flunitrazepam Counterfeit Substances 69.50.4011(2)(a) or (b)	B
C	Violation of Uniform Controlled Substances Act – Nonnarcotic Counterfeit Substances (69.50.4011(2)(c)(d) or (e))	C
C	Violation of Uniform Controlled Substances Act – Possession of a Controlled Substance (69.50.4013)	C
C	Violation of Uniform Controlled Substances Act – Possession of a Controlled Substance (69.50.4012)	C
<b>Firearms and Weapons</b>		
B	Theft of Firearm (9A.56.300)	C
B	Possession of Stolen Firearm (9A.56.310)	C
E	Carrying Loaded Pistol Without Permit (9.41.050)	E
C	Possession of Firearms by Minor (<18) (9.41.040(1)(b)(iii))	C
D+	Possession of Dangerous Weapon (9.41.250)	E
D	Intimidating Another Person by use of Weapon (9.41.270)	E
<b>Homicide</b>		
A+	Murder 1 (9A.32.030)	A
A+	Murder 2 (9A.32.050)	B+
B+	Manslaughter 1 (9A.32.060)	C+
C+	Manslaughter 2 (9A.32.070)	D+
B+	Vehicular Homicide (46.61.520)	C+
<b>Kidnapping</b>		
A	Kidnap 1 (9A.40.020)	B+
B+	Kidnap 2 (9A.40.030)	C+
C+	Unlawful Imprisonment (9A.40.040)	D+

JUVENILE DISPOSITION OFFENSE CATEGORY	DESCRIPTION (RCW CITATION)	JUVENILE DISPOSITION CATEGORY FOR ATTEMPT, BAILJUMP, CONSPIRACY, OR SOLICITATION
<b>Obstructing Governmental Operation</b>		
D	Obstructing a Law Enforcement Officer (9A.76.020)	E
E	Resisting Arrest (9A.76.040)	E
B	Introducing Contraband 1 (9A.76.140)	C
C	Introducing Contraband 2 (9A.76.150)	D
E	Introducing Contraband 3 (9A.76.160)	E
B+	Intimidating a Public Servant (9A.76.180)	C+
B+	Intimidating a Witness (9A.72.110)	C+
<b>Public Disturbance</b>		
C+	Riot with Weapon (9A.84.010)(2)(b)	D+
D+	Riot Without Weapon (9A.84.010)(2)(a)	E
E	Failure to Disperse (9A.84.020)	E
E	Disorderly Conduct (9A.84.030)	E
<b>Sex Crimes</b>		
A	Rape 1 (9A.44.040)	B+
A-	Rape 2 (9A.44.050)	B+
C+	Rape 3 (9A.44.060)	D+
A-	Rape of a Child 1 (9A.44.073)	B+
B+	Rape of a Child 2 (9A.44.076)	C+
B	Incest 1 (9A.64.020(1))	C
C	Incest 2 (9A.64.020(2))	D
D+	Indecent Exposure (Victim <14) (9A.88.010)	E
E	Indecent Exposure (Victim 14 or over) (9A.88.010)	E
B+	Promoting Prostitution 1 (9A.88.070)	C+
C+	Promoting Prostitution 2 (9A.88.080)	D+
E	O & A (Prostitution) (9A.88.030)	E
B+	Indecent Liberties (9A.44.100)	C+
A-	Child Molestation 1 (9A.44.083)	B+
B	Child Molestation 2 (9A.44.086)	C+
<b>Theft, Robbery, Extortion, and Forgery</b>		
B	Theft 1 (9A.56.030)	C
C	Theft 2 (9A.56.040)	D
D	Theft 3 (9A.56.050)	E
B	Theft of Livestock 1 and 2 (9A.56.080 and 9A.56.083)	C
C	Forgery (9A.60.020)	D
A	Robbery 1 (9A.56.200)	B+
B+	Robbery 2 (9A.56.210)	C+
B+	Extortion 1 (9A.56.120)	C+
C+	Extortion 2 (9A.56.130)	D+
C	Identity Theft 1 (9.35.020(2))	D
D	Identity Theft 2 (9.35.020(3))	E
D	Improperly Obtaining Financial Information (9.35.010)	E

JUVENILE DISPOSITION OFFENSE CATEGORY	DESCRIPTION (RCW CITATION)	JUVENILE DISPOSITION CATEGORY FOR ATTEMPT, BAILJUMP, CONSPIRACY, OR SOLICITATION
<b>Theft, Robbery, Extortion, and Forgery (Continued)</b>		
B	Possession of Stolen Property 1 (9A.56.150)	C
C	Possession of Stolen Property 2 (9A.56.160)	D
D	Possession of Stolen Property 3 (9A.56.170)	E
C	Taking Motor Vehicle Without Permission 1 and 2 (9A.56.070 and 9A.56.075)	D
<b>Motor Vehicle Related Crimes</b>		
E	Driving Without a License (46.20.005)	E
B+	Hit and Run – Death (46.52.020(4)(a))	C+
C	Hit and Run – Injury (46.52.020(4)(b))	D
D	Hit and Run-Attended (46.52.020(5))	E
E	Hit and Run-Unattended (46.52.010)	E
C	Vehicular Assault (46.61.522)	D
C	Attempting to Elude Pursuing Police Vehicle (46.61.024)	D
E	Reckless Driving (46.61.500)	E
D	Driving While Under the Influence (46.61.502 and 46.61.504)	E
<b>Other</b>		
B	Bomb Threat (9.61.160)	C
C	Escape 1 <sup>1</sup> (9A.76.110)	C
C	Escape 2 <sup>1</sup> (9A.76.120)	C
D	Escape 3 (9A.76.130)	E
E	Obscene, Harassing, Etc., Phone Calls (9.61.230)	E
A	Other Offense Equivalent to an Adult Class A Felony	B+
B	Other Offense Equivalent to an Adult Class B Felony	C
C	Other Offense Equivalent to an Adult Class C Felony	D
D	Other Offense Equivalent to an Adult Gross Misdemeanor	E
E	Other Offense Equivalent to an Adult Misdemeanor	E
V	Violation of Order of Restitution, Community Supervision, or Confinement (13.40.200) <sup>2</sup>	V

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

- 1st escape or attempted escape during 12-month period - 4 weeks confinement
- 2nd escape or attempted escape during 12-month period - 8 weeks confinement
- 3rd and subsequent escape or attempted escape during 12-month period - 12 weeks confinement

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

## JUVENILE SENTENCING STANDARDS

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

STANDARD RANGE						
CURRENT OFFENSE CATEGORY	A+	180 Weeks to Age 21 for All Category A+ Offenses				
	A	103 - 129 Weeks for All Category A Offenses				
	A-	15 - 36 Weeks <small>Except 30 - 40 Weeks for 15 to 17 Year Olds</small>	52 - 65 Weeks	80 - 100 Weeks	103 - 129 Weeks	103 - 129 Weeks
	B+	15 - 36 Weeks	15 - 36 Weeks	52 - 65 Weeks	80 - 100 Weeks	103 - 129 Weeks
	B	LS	LS	15 - 36 Weeks	15 - 36 Weeks	52 - 65 Weeks
	C+	LS	LS	LS	15 - 36 Weeks	15 - 36 Weeks
	C	LS	LS	LS	LS	15 - 36 Weeks
	D+	LS	LS	LS	LS	LS
	D	LS	LS	LS	LS	LS
	E	LS	LS	LS	LS	LS
		0	1	2	3	4 or More
PRIOR ADJUDICATIONS						

- (1) The vertical axis of the grid is the current offense category. The current offense category is determined by the offense of adjudication.
- (2) The horizontal axis of the grid is the number of prior adjudications included in the juvenile's criminal history. Each prior felony adjudication counts as one point. Each prior violation, misdemeanor, and gross misdemeanor adjudication counts as 1/4 point. Fractional points are rounded down.
- (3) The standard range disposition for each offense is determined by the intersection of the column defined by the prior adjudications and the row defined by the current offense category.
- (4) RCW 13.40.180 applies if the offenders is being sentenced for more than one offense.
- (5) A current offense that is a violation is equivalent to an offense category of E. However, a disposition for a violation shall not include confinement.

**LS = Local Sanctions:** 0 - 30 Days of Confinement, and/or  
 0 - 12 Months of Community Supervision, and/or  
 0 - 150 Hours of Community Restitution, and/or  
 \$0 - \$500 Fine



**OR**  
**OPTION B**  
**SUSPENDED DISPOSITION ALTERNATIVE**

(1) If the offender is subject to a standard range disposition involving confinement by the department, the court may impose the standard range and suspend the disposition on condition that the offender comply with one or more local sanctions and any educational or treatment requirement. The treatment programs provided to the offender must be research-based best practice programs as identified by the Washington state institute for public policy or the joint legislative audit and review committee.

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

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

(a) Adjudicated of an A.+ offense;

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

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

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

(iii) Assault in the second degree (RCW 9A.36.021), extortion in the first degree (RCW 9A.56.120), kidnapping in the second degree (RCW 9A.40.030), robbery in the second degree (RCW 9A.56.210), residential burglary (RCW 9A.52.025), burglary in the second degree (RCW 9A.52.030), drive-by shooting (RCW 9A.36.045), vehicular homicide (RCW 46.61.520), hit and run death (RCW 46.52.020(4)(a)), intimidating a witness (RCW 9A.72.110), violation of the uniform controlled substances act (. \*RCW 69.50.401(a)(1) (i) or (ii)), or manslaughter 2 (RCW 9A.32.070), when the offense includes infliction of bodily harm upon another or when during the commission or immediate withdrawal from the offense the respondent was armed with a deadly weapon;

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

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

**OR**  
**OPTION C**  
**CHEMICAL DEPENDENCY DISPOSITION ALTERNATIVE**

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

**OR**  
**OPTION D**  
**MANIFEST INJUSTICE**

If the court determines that a disposition under option A, B, or C would effectuate a manifest injustice, the court shall impose a disposition outside the standard range under RCW

13.40.160(2). [2003 c 378 § 2; 2003 c 335 § 6; 2003 c 53 § 97. Prior: 2002 c 324 § 3; 2002 c 175 § 20; 2001 c 217 § 13; 2000 c 66 § 3; 1998 c 290 § 5; prior: 1997 c 338 § 12; (1997 c 338 § 11 expired July 1, 1998); 1997 c 66 § 6; 1996 c 205 § 6; 1995 c 395 § 3; 1994 sp.s. c 7 § 522; 1989 c 407 § 7.]

**RCW 13.40.038 County juvenile detention facilities--Policy--Detention and risk assessment standards.** It is the policy of this state that all county juvenile detention facilities provide a humane, safe, and rehabilitative environment and that unadjudicated youth remain in the community whenever possible, consistent with public safety and the provisions of chapter 13.40 RCW.

The counties shall develop and implement detention intake standards and risk assessment standards to determine whether detention is warranted and if so whether the juvenile should be placed in secure, nonsecure, or home detention to implement the goals of this section. Inability to pay for a less restrictive detention placement shall not be a basis for denying a respondent a less restrictive placement in the community. The detention and risk assessment standards shall be developed and implemented no later than December 31, 1992. [1992 c 205 § 105; 1986 c 288 § 7.]

**RCW 13.40.040 Taking juvenile into custody, grounds--Detention of, grounds--Detention pending disposition--Release on bond, conditions--Bail jumping.** (1) A juvenile may be taken into custody:

(a) Pursuant to a court order if a complaint is filed with the court alleging, and the court finds probable cause to believe, that the juvenile has committed an offense or has violated terms of a disposition order or release order; or

(b) Without a court order, by a law enforcement officer if grounds exist for the arrest of an adult in identical circumstances. Admission to, and continued custody in, a court detention facility shall be governed by subsection (2) of this section; or

(c) Pursuant to a court order that the juvenile be held as a material witness; or

(d) Where the secretary or the secretary's designee has suspended the parole of a juvenile offender.

(2) A juvenile may not be held in detention unless there is probable cause to believe that:

(a) The juvenile has committed an offense or has violated the terms of a disposition order; and

(i) The juvenile will likely fail to appear for further proceedings; or

(ii) Detention is required to protect the juvenile from himself or herself; or

(iii) The juvenile is a threat to community safety; or

(iv) The juvenile will intimidate witnesses or otherwise unlawfully interfere with the administration of justice; or

(v) The juvenile has committed a crime while another case was pending; or

(b) The juvenile is a fugitive from justice; or

(c) The juvenile's parole has been suspended or modified; or

(d) The juvenile is a material witness.

(3) Notwithstanding subsection (2) of this section, and within available funds, a juvenile who has been found guilty of one of the following offenses shall be detained pending

disposition: Rape in the first or second degree (RCW 9A.44.040 and 9A.44.050); or rape of a child in the first degree (RCW 9A.44.073).

(4) Upon a finding that members of the community have threatened the health of a juvenile taken into custody, at the juvenile's request the court may order continued detention pending further order of the court.

(5) Except as provided in RCW 9.41.280, a juvenile detained under this section may be released upon posting a probation bond set by the court. The juvenile's parent or guardian may sign for the probation bond. A court authorizing such a release shall issue an order containing a statement of conditions imposed upon the juvenile and shall set the date of his or her next court appearance. The court shall advise the juvenile of any conditions specified in the order and may at any time amend such an order in order to impose additional or different conditions of release upon the juvenile or to return the juvenile to custody for failing to conform to the conditions imposed. In addition to requiring the juvenile to appear at the next court date, the court may condition the probation bond on the juvenile's compliance with conditions of release. The juvenile's parent or guardian may notify the court that the juvenile has failed to conform to the conditions of release or the provisions in the probation bond. If the parent notifies the court of the juvenile's failure to comply with the probation bond, the court shall notify the surety. As provided in the terms of the bond, the surety shall provide notice to the court of the offender's noncompliance. A juvenile may be released only to a responsible adult or the department of social and health services. Failure to appear on the date scheduled by the court pursuant to this section shall constitute the crime of bail jumping. [2002 c 171 § 2; 1999 c 167 § 2; 1997 c 338 § 13; 1995 c 395 § 4; 1979 c 155 § 57; 1977 ex.s. c 291 § 58.]

**RCW 13.40.045 Escapees--Arrest warrants.** The secretary, assistant secretary, or the secretary's designee shall issue arrest warrants for juveniles who escape from department residential custody. The secretary, assistant secretary, or the secretary's designee may issue arrest warrants for juveniles who abscond from parole supervision or fail to meet conditions of parole. These arrest warrants shall authorize any law enforcement, probation and parole, or peace officer of this state, or any other state where the juvenile is located, to arrest the juvenile and to place the juvenile in physical custody pending the juvenile's return to confinement in a state juvenile rehabilitation facility. [1997 c 338 § 14; 1994 sp.s. c 7 § 518.]

**RCW 13.40.050 Detention procedures--Notice of hearing--Conditions of release--Consultation with parent, guardian, or custodian.** (1) When a juvenile taken into custody is held in detention:

(a) An information, a community supervision modification or termination of diversion petition, or a parole modification petition shall be filed within seventy-two hours, Saturdays, Sundays, and holidays excluded, or the juvenile shall be released; and

(b) A detention hearing, a community supervision modification or termination of diversion petition, or a parole modification petition shall be held within seventy-two hours, Saturdays, Sundays, and holidays excluded, from the time of filing the information or petition, to determine whether continued detention is necessary under RCW 13.40.040.

(2) Notice of the detention hearing, stating the time, place, and purpose of the hearing, stating the right to counsel, and requiring attendance shall be given to the parent, guardian, or

custodian if such person can be found and shall also be given to the juvenile if over twelve years of age.

(3) At the commencement of the detention hearing, the court shall advise the parties of their rights under this chapter and shall appoint counsel as specified in this chapter.

(4) The court shall, based upon the allegations in the information, determine whether the case is properly before it or whether the case should be treated as a diversion case under RCW 13.40.080. If the case is not properly before the court the juvenile shall be ordered released.

(5) Notwithstanding a determination that the case is properly before the court and that probable cause exists, a juvenile shall at the detention hearing be ordered released on the juvenile's personal recognizance pending further hearing unless the court finds detention is necessary under RCW 13.40.040.

(6) If detention is not necessary under RCW 13.40.040, the court shall impose the most appropriate of the following conditions or, if necessary, any combination of the following conditions:

(a) Place the juvenile in the custody of a designated person agreeing to supervise such juvenile;

(b) Place restrictions on the travel of the juvenile during the period of release;

(c) Require the juvenile to report regularly to and remain under the supervision of the juvenile court;

(d) Impose any condition other than detention deemed reasonably necessary to assure appearance as required;

(e) Require that the juvenile return to detention during specified hours; or

(f) Require the juvenile to post a probation bond set by the court under terms and conditions as provided in \*RCW 13.40.040(4).

(7) A juvenile may be released only to a responsible adult or the department.

(8) If the parent, guardian, or custodian of the juvenile in detention is available, the court shall consult with them prior to a determination to further detain or release the juvenile or treat the case as a diversion case under RCW 13.40.080.

(9) A person notified under this section who fails without reasonable cause to appear and abide by the order of the court may be proceeded against as for contempt of court. In determining whether a parent, guardian, or custodian had reasonable cause not to appear, the court may consider all factors relevant to the person's ability to appear as summoned. [1997 c 338 § 15; 1995 c 395 § 5; 1992 c 205 § 106; 1979 c 155 § 58; 1977 ex.s. c 291 § 59.]

**RCW 13.40.054 Probation bond or collateral--Modification or revocation of probation bond.** (1) As provided in this chapter, the court may order a juvenile to post a probation bond as defined in RCW 13.40.020 or to deposit cash or post other collateral in lieu of a probation bond, to enhance public safety, increase the likelihood that a respondent will appear as required to respond to charges, and increase compliance with community supervision imposed under various alternative disposition options. The parents or guardians of the juvenile may sign for a probation bond on behalf of the juvenile or deposit cash or other collateral in lieu of a bond if approved by the court.

(2) A parent or guardian who has signed for a probation bond, deposited cash, or posted other collateral on behalf of a juvenile has the right to notify the court if the juvenile violates any of the terms and conditions of the bond. The parent or guardian who signed for a probation bond may move the court to modify the terms of the bond or revoke the bond without

penalty to the surety or parent. The court shall notify the surety if a parent or guardian notifies the court that the juvenile has violated conditions of the probation bond and has requested modification or revocation of the bond. At a hearing on the motion, the court may consider the nature and seriousness of the violation or violations and may either keep the bond in effect, modify the terms of the bond with the consent of the parent or guardian and surety, or revoke the bond. If the court revokes the bond the court may require full payment of the face amount of the bond. In the alternative, the court may revoke the bond and impose a partial payment for less than the full amount of the bond or may revoke the bond without imposing any penalty. In reaching its decision, the court may consider the timeliness of the parent's or guardian's notification to the court and the efforts of the parent and surety to monitor the offender's compliance with conditions of the bond and release. A surety shall have the same obligations and rights as provided sureties in adult criminal cases. Rules of forfeiture and revocation of bonds issued in adult criminal cases shall apply to forfeiture and revocation of probation bonds issued under this chapter except as specifically provided in this subsection. [1995 c 395 § 1.]

**RCW 13.40.056 Nonrefundable bail fee.** When a juvenile charged with an offense posts a probation bond or deposits cash or posts other collateral in lieu of a bond, ten dollars of the total amount required to be posted as bail shall be paid in cash as a nonrefundable bail fee. The bail fee shall be distributed to the county for costs associated with implementing chapter 395, Laws of 1995. [1995 c 395 § 9.]

**RCW 13.40.060 Jurisdiction of actions--Transfer of case and records, when--Change in venue, grounds.** (1) All actions under this chapter shall be commenced and tried in the county where any element of the offense was committed except as otherwise specially provided by statute. In cases in which diversion is provided by statute, venue is in the county in which the juvenile resides or in the county in which any element of the offense was committed.

(2) The case and copies of all legal and social documents pertaining thereto may in the discretion of the court be transferred to the county in which the juvenile resides for supervision and enforcement of the disposition order. The court of the receiving county has jurisdiction to modify and enforce the disposition order.

(3) The court upon motion of any party or upon its own motion may, at any time, transfer a proceeding to another juvenile court when there is reason to believe that an impartial proceeding cannot be held in the county in which the proceeding was begun. [1997 c 338 § 16; 1989 c 71 § 1; 1981 c 299 § 6; 1979 c 155 § 59; 1977 ex.s. c 291 § 60.]

**RCW 13.40.070 Complaints--Screening--Filing information--Diversion--Modification of community supervision--Notice to parent or guardian--Probation counselor acting for prosecutor--Referral to mediation or reconciliation programs. (Effective July 1, 2004.)** (1) Complaints referred to the juvenile court alleging the commission of an offense shall be referred directly to the prosecutor. The prosecutor, upon receipt of a complaint, shall screen the complaint to determine whether:

- (a) The alleged facts bring the case within the jurisdiction of the court; and
- (b) On a basis of available evidence there is probable cause to believe that the juvenile did commit the offense.

(2) If the identical alleged acts constitute an offense under both the law of this state and an ordinance of any city or county of this state, state law shall govern the prosecutor's screening and charging decision for both filed and diverted cases.

(3) If the requirements of subsections (1)(a) and (b) of this section are met, the prosecutor shall either file an information in juvenile court or divert the case, as set forth in subsections (5), (6), and (7) of this section. If the prosecutor finds that the requirements of subsection (1)(a) and (b) of this section are not met, the prosecutor shall maintain a record, for one year, of such decision and the reasons therefor. In lieu of filing an information or diverting an offense a prosecutor may file a motion to modify community supervision where such offense constitutes a violation of community supervision.

(4) An information shall be a plain, concise, and definite written statement of the essential facts constituting the offense charged. It shall be signed by the prosecuting attorney and conform to chapter 10.37 RCW.

