

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

**“CURRENT”
RCW 9.94A.510**

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
S e r i o u s n e s s L e v e l		Life sentence without parole/death penalty for offenders at or over the age of eighteen. For offenders under the age of eighteen, a term of twenty-five years to life.*									
	LEVEL XVI	23y 4m	24y 4m	25y 4m	26y 4m	27y 4m	28y 4m	30y 4m	32y 10m	36y	40y
	LEVEL XV	240 - 320	250 - 333	261 - 347	271 - 361	281 - 374	291 - 388	312 - 416	338 - 450	370 - 493	411 - 548
	LEVEL XIV	14y 4m	15y 4m	16y 2m	17y	17y 11m	18y 9m	20y 5m	22y 2m	25y 7m	29y
	LEVEL XIII	123 - 220	134 - 234	144 - 244	154 - 254	165 - 265	175 - 275	195 - 295	216 - 316	257 - 357	298 - 397
	LEVEL XII	12y	13y	14y	15y	16y	17y	19y	21y	25y	29y
	LEVEL XI	93 - 123	102 - 136	111 - 147	120 - 160	129 - 171	138 - 184	162 - 216	178 - 236	209 - 277	240 - 318
	LEVEL X	7y 6m	8y 4m	9y 2m	9y 11m	10y 9m	11y 7m	14y 2m	15y 5m	17y 11m	20y 5m
	LEVEL IX	78 - 102	86 - 114	95 - 125	102 - 136	111 - 147	120 - 158	146 - 194	159 - 211	185 - 245	210 - 280
	LEVEL VIII	5y	5y 6m	6y	6y 6m	7y	7y 6m	9y 6m	10y 6m	12y 6m	14y 6m
	LEVEL VII	31 - 41	36 - 48	41 - 54	46 - 61	51 - 68	57 - 75	77 - 102	87 - 116	108 - 144	129 - 171
	LEVEL VI	2y	2y 6m	3y	3y 6m	4y	4y 6m	6y 6m	7y 6m	8y 6m	10y 6m
	LEVEL V	21 - 27	26 - 34	31 - 41	36 - 48	41 - 54	46 - 61	67 - 89	77 - 102	87 - 116	108 - 144
	LEVEL IV	18m	2y	2y 6m	3y	3y 6m	4y	5y 6m	6y 6m	7y 6m	8y 6m
	LEVEL III	15 - 20	21 - 27	26 - 34	31 - 41	36 - 48	41 - 54	57 - 75	67 - 89	77 - 102	87 - 116
	LEVEL II	13m	18m	2y	2y 6m	3y	3y 6m	4y 6m	5y 6m	6y 6m	7y 6m
LEVEL I	12+ - 14	15 - 20	21 - 27	26 - 34	31 - 41	36 - 48	46 - 61	57 - 75	67 - 89	77 - 102	
	9m	13m	15m	18m	2y 2m	3y 2m	4y	5y	6y	7y	
	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	41 - 54	51 - 68	62 - 82	72 - 96	
	6m	9m	13m	15m	18m	2y 2m	3y 2m	4y 2m	5y 2m	6y 2m	
	3 - 9	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	43 - 57	53 - 70	63 - 84	
	2m	5m	8m	11m	14m	20m	2y 2m	3y 2m	4y 2m	5y	
	1 - 3	3 - 8	4 - 12	9 - 12	12+ - 16	17 - 22	22 - 29	33 - 43	43 - 57	51 - 68	
		4m	6m	8m	13m	16m	20m	2y 2m	3y 2m	4y 2m	
	0-90 days	2 - 6	3 - 9	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29	33 - 43	43 - 57	
			3m	4m	5m	8m	13m	16m	20m	2y 2m	
	0-60 days	0-90 days	2 - 5	2 - 6	3 - 8	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29	

*NOTE: 2SSB 5064, passed during the 2014 legislative session, amended the mandatory minimum term for aggravated first degree murder committed before the offender's 18th birthday. The changes were made retroactive and, therefore, apply regardless of the date of offense. Refer to RCW 9.94A.510, RCW 9.94A.540, RCW 9.94A.729, RCW 10.95.030, and RCW 10.95.035.