(5) Where a case is legally sufficient, the prosecutor shall file an information with the juvenile court if:

(a) An alleged offender is accused of a class A felony, a class B felony, an attempt to commit a class B felony, a class C felony listed in RCW 9.94A.411(2) as a crime against persons or listed in RCW 9A.46.060 as a crime of harassment, or a class C felony that is a violation of RCW 9.41.080 or 9.41.040(2)(a)(iii); or

(b) An alleged offender is accused of a felony and has a criminal history of any felony, or at least two gross misdemeanors, or at least two misdemeanors; or

(c) An alleged offender has previously been committed to the department; or

(d) An alleged offender has been referred by a diversion unit for prosecution or desires prosecution instead of diversion; or

(e) An alleged offender has two or more diversion agreements on the alleged offender's criminal history; or

(f) A special allegation has been filed that the offender or an accomplice was armed with a firearm when the offense was committed.

(6) Where a case is legally sufficient the prosecutor shall divert the case if the alleged offense is a misdemeanor or gross misdemeanor or violation and the alleged offense is the offender's first offense or violation. If the alleged offender is charged with a related offense that must or may be filed under subsections (5) and (7) of this section, a case under this subsection may also be filed.

(7) Where a case is legally sufficient and falls into neither subsection (5) nor (6) of this section, it may be filed or diverted. In deciding whether to file or divert an offense under this section the prosecutor shall be guided only by the length, seriousness, and recency of the alleged offender's criminal history and the circumstances surrounding the commission of the alleged offense.

(8) Whenever a juvenile is placed in custody or, where not placed in custody, referred to a diversion interview, the parent or legal guardian of the juvenile shall be notified as soon as possible concerning the allegation made against the juvenile and the current status of the juvenile. Where a case involves victims of crimes against persons or victims whose property has not been recovered at the time a juvenile is referred to a diversion unit, the victim shall be notified of the referral and informed how to contact the unit.

(9) The responsibilities of the prosecutor under subsections (1) through (8) of this section may be performed by a juvenile court probation counselor for any complaint referred to the court

alleging the commission of an offense which would not be a felony if committed by an adult, if the prosecutor has given sufficient written notice to the juvenile court that the prosecutor will not review such complaints.

(10) The prosecutor, juvenile court probation counselor, or diversion unit may, in exercising their authority under this section or RCW 13.40.080, refer juveniles to mediation or victim offender reconciliation programs. Such mediation or victim offender reconciliation programs shall be voluntary for victims. [2003 c 53 § 98; 2001 c 175 § 2; 1997 c 338 § 17; 1994 sp.s. c 7 § 543; 1992 c 205 § 107; 1989 c 407 § 9; 1983 c 191 § 18; 1981 c 299 § 7; 1979 c 155 § 60; 1977 ex.s. c 291 § 61.]

### **RCW 13.40.077 Recommended prosecuting standards for charging and plea dispositions.**

#### RECOMMENDED PROSECUTING STANDARDS FOR CHARGING AND PLEA DISPOSITIONS

INTRODUCTION: These standards are intended solely for the guidance of prosecutors in the state of Washington. They are not intended to, do not, and may not be relied upon to create a right or benefit, substantive or procedural, enforceable at law by a party in litigation with the state.

Evidentiary sufficiency.

(1) Decision not to prosecute.

STANDARD: A prosecuting attorney may decline to prosecute, even though technically sufficient evidence to prosecute exists, in situations where prosecution would serve no public purpose, would defeat the underlying purpose of the law in question, or would result in decreased respect for the law. The decision not to prosecute or divert shall not be influenced by the race, gender, religion, or creed of the suspect.

GUIDELINES/COMMENTARY:

Examples

The following are examples of reasons not to prosecute which could satisfy the standard.

(a) Contrary to Legislative Intent - It may be proper to decline to charge where the application of criminal sanctions would be clearly contrary to the intent of the legislature in enacting the particular statute.

(b) Antiquated Statute - It may be proper to decline to charge where the statute in question is antiquated in that:

- (i) It has not been enforced for many years;
- (ii) Most members of society act as if it were no longer in existence;
- (iii) It serves no deterrent or protective purpose in today's society; and
- (iv) The statute has not been recently reconsidered by the legislature.

This reason is not to be construed as the basis for declining cases because the law in question is unpopular or because it is difficult to enforce.

(c) De Minimis Violation - It may be proper to decline to charge where the violation of law is only technical or insubstantial and where no public interest or deterrent purpose would be served by prosecution.

(d) Confinement on Other Charges - It may be proper to decline to charge because the accused has been sentenced on another charge to a lengthy period of confinement; and

- (i) Conviction of the new offense would not merit any additional direct or collateral

punishment;

(ii) The new offense is either a misdemeanor or a felony which is not particularly aggravated; and

(iii) Conviction of the new offense would not serve any significant deterrent purpose.

(e) Pending Conviction on Another Charge - It may be proper to decline to charge because the accused is facing a pending prosecution in the same or another county; and

(i) Conviction of the new offense would not merit any additional direct or collateral punishment;

(ii) Conviction in the pending prosecution is imminent;

(iii) The new offense is either a misdemeanor or a felony which is not particularly aggravated; and

(iv) Conviction of the new offense would not serve any significant deterrent purpose.

(f) High Disproportionate Cost of Prosecution - It may be proper to decline to charge where the cost of locating or transporting, or the burden on, prosecution witnesses is highly disproportionate to the importance of prosecuting the offense in question. The reason should be limited to minor cases and should not be relied upon in serious cases.

(g) Improper Motives of Complainant - It may be proper to decline charges because the motives of the complainant are improper and prosecution would serve no public purpose, would defeat the underlying purpose of the law in question, or would result in decreased respect for the law.

(h) Immunity - It may be proper to decline to charge where immunity is to be given to an accused in order to prosecute another where the accused information or testimony will reasonably lead to the conviction of others who are responsible for more serious criminal conduct or who represent a greater danger to the public interest.

(i) Victim Request - It may be proper to decline to charge because the victim requests that no criminal charges be filed and the case involves the following crimes or situations:

(i) Assault cases where the victim has suffered little or no injury;

(ii) Crimes against property, not involving violence, where no major loss was suffered;

(iii) Where doing so would not jeopardize the safety of society.

Care should be taken to insure that the victim's request is freely made and is not the product of threats or pressure by the accused.

The presence of these factors may also justify the decision to dismiss a prosecution which has been commenced.

#### Notification

The prosecutor is encouraged to notify the victim, when practical, and the law enforcement personnel, of the decision not to prosecute.

(2) Decision to prosecute.

#### STANDARD:

Crimes against persons will be filed if sufficient admissible evidence exists, which, when considered with the most plausible, reasonably foreseeable defense that could be raised under the evidence, would justify conviction by a reasonable and objective fact-finder. With regard to offenses prohibited by RCW 9A.44.040, 9A.44.050, 9A.44.073, 9A.44.076, 9A.44.079, 9A.44.083, 9A.44.086, 9A.44.089, and 9A.64.020 the prosecutor should avoid pre-filing agreements or diversions intended to place the accused in a program of treatment or counseling, so that treatment, if determined to be beneficial, can be proved under \*RCW 13.40.160(4).

Crimes against property/other crimes will be filed if the admissible evidence is of such



convincing force as to make it probable that a reasonable and objective fact-finder would convict after hearing all the admissible evidence and the most plausible defense that could be raised.

The categorization of crimes for these charging standards shall be the same as found in \*\*RCW 9.94A.411(2).

The decision to prosecute or use diversion shall not be influenced by the race, gender, religion, or creed of the respondent.

(3) Selection of Charges/Degree of Charge

(a) The prosecutor should file charges which adequately describe the nature of the respondent's conduct. Other offenses may be charged only if they are necessary to ensure that the charges:

(i) Will significantly enhance the strength of the state's case at trial; or

(ii) Will result in restitution to all victims.

(b) The prosecutor should not overcharge to obtain a guilty plea. Overcharging includes:

(i) Charging a higher degree;

(ii) Charging additional counts.

This standard is intended to direct prosecutors to charge those crimes which demonstrate the nature and seriousness of a respondent's criminal conduct, but to decline to charge crimes which are not necessary to such an indication. Crimes which do not merge as a matter of law, but which arise from the same course of conduct, do not all have to be charged.

(4) Police Investigation

A prosecuting attorney is dependent upon law enforcement agencies to conduct the necessary factual investigation which must precede the decision to prosecute. The prosecuting attorney shall ensure that a thorough factual investigation has been conducted before a decision to prosecute is made. In ordinary circumstances the investigation should include the following:

(a) The interviewing of all material witnesses, together with the obtaining of written statements whenever possible;

(b) The completion of necessary laboratory tests; and

(c) The obtaining, in accordance with constitutional requirements, of the suspect's version of the events.

If the initial investigation is incomplete, a prosecuting attorney should insist upon further investigation before a decision to prosecute is made, and specify what the investigation needs to include.

(5) Exceptions

In certain situations, a prosecuting attorney may authorize filing of a criminal complaint before the investigation is complete if:

(a) Probable cause exists to believe the suspect is guilty; and

(b) The suspect presents a danger to the community or is likely to flee if not apprehended;

or

(c) The arrest of the suspect is necessary to complete the investigation of the crime.

In the event that the exception to the standard is applied, the prosecuting attorney shall obtain a commitment from the law enforcement agency involved to complete the investigation in a timely manner. If the subsequent investigation does not produce sufficient evidence to meet the normal charging standard, the complaint should be dismissed.

(6) Investigation Techniques

The prosecutor should be fully advised of the investigatory techniques that were used in the case investigation including:

- (a) Polygraph testing;
  - (b) Hypnosis;
  - (c) Electronic surveillance;
  - (d) Use of informants.
- (7) Prefiling Discussions with Defendant

Discussions with the defendant or his or her representative regarding the selection or disposition of charges may occur prior to the filing of charges, and potential agreements can be reached.

- (8) Plea dispositions:  
STANDARD

(a) Except as provided in subsection (2) of this section, a respondent will normally be expected to plead guilty to the charge or charges which adequately describe the nature of his or her criminal conduct or go to trial.

(b) In certain circumstances, a plea agreement with a respondent in exchange for a plea of guilty to a charge or charges that may not fully describe the nature of his or her criminal conduct may be necessary and in the public interest. Such situations may include the following:

- (i) Evidentiary problems which make conviction of the original charges doubtful;
- (ii) The respondent's willingness to cooperate in the investigation or prosecution of others whose criminal conduct is more serious or represents a greater public threat;
- (iii) A request by the victim when it is not the result of pressure from the respondent;
- (iv) The discovery of facts which mitigate the seriousness of the respondent's conduct;
- (v) The correction of errors in the initial charging decision;
- (vi) The respondent's history with respect to criminal activity;
- (vii) The nature and seriousness of the offense or offenses charged;
- (viii) The probable effect of witnesses.

(c) No plea agreement shall be influenced by the race, gender, religion, or creed of the respondent. This includes but is not limited to the prosecutor's decision to utilize such disposition alternatives as the Special Sex Offender Disposition Alternative, the Chemical Dependency Disposition Alternative, and manifest injustice.

- (9) Disposition recommendations:  
STANDARD

The prosecutor may reach an agreement regarding disposition recommendations.

The prosecutor shall not agree to withhold relevant information from the court concerning the plea agreement. [1997 c 338 § 18; 1996 c 9 § 1.]

**RCW 13.40.080 Diversion agreement--Scope--Limitations--Restitution orders--Divertee's rights--Diversion unit's powers and duties--Interpreters--Modification--Fines.**

(1) A diversion agreement shall be a contract between a juvenile accused of an offense and a diversion unit whereby the juvenile agrees to fulfill certain conditions in lieu of prosecution. Such agreements may be entered into only after the prosecutor, or probation counselor pursuant to this chapter, has determined that probable cause exists to believe that a crime has been committed and that the juvenile committed it. Such agreements shall be entered into as expeditiously as possible.

- (2) A diversion agreement shall be limited to one or more of the following:

(a) Community restitution not to exceed one hundred fifty hours, not to be performed during school hours if the juvenile is attending school;

(b) Restitution limited to the amount of actual loss incurred by any victim;

(c) Attendance at up to ten hours of counseling and/or up to twenty hours of educational or informational sessions at a community agency. The educational or informational sessions may include sessions relating to respect for self, others, and authority; victim awareness; accountability; self-worth; responsibility; work ethics; good citizenship; literacy; and life skills. For purposes of this section, "community agency" may also mean a community-based nonprofit organization, if approved by the diversion unit. The state shall not be liable for costs resulting from the diversion unit exercising the option to permit diversion agreements to mandate attendance at up to ten hours of counseling and/or up to twenty hours of educational or informational sessions;

(d) A fine, not to exceed one hundred dollars;

(e) Requirements to remain during specified hours at home, school, or work, and restrictions on leaving or entering specified geographical areas; and

(f) Upon request of any victim or witness, requirements to refrain from any contact with victims or witnesses of offenses committed by the juvenile.

(3) Notwithstanding the provisions of subsection (2) of this section, youth courts are not limited to the conditions imposed by subsection (2) of this section in imposing sanctions on juveniles pursuant to RCW 13.40.630.

(4) In assessing periods of community restitution to be performed and restitution to be paid by a juvenile who has entered into a diversion agreement, the court officer to whom this task is assigned shall consult with the juvenile's custodial parent or parents or guardian and victims who have contacted the diversion unit and, to the extent possible, involve members of the community. Such members of the community shall meet with the juvenile and advise the court officer as to the terms of the diversion agreement and shall supervise the juvenile in carrying out its terms.

(5)(a) A diversion agreement may not exceed a period of six months and may include a period extending beyond the eighteenth birthday of the divertee.

(b) If additional time is necessary for the juvenile to complete restitution to a victim, the time period limitations of this subsection may be extended by an additional six months.

(c) If the juvenile has not paid the full amount of restitution by the end of the additional six-month period, then the juvenile shall be referred to the juvenile court for entry of an order establishing the amount of restitution still owed to the victim. In this order, the court shall also determine the terms and conditions of the restitution, including a payment plan extending up to ten years if the court determines that the juvenile does not have the means to make full restitution over a shorter period. For the purposes of this subsection (5)(c), the juvenile shall remain under the court's jurisdiction for a maximum term of ten years after the juvenile's eighteenth birthday. Prior to the expiration of the initial ten-year period, the juvenile court may extend the judgment for restitution an additional ten years. The court may not require the juvenile to pay full or partial restitution if the juvenile reasonably satisfies the court that he or she does not have the means to make full or partial restitution and could not reasonably acquire the means to pay the restitution over a ten-year period. The county clerk shall make disbursements to victims named in the order. The restitution to victims named in the order shall be paid prior to any payment for other penalties or monetary assessments. A juvenile under obligation to pay restitution may petition the court for modification of the restitution order.

(6) The juvenile shall retain the right to be referred to the court at any time prior to the signing of the diversion agreement.

(7) Divertees and potential divertees shall be afforded due process in all contacts with a diversion unit regardless of whether the juveniles are accepted for diversion or whether the diversion program is successfully completed. Such due process shall include, but not be limited to, the following:

(a) A written diversion agreement shall be executed stating all conditions in clearly understandable language;

(b) Violation of the terms of the agreement shall be the only grounds for termination;

(c) No divertee may be terminated from a diversion program without being given a court hearing, which hearing shall be preceded by:

(i) Written notice of alleged violations of the conditions of the diversion program; and

(ii) Disclosure of all evidence to be offered against the divertee;

(d) The hearing shall be conducted by the juvenile court and shall include:

(i) Opportunity to be heard in person and to present evidence;

(ii) The right to confront and cross-examine all adverse witnesses;

(iii) A written statement by the court as to the evidence relied on and the reasons for termination, should that be the decision; and

(iv) Demonstration by evidence that the divertee has substantially violated the terms of his or her diversion agreement.

(e) The prosecutor may file an information on the offense for which the divertee was diverted:

(i) In juvenile court if the divertee is under eighteen years of age; or

(ii) In superior court or the appropriate court of limited jurisdiction if the divertee is eighteen years of age or older.

(8) The diversion unit shall, subject to available funds, be responsible for providing interpreters when juveniles need interpreters to effectively communicate during diversion unit hearings or negotiations.

(9) The diversion unit shall be responsible for advising a divertee of his or her rights as provided in this chapter.

(10) The diversion unit may refer a juvenile to community-based counseling or treatment programs.

(11) The right to counsel shall inure prior to the initial interview for purposes of advising the juvenile as to whether he or she desires to participate in the diversion process or to appear in the juvenile court. The juvenile may be represented by counsel at any critical stage of the diversion process, including intake interviews and termination hearings. The juvenile shall be fully advised at the intake of his or her right to an attorney and of the relevant services an attorney can provide. For the purpose of this section, intake interviews mean all interviews regarding the diversion agreement process.

The juvenile shall be advised that a diversion agreement shall constitute a part of the juvenile's criminal history as defined by RCW 13.40.020(7). A signed acknowledgment of such advisement shall be obtained from the juvenile, and the document shall be maintained by the diversion unit together with the diversion agreement, and a copy of both documents shall be delivered to the prosecutor if requested by the prosecutor. The supreme court shall promulgate rules setting forth the content of such advisement in simple language.

(12) When a juvenile enters into a diversion agreement, the juvenile court may receive only the following information for dispositional purposes:

- (a) The fact that a charge or charges were made;
- (b) The fact that a diversion agreement was entered into;
- (c) The juvenile's obligations under such agreement;
- (d) Whether the alleged offender performed his or her obligations under such agreement;

and

- (e) The facts of the alleged offense.

(13) A diversion unit may refuse to enter into a diversion agreement with a juvenile. When a diversion unit refuses to enter a diversion agreement with a juvenile, it shall immediately refer such juvenile to the court for action and shall forward to the court the criminal complaint and a detailed statement of its reasons for refusing to enter into a diversion agreement. The diversion unit shall also immediately refer the case to the prosecuting attorney for action if such juvenile violates the terms of the diversion agreement.

(14) A diversion unit may, in instances where it determines that the act or omission of an act for which a juvenile has been referred to it involved no victim, or where it determines that the juvenile referred to it has no prior criminal history and is alleged to have committed an illegal act involving no threat of or instance of actual physical harm and involving not more than fifty dollars in property loss or damage and that there is no loss outstanding to the person or firm suffering such damage or loss, counsel and release or release such a juvenile without entering into a diversion agreement. A diversion unit's authority to counsel and release a juvenile under this subsection includes the authority to refer the juvenile to community-based counseling or treatment programs. Any juvenile released under this subsection shall be advised that the act or omission of any act for which he or she had been referred shall constitute a part of the juvenile's criminal history as defined by RCW 13.40.020(7). A signed acknowledgment of such advisement shall be obtained from the juvenile, and the document shall be maintained by the unit, and a copy of the document shall be delivered to the prosecutor if requested by the prosecutor. The supreme court shall promulgate rules setting forth the content of such advisement in simple language. A juvenile determined to be eligible by a diversion unit for release as provided in this subsection shall retain the same right to counsel and right to have his or her case referred to the court for formal action as any other juvenile referred to the unit.

(15) A diversion unit may supervise the fulfillment of a diversion agreement entered into before the juvenile's eighteenth birthday and which includes a period extending beyond the diveree's eighteenth birthday.

(16) If a fine required by a diversion agreement cannot reasonably be paid due to a change of circumstance, the diversion agreement may be modified at the request of the diveree and with the concurrence of the diversion unit to convert an unpaid fine into community restitution. The modification of the diversion agreement shall be in writing and signed by the diveree and the diversion unit. The number of hours of community restitution in lieu of a monetary penalty shall be converted at the rate of the prevailing state minimum wage per hour.

(17) Fines imposed under this section shall be collected and paid into the county general fund in accordance with procedures established by the juvenile court administrator under RCW 13.04.040 and may be used only for juvenile services. In the expenditure of funds for juvenile services, there shall be a maintenance of effort whereby counties exhaust existing resources before using amounts collected under this section. [2002 c 237 § 8; 2002 c 175 § 21; 1999 c 91 § 1; 1997 c 338 § 70; 1997 c 121 § 8; 1996 c 124 § 1; 1994 sp.s. c 7 § 544; 1992 c 205 § 108; 1985 c 73 § 2; 1983 c 191 § 16; 1981 c 299 § 8; 1979 c 155 § 61; 1977 ex.s. c 291 § 62.]

**RCW 13.40.085 Diversion services costs--Fees--Payment by parent or legal guardian.** The county legislative authority may authorize juvenile court administrators to establish fees to cover the costs of the administration and operation of diversion services provided under this chapter. The parent or legal guardian of a juvenile who receives diversion services must pay for the services based on the parent's or guardian's ability to pay. The juvenile court administrators shall develop a fair and equitable payment schedule. No juvenile who is eligible for diversion as provided in this chapter may be denied diversion services based on an inability to pay for the services. [1993 c 171 § 1.]

**RCW 13.40.090 Prosecuting attorney as party to juvenile court proceedings--Exception, procedure.** The county prosecuting attorney shall be a party to all juvenile court proceedings involving juvenile offenders or alleged juvenile offenders.

The prosecuting attorney may, after giving appropriate notice to the juvenile court, decline to represent the state of Washington in juvenile court matters except felonies unless requested by the court on an individual basis to represent the state at an adjudicatory hearing in which case he or she shall participate. When the prosecutor declines to represent the state, then such function may be performed by the juvenile court probation counselor authorized by the court or local court rule to serve as the prosecuting authority.

If the prosecuting attorney elects not to participate, the prosecuting attorney shall file with the county clerk each year by the first Monday in July notice of intent not to participate. In a county wherein the prosecuting attorney has elected not to participate in juvenile court, he or she shall not thereafter until the next filing date participate in juvenile court proceedings unless so requested by the court on an individual basis, in which case the prosecuting attorney shall participate. [1977 ex.s. c 291 § 63.]

**RCW 13.40.100 Summons or other notification issued upon filing of information--Procedure--Order to take juvenile into custody--Contempt of court, when.** (1) Upon the filing of an information the alleged offender shall be notified by summons, warrant, or other method approved by the court of the next required court appearance.

(2) If notice is by summons, the clerk of the court shall issue a summons directed to the juvenile, if the juvenile is twelve or more years of age, and another to the parents, guardian, or custodian, and such other persons as appear to the court to be proper or necessary parties to the proceedings, requiring them to appear personally before the court at the time fixed to hear the petition. Where the custodian is summoned, the parent or guardian or both shall also be served with a summons.

(3) A copy of the information shall be attached to each summons.

(4) The summons shall advise the parties of the right to counsel.

(5) The judge may endorse upon the summons an order directing the parents, guardian, or custodian having the custody or control of the juvenile to bring the juvenile to the hearing.

(6) If it appears from affidavit or sworn statement presented to the judge that there is probable cause for the issuance of a warrant of arrest or that the juvenile needs to be taken into custody pursuant to RCW 13.34.050, the judge may endorse upon the summons an order that an

officer serving the summons shall at once take the juvenile into custody and take the juvenile to the place of detention or shelter designated by the court.

(7) Service of summons may be made under the direction of the court by any law enforcement officer or probation counselor.

(8) If the person summoned as herein provided fails without reasonable cause to appear and abide the order of the court, the person may be proceeded against as for contempt of court. In determining whether a parent, guardian, or custodian had reasonable cause not to appear, the court may consider all factors relevant to the person's ability to appear as summoned. [1997 c 338 § 19; 1979 c 155 § 62; 1977 ex.s. c 291 § 64.]

**RCW 13.40.110 Hearing on question of declining jurisdiction--Held, when--Findings.** (1) The prosecutor, respondent, or the court on its own motion may, before a hearing on the information on its merits, file a motion requesting the court to transfer the respondent for adult criminal prosecution and the matter shall be set for a hearing on the question of declining jurisdiction. Unless waived by the court, the parties, and their counsel, a decline hearing shall be held when:

(a) The respondent is fifteen, sixteen, or seventeen years of age and the information alleges a class A felony or an attempt, solicitation, or conspiracy to commit a class A felony;

(b) The respondent is seventeen years of age and the information alleges assault in the second degree, extortion in the first degree, indecent liberties, child molestation in the second degree, kidnapping in the second degree, or robbery in the second degree; or

(c) The information alleges an escape by the respondent and the respondent is serving a minimum juvenile sentence to age twenty-one.

(2) The court after a decline hearing may order the case transferred for adult criminal prosecution upon a finding that the declination would be in the best interest of the juvenile or the public. The court shall consider the relevant reports, facts, opinions, and arguments presented by the parties and their counsel.

(3) When the respondent is transferred for criminal prosecution or retained for prosecution in juvenile court, the court shall set forth in writing its finding which shall be supported by relevant facts and opinions produced at the hearing. [1997 c 338 § 20; 1990 c 3 § 303; 1988 c 145 § 18; 1979 c 155 § 63; 1977 ex.s. c 291 § 65.]

**RCW 13.40.120 Hearings--Time and place.** All hearings may be conducted at any time or place within the limits of the judicial district, and such cases may not be heard in conjunction with other business of any other division of the superior court. [1981 c 299 § 9; 1979 c 155 § 64; 1977 ex.s. c 291 § 66.]

**RCW 13.40.127 Deferred disposition.** (1) A juvenile is eligible for deferred disposition unless he or she:

(a) Is charged with a sex or violent offense;

(b) Has a criminal history which includes any felony;

(c) Has a prior deferred disposition or deferred adjudication; or

(d) Has two or more adjudications.

(2) The juvenile court may, upon motion at least fourteen days before commencement of trial and, after consulting the juvenile's custodial parent or parents or guardian and with the consent of the juvenile, continue the case for disposition for a period not to exceed one year from the date the juvenile is found guilty. The court shall consider whether the offender and the community will benefit from a deferred disposition before deferring the disposition.

(3) Any juvenile who agrees to a deferral of disposition shall:

(a) Stipulate to the admissibility of the facts contained in the written police report;

(b) Acknowledge that the report will be entered and used to support a finding of guilt and to impose a disposition if the juvenile fails to comply with terms of supervision; and

(c) Waive the following rights to: (i) A speedy disposition; and (ii) call and confront witnesses.

The adjudicatory hearing shall be limited to a reading of the court's record.

(4) Following the stipulation, acknowledgment, waiver, and entry of a finding or plea of guilt, the court shall defer entry of an order of disposition of the juvenile.

(5) Any juvenile granted a deferral of disposition under this section shall be placed under community supervision. The court may impose any conditions of supervision that it deems appropriate including posting a probation bond. Payment of restitution under RCW 13.40.190 shall be a condition of community supervision under this section.

(6) A parent who signed for a probation bond has the right to notify the counselor if the juvenile fails to comply with the bond or conditions of supervision. The counselor shall notify the court and surety of any failure to comply. A surety shall notify the court of the juvenile's failure to comply with the probation bond. The state shall bear the burden to prove, by a preponderance of the evidence, that the juvenile has failed to comply with the terms of community supervision.

(7) A juvenile's lack of compliance shall be determined by the judge upon written motion by the prosecutor or the juvenile's juvenile court community supervision counselor. If a juvenile fails to comply with terms of supervision, the court shall enter an order of disposition.

(8) At any time following deferral of disposition the court may, following a hearing, continue the case for an additional one-year period for good cause.

(9) At the conclusion of the period set forth in the order of deferral and upon a finding by the court of full compliance with conditions of supervision and payment of full restitution, the respondent's conviction shall be vacated and the court shall dismiss the case with prejudice. [2001 c 175 § 3; 1997 c 338 § 21.]

**RCW 13.40.130 Procedure upon plea of guilty or not guilty to information allegations--Notice--Adjudicatory and disposition hearing--Disposition standards used in sentencing.** (1) The respondent shall be advised of the allegations in the information and shall be required to plead guilty or not guilty to the allegation(s). The state or the respondent may make preliminary motions up to the time of the plea.

(2) If the respondent pleads guilty, the court may proceed with disposition or may continue the case for a dispositional hearing. If the respondent denies guilt, an adjudicatory hearing date shall be set. The court shall notify the parent, guardian, or custodian who has custody of a juvenile described in the charging document of the dispositional or adjudicatory hearing and shall require attendance.

(3) At the adjudicatory hearing it shall be the burden of the prosecution to prove the allegations of the information beyond a reasonable doubt.



(4) The court shall record its findings of fact and shall enter its decision upon the record. Such findings shall set forth the evidence relied upon by the court in reaching its decision.

(5) If the respondent is found not guilty he or she shall be released from detention.

(6) If the respondent is found guilty the court may immediately proceed to disposition or may continue the case for a dispositional hearing. Notice of the time and place of the continued hearing may be given in open court. If notice is not given in open court to a party, the party and the parent, guardian, or custodian who has custody of the juvenile shall be notified by mail of the time and place of the continued hearing.

(7) The court following an adjudicatory hearing may request that a predisposition study be prepared to aid the court in its evaluation of the matters relevant to disposition of the case.

(8) The disposition hearing shall be held within fourteen days after the adjudicatory hearing or plea of guilty unless good cause is shown for further delay, or within twenty-one days if the juvenile is not held in a detention facility, unless good cause is shown for further delay.

(9) In sentencing an offender, the court shall use the disposition standards in effect on the date of the offense.

(10) A person notified under this section who fails without reasonable cause to appear and abide by the order of the court may be proceeded against as for contempt of court. In determining whether a parent, guardian, or custodian had reasonable cause not to appear, the court may consider all factors relevant to the person's ability to appear as summoned. [1997 c 338 § 22; 1981 c 299 § 10; 1979 c 155 § 65; 1977 ex.s. c 291 § 67.]

**RCW 13.40.135 Sexual motivation special allegation--Procedures.** (1) The prosecuting attorney shall file a special allegation of sexual motivation in every juvenile offense other than sex offenses as defined in \*RCW 9.94A.030(33) (a) or (c) when sufficient admissible evidence exists, which, when considered with the most plausible, reasonably consistent defense that could be raised under the evidence, would justify a finding of sexual motivation by a reasonable and objective fact-finder.

(2) In a juvenile case wherein there has been a special allegation the state shall prove beyond a reasonable doubt that the juvenile committed the offense with a sexual motivation. The court shall make a finding of fact of whether or not the sexual motivation was present at the time of the commission of the offense. This finding shall not be applied to sex offenses as defined in \*RCW 9.94A.030(33) (a) or (c).

(3) The prosecuting attorney shall not withdraw the special allegation of "sexual motivation" without approval of the court through an order of dismissal. The court shall not dismiss the special allegation unless it finds that such an order is necessary to correct an error in the initial charging decision or unless there are evidentiary problems which make proving the special allegation doubtful. [1997 c 338 § 23; 1990 c 3 § 604.]

**RCW 13.40.140 Juveniles entitled to usual judicial rights--Notice of--Open court--Privilege against self-incrimination--Waiver of rights, when.** (1) A juvenile shall be advised of his or her rights when appearing before the court.

(2) A juvenile and his or her parent, guardian, or custodian shall be advised by the court or its representative that the juvenile has a right to be represented by counsel at all critical stages of the proceedings. Unless waived, counsel shall be provided to a juvenile who is financially unable to obtain counsel without causing substantial hardship to himself or herself or the

juvenile's family, in any proceeding where the juvenile may be subject to transfer for criminal prosecution, or in any proceeding where the juvenile may be in danger of confinement. The ability to pay part of the cost of counsel does not preclude assignment. In no case may a juvenile be deprived of counsel because of a parent, guardian, or custodian refusing to pay therefor. The juvenile shall be fully advised of his or her right to an attorney and of the relevant services an attorney can provide.

(3) The right to counsel includes the right to the appointment of experts necessary, and the experts shall be required pursuant to the procedures and requirements established by the supreme court.

(4) Upon application of a party, the clerk of the court shall issue, and the court on its own motion may issue, subpoenas requiring attendance and testimony of witnesses and production of records, documents, or other tangible objects at any hearing, or such subpoenas may be issued by an attorney of record.

(5) All proceedings shall be transcribed verbatim by means which will provide an accurate record.

(6) The general public and press shall be permitted to attend any hearing unless the court, for good cause, orders a particular hearing to be closed. The presumption shall be that all such hearings will be open.

(7) In all adjudicatory proceedings before the court, all parties shall have the right to adequate notice, discovery as provided in criminal cases, opportunity to be heard, confrontation of witnesses except in such cases as this chapter expressly permits the use of hearsay testimony, findings based solely upon the evidence adduced at the hearing, and an unbiased fact-finder.

(8) A juvenile shall be accorded the same privilege against self-incrimination as an adult. An extrajudicial statement which would be constitutionally inadmissible in a criminal proceeding may not be received in evidence at an adjudicatory hearing over objection. Evidence illegally seized or obtained may not be received in evidence over objection at an adjudicatory hearing to prove the allegations against the juvenile if the evidence would be inadmissible in an adult criminal proceeding. An extrajudicial admission or confession made by the juvenile out of court is insufficient to support a finding that the juvenile committed the acts alleged in the information unless evidence of a corpus delicti is first independently established in the same manner as required in an adult criminal proceeding.

(9) Waiver of any right which a juvenile has under this chapter must be an express waiver intelligently made by the juvenile after the juvenile has been fully informed of the right being waived.

(10) Whenever this chapter refers to waiver or objection by a juvenile, the word juvenile shall be construed to refer to a juvenile who is at least twelve years of age. If a juvenile is under twelve years of age, the juvenile's parent, guardian, or custodian shall give any waiver or offer any objection contemplated by this chapter. [1981 c 299 § 11; 1979 c 155 § 66; 1977 ex.s. c 291 § 68.]

**RCW 13.40.145 Payment of fees for legal services by publicly funded counsel--Hearing--Order or decree--Entering and enforcing judgments.** Upon disposition or at the time of a modification or at the time an appellate court remands the case to the trial court following a ruling in favor of the state the court may order the juvenile or a parent or another person legally obligated to support the juvenile to appear, and the court may inquire into the ability of those persons to pay a reasonable sum representing in whole or in part the fees for legal

services provided by publicly funded counsel and the costs incurred by the public in producing a verbatim report of proceedings and clerk's papers for use in the appellate courts.

If, after hearing, the court finds the juvenile, parent, or other legally obligated person able to pay part or all of the attorney's fees and costs incurred on appeal, the court may enter such order or decree as is equitable and may enforce the order or decree by execution, or in any way in which a court of equity may enforce its decrees.

In no event may the court order an amount to be paid for attorneys' fees that exceeds the average per case fee allocation for juvenile proceedings in the county where the services have been provided or the average per case fee allocation for juvenile appeals established by the Washington supreme court.

In any case in which there is no compliance with an order or decree of the court requiring a juvenile, parent, or other person legally obligated to support the juvenile to pay for legal services provided by publicly funded counsel, the court may, upon such person or persons being properly summoned or voluntarily appearing, proceed to inquire into the amount due upon the order or decree and enter judgment for that amount against the defaulting party or parties. Judgment shall be docketed in the same manner as are other judgments for the payment of money.

The county in which such judgments are entered shall be denominated the judgment creditor, and the judgments may be enforced by the prosecuting attorney of that county. Any moneys recovered thereon shall be paid into the registry of the court and shall be disbursed to such person, persons, agency, or governmental entity as the court finds entitled thereto.

Such judgments shall remain valid and enforceable for a period of ten years subsequent to entry.

When the juvenile reaches the age of eighteen or at the conclusion of juvenile court jurisdiction, whichever occurs later, the superior court clerk must docket the remaining balance of the juvenile's legal financial obligations in the same manner as other judgments for the payment of money. The judgment remains valid and enforceable until ten years from the date of its imposition. The clerk of superior court may seek extension of the judgment for legal financial obligations, including crime victims' assessments, in the same manner as RCW 6.17.020 for purposes of collection as allowed under RCW 36.18.190. [1997 c 121 § 6; 1995 c 275 § 4; 1984 c 86 § 1.]

**RCW 13.40.150 Disposition hearing--Scope--Factors to be considered prior to entry of dispositional order.** (1) In disposition hearings all relevant and material evidence, including oral and written reports, may be received by the court and may be relied upon to the extent of its probative value, even though such evidence may not be admissible in a hearing on the information. The youth or the youth's counsel and the prosecuting attorney shall be afforded an opportunity to examine and controvert written reports so received and to cross-examine individuals making reports when such individuals are reasonably available, but sources of confidential information need not be disclosed. The prosecutor and counsel for the juvenile may submit recommendations for disposition.

(2) For purposes of disposition:

- (a) Violations which are current offenses count as misdemeanors;
- (b) Violations may not count as part of the offender's criminal history;
- (c) In no event may a disposition for a violation include confinement.

(3) Before entering a dispositional order as to a respondent found to have committed an offense, the court shall hold a disposition hearing, at which the court shall:

- (a) Consider the facts supporting the allegations of criminal conduct by the respondent;
  - (b) Consider information and arguments offered by parties and their counsel;
  - (c) Consider any predisposition reports;
  - (d) Consult with the respondent's parent, guardian, or custodian on the appropriateness of dispositional options under consideration and afford the respondent and the respondent's parent, guardian, or custodian an opportunity to speak in the respondent's behalf;
  - (e) Allow the victim or a representative of the victim and an investigative law enforcement officer to speak;
  - (f) Determine the amount of restitution owing to the victim, if any, or set a hearing for a later date not to exceed one hundred eighty days from the date of the disposition hearing to determine the amount, except that the court may continue the hearing beyond the one hundred eighty days for good cause;
  - (g) Determine the respondent's offender score;
  - (h) Consider whether or not any of the following mitigating factors exist:
    - (i) The respondent's conduct neither caused nor threatened serious bodily injury or the respondent did not contemplate that his or her conduct would cause or threaten serious bodily injury;
    - (ii) The respondent acted under strong and immediate provocation;
    - (iii) The respondent was suffering from a mental or physical condition that significantly reduced his or her culpability for the offense though failing to establish a defense;
    - (iv) Prior to his or her detection, the respondent compensated or made a good faith attempt to compensate the victim for the injury or loss sustained; and
    - (v) There has been at least one year between the respondent's current offense and any prior criminal offense;
  - (i) Consider whether or not any of the following aggravating factors exist:
    - (i) In the commission of the offense, or in flight therefrom, the respondent inflicted or attempted to inflict serious bodily injury to another;
    - (ii) The offense was committed in an especially heinous, cruel, or depraved manner;
    - (iii) The victim or victims were particularly vulnerable;
    - (iv) The respondent has a recent criminal history or has failed to comply with conditions of a recent dispositional order or diversion agreement;
    - (v) The current offense included a finding of sexual motivation pursuant to RCW 13.40.135;
    - (vi) The respondent was the leader of a criminal enterprise involving several persons;
    - (vii) There are other complaints which have resulted in diversion or a finding or plea of guilty but which are not included as criminal history; and
    - (viii) The standard range disposition is clearly too lenient considering the seriousness of the juvenile's prior adjudications.
- (4) The following factors may not be considered in determining the punishment to be imposed:
- (a) The sex of the respondent;
  - (b) The race or color of the respondent or the respondent's family;
  - (c) The creed or religion of the respondent or the respondent's family;
  - (d) The economic or social class of the respondent or the respondent's family; and

(e) Factors indicating that the respondent may be or is a dependent child within the meaning of this chapter.

(5) A court may not commit a juvenile to a state institution solely because of the lack of facilities, including treatment facilities, existing in the community. [1998 c 86 § 1; 1997 c 338 § 24; 1995 c 268 § 5; 1992 c 205 § 109; 1990 c 3 § 605; 1981 c 299 § 12; 1979 c 155 § 67; 1977 ex.s. c 291 § 69.]

**RCW 13.40.160 Disposition order--Court's action prescribed--Disposition outside standard range--Right of appeal--Special sex offender disposition alternative. (Effective until July 1, 2004.)** (1) The standard range disposition for a juvenile adjudicated of an offense is determined according to RCW 13.40.0357.

(a) When the court sentences an offender to a local sanction as provided in RCW 13.40.0357 option A, the court shall impose a determinate disposition within the standard ranges, except as provided in subsection (2), (3), (4), (5), or (6) of this section. The disposition may be comprised of one or more local sanctions.

(b) When the court sentences an offender to a standard range as provided in RCW 13.40.0357 option A that includes a term of confinement exceeding thirty days, commitment shall be to the department for the standard range of confinement, except as provided in subsection (2), (3), (4), (5), or (6) of this section.

(2) If the court concludes, and enters reasons for its conclusion, that disposition within the standard range would effectuate a manifest injustice the court shall impose a disposition outside the standard range, as indicated in option D of RCW 13.40.0357. The court's finding of manifest injustice shall be supported by clear and convincing evidence.

A disposition outside the standard range shall be determinate and shall be comprised of confinement or community supervision, or a combination thereof. When a judge finds a manifest injustice and imposes a sentence of confinement exceeding thirty days, the court shall sentence the juvenile to a maximum term, and the provisions of RCW 13.40.030(2) shall be used to determine the range. A disposition outside the standard range is appealable under RCW 13.40.230 by the state or the respondent. A disposition within the standard range is not appealable under RCW 13.40.230.

(3) When a juvenile offender is found to have committed a sex offense, other than a sex offense that is also a serious violent offense as defined by RCW 9.94A.030, and has no history of a prior sex offense, the court, on its own motion or the motion of the state or the respondent, may order an examination to determine whether the respondent is amenable to treatment.

The report of the examination shall include at a minimum the following: The respondent's version of the facts and the official version of the facts, the respondent's offense history, an assessment of problems in addition to alleged deviant behaviors, the respondent's social, educational, and employment situation, and other evaluation measures used. The report shall set forth the sources of the evaluator's information.

The examiner shall assess and report regarding the respondent's amenability to treatment and relative risk to the community. A proposed treatment plan shall be provided and shall include, at a minimum:

- (a)(i) Frequency and type of contact between the offender and therapist;
- (ii) Specific issues to be addressed in the treatment and description of planned treatment modalities;
- (iii) Monitoring plans, including any requirements regarding living conditions, lifestyle requirements, and monitoring by family members, legal guardians, or others;

- (iv) Anticipated length of treatment; and
- (v) Recommended crime-related prohibitions.

The court on its own motion may order, or on a motion by the state shall order, a second examination regarding the offender's amenability to treatment. The evaluator shall be selected by the party making the motion. The defendant shall pay the cost of any second examination ordered unless the court finds the defendant to be indigent in which case the state shall pay the cost.

After receipt of reports of the examination, the court shall then consider whether the offender and the community will benefit from use of this special sex offender disposition alternative and consider the victim's opinion whether the offender should receive a treatment disposition under this section. If the court determines that this special sex offender disposition alternative is appropriate, then the court shall impose a determinate disposition within the standard range for the offense, or if the court concludes, and enters reasons for its conclusions, that such disposition would cause a manifest injustice, the court shall impose a disposition under option D, and the court may suspend the execution of the disposition and place the offender on community supervision for at least two years. As a condition of the suspended disposition, the court may impose the conditions of community supervision and other conditions, including up to thirty days of confinement and requirements that the offender do any one or more of the following:

- (b)(i) Devote time to a specific education, employment, or occupation;
- (ii) Undergo available outpatient sex offender treatment for up to two years, or inpatient sex offender treatment not to exceed the standard range of confinement for that offense. A community mental health center may not be used for such treatment unless it has an appropriate program designed for sex offender treatment. The respondent shall not change sex offender treatment providers or treatment conditions without first notifying the prosecutor, the probation counselor, and the court, and shall not change providers without court approval after a hearing if the prosecutor or probation counselor object to the change;
- (iii) Remain within prescribed geographical boundaries and notify the court or the probation counselor prior to any change in the offender's address, educational program, or employment;
- (iv) Report to the prosecutor and the probation counselor prior to any change in a sex offender treatment provider. This change shall have prior approval by the court;
- (v) Report as directed to the court and a probation counselor;
- (vi) Pay all court-ordered legal financial obligations, perform community restitution, or any combination thereof;
- (vii) Make restitution to the victim for the cost of any counseling reasonably related to the offense;
- (viii) Comply with the conditions of any court-ordered probation bond; or
- (ix) The court shall order that the offender may not attend the public or approved private elementary, middle, or high school attended by the victim or the victim's siblings. The parents or legal guardians of the offender are responsible for transportation or other costs associated with the offender's change of school that would otherwise be paid by the school district. The court shall send notice of the disposition and restriction on attending the same school as the victim or victim's siblings to the public or approved private school the juvenile will attend, if known, or if unknown, to the approved private schools and the public school district board of directors of the

district in which the juvenile resides or intends to reside. This notice must be sent at the earliest possible date but not later than ten calendar days after entry of the disposition.