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

**“CURRENT”
RCW 9.94A.510**

		Offender Score									
		0	1	2	3	4	5	6	7	8	9+
		Life sentence without parole/death penalty for offenders at or over the age of eighteen. For offenders under the age of eighteen, a term of twenty-five years to life.*									
S e r i o u s n e s s L e v e l	LEVEL XVI	23y 4m	24y 4m	25y 4m	26y 4m	27y 4m	28y 4m	30y 4m	32y 10m	36y	40y
	LEVEL XV	240 - 320	250 - 333	261 - 347	271 - 361	281 - 374	291 - 388	312 - 416	338 - 450	370 - 493	411 - 548
	LEVEL XIV	14y 4m	15y 4m	16y 2m	17y	17y 11m	18y 9m	20y 5m	22y 2m	25y 7m	29y
	LEVEL XIII	123 - 220	134 - 234	144 - 244	154 - 254	165 - 265	175 - 275	195 - 295	216 - 316	257 - 357	298 - 397
	LEVEL XII	9y	9y 11m	10y 9m	11y 8m	12y 6m	13y 5m	15y 9m	17y 3m	20y 3m	23y 3m
	LEVEL XI	7y 6m	8y 4m	9y 2m	9y 11m	10y 9m	11y 7m	14y 2m	15y 5m	17y 11m	20y 5m
	LEVEL X	5y	5y 6m	6y	6y 6m	7y	7y 6m	9y 6m	10y 6m	12y 6m	14y 6m
	LEVEL IX	31 - 41	36 - 48	41 - 54	46 - 61	51 - 68	57 - 75	77 - 102	87 - 116	108 - 144	129 - 171
	LEVEL VIII	2y	2y 6m	3y	3y 6m	4y	4y 6m	6y 6m	7y 6m	8y 6m	10y 6m
	LEVEL VII	15 - 20	21 - 27	26 - 34	31 - 41	36 - 48	41 - 54	57 - 75	67 - 89	77 - 102	87 - 116
	LEVEL VI	13m	18m	2y	2y 6m	3y	3y 6m	4y 6m	5y 6m	6y 6m	7y 6m
	LEVEL V	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	41 - 54	51 - 68	62 - 82	72 - 96
	LEVEL IV	3 - 9	6 - 12	12+ - 14	13 - 17	15 - 20	22 - 29	33 - 43	43 - 57	53 - 70	63 - 84
	LEVEL III	1 - 3	3 - 8	4 - 12	9 - 12	12+ - 16	17 - 22	22 - 29	33 - 43	43 - 57	51 - 68
	LEVEL II	0-90 days	2 - 6	3 - 9	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29	33 - 43	43 - 57
	LEVEL I	0-60 days	0-90 days	2 - 5	2 - 6	3 - 8	4 - 12	12+ - 14	14 - 18	17 - 22	22 - 29

*NOTE: 2SSB 5064, passed during the 2014 legislative session, amended the mandatory minimum term for aggravated first degree murder committed before the offender's 18th birthday. The changes were made retroactive and, therefore, apply regardless of the date of offense. Refer to RCW 9.94A.510, RCW 9.94A.540, RCW 9.94A.729, RCW 10.95.030, and RCW 10.95.035.

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

“CURRENT”*

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

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

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

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

Seriousness Level	Statute (RCW)	Offense	Class
VII	69.55.010	Theft of Ammonia	C
	46.37.660(2)(b)	Air Bag Diagnostic Systems (Causing Bodily Injury or Death)	C
	46.37.660(1)(b)	Air Bag Replacement Requirements (Causing Bodily Injury or Death)	C
	9A.52.020	Burglary 1	A
	9A.44.086	Child Molestation 2	B
	9A.48.120	Civil Disorder Training	B
	9.68A.050(1)	Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 1	B
	9A.36.045	Drive-by Shooting	B
	79A.60.050(1)(c)	Homicide by Watercraft - Disregard for the Safety of Others	A
	9A.44.100(1)(b-c)	Indecent Liberties - Without Forcible Compulsion	B
	9A.76.140	Introducing Contraband 1	B
	70.74.270(3)	Malicious Placement of an Explosive 3	B
	46.37.650(1)(b)	Manufacture or Import Counterfeit, Nonfunctional, Damaged, or Previously Deployed Air Bag (Causing Bodily Injury or Death)	C
	46.37.675	Negligently Causing Death By Use of a Signal Preemption Device	B
	46.37.650(2)(b)	Sale [of], Install, or Reinstall Counterfeit, Nonfunctional, Damaged, or Previously Deployed Airbag	C
	9.68A.060(1)	Sending, Bringing into the State Depictions of Minor Engaged in Sexually Explicit Conduct 1	B
	9.41.040(1)	Unlawful Possession of a Firearm 1	B
	9.41.225	Use of Machine Gun in Commission of a Felony	A
	46.61.520(1)(c)	Vehicular Homicide - Disregard for the Safety of Others	A
	VI	9A.76.170(3)(a)	Bail Jumping with Murder 1	A
9A.68.010		Bribery	B
9A.64.020(1)		Incest 1	B
9A.72.160		Intimidating a Judge	B
9A.72.130		Intimidating a Juror	B
9A.72.110		Intimidating a Witness	B

Seriousness Level	Statute (RCW)	Offense	Class
	70.74.272(1)(b)	Malicious Placement of an Imitation Device 2	C
	9.68A.070(1)	Possession of Depictions of Minor Engaged in Sexually Explicit Conduct 1	B
	9A.44.079	Rape of a Child 3	C
	9A.56.400(1)	Theft from a Vulnerable Adult 1	B
	9A.56.300	Theft of a Firearm	B
	69.55.020	Unlawful Storage of Ammonia	C
	9A.42.070	Abandonment of Dependent Persons 2	C
	9A.82.030	Advancing Money or Property for Extortionate Extension of Credit	B
	46.37.660(2)(c)	Air Bag Diagnostic Systems	C
	46.37.660(1)(c)	Air Bag Replacement Requirements	C
	9A.76.170(3)(b)	Bail Jumping with Class A Felony	B
	9A.44.089	Child Molestation 3	C
	9A.42.030	Criminal Mistreatment 2	C
	9A.44.160	Custodial Sexual Misconduct 1	C
	9.68A.050(2)	Dealing in Depictions of Minor Engaged in Sexually Explicit Conduct 2	B
	26.50.110	Domestic Violence Court Order Violation	C
	9A.56.120	Extortion 1	B
V	9A.82.020	Extortionate Extension of Credit	B
	9A.82.040	Extortionate Means to Collect Extensions of Credit	B
	9A.64.020(2)	Incest 2	C
	9A.40.030(3)(a)	Kidnapping 2	B
	9A.40.030(3)(b)	Kidnapping 2 With a Finding of Sexual Motivation	A
	46.37.650(1)(c)	Manufacture or Import Counterfeit, Nonfunctional, Damaged, or Previously Deployed Air Bag	C
	9A.72.020	Perjury 1	B
	9.94.070	Persistent Prison Misbehavior	C
	9A.56.310	Possession of a Stolen Firearm	B
	9A.44.060	Rape 3	C
	9A.76.070(2)(a)	Rendering Criminal Assistance 1	B

Seriousness Level	Statute (RCW)	Offense	Class
IV	46.37.650(2)(c)	Sale [of], Install, or Reinstall Counterfeit, Nonfunctional, Damaged, or Previously Deployed Airbag	C
	9.68A.060(2)	Sending, Bringing into the State Depictions of Minor Engaged in Sexually Explicit Conduct 2	B
	9A.44.093	Sexual Misconduct with a Minor 1	C
	9A.44.105	Sexually Violating Human Remains	C
	9A.46.110	Stalking	B
	9A.56.070	Taking Motor Vehicle Without Permission 1	B
	9A.48.030	Arson 2	B
	9A.36.021(2)(a)	Assault 2	B
	9A.36.021(2)(b)	Assault 2 With a Finding of Sexual Motivation	A
	9A.36.031(1)(h)	Assault 3 - Of a Peace Officer with a Projectile Stun Gun	C
	9A.36.041(3)	Assault 4 (third domestic violence offense)	C
	79A.60.060	Assault by Watercraft	B
	9A.72.100	Bribe Received by Witness	B
	9A.72.090	Bribing a Witness	B
	9.46.1961	Cheating 1	C
	9A.68.060	Commercial Bribery	B
	9.16.035(4)	Counterfeiting - Endanger Public Health or Safety	C
	46.61.502(6)	Driving While Under the Influence of Intoxicating Liquor or any Drug	B
	9A.42.100	Endangerment With a Controlled Substance	B
	9A.76.110	Escape 1	B
	46.52.020(4)(b)	Hit and Run - Injury	C
	79A.60.200(3)	Hit and Run with Vessel - Injury Accident	C
	9.35.020(2)	Identity Theft 1	B
	9A.88.010(2)(c)	Indecent Exposure to a Person Under Age 14 (Subsequent Conviction or Has Prior Sex Offense Conviction)	C
	9A.82.070	Influencing Outcome of Sporting Event	C
	9A.36.080	Malicious Harassment	C
	46.61.504(6)	Physical Control of a Vehicle While Under the Influence of Intoxicating Liquor or any Drug	C