The sex offender treatment provider shall submit quarterly reports on the respondent's progress in treatment to the court and the parties. The reports shall reference the treatment plan and include at a minimum the following: Dates of attendance, respondent's compliance with requirements, treatment activities, the respondent's relative progress in treatment, and any other material specified by the court at the time of the disposition.

At the time of the disposition, the court may set treatment review hearings as the court considers appropriate.

Except as provided in this subsection (3), after July 1, 1991, examinations and treatment ordered pursuant to this subsection shall only be conducted by sex offender treatment providers certified by the department of health pursuant to chapter 18.155 RCW. A sex offender therapist who examines or treats a juvenile sex offender pursuant to this subsection does not have to be certified by the department of health pursuant to chapter 18.155 RCW if the court finds that: (A) The offender has already moved to another state or plans to move to another state for reasons other than circumventing the certification requirements; (B) no certified providers are available for treatment within a reasonable geographical distance of the offender's home; and (C) the evaluation and treatment plan comply with this subsection (3) and the rules adopted by the department of health.

If the offender violates any condition of the disposition or the court finds that the respondent is failing to make satisfactory progress in treatment, the court may revoke the suspension and order execution of the disposition or the court may impose a penalty of up to thirty days' confinement for violating conditions of the disposition. The court may order both execution of the disposition and up to thirty days' confinement for the violation of the conditions of the disposition. The court shall give credit for any confinement time previously served if that confinement was for the offense for which the suspension is being revoked.

For purposes of this section, "victim" means any person who has sustained emotional, psychological, physical, or financial injury to person or property as a direct result of the crime charged. "Victim" may also include a known parent or guardian of a victim who is a minor child unless the parent or guardian is the perpetrator of the offense.

A disposition entered under this subsection (3) is not appealable under RCW 13.40.230.

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

(5) If a juvenile is subject to a commitment of 15 to 65 weeks of confinement, the court may impose the disposition alternative under RCW 13.40.167.

(6) When the offender is subject to a standard range commitment of 15 to 36 weeks and is ineligible for a suspended disposition alternative, a manifest injustice disposition below the standard range, special sex offender disposition alternative, chemical dependency disposition alternative, or mental health disposition alternative, the court in a county with a pilot program under RCW 13.40.169 may impose the disposition alternative under RCW 13.40.169.

(7) RCW 13.40.193 shall govern the disposition of any juvenile adjudicated of possessing a firearm in violation of RCW 9.41.040(1)(b)(iii) or any crime in which a special finding is entered that the juvenile was armed with a firearm.

(8) Whenever a juvenile offender is entitled to credit for time spent in detention prior to a dispositional order, the dispositional order shall specifically state the number of days of credit for time served.

(9) Except as provided under subsection (3), (4), (5), or (6) of this section, or option B of RCW 13.40.0357, or RCW 13.40.127, the court shall not suspend or defer the imposition or the execution of the disposition.

(10) In no case shall the term of confinement imposed by the court at disposition exceed that to which an adult could be subjected for the same offense. [2003 c 378 § 3; 2002 c 175 § 22; 1999 c 91 § 2. Prior: 1997 c 338 § 25; 1997 c 265 § 1; 1995 c 395 § 7; 1994 sp.s. c 7 § 523; 1992 c 45 § 6; 1990 c 3 § 302; 1989 c 407 § 4; 1983 c 191 § 8; 1981 c 299 § 13; 1979 c 155 § 68; 1977 ex.s. c 291 § 70.]

**RCW 13.40.160 Disposition order--Court's action prescribed--Disposition outside standard range--Right of appeal--Special sex offender disposition alternative. (Effective July 1, 2004.)** (1) The standard range disposition for a juvenile adjudicated of an offense is determined according to RCW 13.40.0357.

(a) When the court sentences an offender to a local sanction as provided in RCW 13.40.0357 option A, the court shall impose a determinate disposition within the standard ranges, except as provided in subsection (2), (3), (4), (5), or (6) of this section. The disposition may be comprised of one or more local sanctions.

(b) When the court sentences an offender to a standard range as provided in RCW 13.40.0357 option A that includes a term of confinement exceeding thirty days, commitment shall be to the department for the standard range of confinement, except as provided in subsection (2), (3), (4), (5), or (6) of this section.

(2) If the court concludes, and enters reasons for its conclusion, that disposition within the standard range would effectuate a manifest injustice the court shall impose a disposition outside the standard range, as indicated in option D of RCW 13.40.0357. The court's finding of manifest injustice shall be supported by clear and convincing evidence.

A disposition outside the standard range shall be determinate and shall be comprised of confinement or community supervision, or a combination thereof. When a judge finds a manifest injustice and imposes a sentence of confinement exceeding thirty days, the court shall sentence the juvenile to a maximum term, and the provisions of RCW 13.40.030(2) shall be used to determine the range. A disposition outside the standard range is appealable under RCW 13.40.230 by the state or the respondent. A disposition within the standard range is not appealable under RCW 13.40.230.

(3) When a juvenile offender is found to have committed a sex offense, other than a sex offense that is also a serious violent offense as defined by RCW 9.94A.030, and has no history of a prior sex offense, the court, on its own motion or the motion of the state or the respondent, may order an examination to determine whether the respondent is amenable to treatment.

The report of the examination shall include at a minimum the following: The respondent's version of the facts and the official version of the facts, the respondent's offense history, an assessment of problems in addition to alleged deviant behaviors, the respondent's social, educational, and employment situation, and other evaluation measures used. The report shall set forth the sources of the evaluator's information.



The examiner shall assess and report regarding the respondent's amenability to treatment and relative risk to the community. A proposed treatment plan shall be provided and shall include, at a minimum:

- (a)(i) Frequency and type of contact between the offender and therapist;
- (ii) Specific issues to be addressed in the treatment and description of planned treatment modalities;
- (iii) Monitoring plans, including any requirements regarding living conditions, lifestyle requirements, and monitoring by family members, legal guardians, or others;
- (iv) Anticipated length of treatment; and
- (v) Recommended crime-related prohibitions.

The court on its own motion may order, or on a motion by the state shall order, a second examination regarding the offender's amenability to treatment. The evaluator shall be selected by the party making the motion. The defendant shall pay the cost of any second examination ordered unless the court finds the defendant to be indigent in which case the state shall pay the cost.

After receipt of reports of the examination, the court shall then consider whether the offender and the community will benefit from use of this special sex offender disposition alternative and consider the victim's opinion whether the offender should receive a treatment disposition under this section. If the court determines that this special sex offender disposition alternative is appropriate, then the court shall impose a determinate disposition within the standard range for the offense, or if the court concludes, and enters reasons for its conclusions, that such disposition would cause a manifest injustice, the court shall impose a disposition under option D, and the court may suspend the execution of the disposition and place the offender on community supervision for at least two years. As a condition of the suspended disposition, the court may impose the conditions of community supervision and other conditions, including up to thirty days of confinement and requirements that the offender do any one or more of the following:

- (b)(i) Devote time to a specific education, employment, or occupation;
- (ii) Undergo available outpatient sex offender treatment for up to two years, or inpatient sex offender treatment not to exceed the standard range of confinement for that offense. A community mental health center may not be used for such treatment unless it has an appropriate program designed for sex offender treatment. The respondent shall not change sex offender treatment providers or treatment conditions without first notifying the prosecutor, the probation counselor, and the court, and shall not change providers without court approval after a hearing if the prosecutor or probation counselor object to the change;
- (iii) Remain within prescribed geographical boundaries and notify the court or the probation counselor prior to any change in the offender's address, educational program, or employment;
- (iv) Report to the prosecutor and the probation counselor prior to any change in a sex offender treatment provider. This change shall have prior approval by the court;
- (v) Report as directed to the court and a probation counselor;
- (vi) Pay all court-ordered legal financial obligations, perform community restitution, or any combination thereof;
- (vii) Make restitution to the victim for the cost of any counseling reasonably related to the offense;
- (viii) Comply with the conditions of any court-ordered probation bond; or

(ix) The court shall order that the offender may not attend the public or approved private elementary, middle, or high school attended by the victim or the victim's siblings. The parents or legal guardians of the offender are responsible for transportation or other costs associated with the offender's change of school that would otherwise be paid by the school district. The court shall send notice of the disposition and restriction on attending the same school as the victim or victim's siblings to the public or approved private school the juvenile will attend, if known, or if unknown, to the approved private schools and the public school district board of directors of the district in which the juvenile resides or intends to reside. This notice must be sent at the earliest possible date but not later than ten calendar days after entry of the disposition.

The sex offender treatment provider shall submit quarterly reports on the respondent's progress in treatment to the court and the parties. The reports shall reference the treatment plan and include at a minimum the following: Dates of attendance, respondent's compliance with requirements, treatment activities, the respondent's relative progress in treatment, and any other material specified by the court at the time of the disposition.

At the time of the disposition, the court may set treatment review hearings as the court considers appropriate.

Except as provided in this subsection (3), after July 1, 1991, examinations and treatment ordered pursuant to this subsection shall only be conducted by sex offender treatment providers certified by the department of health pursuant to chapter 18.155 RCW. A sex offender therapist who examines or treats a juvenile sex offender pursuant to this subsection does not have to be certified by the department of health pursuant to chapter 18.155 RCW if the court finds that: (A) The offender has already moved to another state or plans to move to another state for reasons other than circumventing the certification requirements; (B) no certified providers are available for treatment within a reasonable geographical distance of the offender's home; and (C) the evaluation and treatment plan comply with this subsection (3) and the rules adopted by the department of health.

If the offender violates any condition of the disposition or the court finds that the respondent is failing to make satisfactory progress in treatment, the court may revoke the suspension and order execution of the disposition or the court may impose a penalty of up to thirty days' confinement for violating conditions of the disposition. The court may order both execution of the disposition and up to thirty days' confinement for the violation of the conditions of the disposition. The court shall give credit for any confinement time previously served if that confinement was for the offense for which the suspension is being revoked.

For purposes of this section, "victim" means any person who has sustained emotional, psychological, physical, or financial injury to person or property as a direct result of the crime charged. "Victim" may also include a known parent or guardian of a victim who is a minor child unless the parent or guardian is the perpetrator of the offense.

A disposition entered under this subsection (3) is not appealable under RCW 13.40.230.

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

(5) If a juvenile is subject to a commitment of 15 to 65 weeks of confinement, the court may impose the disposition alternative under RCW 13.40.167.

(6) When the offender is subject to a standard range commitment of 15 to 36 weeks and is ineligible for a suspended disposition alternative, a manifest injustice disposition below the standard range, special sex offender disposition alternative, chemical dependency disposition

alternative, or mental health disposition alternative, the court in a county with a pilot program under RCW 13.40.169 may impose the disposition alternative under RCW 13.40.169.

(7) RCW 13.40.193 shall govern the disposition of any juvenile adjudicated of possessing a firearm in violation of RCW 9.41.040(2)(a)(iii) or any crime in which a special finding is entered that the juvenile was armed with a firearm.

(8) Whenever a juvenile offender is entitled to credit for time spent in detention prior to a dispositional order, the dispositional order shall specifically state the number of days of credit for time served.

(9) Except as provided under subsection (3), (4), (5), or (6) of this section, or option B of RCW 13.40.0357, or RCW 13.40.127, the court shall not suspend or defer the imposition or the execution of the disposition.

(10) In no case shall the term of confinement imposed by the court at disposition exceed that to which an adult could be subjected for the same offense. [2003 c 378 § 3; 2003 c 53 § 99; 2002 c 175 § 22; 1999 c 91 § 2. Prior: 1997 c 338 § 25; 1997 c 265 § 1; 1995 c 395 § 7; 1994 sp.s. c 7 § 523; 1992 c 45 § 6; 1990 c 3 § 302; 1989 c 407 § 4; 1983 c 191 § 8; 1981 c 299 § 13; 1979 c 155 § 68; 1977 ex.s. c 291 § 70.]

**RCW 13.40.165 Chemical dependency disposition alternative.** (1) The purpose of this disposition alternative is to ensure that successful treatment options to reduce recidivism are available to eligible youth, pursuant to RCW 70.96A.520. The court must consider eligibility for the chemical dependency disposition alternative when a juvenile offender is subject to a standard range disposition of local sanctions or 15 to 36 weeks of confinement and has not committed an A- or B.+ offense, other than a first time B.+ offense under chapter 69.50 RCW. The court, on its own motion or the motion of the state or the respondent if the evidence shows that the offender may be chemically dependent or substance abusing, may order an examination by a chemical dependency counselor from a chemical dependency treatment facility approved under chapter 70.96A RCW to determine if the youth is chemically dependent or substance abusing. The offender shall pay the cost of any examination ordered under this subsection unless the court finds that the offender is indigent and no third party insurance coverage is available, in which case the state shall pay the cost.

(2) The report of the examination shall include at a minimum the following: The respondent's version of the facts and the official version of the facts, the respondent's offense history, an assessment of drug-alcohol problems and previous treatment attempts, the respondent's social, educational, and employment situation, and other evaluation measures used. The report shall set forth the sources of the examiner's information.

(3) The examiner shall assess and report regarding the respondent's relative risk to the community. A proposed treatment plan shall be provided and shall include, at a minimum:

- (a) Whether inpatient and/or outpatient treatment is recommended;
- (b) Availability of appropriate treatment;
- (c) Monitoring plans, including any requirements regarding living conditions, lifestyle requirements, and monitoring by family members, legal guardians, or others;
- (d) Anticipated length of treatment; and
- (e) Recommended crime-related prohibitions.

(4) The court on its own motion may order, or on a motion by the state or the respondent shall order, a second examination. The evaluator shall be selected by the party making the

motion. The requesting party shall pay the cost of any examination ordered under this subsection unless the requesting party is the offender and the court finds that the offender is indigent and no third party insurance coverage is available, in which case the state shall pay the cost.

(5)(a) After receipt of reports of the examination, the court shall then consider whether the offender and the community will benefit from use of this chemical dependency disposition alternative and consider the victim's opinion whether the offender should receive a treatment disposition under this section.

(b) If the court determines that this chemical dependency disposition alternative is appropriate, then the court shall impose the standard range for the offense, or if the court concludes, and enters reasons for its conclusion, that such disposition would effectuate a manifest injustice, the court shall impose a disposition above the standard range as indicated in option D of RCW 13.40.0357 if the disposition is an increase from the standard range and the confinement of the offender does not exceed a maximum of fifty-two weeks, suspend execution of the disposition, and place the offender on community supervision for up to one year. As a condition of the suspended disposition, the court shall require the offender to undergo available outpatient drug/alcohol treatment and/or inpatient drug/alcohol treatment. For purposes of this section, inpatient treatment may not exceed ninety days. As a condition of the suspended disposition, the court may impose conditions of community supervision and other sanctions, including up to thirty days of confinement, one hundred fifty hours of community restitution, and payment of legal financial obligations and restitution.

(6) The drug/alcohol treatment provider shall submit monthly reports on the respondent's progress in treatment to the court and the parties. The reports shall reference the treatment plan and include at a minimum the following: Dates of attendance, respondent's compliance with requirements, treatment activities, the respondent's relative progress in treatment, and any other material specified by the court at the time of the disposition.

At the time of the disposition, the court may set treatment review hearings as the court considers appropriate.

If the offender violates any condition of the disposition or the court finds that the respondent is failing to make satisfactory progress in treatment, the court may impose sanctions pursuant to RCW 13.40.200 or revoke the suspension and order execution of the disposition. The court shall give credit for any confinement time previously served if that confinement was for the offense for which the suspension is being revoked.

(7) For purposes of this section, "victim" means any person who has sustained emotional, psychological, physical, or financial injury to person or property as a direct result of the offense charged.

(8) Whenever a juvenile offender is entitled to credit for time spent in detention prior to a dispositional order, the dispositional order shall specifically state the number of days of credit for time served.

(9) In no case shall the term of confinement imposed by the court at disposition exceed that to which an adult could be subjected for the same offense.

(10) A disposition under this section is not appealable under RCW 13.40.230. [2003 c 378 § 6. Prior: 2002 c 175 § 23; 2002 c 42 § 1; 2001 c 164 § 1; 1997 c 338 § 26.]

**RCW 13.40.167 Mental health disposition alternative.** (1) When an offender is subject to a standard range commitment of 15 to 65 weeks, the court may:

- (a) Impose the standard range; or
  - (b) Suspend the standard range disposition on condition that the offender complies with the terms of this mental health disposition alternative.
- (2) The court may impose this disposition alternative when the court finds the following:
- (a) The offender has a current diagnosis, consistent with the American psychiatry association diagnostic and statistical manual of mental disorders, of axis I psychiatric disorder, excluding youth that are diagnosed as solely having a conduct disorder, oppositional defiant disorder, substance abuse disorder, paraphilia, or pedophilia;
  - (b) An appropriate treatment option is available in the local community;
  - (c) The plan for the offender identifies and addresses requirements for successful participation and completion of the treatment intervention program including: Incentives and graduated sanctions designed specifically for amenable youth, including the use of detention, detoxication, and in-patient or outpatient substance abuse treatment and psychiatric hospitalization, and structured community support consisting of mental health providers, probation, educational and vocational advocates, child welfare services, and family and community support. For any mental health treatment ordered for an offender under this section, the treatment option selected shall be chosen from among programs which have been successful in addressing mental health needs of juveniles and successful in mental health treatment of juveniles and identified as research-based best practice programs. A list of programs which meet these criteria shall be agreed upon by: The Washington association of juvenile court administrators, the juvenile rehabilitation administration of the department of social and health services, a representative of the division of public behavioral health and justice policy at the University of Washington, and the Washington institute for public policy. The list of programs shall be created not later than July 1, 2003. The group shall provide the list to all superior courts, its own membership, the legislature, and the governor. The group shall meet annually and revise the list as appropriate; and
  - (d) The offender, offender's family, and community will benefit from use of the mental health disposition alternative.
- (3) The court on its own motion may order, or on motion by either party, shall order a comprehensive mental health evaluation to determine if the offender has a designated mental disorder. The court may also order a chemical dependency evaluation to determine if the offender also has a co-occurring chemical dependency disorder. The evaluation shall include at a minimum the following: The offender's version of the facts and the official version of the facts, the offender's offense, an assessment of the offender's mental health and drug-alcohol problems and previous treatment attempts, and the offender's social, criminal, educational, and employment history and living situation.
- (4) The evaluator shall determine if the offender is amenable to research-based treatment. A proposed case management and treatment plan shall include at a minimum:
- (a) The availability of treatment;
  - (b) Anticipated length of treatment;
  - (c) Whether one or more treatment interventions are proposed and the anticipated sequence of those treatment interventions;
  - (d) The education plan;
  - (e) The residential plan; and
  - (f) The monitoring plan.

(5) The court on its own motion may order, or on motion by either party, shall order a second mental health or chemical dependency evaluation. The party making the motion shall select the evaluator. The requesting party shall pay the cost of any examination ordered under this subsection and subsection (3) of this section unless the court finds the offender is indigent and no third party insurance coverage is available, in which case the state shall pay the cost.

(6) Upon receipt of the assessments, evaluations, and reports the court shall consider whether the offender and the community will benefit from use of the mental health disposition alternative. The court shall consider the victim's opinion whether the offender should receive the option.

(7) If the court determines that the mental health disposition alternative is appropriate, the court shall impose a standard range disposition of not more than 65 weeks, suspend execution of the disposition, and place the offender on community supervision up to one year and impose one or more other local sanctions. Confinement in a secure county detention facility, other than county group homes, inpatient psychiatric treatment facilities, and substance abuse programs, shall be limited to thirty days. As a condition of a suspended disposition, the court shall require the offender to participate in the recommended treatment interventions.

(8) The treatment providers shall submit monthly reports to the court and parties on the offender's progress in treatment. The report shall reference the treatment plan and include at a minimum the following: Dates of attendance, offender's compliance with requirements, treatment activities, medication management, the offender's relative progress in treatment, and any other material specified by the court at the time of the disposition.

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

(10) An offender is ineligible for the mental health disposition option under this section if the offender is adjudicated of a sex or violent offense as defined in RCW 9.94A.030. [2003 c 378 § 4.]

**RCW 13.40.169 Community commitment disposition alternative--Pilot project.**  
***(Expires July 1, 2005.)*** Any charter county with a population of not more than seventy thousand shall establish a pilot program to implement the community commitment disposition alternative contained in this section. The pilot project shall be limited to five beds.

(1) When the offender is subject to a standard range commitment of 15 to 36 weeks and is ineligible for a suspended disposition alternative, a manifest injustice disposition below the standard range, special sex offender disposition alternative, chemical dependency disposition alternative, or mental health disposition alternative, the court in a county with a pilot program under this section may impose a community commitment disposition alternative and:

- (a) Retain juvenile court jurisdiction over the youth;
- (b) Confine the youth in a county detention facility for a period of time not to exceed thirty days; and
- (c) Impose a term of postrelease community supervision for up to one year.