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

Seriousness Level	Statute (RCW)	Offense	Class
	9A.76.120	Escape 2	C
	9A.56.130	Extortion 2	C
	9A.46.020(2)(b)	Harassment (Subsequent Conviction or Threat of Death)	C
	9A.76.180	Intimidating a Public Servant	B
	9A.76.150	Introducing Contraband 2	C
	81.60.070	Malicious Injury to Railroad Property	B
	19.144.080	Mortgage Fraud	B
	46.37.674	Negligently Causing Substantial Bodily Harm By Use of a Signal Preemption Device	B
	9A.56.350(2)	Organized Retail Theft 1	B
	9A.72.030	Perjury 2	C
	9.40.120	Possession of Incendiary Device	B
	9.41.190	Possession of Machine Gun, Short-barreled Shotgun or Short-barreled Rifle	C
	9A.88.080	Promoting Prostitution 2	C
	9A.56.360(2)	Retail Theft with Special Circumstances 1	B
	21.20.400	Securities Act Violation	B
	9A.72.120	Tampering with a Witness	C
	9.61.230(2)	Telephone Harassment (With Prior Harassment Conviction or Threat of Death)	C
	9A.56.083	Theft of Livestock 2	C
	9A.56.340(2)	Theft with Intent to Resell 1	B
	9A.82.055	Trafficking in Stolen Property 2	C
	77.15.410(3)(b)	Unlawful Hunting of Big Game 1	C
	9A.40.040	Unlawful Imprisonment	C
	69.04.938(3)	Unlawful Misbranding of Food Fish or Shellfish 1	C
	9.41.040(2)	Unlawful Possession of a Firearm 2	C
	77.15.120(3)(b)	Unlawful Taking of Endangered Fish or Wildlife 1	C
	77.15.260(3)(b)	Unlawful Trafficking in Fish, Shellfish or Wildlife 1	B
	77.15.530(4)	Unlawful Use of a Nondesignated Vessel	C
	46.61.522(1)(c)	Vehicular Assault - Disregard for the Safety of Others	B

Seriousness Level	Statute (RCW)	Offense	Class
	72.65.070	Willful Failure to Return from Work Release (Repealed July 1, 2001)	*
	77.15.500(3)(b)	Commercial Fishing Without a License 1	C
	9A.90.040	Computer Trespass 1	C
	9.16.035(3)	Counterfeiting – Third Conviction and Value \$10,000 or More	C
	9A.90.060	Electronic Data Service Interference	C
	9A.90.080	Electronic Data Tampering 1	C
	9A.90.100	Electronic Data Theft	C
	77.15.620(3)(b)	Engaging in Fish Dealing Activity Unlicensed 1	C
	72.09.310	Escape from Community Custody	C
	61.34.030	Equity Skimming*	B
	9A.44.132(1)(a)	Failure to Register as a Sex Offender (Second Violation Committed on or After 6/10/2010)	C
	9A.44.132(1)(a)	Failure to Register as a Sex Offender (Subsequent Violation Committed on or After 6/7/2006 but Before 6/10/2010)	C
II	9A.44.132(1)(b)	Failure to Register as a Sex Offender (Third or Subsequent Violation Committed on or After 6/10/2010)	B
	48.80.030	Health Care False Claims	C
	9.35.020(3)	Identity Theft 2	C
	9.35.010	Improperly Obtaining Financial Information	C
	9A.48.070	Malicious Mischief 1	B
	9A.56.350(3)	Organized Retail Theft 2	C
	9A.56.068	Possession of a Stolen Vehicle	B
	9A.56.150	Possession of Stolen Property 1 (Other Than Firearm or Motor Vehicle)	B
	9A.56.360(3)	Retail Theft with Special Circumstances 2	C
	19.290.100	Scrap Processing, Recycling, or Supplying Without a License (Second or Subsequent Offense)	C
	9A.56.030	Theft 1 (Excluding Firearm and Motor Vehicle)	B
	9A.56.065	Theft of a Motor Vehicle	B

* Equity Skimming is not found on the offense list under RCW 9.94A.518. RCW 61.34.030 language states “Equity skimming shall be classified as a level II offense under chapter 9.94A RCW, . . .” so it was included in this list.