If the youth receives a standard range disposition, the court shall set the release date within the standard range. The court shall determine the release date prior to expiration of sixty percent of the juvenile's minimum term of confinement.

(2) The court may impose this community commitment disposition alternative if the court finds the following:

(a) Placement in a local detention facility in close proximity to the youth's family or local support systems will facilitate a smoother reintegration to the youth's family and community;

(b) Placement in the local detention facility will allow the youth to benefit from locally provided family intervention programs and other research-based treatment programs, school, employment, and drug and alcohol or mental health counseling; or

(c) Confinement in a facility operated by the department would result in a negative disruption to local services, school, or employment or impede or delay developing those services and support systems in the community.

(3) The court shall consider the youth's offense, prior criminal history, security classification, risk level, and treatment needs and history when determining whether the youth is appropriate for the community commitment disposition alternative. If the court finds that a community commitment disposition alternative is appropriate, the court shall order the youth into secure detention while the details of the reintegration program are developed.

(4) Upon approval of the treatment and community reintegration plan, the court may order the youth to serve the term of confinement in one or more of the following placements or combination of placements: Secure detention, an alternative to secure detention such as electronic home monitoring, county group care, day or evening reporting, or home detention. The court may order the youth to serve time in detention on weekends or intermittently. The court shall set periodic reviews to review the youth's progress in the program. At least fifty percent of the term of confinement shall be served in secure detention.

(5) If the youth violates the conditions of the community commitment program, the court may impose sanctions under RCW 13.40.200 or modify the terms of the reintegration plan and order the youth to serve all or a portion of the remaining confinement term in secure detention.

(6) A county may enter into interlocal agreements with other counties to develop joint community commitment programs or to allow one county to send a youth appropriate for this alternative to another county that has a community commitment program.

(7) Implementation of this alternative is subject to available state funding for the costs of the community commitment program, including costs of detention and community supervision.

The Washington association of juvenile court administrators shall submit an interim report on the pilot program established in this section to the legislature and appropriate committees by December 31, 2004, and submit a final report to the legislature and the appropriate committees by June 30, 2005.

This section expires July 1, 2005. [2003 c 378 § 5.]

**RCW 13.40.180 Disposition order--Consecutive terms when two or more offenses--Limitations.** Where a disposition is imposed on a youth for two or more offenses, the terms shall run consecutively, subject to the following limitations:

(1) Where the offenses were committed through a single act or omission, omission, or through an act or omission which in itself constituted one of the offenses and also was an element of the other, the aggregate of all the terms shall not exceed one hundred fifty percent of the term imposed for the most serious offense;

(2) The aggregate of all consecutive terms shall not exceed three hundred percent of the term imposed for the most serious offense; and

(3) The aggregate of all consecutive terms of community supervision shall not exceed two years in length, or require payment of more than two hundred dollars in fines or the

performance of more than two hundred hours of community restitution. [2002 c 175 § 24; 1981 c 299 § 14; 1977 ex.s. c 291 § 72.]

**RCW 13.40.185 Disposition order--Confinement under departmental supervision or in juvenile facility, when.** (1) Any term of confinement imposed for an offense which exceeds thirty days shall be served under the supervision of the department. If the period of confinement imposed for more than one offense exceeds thirty days but the term imposed for each offense is less than thirty days, the confinement may, in the discretion of the court, be served in a juvenile facility operated by or pursuant to a contract with the state or a county.

(2) Whenever a juvenile is confined in a detention facility or is committed to the department, the court may not directly order a juvenile into a particular county or state facility. The juvenile court administrator and the secretary, assistant secretary, or the secretary's designee, as appropriate, has the sole discretion to determine in which facility a juvenile should be confined or committed. The counties may operate a variety of detention facilities as determined by the county legislative authority subject to available funds. [1994 sp.s. c 7 § 524; 1981 c 299 § 15.]

**RCW 13.40.190 Disposition order--Restitution for loss--Modification of restitution order.** (1) In its dispositional order, the court shall require the respondent to make restitution to any persons who have suffered loss or damage as a result of the offense committed by the respondent. In addition, restitution may be ordered for loss or damage if the offender pleads guilty to a lesser offense or fewer offenses and agrees with the prosecutor's recommendation that the offender be required to pay restitution to a victim of an offense or offenses which, pursuant to a plea agreement, are not prosecuted. The payment of restitution shall be in addition to any punishment which is imposed pursuant to the other provisions of this chapter. The court may determine the amount, terms, and conditions of the restitution including a payment plan extending up to ten years if the court determines that the respondent does not have the means to make full restitution over a shorter period. Restitution may include the costs of counseling reasonably related to the offense. If the respondent participated in the crime with another person or other persons, all such participants shall be jointly and severally responsible for the payment of restitution. For the purposes of this section, the respondent shall remain under the court's jurisdiction for a maximum term of ten years after the respondent's eighteenth birthday. Prior to the expiration of the ten-year period, the juvenile court may extend the judgment for the payment of restitution for an additional ten years.

(2) Regardless of the provisions of subsection (1) of this section, the court shall order restitution in all cases where the victim is entitled to benefits under the crime victims' compensation act, chapter 7.68 RCW. If the court does not order restitution and the victim of the crime has been determined to be entitled to benefits under the crime victims' compensation act, the department of labor and industries, as administrator of the crime victims' compensation program, may petition the court within one year of entry of the disposition order for entry of a restitution order. Upon receipt of a petition from the department of labor and industries, the court shall hold a restitution hearing and shall enter a restitution order.

(3) If an order includes restitution as one of the monetary assessments, the county clerk shall make disbursements to victims named in the order. The restitution to victims named in the order shall be paid prior to any payment for other penalties or monetary assessments.



(4) A respondent under obligation to pay restitution may petition the court for modification of the restitution order. [1997 c 338 § 29; 1997 c 121 § 9; 1996 c 124 § 2; 1995 c 33 § 5; 1994 sp.s. c 7 § 528; 1987 c 281 § 5; 1985 c 257 § 2; 1983 c 191 § 9; 1979 c 155 § 69; 1977 ex.s. c 291 § 73.]

**RCW 13.40.192 Legal financial obligations--Enforceability--Treatment of obligations upon age of eighteen or conclusion of juvenile court jurisdiction--Extension of judgment.** If a juvenile is ordered to pay legal financial obligations, including fines, penalty assessments, attorneys' fees, court costs, and restitution, the money judgment remains enforceable for a period of ten years. When the juvenile reaches the age of eighteen years or at the conclusion of juvenile court jurisdiction, whichever occurs later, the superior court clerk must docket the remaining balance of the juvenile's legal financial obligations in the same manner as other judgments for the payment of money. The judgment remains valid and enforceable until ten years from the date of its imposition. The clerk of the superior court may seek extension of the judgment for legal financial obligations, including crime victims' assessments, in the same manner as RCW 6.17.020 for purposes of collection as allowed under RCW 36.18.190. [1997 c 121 § 7.]

**RCW 13.40.193 Firearms--Length of confinement. (Effective July 1, 2004.)** (1) If a respondent is found to have been in possession of a firearm in violation of RCW 9.41.040(2)(a)(iii), the court shall impose a minimum disposition of ten days of confinement. If the offender's standard range of disposition for the offense as indicated in RCW 13.40.0357 is more than thirty days of confinement, the court shall commit the offender to the department for the standard range disposition. The offender shall not be released until the offender has served a minimum of ten days in confinement.

(2) If the court finds that the respondent or an accomplice was armed with a firearm, the court shall determine the standard range disposition for the offense pursuant to RCW 13.40.160. If the offender or an accomplice was armed with a firearm when the offender committed any felony other than possession of a machine gun, possession of a stolen firearm, drive-by shooting, theft of a firearm, unlawful possession of a firearm in the first and second degree, or use of a machine gun in a felony, the following periods of total confinement must be added to the sentence: For a class A felony, six months; for a class B felony, four months; and for a class C felony, two months. The additional time shall be imposed regardless of the offense's juvenile disposition offense category as designated in RCW 13.40.0357.

(3) When a disposition under this section would effectuate a manifest injustice, the court may impose another disposition. When a judge finds a manifest injustice and imposes a disposition of confinement exceeding thirty days, the court shall commit the juvenile to a maximum term, and the provisions of RCW 13.40.030(2) shall be used to determine the range. When a judge finds a manifest injustice and imposes a disposition of confinement less than thirty days, the disposition shall be comprised of confinement or community supervision or both.

Any term of confinement ordered pursuant to this section shall run consecutively to any term of confinement imposed in the same disposition for other offenses. [2003 c 53 § 100; 1997 c 338 § 30; 1994 sp.s. c 7 § 525.]

**RCW 13.40.196 Firearms--Special allegation.** A prosecutor may file a special allegation that the offender or an accomplice was armed with a firearm when the offender committed the alleged offense. If a special allegation has been filed and the court finds that the offender committed the alleged offense, the court shall also make a finding whether the offender or an accomplice was armed with a firearm when the offender committed the offense. [1994 sp.s. c 7 § 526.]

**RCW 13.40.198 Penalty assessments--Jurisdiction of court.** If a respondent is ordered to pay a penalty assessment pursuant to a dispositional order entered under this chapter, he or she shall remain under the court's jurisdiction for a maximum term of ten years after the respondent's eighteenth birthday. Prior to the expiration of the ten-year period, the juvenile court may extend the judgment for the payment of a penalty assessment for an additional ten years. [2000 c 71 § 1.]

**RCW 13.40.200 Violation of order of restitution, community supervision, fines, penalty assessments, or confinement--Modification of order after hearing--Scope--Rights--Use of fines.** (1) When a respondent fails to comply with an order of restitution, community supervision, penalty assessments, or confinement of less than thirty days, the court upon motion of the prosecutor or its own motion, may modify the order after a hearing on the violation.

(2) The hearing shall afford the respondent the same due process of law as would be afforded an adult probationer. The court may issue a summons or a warrant to compel the respondent's appearance. The state shall have the burden of proving by a preponderance of the evidence the fact of the violation. The respondent shall have the burden of showing that the violation was not a willful refusal to comply with the terms of the order. If a respondent has failed to pay a fine, penalty assessments, or restitution or to perform community restitution hours, as required by the court, it shall be the respondent's burden to show that he or she did not have the means and could not reasonably have acquired the means to pay the fine, penalty assessments, or restitution or perform community restitution.

(3) If the court finds that a respondent has willfully violated the terms of an order pursuant to subsections (1) and (2) of this section, it may impose a penalty of up to thirty days' confinement. Penalties for multiple violations occurring prior to the hearing shall not be aggregated to exceed thirty days' confinement. Regardless of the number of times a respondent is brought to court for violations of the terms of a single disposition order, the combined total number of days spent by the respondent in detention shall never exceed the maximum term to which an adult could be sentenced for the underlying offense.

(4) If a respondent has been ordered to pay a fine or monetary penalty and due to a change of circumstance cannot reasonably comply with the order, the court, upon motion of the respondent, may order that the unpaid fine or monetary penalty be converted to community restitution. The number of hours of community restitution in lieu of a monetary penalty or fine shall be converted at the rate of the prevailing state minimum wage per hour. The monetary penalties or fines collected shall be deposited in the county general fund. A failure to comply with an order under this subsection shall be deemed a failure to comply with an order of community supervision and may be proceeded against as provided in this section.

(5) When a respondent has willfully violated the terms of a probation bond, the court may modify, revoke, or retain the probation bond as provided in RCW 13.40.054. [2002 c 175 § 25; 1997 c 338 § 31; 1995 c 395 § 8; 1986 c 288 § 5; 1983 c 191 § 15; 1979 c 155 § 70; 1977 ex.s. c 291 § 74.]

**RCW 13.40.205 Release from physical custody, when--Authorized leaves--Leave plan and order--Notice.** (1) A juvenile sentenced to a term of confinement to be served under the supervision of the department shall not be released from the physical custody of the department prior to the release date established under RCW 13.40.210 except as otherwise provided in this section.

(2) A juvenile serving a term of confinement under the supervision of the department may be released on authorized leave from the physical custody of the department only if consistent with public safety and if:

(a) Sixty percent of the minimum term of confinement has been served; and

(b) The purpose of the leave is to enable the juvenile:

(i) To visit the juvenile's family for the purpose of strengthening or preserving family relationships;

(ii) To make plans for parole or release which require the juvenile's personal appearance in the community and which will facilitate the juvenile's reintegration into the community; or

(iii) To make plans for a residential placement out of the juvenile's home which requires the juvenile's personal appearance in the community.

(3) No authorized leave may exceed seven consecutive days. The total of all pre-minimum term authorized leaves granted to a juvenile prior to final discharge from confinement shall not exceed thirty days.

(4) Prior to authorizing a leave, the secretary shall require a written leave plan, which shall detail the purpose of the leave and how it is to be achieved, the address at which the juvenile shall reside, the identity of the person responsible for supervising the juvenile during the leave, and a statement by such person acknowledging familiarity with the leave plan and agreeing to supervise the juvenile and to notify the secretary immediately if the juvenile violates any terms or conditions of the leave. The leave plan shall include such terms and conditions as the secretary deems appropriate and shall be signed by the juvenile.

(5) Upon authorizing a leave, the secretary shall issue to the juvenile an authorized leave order which shall contain the name of the juvenile, the fact that the juvenile is on leave from a designated facility, the time period of the leave, and the identity of an appropriate official of the department to contact when necessary. The authorized leave order shall be carried by the juvenile at all times while on leave.

(6) Prior to the commencement of any authorized leave, the secretary shall give notice of the leave to the appropriate law enforcement agency in the jurisdiction in which the juvenile will reside during the leave period. The notice shall include the identity of the juvenile, the time period of the leave, the residence of the juvenile during the leave, and the identity of the person responsible for supervising the juvenile during the leave.

(7) The secretary may authorize a leave, which shall not exceed forty-eight hours plus travel time, to meet an emergency situation such as a death or critical illness of a member of the juvenile's family. The secretary may authorize a leave, which shall not exceed the period of time medically necessary, to obtain medical care not available in a juvenile facility maintained by the department. In cases of emergency or medical leave the secretary may waive all or any portions of subsections (2)(a), (3), (4), (5), and (6) of this section.

(8) If requested by the juvenile's victim or the victim's immediate family, the secretary shall give notice of any leave to the victim or the victim's immediate family.

(9) A juvenile who violates any condition of an authorized leave plan may be taken into custody and returned to the department in the same manner as an adult in identical circumstances.

(10) Notwithstanding the provisions of this section, a juvenile placed in minimum security status may participate in work, educational, community restitution, or treatment programs in the community up to twelve hours a day if approved by the secretary. Such a release shall not be deemed a leave of absence.

(11) Subsections (6), (7), and (8) of this section do not apply to juveniles covered by RCW 13.40.215. [2002 c 175 § 26; 1990 c 3 § 103; 1983 c 191 § 10.]

**RCW 13.40.210 Setting of release date--Administrative release authorized, when--Parole program, revocation or modification of, scope--Intensive supervision program--Parole officer's right of arrest.** (1) The secretary shall set a release date for each juvenile committed to its custody. The release date shall be within the prescribed range to which a juvenile has been committed under RCW 13.40.0357 or 13.40.030 except as provided in RCW 13.40.320 concerning offenders the department determines are eligible for the juvenile offender basic training camp program. Such dates shall be determined prior to the expiration of sixty percent of a juvenile's minimum term of confinement included within the prescribed range to which the juvenile has been committed. The secretary shall release any juvenile committed to the custody of the department within four calendar days prior to the juvenile's release date or on the release date set under this chapter. Days spent in the custody of the department shall be tolled by any period of time during which a juvenile has absented himself or herself from the department's supervision without the prior approval of the secretary or the secretary's designee.

(2) The secretary shall monitor the average daily population of the state's juvenile residential facilities. When the secretary concludes that in-residence population of residential facilities exceeds one hundred five percent of the rated bed capacity specified in statute, or in absence of such specification, as specified by the department in rule, the secretary may recommend reductions to the governor. On certification by the governor that the recommended reductions are necessary, the secretary has authority to administratively release a sufficient number of offenders to reduce in-residence population to one hundred percent of rated bed capacity. The secretary shall release those offenders who have served the greatest proportion of their sentence. However, the secretary may deny release in a particular case at the request of an offender, or if the secretary finds that there is no responsible custodian, as determined by the department, to whom to release the offender, or if the release of the offender would pose a clear danger to society. The department shall notify the committing court of the release at the time of release if any such early releases have occurred as a result of excessive in-residence population. In no event shall an offender adjudicated of a violent offense be granted release under the provisions of this subsection.

(3)(a) Following the release of any juvenile under subsection (1) of this section, the secretary may require the juvenile to comply with a program of parole to be administered by the department in his or her community which shall last no longer than eighteen months, except that in the case of a juvenile sentenced for rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree, or indecent liberties with forcible

compulsion, the period of parole shall be twenty-four months and, in the discretion of the secretary, may be up to thirty-six months when the secretary finds that an additional period of parole is necessary and appropriate in the interests of public safety or to meet the ongoing needs of the juvenile. A parole program is mandatory for offenders released under subsection (2) of this section. The decision to place an offender on parole shall be based on an assessment by the department of the offender's risk for reoffending upon release. The department shall prioritize available parole resources to provide supervision and services to offenders at moderate to high risk for reoffending.

(b) The secretary shall, for the period of parole, facilitate the juvenile's reintegration into his or her community and to further this goal shall require the juvenile to refrain from possessing a firearm or using a deadly weapon and refrain from committing new offenses and may require the juvenile to: (i) Undergo available medical, psychiatric, drug and alcohol, sex offender, mental health, and other offense-related treatment services; (ii) report as directed to a parole officer and/or designee; (iii) pursue a course of study, vocational training, or employment; (iv) notify the parole officer of the current address where he or she resides; (v) be present at a particular address during specified hours; (vi) remain within prescribed geographical boundaries; (vii) submit to electronic monitoring; (viii) refrain from using illegal drugs and alcohol, and submit to random urinalysis when requested by the assigned parole officer; (ix) refrain from contact with specific individuals or a specified class of individuals; (x) meet other conditions determined by the parole officer to further enhance the juvenile's reintegration into the community; (xi) pay any court-ordered fines or restitution; and (xii) perform community restitution. Community restitution for the purpose of this section means compulsory service, without compensation, performed for the benefit of the community by the offender. Community restitution may be performed through public or private organizations or through work crews.

(c) The secretary may further require up to twenty-five percent of the highest risk juvenile offenders who are placed on parole to participate in an intensive supervision program. Offenders participating in an intensive supervision program shall be required to comply with all terms and conditions listed in (b) of this subsection and shall also be required to comply with the following additional terms and conditions: (i) Obey all laws and refrain from any conduct that threatens public safety; (ii) report at least once a week to an assigned community case manager; and (iii) meet all other requirements imposed by the community case manager related to participating in the intensive supervision program. As a part of the intensive supervision program, the secretary may require day reporting.

(d) After termination of the parole period, the juvenile shall be discharged from the department's supervision.

(4)(a) The department may also modify parole for violation thereof. If, after affording a juvenile all of the due process rights to which he or she would be entitled if the juvenile were an adult, the secretary finds that a juvenile has violated a condition of his or her parole, the secretary shall order one of the following which is reasonably likely to effectuate the purpose of the parole and to protect the public: (i) Continued supervision under the same conditions previously imposed; (ii) intensified supervision with increased reporting requirements; (iii) additional conditions of supervision authorized by this chapter; (iv) except as provided in (a)(v) and (vi) of this subsection, imposition of a period of confinement not to exceed thirty days in a facility operated by or pursuant to a contract with the state of Washington or any city or county for a portion of each day or for a certain number of days each week with the balance of the days or weeks spent under supervision; (v) the secretary may order any of the conditions or may return

the offender to confinement for the remainder of the sentence range if the offense for which the offender was sentenced is rape in the first or second degree, rape of a child in the first or second degree, child molestation in the first degree, indecent liberties with forcible compulsion, or a sex offense that is also a serious violent offense as defined by RCW 9.94A.030; and (vi) the secretary may order any of the conditions or may return the offender to confinement for the remainder of the sentence range if the youth has completed the basic training camp program as described in RCW 13.40.320.

(b) If the department finds that any juvenile in a program of parole has possessed a firearm or used a deadly weapon during the program of parole, the department shall modify the parole under (a) of this subsection and confine the juvenile for at least thirty days. Confinement shall be in a facility operated by or pursuant to a contract with the state or any county.

(5) A parole officer of the department of social and health services shall have the power to arrest a juvenile under his or her supervision on the same grounds as a law enforcement officer would be authorized to arrest the person.

(6) If so requested and approved under chapter 13.06 RCW, the secretary shall permit a county or group of counties to perform functions under subsections (3) through (5) of this section. [2002 c 175 § 27. Prior: 2001 c 137 § 2; 2001 c 51 § 1; 1997 c 338 § 32; 1994 sp.s. c 7 § 527; 1990 c 3 § 304; 1987 c 505 § 4; 1985 c 287 § 1; 1985 c 257 § 4; 1983 c 191 § 11; 1979 c 155 § 71; 1977 ex.s. c 291 § 75.]

**RCW 13.40.212 Intensive supervision program--Elements--Report.** (1) The department shall, no later than January 1, 1999, implement an intensive supervision program as a part of its parole services that includes, at a minimum, the following program elements:

(a) A process of case management involving coordinated and comprehensive planning, information exchange, continuity and consistency, service provision and referral, and monitoring. The components of the case management system shall include assessment, classification, and selection criteria; individual case planning that incorporates a family and community perspective; a mixture of intensive surveillance and services; a balance of incentives and graduated consequences coupled with the imposition of realistic, enforceable conditions; and service brokerage with community resources and linkage with social networks;

(b) Administration of transition services that transcend traditional agency boundaries and professional interests and include courts, institutions, aftercare, education, social and mental health services, substance abuse treatment, and employment and vocational training; and

(c) A plan for information management and program evaluation that maintains close oversight over implementation and quality control, and determines the effectiveness of both the processes and outcomes of the program.

(2) The department shall report annually to the legislature, beginning December 1, 1999, on the department's progress in meeting the intensive supervision program evaluation goals required under subsection (1)(c) of this section. [1997 c 338 § 34.]

**RCW 13.40.215 Juveniles found to have committed violent or sex offense or stalking--Notification of discharge, parole, leave, release, transfer, or escape--To whom given--School attendance--Definitions.** (1)(a) Except as provided in subsection (2) of this section, at the earliest possible date, and in no event later than thirty days before discharge, parole, or any other authorized leave or release, or before transfer to a community residential facility, the secretary shall send written notice of the discharge, parole, authorized leave or

release, or transfer of a juvenile found to have committed a violent offense, a sex offense, or stalking, to the following:

- (i) The chief of police of the city, if any, in which the juvenile will reside;
- (ii) The sheriff of the county in which the juvenile will reside; and
- (iii) The approved private schools and the common school district board of directors of the district in which the juvenile intends to reside or the approved private school or public school district in which the juvenile last attended school, whichever is appropriate, except when it has been determined by the department that the juvenile is twenty-one years old or will be in the community for less than seven consecutive days on approved leave and will not be attending school during that time.

(b) After July 25, 1999, the department shall send a written notice to approved private and public schools under the same conditions identified in subsection (1)(a)(iii) of this section when a juvenile adjudicated of any offense is transferred to a community residential facility, discharged, paroled, released, or granted a leave. The community residential facility shall provide written notice of the offender's criminal history to any school that the offender attends while residing at the community residential facility and to any employer that employs the offender while residing at the community residential facility.

(c) The same notice as required by (a) of this subsection shall be sent to the following, if such notice has been requested in writing about a specific juvenile:

- (i) The victim of the offense for which the juvenile was found to have committed or the victim's next of kin if the crime was a homicide;

- (ii) Any witnesses who testified against the juvenile in any court proceedings involving the offense; and

- (iii) Any person specified in writing by the prosecuting attorney.

Information regarding victims, next of kin, or witnesses requesting the notice, information regarding any other person specified in writing by the prosecuting attorney to receive the notice, and the notice are confidential and shall not be available to the juvenile. The notice to the chief of police or the sheriff shall include the identity of the juvenile, the residence where the juvenile will reside, the identity of the person, if any, responsible for supervising the juvenile, and the time period of any authorized leave.

(d) The thirty-day notice requirements contained in this subsection shall not apply to emergency medical furloughs.

(e) The existence of the notice requirements in this subsection will not require any extension of the release date in the event the release plan changes after notification.

(2)(a) If a juvenile found to have committed a violent offense, a sex offense, or stalking escapes from a facility of the department, the secretary shall immediately notify, by the most reasonable and expedient means available, the chief of police of the city and the sheriff of the county in which the juvenile resided immediately before the juvenile's arrest. If previously requested, the secretary shall also notify the witnesses and the victim of the offense which the juvenile was found to have committed or the victim's next of kin if the crime was a homicide. If the juvenile is recaptured, the secretary shall send notice to the persons designated in this subsection as soon as possible but in no event later than two working days after the department learns of such recapture.

(b) The secretary may authorize a leave, for a juvenile found to have committed a violent offense, a sex offense, or stalking, which shall not exceed forty-eight hours plus travel time, to meet an emergency situation such as a death or critical illness of a member of the juvenile's

family. The secretary may authorize a leave, which shall not exceed the time medically necessary, to obtain medical care not available in a juvenile facility maintained by the department. Prior to the commencement of an emergency or medical leave, the secretary shall give notice of the leave to the appropriate law enforcement agency in the jurisdiction in which the juvenile will be during the leave period. The notice shall include the identity of the juvenile, the time period of the leave, the residence of the juvenile during the leave, and the identity of the person responsible for supervising the juvenile during the leave. If previously requested, the department shall also notify the witnesses and victim of the offense which the juvenile was found to have committed or the victim's next of kin if the offense was a homicide.

In case of an emergency or medical leave the secretary may waive all or any portion of the requirements for leaves pursuant to RCW 13.40.205 (2)(a), (3), (4), and (5).

(3) If the victim, the victim's next of kin, or any witness is under the age of sixteen, the notice required by this section shall be sent to the parents or legal guardian of the child.

(4) The secretary shall send the notices required by this chapter to the last address provided to the department by the requesting party. The requesting party shall furnish the department with a current address.

(5) Upon discharge, parole, transfer to a community residential facility, or other authorized leave or release, a convicted juvenile sex offender shall not attend a public or approved private elementary, middle, or high school that is attended by a victim or a sibling of a victim of the sex offender. The parents or legal guardians of the convicted juvenile sex offender shall be responsible for transportation or other costs associated with or required by the sex offender's change in school that otherwise would be paid by a school district. Upon discharge, parole, transfer to a community residential facility, or other authorized leave or release of a convicted juvenile sex offender, the secretary shall send written notice of the discharge, parole, or other authorized leave or release and the requirements of this subsection to the common school district board of directors of the district in which the sex offender intends to reside or the district in which the sex offender last attended school, whichever is appropriate. The secretary shall send a similar notice to any approved private school the juvenile will attend, if known, or if unknown, to the approved private schools within the district the juvenile resides or intends to reside.

(6) For purposes of this section the following terms have the following meanings:

(a) "Violent offense" means a violent offense under RCW 9.94A.030;

(b) "Sex offense" means a sex offense under RCW 9.94A.030;

(c) "Stalking" means the crime of stalking as defined in RCW 9A.46.110;

(d) "Next of kin" means a person's spouse, parents, siblings, and children. [1999 c 198 § 1; 1997 c 265 § 2; 1995 c 324 § 1. Prior: 1994 c 129 § 6; 1994 c 78 § 1; 1993 c 27 § 1; 1990 c 3 § 101.]

**RCW 13.40.217 Juveniles adjudicated of sex offenses--Release of information authorized.** (1) In addition to any other information required to be released under this chapter, the department is authorized, pursuant to RCW 4.24.550, to release relevant information that is necessary to protect the public concerning juveniles adjudicated of sex offenses.

(2) In order for public agencies to have the information necessary for notifying the public about sex offenders as authorized in RCW 4.24.550, the secretary shall issue to appropriate law enforcement agencies narrative notices regarding the pending release of sex offenders from the department's juvenile rehabilitation facilities. The narrative notices shall, at a minimum, describe the identity and criminal history behavior of the offender and shall include the



department's risk level classification for the offender. For sex offenders classified as either risk level II or III, the narrative notices shall also include the reasons underlying the classification.

(3) For the purposes of this section, the department shall classify as risk level I those offenders whose risk assessments indicate a low risk of reoffense within the community at large. The department shall classify as risk level II those offenders whose risk assessments indicate a moderate risk of reoffense within the community at large. The department shall classify as risk level III those offenders whose risk assessments indicate a high risk of reoffense within the community at large. [1997 c 364 § 2; 1990 c 3 § 102.]

**RCW 13.40.220 Costs of support, treatment, and confinement--Order--Contempt of court.** (1) Whenever legal custody of a child is vested in someone other than his or her parents, under this chapter, and not vested in the department of social and health services, after due notice to the parents or other persons legally obligated to care for and support the child, and after a hearing, the court may order and decree that the parent or other legally obligated person shall pay in such a manner as the court may direct a reasonable sum representing in whole or in part the costs of support, treatment, and confinement of the child after the decree is entered.

(2) If the parent or other legally obligated person willfully fails or refuses to pay such sum, the court may proceed against such person for contempt.

(3) Whenever legal custody of a child is vested in the department under this chapter, the parents or other persons legally obligated to care for and support the child shall be liable for the costs of support, treatment, and confinement of the child, in accordance with the department's reimbursement of cost schedule. The department shall adopt a reimbursement of cost schedule based on the costs of providing such services, and shall determine an obligation based on the responsible parents' or other legally obligated person's ability to pay. The department is authorized to adopt additional rules as appropriate to enforce this section.

(4) To enforce subsection (3) of this section, the department shall serve on the parents or other person legally obligated to care for and support the child a notice and finding of financial responsibility requiring the parents or other legally obligated person to appear and show cause in an adjudicative proceeding why the finding of responsibility and/or the amount thereof is incorrect and should not be ordered. This notice and finding shall relate to the costs of support, treatment, and confinement of the child in accordance with the department's reimbursement of cost schedule adopted under this section, including periodic payments to be made in the future. The hearing shall be held pursuant to chapter 34.05 RCW, the Administrative Procedure Act, and the rules of the department.

(5) The notice and finding of financial responsibility shall be served in the same manner prescribed for the service of a summons in a civil action or may be served on the parent or legally obligated person by certified mail, return receipt requested. The receipt shall be prima facie evidence of service.

(6) If the parents or other legally obligated person objects to the notice and finding of financial responsibility, then an application for an adjudicative hearing may be filed within twenty days of the date of service of the notice. If an application for an adjudicative proceeding is filed, the presiding or reviewing officer shall determine the past liability and responsibility, if any, of the parents or other legally obligated person and shall also determine the amount of periodic payments to be made in the future. If the parents or other legally responsible person

fails to file an application within twenty days, the notice and finding of financial responsibility shall become a final administrative order.

(7) Debts determined pursuant to this section are subject to collection action without further necessity of action by a presiding or reviewing officer. The department may collect the debt in accordance with RCW 43.20B.635, 43.20B.640, 74.20A.060, and 74.20A.070. The department shall exempt from payment parents receiving adoption support under RCW 74.13.100 through 74.13.145, parents eligible to receive adoption support under RCW 74.13.150, and a parent or other legally obligated person when the parent or other legally obligated person, or such person's child, spouse, or spouse's child, was the victim of the offense for which the child was committed.

(8) An administrative order entered pursuant to this section shall supersede any court order entered prior to June 13, 1994.

(9) The department shall be subrogated to the right of the child and his or her parents or other legally responsible person to receive support payments for the benefit of the child from any parent or legally obligated person pursuant to a support order established by a superior court or pursuant to RCW 74.20A.055. The department's right of subrogation under this section is limited to the liability established in accordance with its cost schedule for support, treatment, and confinement, except as addressed in subsection (10) of this section.

(10) Nothing in this section precludes the department from recouping such additional support payments from the child's parents or other legally obligated person as required to qualify for receipt of federal funds. The department may adopt such rules dealing with liability for recoupment of support, treatment, or confinement costs as may become necessary to entitle the state to participate in federal funds unless such rules would be expressly prohibited by law. If any law dealing with liability for recoupment of support, treatment, or confinement costs is ruled to be in conflict with federal requirements which are a prescribed condition of the allocation of federal funds, such conflicting law is declared to be inoperative solely to the extent of the conflict. [1995 c 300 § 1; 1994 sp.s. c 7 § 529; 1993 c 466 § 1; 1977 ex.s. c 291 § 76.]

**RCW 13.40.230 Appeal from order of disposition--Jurisdiction--Procedure--Scope--Release pending appeal.** (1) Dispositions reviewed pursuant to RCW 13.40.160 shall be reviewed in the appropriate division of the court of appeals.

An appeal under this section shall be heard solely upon the record that was before the disposition court. No written briefs may be required, and the appeal shall be heard within thirty days following the date of sentencing and a decision rendered within fifteen days following the argument. The supreme court shall promulgate any necessary rules to effectuate the purposes of this section.

(2) To uphold a disposition outside the standard range, the court of appeals must find (a) that the reasons supplied by the disposition judge are supported by the record which was before the judge and that those reasons clearly and convincingly support the conclusion that a disposition within the range would constitute a manifest injustice, and (b) that the sentence imposed was neither clearly excessive nor clearly too lenient.

(3) If the court does not find subsection (2)(a) of this section it shall remand the case for disposition within the standard range.

(4) If the court finds subsection (2)(a) but not subsection (2)(b) of this section it shall remand the case with instructions for further proceedings consistent with the provisions of this chapter.

(5) The disposition court may impose conditions on release pending appeal as provided in RCW \*13.40.040(4) and 13.40.050(6).

(6) Appeal of a disposition under this section does not affect the finality or appeal of the underlying adjudication of guilt. [1997 c 338 § 35; 1981 c 299 § 16; 1979 c 155 § 72; 1977 ex.s. c 291 § 77.]

**RCW 13.40.240 Construction of RCW references to juvenile delinquents or juvenile delinquency.** All references to juvenile delinquents or juvenile delinquency in other chapters of the Revised Code of Washington shall be construed as meaning juvenile offenders or the commitment of an offense by juveniles as defined by this chapter. [1977 ex.s. c 291 § 78.]

**RCW 13.40.250 Traffic and civil infraction cases.** A traffic or civil infraction case involving a juvenile under the age of sixteen may be diverted in accordance with the provisions of this chapter or filed in juvenile court.

(1) If a notice of a traffic or civil infraction is filed in juvenile court, the juvenile named in the notice shall be afforded the same due process afforded to adult defendants in traffic infraction cases.

(2) A monetary penalty imposed upon a juvenile under the age of sixteen who is found to have committed a traffic or civil infraction may not exceed one hundred dollars. At the juvenile's request, the court may order performance of a number of hours of community restitution in lieu of a monetary penalty, at the rate of the prevailing state minimum wage per hour.

(3) A diversion agreement entered into by a juvenile referred pursuant to this section shall be limited to thirty hours of community restitution, or educational or informational sessions.

(4) Traffic or civil infractions referred to a youth court pursuant to this section are subject to the conditions imposed by RCW 13.40.630.

(5) If a case involving the commission of a traffic or civil infraction or offense by a juvenile under the age of sixteen has been referred to a diversion unit, an abstract of the action taken by the diversion unit may be forwarded to the department of licensing in the manner provided for in RCW 46.20.270(2). [2002 c 237 § 19; 2002 c 175 § 28; 1997 c 338 § 36; 1980 c 128 § 16.]

**RCW 13.40.265 Firearm, alcohol, and drug violations. (Effective July 1, 2004.)**

(1)(a) If a juvenile thirteen years of age or older is found by juvenile court to have committed an offense while armed with a firearm or an offense that is a violation of RCW 9.41.040(2)(a)(iii) or chapter 66.44, 69.41, 69.50, or 69.52 RCW, the court shall notify the department of licensing within twenty-four hours after entry of the judgment.

(b) Except as otherwise provided in (c) of this subsection, upon petition of a juvenile who has been found by the court to have committed an offense that is a violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the court may at any time the court deems appropriate notify the department of licensing that the juvenile's driving privileges should be reinstated.

(c) If the offense is the juvenile's first violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the juvenile may not petition the court for reinstatement of the juvenile's privilege to drive revoked pursuant to RCW 46.20.265 until ninety days after the date the juvenile turns sixteen or ninety days after the judgment was entered, whichever is later. If the offense is the juvenile's second or subsequent violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the juvenile may not petition the court for reinstatement of the juvenile's privilege to drive revoked pursuant to RCW 46.20.265 until the date the juvenile turns seventeen or one year after the date judgment was entered, whichever is later.

(2)(a) If a juvenile enters into a diversion agreement with a diversion unit pursuant to RCW 13.40.080 concerning an offense that is a violation of chapter 66.44, 69.41, 69.50, or 69.52 RCW, the diversion unit shall notify the department of licensing within twenty-four hours after the diversion agreement is signed.

(b) If a diversion unit has notified the department pursuant to (a) of this subsection, the diversion unit shall notify the department of licensing when the juvenile has completed the agreement. [2003 c 53 § 101; 1997 c 338 § 37; 1994 sp.s. c 7 § 435; 1989 c 271 § 116; 1988 c 148 § 2.]

**RCW 13.40.280 Transfer of juvenile to department of corrections facility--Grounds--Hearing--Term--Retransfer to a facility for juveniles.** (1) The secretary, with the consent of the secretary of the department of corrections, has the authority to transfer a juvenile presently or hereafter committed to the department of social and health services to the department of corrections for appropriate institutional placement in accordance with this section.

(2) The secretary of the department of social and health services may, with the consent of the secretary of the department of corrections, transfer a juvenile offender to the department of corrections if it is established at a hearing before a review board that continued placement of the juvenile offender in an institution for juvenile offenders presents a continuing and serious threat to the safety of others in the institution. The department of social and health services shall establish rules for the conduct of the hearing, including provision of counsel for the juvenile offender.

(3) Assaults made against any staff member at a juvenile corrections institution that are reported to a local law enforcement agency shall require a hearing held by the department of social and health services review board within ten judicial working days. The board shall determine whether the accused juvenile offender represents a continuing and serious threat to the safety of others in the institution.

(4) Upon conviction in a court of law for custodial assault as defined in RCW 9A.36.100, the department of social and health services review board shall conduct a second hearing, within five judicial working days, to recommend to the secretary of the department of social and health services that the convicted juvenile be transferred to an adult correctional facility if the review board has determined the juvenile offender represents a continuing and serious threat to the safety of others in the institution.

The juvenile has the burden to show cause why the transfer to an adult correctional facility should not occur.

(5) A juvenile offender transferred to an institution operated by the department of corrections shall not remain in such an institution beyond the maximum term of confinement imposed by the juvenile court.

(6) A juvenile offender who has been transferred to the department of corrections under this section may, in the discretion of the secretary of the department of social and health services and with the consent of the secretary of the department of corrections, be transferred from an institution operated by the department of corrections to a facility for juvenile offenders deemed appropriate by the secretary. [1989 c 410 § 2; 1989 c 407 § 8; 1983 c 191 § 22.]

**RCW 13.40.285 Juvenile offender sentenced to terms in juvenile and adult facilities--Transfer to department of corrections--Term of confinement.** A juvenile offender ordered to serve a term of confinement with the department of social and health services who is subsequently sentenced to the department of corrections may, with the consent of the department of corrections, be transferred by the secretary of social and health services to the department of corrections to serve the balance of the term of confinement ordered by the juvenile court. The juvenile and adult sentences shall be served consecutively. In no case shall the secretary credit time served as a result of an adult conviction against the term of confinement ordered by the juvenile court. [1983 c 191 § 23.]

**RCW 13.40.300 Commitment of juvenile beyond age twenty-one prohibited--Jurisdiction of juvenile court after juvenile's eighteenth birthday.** (1) In no case may a juvenile offender be committed by the juvenile court to the department of social and health services for placement in a juvenile correctional institution beyond the juvenile offender's twenty-first birthday. A juvenile may be under the jurisdiction of the juvenile court or the authority of the department of social and health services beyond the juvenile's eighteenth birthday only if prior to the juvenile's eighteenth birthday:

(a) Proceedings are pending seeking the adjudication of a juvenile offense and the court by written order setting forth its reasons extends jurisdiction of juvenile court over the juvenile beyond his or her eighteenth birthday;

(b) The juvenile has been found guilty after a fact finding or after a plea of guilty and an automatic extension is necessary to allow for the imposition of disposition; or

(c) Disposition has been held and an automatic extension is necessary to allow for the execution and enforcement of the court's order of disposition. If an order of disposition imposes commitment to the department, then jurisdiction is automatically extended to include a period of up to twelve months of parole, in no case extending beyond the offender's twenty-first birthday.

(2) If the juvenile court previously has extended jurisdiction beyond the juvenile offender's eighteenth birthday and that period of extension has not expired, the court may further extend jurisdiction by written order setting forth its reasons.

(3) In no event may the juvenile court have authority to extend jurisdiction over any juvenile offender beyond the juvenile offender's twenty-first birthday except for the purpose of enforcing an order of restitution or penalty assessment.

(4) Notwithstanding any extension of jurisdiction over a person pursuant to this section, the juvenile court has no jurisdiction over any offenses alleged to have been committed by a person eighteen years of age or older. [2000 c 71 § 2; 1994 sp.s. c 7 § 530; 1986 c 288 § 6; 1983 c 191 § 17; 1981 c 299 § 17; 1979 c 155 § 73; 1975 1st ex.s. c 170 § 1. Formerly RCW 13.04.260.]

**RCW 13.40.310 Transitional treatment program for gang and drug-involved juvenile offenders.** (1) The department of social and health services may contract with a community-based nonprofit organization to establish a three-step transitional treatment program for gang and drug-involved juvenile offenders committed to the custody of the department under chapter 13.40 RCW. Any such program shall provide six to twenty-four months of treatment. The program shall emphasize the principles of self-determination, unity, collective work and responsibility, cooperative economics, and creativity. The program shall be culturally relevant and appropriate and shall include:

(a) A culturally relevant and appropriate institution-based program that provides comprehensive drug and alcohol services, individual and family counseling, and a wilderness experience of constructive group living, rigorous physical exercise, and academic studies;

(b) A culturally relevant and appropriate community-based structured group living program that focuses on individual goals, positive community involvement, coordinated drug and alcohol treatment, coordinated individual and family counseling, academic and vocational training, and employment in apprenticeship, internship, and entrepreneurial programs; and

(c) A culturally relevant and appropriate transitional group living program that provides support services, academic services, and coordinated individual and family counseling.

(2) Participation in any such program shall be on a voluntary basis.

(3) The department shall adopt rules as necessary to implement any such program.

[1991 c 326 § 4.]

**RCW 13.40.320 Juvenile offender basic training camp program. (Effective until July 1, 2005.)** (1) The department of social and health services shall establish a medium security juvenile offender basic training camp program. This program for juvenile offenders serving a term of confinement under the supervision of the department is exempt from the licensing requirements of chapter 74.15 RCW.

(2) The department may contract under this chapter with private companies, the national guard, or other federal, state, or local agencies to operate the juvenile offender basic training camp, notwithstanding the provisions of RCW 41.06.380.

(3) The juvenile offender basic training camp shall be a structured and regimented model emphasizing the building up of an offender's self-esteem, confidence, and discipline. The juvenile offender basic training camp program shall provide participants with basic education, prevocational training, work-based learning, work experience, work ethic skills, conflict resolution counseling, substance abuse intervention, anger management counseling, and structured intensive physical training. The juvenile offender basic training camp program shall have a curriculum training and work schedule that incorporates a balanced assignment of these or other rehabilitation and training components for no less than sixteen hours per day, six days a week.

The department shall develop standards for the safe and effective operation of the juvenile offender basic training camp program, for an offender's successful program completion, and for the continued after-care supervision of offenders who have successfully completed the program.

(4) Offenders eligible for the juvenile offender basic training camp option shall be those with a disposition of not more than sixty-five weeks. Violent and sex offenders shall not be eligible for the juvenile offender basic training camp program.

(5) If the court determines that the offender is eligible for the juvenile offender basic training camp option, the court may recommend that the department place the offender in the program. The department shall evaluate the offender and may place the offender in the program. The evaluation shall include, at a minimum, a risk assessment developed by the department and designed to determine the offender's suitability for the program. No juvenile who is assessed as a high risk offender or suffers from any mental or physical problems that could endanger his or her health or drastically affect his or her performance in the program shall be admitted to or retained in the juvenile offender basic training camp program.

(6) All juvenile offenders eligible for the juvenile offender basic training camp sentencing option shall spend one hundred twenty days of their disposition in a juvenile offender basic training camp. This period may be extended for up to forty days by the secretary if a juvenile offender requires additional time to successfully complete the basic training camp program. If the juvenile offender's activities while in the juvenile offender basic training camp are so disruptive to the juvenile offender basic training camp program, as determined by the secretary according to standards developed by the department, as to result in the removal of the juvenile offender from the juvenile offender basic training camp program, or if the offender cannot complete the juvenile offender basic training camp program due to medical problems, the secretary shall require that the offender be committed to a juvenile institution to serve the entire remainder of his or her disposition, less the amount of time already served in the juvenile offender basic training camp program.

(7) All offenders who successfully graduate from the juvenile offender basic training camp program shall spend the remainder of their disposition on parole in a juvenile rehabilitation administration intensive aftercare program in the local community. Violation of the conditions of parole is subject to sanctions specified in RCW 13.40.210(4). The program shall provide for the needs of the offender based on his or her progress in the aftercare program as indicated by ongoing assessment of those needs and progress. The intensive aftercare program shall monitor postprogram juvenile offenders and assist them to successfully reintegrate into the community. In addition, the program shall develop a process for closely monitoring and assessing public safety risks. The intensive aftercare program shall be designed and funded by the department of social and health services.

(8) The department shall also develop and maintain a data base to measure recidivism rates specific to this incarceration program. The data base shall maintain data on all juvenile offenders who complete the juvenile offender basic training camp program for a period of two years after they have completed the program. The data base shall also maintain data on the criminal activity, educational progress, and employment activities of all juvenile offenders who participated in the program. [2001 c 137 § 1; 1997 c 338 § 38; 1995 c 40 § 1; 1994 sp.s. c 7 § 532.]

**RCW 13.40.320 Juvenile offender basic training camp program. (Effective July 1, 2005.)** (1) The department of social and health services shall establish a medium security juvenile offender basic training camp program. This program for juvenile offenders serving a term of confinement under the supervision of the department is exempt from the licensing requirements of chapter 74.15 RCW.

(2) The department may contract under this chapter with private companies, the national guard, or other federal, state, or local agencies to operate the juvenile offender basic training camp.

(3) The juvenile offender basic training camp shall be a structured and regimented model emphasizing the building up of an offender's self-esteem, confidence, and discipline. The juvenile offender basic training camp program shall provide participants with basic education, prevocational training, work-based learning, work experience, work ethic skills, conflict resolution counseling, substance abuse intervention, anger management counseling, and structured intensive physical training. The juvenile offender basic training camp program shall have a curriculum training and work schedule that incorporates a balanced assignment of these or other rehabilitation and training components for no less than sixteen hours per day, six days a week.

The department shall develop standards for the safe and effective operation of the juvenile offender basic training camp program, for an offender's successful program completion, and for the continued after-care supervision of offenders who have successfully completed the program.

(4) Offenders eligible for the juvenile offender basic training camp option shall be those with a disposition of not more than sixty-five weeks. Violent and sex offenders shall not be eligible for the juvenile offender basic training camp program.

(5) If the court determines that the offender is eligible for the juvenile offender basic training camp option, the court may recommend that the department place the offender in the program. The department shall evaluate the offender and may place the offender in the program. The evaluation shall include, at a minimum, a risk assessment developed by the department and designed to determine the offender's suitability for the program. No juvenile who is assessed as a high risk offender or suffers from any mental or physical problems that could endanger his or her health or drastically affect his or her performance in the program shall be admitted to or retained in the juvenile offender basic training camp program.

(6) All juvenile offenders eligible for the juvenile offender basic training camp sentencing option shall spend one hundred twenty days of their disposition in a juvenile offender basic training camp. This period may be extended for up to forty days by the secretary if a juvenile offender requires additional time to successfully complete the basic training camp program. If the juvenile offender's activities while in the juvenile offender basic training camp are so disruptive to the juvenile offender basic training camp program, as determined by the secretary according to standards developed by the department, as to result in the removal of the juvenile offender from the juvenile offender basic training camp program, or if the offender cannot complete the juvenile offender basic training camp program due to medical problems, the secretary shall require that the offender be committed to a juvenile institution to serve the entire remainder of his or her disposition, less the amount of time already served in the juvenile offender basic training camp program.

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(8) The department shall also develop and maintain a data base to measure recidivism rates specific to this incarceration program. The data base shall maintain data on all juvenile offenders who complete the juvenile offender basic training camp program for a period of two years after they have completed the program. The data base shall also maintain data on the criminal activity, educational progress, and employment activities of all juvenile offenders who participated in the program. [2002 c 354 § 234; 2001 c 137 § 1; 1997 c 338 § 38; 1995 c 40 § 1; 1994 sp.s. c 7 § 532.]

**RCW 13.40.400 Applicability of RCW 10.01.040 to chapter.** The provisions of RCW 10.01.040 apply to chapter 13.40 RCW. [1979 c 155 § 74.]

**RCW 13.40.430 Disparity in disposition of juvenile offenders--Data collection.** The administrator for the courts shall collect such data as may be necessary to monitor any disparity in processing or disposing of cases involving juvenile offenders due to economic, gender, geographic, or racial factors that may result from implementation of section 1, chapter 373, Laws of 1993. The administrator for the courts may, in consultation with juvenile courts, determine a format for the collection of such data and a schedule for the reporting of such data and shall keep a minimum of five years of data at any given time. [2003 c 207 § 13; 1993 c 373 § 2.]

**RCW 13.40.440 Chapter 9.92 RCW not to affect dispositions under juvenile justice act.** See RCW 9.92.200.

**RCW 13.40.450 Chapters 13.04 and 13.40 RCW as exclusive authority for adjudication and disposition of juvenile offenders.** See RCW 13.04.450.

**RCW 13.40.460 Juvenile rehabilitation programs--Administration.** The secretary, assistant secretary, or the secretary's designee shall manage and administer the department's juvenile rehabilitation responsibilities, including but not limited to the operation of all state institutions or facilities used for juvenile rehabilitation.

The secretary or assistant secretary shall:

(1) Prepare a biennial budget request sufficient to meet the confinement and rehabilitative needs of the juvenile rehabilitation program, as forecast by the office of financial management;

(2) Create by rule a formal system for inmate classification. This classification system shall consider:

(a) Public safety;

(b) Internal security and staff safety;

(c) Rehabilitative resources both within and outside the department;

(d) An assessment of each offender's risk of sexually aggressive behavior as provided in RCW 13.40.470; and

(e) An assessment of each offender's vulnerability to sexually aggressive behavior as provided in RCW 13.40.470;

(3) Develop agreements with local jurisdictions to develop regional facilities with a variety of custody levels;

(4) Adopt rules establishing effective disciplinary policies to maintain order within institutions;

(5) Develop a comprehensive diagnostic evaluation process to be used at intake, including but not limited to evaluation for substance addiction or abuse, literacy, learning disabilities, fetal alcohol syndrome or effect, attention deficit disorder, and mental health;

(6) Develop placement criteria:

(a) To avoid assigning youth who present a moderate or high risk of sexually aggressive behavior to the same sleeping quarters as youth assessed as vulnerable to sexual victimization under RCW 13.40.470(1)(c); and

(b) To avoid placing a juvenile offender on parole status who has been assessed as a moderate to high risk for sexually aggressive behavior in a department community residential program with another child who is: (i) Dependent under chapter 13.34 RCW, or an at-risk youth or child in need of services under chapter 13.32A RCW; and (ii) not also a juvenile offender on parole status;

(7) Develop a plan to implement, by July 1, 1995:

(a) Substance abuse treatment programs for all state juvenile rehabilitation facilities and institutions;

(b) Vocational education and instruction programs at all state juvenile rehabilitation facilities and institutions; and

(c) An educational program to establish self-worth and responsibility in juvenile offenders. This educational program shall emphasize instruction in character-building principles such as: Respect for self, others, and authority; victim awareness; accountability; work ethics; good citizenship; and life skills; and

(8)(a) The juvenile rehabilitation administration shall develop uniform policies related to custodial assaults consistent with RCW 72.01.045 and 9A.36.100 that are to be followed in all juvenile rehabilitation administration facilities; and

(b) The juvenile rehabilitation administration will report assaults in accordance with the policies developed in (a) of this subsection. [2003 c 229 § 1; 1999 c 372 § 2; 1997 c 386 § 54; 1994 sp.s. c 7 § 516.]

**RCW 13.40.470 Vulnerable youth committed to residential facilities--Protection from sexually aggressive youth--Assessment process.** (1) The department shall implement a policy for protecting youth committed to state-operated or state-funded residential facilities under this chapter who are vulnerable to sexual victimization by other youth committed to those facilities who are sexually aggressive. The policy shall include, at a minimum, the following elements:

(a) Development and use of an assessment process for identifying youth, within thirty days of commitment to the department, who present a moderate or high risk of sexually aggressive behavior for the purposes of this section. The assessment process need not require that every youth who is adjudicated or convicted of a sex offense as defined in RCW 9.94A.030 be determined to be sexually aggressive, nor shall a sex offense adjudication or conviction be required in order to determine a youth is sexually aggressive. Instead, the assessment process shall consider the individual circumstances of the youth, including his or her age, physical size,

sexual abuse history, mental and emotional condition, and other factors relevant to sexual aggressiveness. The definition of "sexually aggressive youth" in RCW 74.13.075 does not apply to this section to the extent that it conflicts with this section;

(b) Development and use of an assessment process for identifying youth, within thirty days of commitment to the department, who may be vulnerable to victimization by youth identified under (a) of this subsection as presenting a moderate or high risk of sexually aggressive behavior. The assessment process shall consider the individual circumstances of the youth, including his or her age, physical size, sexual abuse history, mental and emotional condition, and other factors relevant to vulnerability;

(c) Development and use of placement criteria to avoid assigning youth who present a moderate or high risk of sexually aggressive behavior to the same sleeping quarters as youth assessed as vulnerable to sexual victimization, except that they may be assigned to the same multiple-person sleeping quarters if those sleeping quarters are regularly monitored by visual surveillance equipment or staff checks;

(d) Development and use of procedures for minimizing, within available funds, unsupervised contact in state-operated or state-funded residential facilities between youth presenting moderate to high risk of sexually aggressive behavior and youth assessed as vulnerable to sexual victimization. The procedures shall include taking reasonable steps to prohibit any youth committed under this chapter who present a moderate to high risk of sexually aggressive behavior from entering any sleeping quarters other than the one to which they are assigned, unless accompanied by an authorized adult.

(2) For the purposes of this section, the following terms have the following meanings:

(a) "Sleeping quarters" means the bedrooms or other rooms within a residential facility where youth are assigned to sleep.

(b) "Unsupervised contact" means contact occurring outside the sight or hearing of a responsible adult for more than a reasonable period of time under the circumstances. [1997 c 386 § 50.]

**RCW 13.40.480 Student records and information--Reasons for release--Who may request.** (1) Pursuant to RCW 28A.600.475, and to the extent permitted by the family educational and privacy rights act of 1974, 20 U.S.C. Sec. 1232g(b), and in order to serve the juvenile while in detention and to prepare any postconviction services, schools shall make all student records and information necessary for risk assessment, security classification, and placement available to court personnel and the department within three working days of a request under this section.

(2)(a) When a juvenile has one or more prior convictions, a request for records shall be made by the county prosecuting attorney, or probation department if available, to the school not more than ten days following the juvenile's arrest or detention, whichever occurs later, and prior to trial. The request may be made by subpoena.

(b) Where a juvenile has no prior conviction, a request to release records shall be made by subpoena upon the juvenile's conviction. When the request for a juvenile's student records and information is made by subpoena following conviction, the court or other issuing agency shall order the school on which the subpoena is served not to disclose to any person the existence or contents of the subpoena or any information furnished in response to the subpoena. When the court or issuing agency so orders, the school shall not provide notice to the juvenile or his or her parents. [1998 c 269 § 12.]

**RCW 13.40.500 Community juvenile accountability programs--Findings--Purpose.**

The legislature finds that meaningful community involvement is vital to the juvenile justice system's ability to respond to the serious problem of juvenile crime. Citizens and crime victims need to be active partners in responding to crime, in the management of resources, and in the disposition decisions regarding juvenile offenders in their community. Involvement of citizens and crime victims increase offender accountability and build healthier communities, which will reduce recidivism and crime rates in Washington state.

The legislature also finds that local governments are in the best position to develop, coordinate, and manage local community prevention, intervention, and corrections programs for juvenile offenders, and to determine local resource priorities. Local community management will build upon local values and increase local control of resources, encourage the use of a comprehensive range of community-based intervention strategies.

The primary purpose of RCW 13.40.500 through 13.40.540, the community juvenile accountability act, is to provide a continuum of community-based programs that emphasize the juvenile offender's accountability for his or her actions while assisting him or her in the development of skills necessary to function effectively and positively in the community in a manner consistent with public safety. [1997 c 338 § 60.]

**RCW 13.40.510 Community juvenile accountability programs--Establishment--Proposals--Guidelines.** (1) In order to receive funds under RCW 13.40.500 through 13.40.540, local governments may, through their respective agencies that administer funding for consolidated juvenile services, submit proposals that establish community juvenile accountability programs within their communities. These proposals must be submitted to the juvenile rehabilitation administration of the department of social and health services for certification.

(2) The proposals must:

(a) Demonstrate that the proposals were developed with the input of the community public health and safety networks established under RCW 70.190.060, and the local law and justice councils established under RCW 72.09.300;

(b) Describe how local community groups or members are involved in the implementation of the programs funded under RCW 13.40.500 through 13.40.540;

(c) Include a description of how the grant funds will contribute to the expected outcomes of the program and the reduction of youth violence and juvenile crime in their community. Data approaches are not required to be replicated if the networks have information that addresses risks in the community for juvenile offenders.

(3) A local government receiving a grant under this section shall agree that any funds received must be used efficiently to encourage the use of community-based programs that reduce the reliance on secure confinement as the sole means of holding juvenile offenders accountable for their crimes. The local government shall also agree to account for the expenditure of all funds received under the grant and to submit to audits for compliance with the grant criteria developed under RCW 13.40.520.

(4) The juvenile rehabilitation administration, in consultation with the Washington association of juvenile court administrators, the state law and justice advisory council, and the

family policy council, shall establish guidelines for programs that may be funded under RCW 13.40.500 through 13.40.540. The guidelines must:

- (a) Target diverted and adjudicated juvenile offenders;
  - (b) Include assessment methods to determine services, programs, and intervention strategies most likely to change behaviors and norms of juvenile offenders;
  - (c) Provide maximum structured supervision in the community. Programs should use natural surveillance and community guardians such as employers, relatives, teachers, clergy, and community mentors to the greatest extent possible;
  - (d) Promote good work ethic values and educational skills and competencies necessary for the juvenile offender to function effectively and positively in the community;
  - (e) Maximize the efficient delivery of treatment services aimed at reducing risk factors associated with the commission of juvenile offenses;
  - (f) Maximize the reintegration of the juvenile offender into the community upon release from confinement;
  - (g) Maximize the juvenile offender's opportunities to make full restitution to the victims and amends to the community;
  - (h) Support and encourage increased court discretion in imposing community-based intervention strategies;
  - (i) Be compatible with research that shows which prevention and early intervention strategies work with juvenile offenders;
  - (j) Be outcome-based in that it describes what outcomes will be achieved or what outcomes have already been achieved;
  - (k) Include an evaluation component; and
  - (l) Recognize the diversity of local needs.
- (5) The state law and justice advisory council, with the assistance of the family policy council and the governor's juvenile justice advisory committee, may provide support and technical assistance to local governments for training and education regarding community-based prevention and intervention strategies. [1997 c 338 § 61.]

**RCW 13.40.520 Community juvenile accountability programs--Grants.** (1) The state may make grants to local governments for the provision of community-based programs for juvenile offenders. The grants must be made under a grant formula developed by the juvenile rehabilitation administration, in consultation with the Washington association of juvenile court administrators.

(2) Upon certification by the juvenile rehabilitation administration that a proposal satisfies the application and selection criteria, grant funds will be distributed to the local government agency that administers funding for consolidated juvenile services. [1997 c 338 § 62.]

**RCW 13.40.530 Community juvenile accountability programs--Effectiveness standards.** The legislature recognizes the importance of evaluation and outcome measurements of programs serving juvenile offenders in order to ensure cost-effective use of public funds.

The Washington state institute for public policy shall develop standards for measuring the effectiveness of juvenile accountability programs established and approved under RCW 13.40.510. The standards must be developed and presented to the governor and legislature not

later than January 1, 1998. The standards must include methods for measuring success factors following intervention. Success factors include, but are not limited to, continued use of alcohol or controlled substances, arrests, violations of terms of community supervision, convictions for subsequent offenses, and restitution to victims. [1997 c 338 § 63.]

**RCW 13.40.540 Community juvenile accountability programs--Information collection--Report.** (1) Each community juvenile accountability program approved and funded under RCW 13.40.500 through 13.40.540 shall comply with the information collection requirements in subsection (2) of this section and the reporting requirements in subsection (3) of this section.

(2) The information collected by each community juvenile accountability program must include, at a minimum for each juvenile participant: (a) The name, date of birth, gender, social security number, and, when available, the juvenile information system (JUVIS) control number; (b) an initial intake assessment of each juvenile participating in the program; (c) a list of all juveniles who completed the program; and (d) an assessment upon completion or termination of each juvenile, including outcomes and, where applicable, reasons for termination.

(3) The juvenile rehabilitation administration shall annually compile the data and report to the legislature on: (a) The programs funded under RCW 13.40.500 through 13.40.540; (b) the total cost for each funded program and cost per juvenile; and (c) the essential elements of the program. [1997 c 338 § 64.]

**RCW 13.40.550 Community juvenile accountability programs--Short title.** RCW 13.40.500 through 13.40.540 may be known as the community juvenile accountability act. [1997 c 338 § 66.]

**RCW 13.40.560 Juvenile accountability incentive account.** The juvenile accountability incentive account is created in the custody of the state treasurer. Federal awards for juvenile accountability incentives received by the secretary of the department of social and health services shall be deposited into the account. Interest earned from the inception of the trust account shall be deposited in the account. Expenditures from the account may be used only for the purposes specified in the federal award or awards. Moneys in the account may be spent only after appropriation. [1999 c 182 § 1.]

**RCW 13.40.570 Sexual misconduct by state employees, contractors.** (1) When the secretary has reasonable cause to believe that sexual intercourse or sexual contact between an employee and an offender has occurred, notwithstanding any rule adopted under chapter 41.06 RCW the secretary shall immediately suspend the employee.

(2) The secretary shall immediately institute proceedings to terminate the employment of any person:

(a) Who is found by the department, based on a preponderance of the evidence, to have had sexual intercourse or sexual contact with the offender; or

(b) Upon a guilty plea or conviction for any crime specified in chapter 9A.44 RCW when the victim was an offender.

(3) When the secretary has reasonable cause to believe that sexual intercourse or sexual contact between the employee of a contractor and an offender has occurred, the secretary shall require the employee of a contractor to be immediately removed from any employment position which would permit the employee to have any access to any offender.

(4) The secretary shall disqualify for employment with a contractor in any position with access to an offender, any person:

(a) Who is found by the department, based on a preponderance of the evidence, to have had sexual intercourse or sexual contact with the offender; or

(b) Upon a guilty plea or conviction for any crime specified in chapter 9A.44 RCW when the victim was an offender.

(5) The secretary, when considering the renewal of a contract with a contractor who has taken action under subsection (3) or (4) of this section, shall require the contractor to demonstrate that there has been significant progress made in reducing the likelihood that any of its employees will have sexual intercourse or sexual contact with an offender. The secretary shall examine whether the contractor has taken steps to improve hiring, training, and monitoring practices and whether the employee remains with the contractor. The secretary shall not renew a contract unless he or she determines that significant progress has been made.

(6)(a) For the purposes of RCW 50.20.060, a person terminated under this section shall be considered discharged for misconduct.

(b)(i) The department may, within its discretion or upon request of any member of the public, release information to an individual or to the public regarding any person or contract terminated under this section.

(ii) An appointed or elected public official, public employee, or public agency as defined in RCW 4.24.470 is immune from civil liability for damages for any discretionary release of relevant and necessary information, unless it is shown that the official, employee, or agency acted with gross negligence or in bad faith. The immunity provided under this section applies to the release of relevant and necessary information to other public officials, public employees, or public agencies, and to the public.

(iii) Except as provided in chapter 42.17 RCW, or elsewhere, nothing in this section shall impose any liability upon a public official, public employee, or public agency for failing to release information authorized under this section. Nothing in this section implies that information regarding persons designated in subsection (2) of this section is confidential except as may otherwise be provided by law.

(7) The department shall adopt rules to implement this section. The rules shall reflect the legislative intent that this section prohibits individuals who are employed by the department or a contractor of the department from having sexual intercourse or sexual contact with offenders. The rules shall also reflect the legislative intent that when a person is employed by the department or a contractor of the department, and has sexual intercourse or sexual contact with an offender against the employed person's will, the termination provisions of this section shall not be invoked.

(8) As used in this section:

(a) "Contractor" includes all subcontractors of a contractor;

(b) "Offender" means a person under the jurisdiction or supervision of the department;  
and

(c) "Sexual intercourse" and "sexual contact" have the meanings provided in RCW 9A.44.010. [1999 c 72 § 1.]

**RCW 13.40.580 Youth courts--Diversion.** Youth courts provide a diversion for cases involving juvenile offenders, in which participants, under the supervision of an adult coordinator, may serve in various capacities within the program, acting in the role of jurors, lawyers, bailiffs, clerks, and judges. Youths who appear before youth courts are youths eligible for diversion pursuant to RCW 13.40.070 (6) and (7). Youth courts have no jurisdiction except as provided for in chapter 237, Laws of 2002. Youth courts are diversion units and not courts established under Article IV of the state Constitution. [2002 c 237 § 9.]

**RCW 13.40.590 Youth court programs.** (1) The \*administrative office of the courts shall encourage the juvenile courts to work with cities and counties to implement, expand, or use youth court programs for juveniles who commit diversion-eligible offenses, civil, or traffic infractions. Program operations of youth court programs may be funded by government and private grants. Youth court programs are limited to those that:

(a) Are developed using the guidelines for creating and operating youth court programs developed by nationally recognized experts in youth court projects;

(b) Target offenders age eight through seventeen; and

(c) Emphasize the following principles:

(i) Youth must be held accountable for their problem behavior;

(ii) Youth must be educated about the impact their actions have on themselves and others including their victims, their families, and their community;

(iii) Youth must develop skills to resolve problems with their peers more effectively; and

(iv) Youth should be provided a meaningful forum to practice and enhance newly developed skills.

(2) Youth court programs under this section may be established by private nonprofit organizations and schools, upon prior approval and under the supervision of juvenile court. [2002 c 237 § 10.]

**RCW 13.40.600 Youth court jurisdiction.** (1) Youth courts have authority over juveniles ages eight through seventeen who:

(a) Along with their parent, guardian, or legal custodian, voluntarily and in writing request youth court involvement;

(b) Admit they have committed the offense they are referred for;

(c) Along with their parent, guardian, or legal custodian, waive any privilege against self-incrimination concerning the offense; and

(d) Along with their parent, guardian, or legal custodian, agree to comply with the youth court disposition of the case.

(2) Youth courts shall not exercise authority over youth who are under the continuing jurisdiction of the juvenile court for law violations, including a youth with a matter pending before the juvenile court but which has not yet been adjudicated.

(3) Youth courts may decline to accept a youth for youth court disposition for any reason and may terminate a youth from youth court participation at any time.



(4) A youth or his or her parent, guardian, or legal custodian may withdraw from the youth court process at any time.

(5) Youth courts shall give any victims of a juvenile the opportunity to be notified, present, and heard in any youth court proceeding. [2002 c 237 § 11.]

**RCW 13.40.610 Youth court notification of satisfaction of conditions.** Youth court may not notify the juvenile court of satisfaction of conditions until all ordered restitution has been paid. [2002 c 237 § 12.]

**RCW 13.40.620 Appearance before youth court with parent, guardian, or legal custodian.** Every youth appearing before a youth court shall be accompanied by his or her parent, guardian, or legal custodian. [2002 c 237 § 13.]

**RCW 13.40.630 Youth court dispositions.** (1) Youth court dispositional options include those delineated in RCW 13.40.080, and may also include:

- (a) Participating in law-related education classes, appropriate counseling, treatment, or other education [educational] programs;
- (b) Providing periodic reports to the youth court;
- (c) Participating in mentoring programs;
- (d) Serving as a participant in future youth court proceedings;
- (e) Writing apology letters; or
- (f) Writing essays.

(2) Youth courts shall not impose a term of confinement or detention. Youth courts may require that the youth pay reasonable fees to participate in youth court and in classes, counseling, treatment, or other educational programs that are the disposition of the youth court.

(3) A youth court disposition shall be completed within one hundred eighty days from the date of referral.

(4) Pursuant to RCW 13.40.080(1), a youth court disposition shall be reduced to writing and signed by the youth and his or her parent, guardian, or legal custodian accepting the disposition terms.

(5) [A] youth court shall notify the juvenile court upon successful or unsuccessful completion of the disposition.

(6) [A] youth court shall notify the prosecutor or probation counselor of a failure to successfully complete the youth court disposition. [2002 c 237 § 14.]

**RCW 13.40.640 Youth court nonrefundable fee.** A youth court may require that a youth pay a nonrefundable fee, not exceeding thirty dollars, to cover the costs of administering the program. The fee may be reduced or waived for a participant. Fees shall be paid to and accounted for by the youth court. [2002 c 237 § 15.]



**SECTION 4**

**JUVENILE REHABILITATION ADMINISTRATION  
SENTENCING WORKSHEET**

# JUVENILE REHABILITATION ADMINISTRATION

## Sentencing Worksheet Instructions

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

### PURPOSE

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

A single sentencing grid will establish standard ranges to be imposed, unless the court chooses Option B (CDDA) or Option C (Manifest Injustice).

If a Manifest Injustice is invoked or the 300% or 150% rule is in effect, the length of the actual sentence ordered by the court should be entered on the Sentencing Worksheet in lieu of the standard range.

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

### GENERAL INSTRUCTIONS:

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

The Juvenile Disposition Standards are reviewed by the Sentencing Guidelines Commission each year and are submitted to the Legislature for possible revision in every even year. In addition, the Legislature may review the standards during any legislative session. It is the responsibility of the sentencing court to ensure that the appropriate standards are being used for a specific offender.

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

Sentencing Guidelines Commission  
P.O. Box 40927  
Olympia, WA 98504-0927  
(360) 956-2130

Questions regarding the use or completion of the **Juvenile Rehabilitation Administration's Sentencing Worksheet** should be referred to:

Juvenile Rehabilitation Administration  
P.O. Box 45720  
Olympia, WA 98504-5720  
(360) 902-8085

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

For juveniles admitted to JRA, the court should place the white copy of the Sentencing Worksheet in the case file, send the yellow copy to JRA and retain the pink copy. The yellow copy of the worksheet should be sent to JRA, along with any other admittance documents, in time to precede or coincide with the juvenile's arrival.

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

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

If there are more than sixteen prior offenses, compute the total score of the additional prior offenses not listed and place it in the appropriate box.

**Supply of forms:**

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

**Instructions for completing each item:**

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

## OPTION A JUVENILE OFFENDER SENTENCING GRID

### STANDARD RANGE

<b>CURRENT OFFENSE CATEGORY</b>	<b>A+</b>	180 Weeks to Age 21 for All Category A+ Offenses				
	<b>A</b>	103 - 129 Weeks for All Category A Offenses				
	<b>A-</b>	15 - 36 Weeks <small>Except 30 - 40 Weeks for 15 to 17 Year Olds</small>	52 - 65 Weeks	80 - 100 Weeks	103 - 129 Weeks	103 - 129 Weeks
	<b>B+</b>	15 - 36 Weeks	15 - 36 Weeks	52 - 65 Weeks	80 - 100 Weeks	103 - 129 Weeks
	<b>B</b>	LS	LS	15 - 36 Weeks	15 - 36 Weeks	52 - 65 Weeks
	<b>C+</b>	LS	LS	LS	15 - 36 Weeks	15 - 36 Weeks
	<b>C</b>	LS	LS	LS	LS	15 - 36 Weeks
	<b>D+</b>	LS	LS	LS	LS	LS
	<b>D</b>	LS	LS	LS	LS	LS
	<b>E</b>	LS	LS	LS	LS	LS
		<b>0</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4 or More</b>
		<b>PRIOR ADJUDICATIONS</b>				

- (1) The vertical axis of the grid is the current offense category. The current offense category is determined by the offense of adjudication.
- (2) The horizontal axis of the grid is the number of prior adjudications included in the juvenile's criminal history. Each prior felony adjudication counts as one point. Each prior violation, misdemeanor, and gross misdemeanor adjudication counts as 1/4 point. Fractional points are rounded down.
- (3) The standard range disposition for each offense is determined by the intersection of the column defined by the prior adjudications and the row defined by the current offense category.
- (4) RCW 13.40.180 applies if the offenders is being sentenced for more than one offense.
- (5) A current offense that is a violation is equivalent to an offense category of E. However, a disposition for a violation shall not include confinement.

**LS = Local Sanctions:** 0 - 30 Days of Confinement, and/or  
 0 - 12 Months of Community Supervision, and/or  
 0 - 150 Hours of Community Restitution, and/or  
 \$0 - \$500 Fine

## SENTENCING WORKSHEET INSTRUCTIONS

1. **NAME:** Enter the youth's last name, first name, and middle initial as they appear on the court order.
2. **BIRTHDATE:** Enter the month, day, and year of the youth's birth. For example, enter 09/01/1986 for a youth born on September 1, 1986.
3. **SEX:** Check the box indicating whether the youth is male or female.
4. **RACE:** Using Appendix A of the Juvenile Disposition Manual, indicate the code for the youth's reported race.
5. **HISPANIC ORIGIN:** Using Appendix A of the Juvenile Disposition Manual, indicate the code for the youth's reported Hispanic origin.
6. **JRA NUMBER:** Enter the youth's JRA number for this youth if the youth has had a previous admission to a JRA facility. Leave blank if unknown.
7. **DETENTION CREDIT DAYS:** If the youth has detention credit, enter the days to be taken off the sentence. Detention credit is time in detention or jail prior to the court hearing at which an admittance to JRA is ordered and is listed on the court order. Any additional "pre-admission" detention credit, i.e., credit for time served after adjudication or disposition but prior to admission, will be determined separately by the JRA admitting agency.
8. **JUVIS NUMBER:** Enter the youth's JUVIS number.
9. **COUNTY COURT:** Enter the name of the Juvenile Court, e.g., Benton/Franklin, etc.

### A. CURRENT OFFENSE INFORMATION

10. **CURRENT OFFENSE NUMBER:** Use one worksheet for each offense. Mark here which current offense this is and the total number of current offenses for this commitment. Staple all sheets together.
11. **COURT ORDER NUMBER:** Enter the court order number that has been assigned by the court for the sentence for this current offense.
12. **SENTENCE START DATE:** Enter the month, day, and year of the date that the youth's sentence actually began. This is the date that the "clock" technically began for youths committed to JRA.
13. **DISPOSITION DATE:** Enter the month, day, and year of the date of the court order establishing the youth's sentence for this offense.
14. **ADJUDICATION DATE:** Enter the date that the youth was found guilty for this current offense.
15. **OFFENSE DATE:** Enter the month, day, and year that the youth's current offense occurred, e.g. 07/15/2002.
16. **JRA OFFENSE CODE:** Enter the ten character JRA Offense Code from the JRA Code, Description, and Offense Category table in Section 2 of the Juvenile Disposition Manual. Use one sheet for each current offense.
17. **ANTICIPATORY TYPE:** Check one appropriate box to indicate whether the court charged the youth with completion, attempt, conspiracy, or solicitation of the crime.
18. **JUVENILE OFFENSE CATEGORY:** Enter the two character offense category from the JRA Code, Description, and Offense Category table in Section 2 of the Juvenile Disposition Manual. Seriousness is indicated by the offense category, an A+ offense being the most serious and E offense being the least serious. If the offense cannot be found in the Code, Description, and Offense Category table, use one of the generic codes at the end of the table to determine category. If the offense is a new one and expected to occur frequently, contact JRA in Olympia to determine if a new code can be assigned to the offense.
19. **FINDING OF SEXUAL MOTIVATION:** Check yes if the court order includes a finding of sexual motivation. Check no if there was no finding of sexual motivation in the court order.
20. **FINDING OF FIREARM ENHANCEMENT:** The court may apply an enhancement when an offender, or an accomplice, was armed with a firearm. The enhancement will apply to all felonies except those where the use of a firearm is an element of the offense definition (possession of a machine gun, possession of a stolen firearm, drive-by shooting, theft of a firearm, unlawful possession of a firearm 1 or 2, or use of a machine gun in a felony). The enhancement must be served consecutively to the base sentence. Check yes or no.
21. **TYPE OF PLACEMENT:** Indicate one type of placement for this current offense/sentence:  
JRA Direct: Check if the youth is being directly committed to JRA.  
JRA SSODA Revoke: Check if the youth is being committed to JRA because a SSODA sentence has been revoked.

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

CDDA: Check if the youth is being assigned to community supervision through the Chemical Dependency Disposition Alternative.

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

SDA: Check if youth is being assigned to community supervision through the suspended disposition alternative.

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

MHDA: Check if the youth is being assigned to community supervision through the Mental Health Disposition Alternative.

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

DACC: Check if youth is being assigned to community supervision through the Disposition Alternative Community Commitment.

### B. PRIOR OFFENSE INFORMATION

22. **ADJUDICATION DATE:** Enter the date that the youth was adjudicated, i.e. found guilty, for this prior.
23. **OFFENSE DATE:** Enter the month, day, and year that the youth's prior offense occurred.
24. **JRA OFFENSE CODE:** Enter the JRA Offense Code from the JRA Code, Description, and Offense Category table in Section 2 of the Juvenile Disposition Manual.
25. **ANTICIPATORY TYPE:** Check the appropriate box to indicate whether the court charged the youth with completion, attempt, conspiracy, or solicitation of the offense.
26. **CRIMINAL CLASS:** Enter "A" if the offense was a Class A felony, "B" if it was a Class B felony, or "C" if it was a Class C felony. Enter "GM" if it was a gross misdemeanor, "M" if it was a misdemeanor, or "V" if it was a violation.
27. **PRIOR SCORE:** Each prior felony adjudication counts as one point. Each prior violation, misdemeanor, and gross misdemeanor adjudication counts as one-fourth point. Indicate the score for each prior offense.

### C. SENTENCING INFORMATION

28. **PRIOR OFFENSE SCORE:** Add prior points and enter the total here. Fractional points are rounded down to the nearest whole number.
29. **SENTENCE ADJUSTMENT:** Check the appropriate box to indicate disposition:  
None (Standard Range): Check if there was no adjustment to the youth's standard range sentence.  
Manifest Injustice: Check if manifest injustice was invoked.  
150% Rule: Check if the 150% rule has been invoked, limiting the length of the youth's sentence. The 150% rule is intended to limit the amount of sanction (to 150% of the sanction for the most serious offense) that an offender may receive for offenses committed through a single act or omission.  
300% Rule: Check if the 300% rule has been invoked, limiting the length of the youth's sentence. The 300% rule has been invoked, limiting the amount of sanction (to 300% of the sanction for the most serious offense) that an offender may receive for multiple offenses which are disposed of during a court appearance. (See RCW 13.40.180 for an explanation.)
30. **DAYS OR WEEKS:** Check whether this sentence is listed in days or weeks.
31. **TOTAL MINIMUM SENTENCE EXCLUDING FIREARM ENHANCEMENT:** Indicate here the total of the minimum sentence.
32. **TOTAL MAXIMUM SENTENCE EXCLUDING FIREARM ENHANCEMENT:** Indicate here the total of the maximum sentence.
33. **PRINT NAME OF PERSON COMPLETING THIS FORM FOR THE COURT:** Print the name of the person completing this form.
34. **DATE COMPLETED:** Record the date the form was filled out.
35. **TELEPHONE NUMBER:** Record the telephone number of the person who filled out this form.

JUVENILE REHABILITATION ADMINISTRATION (JRA)  
**SENTENCING WORKSHEET**

1. NAME (LAST, FIRST, MIDDLE INITIAL)		
2. BIRTHDATE (MM/DD/YYYY)	3. SEX <input type="checkbox"/> Male <input type="checkbox"/> Female	4. RACE
5. HISPANIC ORIGIN	6. JRA NUMBER	7. DETENTION CREDIT DAYS
8. JUVIS NUMBER	9. NAME OF COUNTY COURT	

**A. CURRENT OFFENSE INFORMATION**

10. Current offense number _____ of _____ total current offenses.		11. COURT ORDER NUMBER	
12. SENTENCE START DATE (MM/DD/YYYY)	13. DISPOSITION DATE (MM/DD/YYYY)	14. ADJUDICATION DATE (MM/DD/YYYY)	15. OFFENSE DATE (MM/DD/YYYY)
16. JRA OFFENSE CODE	17. ANTICIPATORY TYPE <input type="checkbox"/> Completed <input type="checkbox"/> Attempted <input type="checkbox"/> Conspiracy <input type="checkbox"/> Solicitation	18. JRA OFFENSE CATEGORY	19. FINDING OF SEXUAL MOTIVATION <input type="checkbox"/> Yes <input type="checkbox"/> No
20. FINDING OF FIREARM ENHANCEMENT <input type="checkbox"/> Yes <input type="checkbox"/> No			
21. TYPE OF PLACEMENT			
<input type="checkbox"/> JRA Direct <input type="checkbox"/> JRA SSODA Revoke <input type="checkbox"/> JRA CDDA Revoke <input type="checkbox"/> CDDA <input type="checkbox"/> SSODA		<input type="checkbox"/> Suspended Disposition Alternative (SDA) <input type="checkbox"/> JRA Suspended Disposition Alternative Revoked (JRA SDA Revoked) <input type="checkbox"/> Mental Health Disposition Alternative (MHDA)	
<input type="checkbox"/> JRA Mental Health Disposition Alternative Revoked (JRA MHDA Revoked) <input type="checkbox"/> Disposition Alternative Community Commitment (DACC)			

**B. PRIOR OFFENSE INFORMATION**

22. ADJUDICATION DATE (MM/DD/YYYY)	23. OFFENSE DATE (MM/DD/YYYY)	24. JRA OFFENSE CODE	25. ANTICIPATORY TYPE	26. CRIMINAL CLASS	27. PRIOR SCORE
			<input type="checkbox"/> COMPLETED <input type="checkbox"/> CONSPIRACY <input type="checkbox"/> ATTEMPTED <input type="checkbox"/> SOLICITATION		
			<input type="checkbox"/> COMPLETED <input type="checkbox"/> CONSPIRACY <input type="checkbox"/> ATTEMPTED <input type="checkbox"/> SOLICITATION		
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			<input type="checkbox"/> COMPLETED <input type="checkbox"/> CONSPIRACY <input type="checkbox"/> ATTEMPTED <input type="checkbox"/> SOLICITATION		

**C. SENTENCING INFORMATION**

28. TOTAL PRIOR OFFENSE SCORE	29. SENTENCE ADJUSTMENT <input type="checkbox"/> None (Standard Range) <input type="checkbox"/> Manifest Injustice <input type="checkbox"/> 150% Rule <input type="checkbox"/> 300% Rule		
30. THIS SENTENCE IS IN: <input type="checkbox"/> Days <input type="checkbox"/> Weeks	31. TOTAL MINIMUM EXCLUDING FIREARM ENHANCEMENT	32. TOTAL MAXIMUM EXCLUDING FIREARM ENHANCEMENT	
33. NAME OF PERSON COMPLETING THIS FORM FOR THE COURT	34. DATE COMPLETED (MM/DD/YYYY)	35. TELEPHONE NUMBER (INCLUDE AREA CODE)	



# **APPENDICES**

## APPENDIX A

### RACE CODES

597	INDIAN-AMERICAN
600	ASIAN-INDIAN
604	CAMBODIAN
605	CHINESE
608	FILIPINO
611	JAPANESE
612	KOREAN
613	LAOTIAN
618	THAI
619	VIETNAMESE
653	HAWAIIAN
655	SAMOAN
660	GUAMANIAN
699	OTHER-ASIAN
799	OTHER RACE
800	WHITE
870	BLK-AFR-AMR
935	ESKIMO
941	ALEUT
999	UNREPORTED

### HISPANIC ORIGIN CODES

709	YES, CUBAN
722	YES, MEXICAN-AMER
727	YES, PUERTO RICAN
799	YES, OTHER SPANISH
000	NOT REPORTED
999	NO

## APPENDIX B

### COUNTY COURT CODES

<b>COURT CODE</b>	<b>COURT NAME</b>
001	ADAMS
002	ASOTIN/GARFIELD
003	BENTON/FRANKLIN
004	CHELAN
005	CLALLAM
006	CLARK
007	COLUMBIA/WALLA WALLA
008	COWLITZ
009	DOUGLAS
026	PEND OR/STEVENS/FERRY
003	BENTON/FRANKLIN
002	ASOTIN/GARFIELD
013	GRANT
014	GRAYS HARBOR
015	ISLAND
016	JEFFERSON
017	KING
018	KITSAP
019	KITTITAS
020	KLICKITAT
021	LEWIS
022	LINCOLN
023	MASON
024	OKANOGAN
025	PACIFIC/WAHKIAKUM
026	PEND OR/STEVENS/FERRY
027	PIERCE
028	SAN JUAN
029	SKAGIT
030	SKAMANIA
031	SNOHOMISH
032	SPOKANE
026	PEND OR/STEVENS/FERRY
034	THURSTON
025	PACIFIC/WAHKIAKUM
007	COLUMBIA/WALLA WALLA
037	WHATCOM
038	WHITMAN
039	YAKIMA