Seriousness Level	Statute (RCW)	Offense	Class
	9A.56.096(5)(a)	Theft of Rental, Leased, Lease-purchased or Loaned Property (Valued at \$5,000 or More)	B
	9A.56.340(3)	Theft with Intent to Resell 2	C
	48.30A.015	Trafficking in Insurance Claims (Subsequent Violation)	C
	9A.56.290(4)(a)	Unlawful Factoring of a Credit or Payment Card Transaction	C
	77.15.570(2)	Unlawful Participation of Non-Indians in Indian Fishery	C
	2.48.180	Unlawful Practice of Law (Subsequent Violation)	C
	18.130.190(7)(b)	Unlicensed Practice of a Profession or Business (Subsequent Violation)	C
	77.15.650(3)(b)	Unlawful Purchase or Use of a License 1	C
	77.15.260(3)(a)	Unlawful Trafficking in Fish, Shellfish or Wildlife 2	C
	9A.44.115	Voyeurism 1	C
	46.61.024	Attempting to Elude Pursuing Police Vehicle	C
	74.08.055(2)	False Verification for Welfare	B
	9A.60.020	Forgery	C
	9A.60.060	Fraudulent Creation or Revocation of Mental Health Advance Directive	C
	9A.48.080	Malicious Mischief 2	C
	78.44.330	Mineral Trespass	C
	9A.56.160	Possession of Stolen Property 2 (Other Than Firearm or Motor Vehicle)	C
	9A.48.040	Reckless Burning 1	C
I	77.15.450(3)(b)	Spotlighting Big Game 1	C
	77.15.670(3)(b)	Suspension of Department Privileges 1	C
	9A.56.075	Taking Motor Vehicle Without Permission 2	C
	9A.56.040	Theft 2 (Excluding Firearm and Motor Vehicle)	C
	9A.56.400(2)	Theft from a Vulnerable Adult 2	C
	9A.56.096(5)(b)	Theft of Rental, Leased, Lease-purchased or Loaned Property (Valued at \$750 or More but Less Than \$5,000)	C
	48.17.063(4)	Transaction of Insurance Business Beyond the Scope of Licensure (Violation of RCW 48.17.060)	B

Seriousness Level	Statute (RCW)	Offense	Class
	77.15.630(3)(b)	Unlawful Fish and Shellfish Catch Accounting 1	C
	9A.56.060(4)	Unlawful Issuance of Checks or Drafts (Value Greater Than \$750)	C
	9A.56.320(3)	Unlawful Possession of a Personal Identification Device	C
	9A.56.320(4)	Unlawful Possession of Fictitious Identification	C
	9A.56.320(5)	Unlawful Possession of Instruments of Financial Fraud	C
	9A.56.320(2)	Unlawful Possession of Payment Instruments	C
	9A.56.320(1)	Unlawful Production of Payment Instruments	C
	9.91.144	Unlawful Redemption of Food Stamps	C
	77.15.250(2)(b)	Unlawful Releasing, Planting, Possessing or Placing Deleterious Exotic Wildlife	C
	9.91.142(1)	Unlawful Trafficking in Food Stamps	C
	77.15.580(3)(b)	Unlawful Use of Net to Take Fish 1	C
	77.15.253(3)	Unlawful Use of Prohibited Aquatic Animal Species (Subsequent Violation)*	C
	9A.52.095	Vehicle Prowl 1	C
	77.15.550(3)(b)	Violating Commercial Fishing Area or Time 1	C

* RCW 77.15.253 was repealed by 2014 c 202 § 310.

**DRUG OFFENSE SENTENCING GRID C: FOR OFFENSES
COMMITTED ON OR AFTER JULY 1, 2018**

**“CURRENT GRID”
RCW 9.94A.517**

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

**DRUG OFFENSE SENTENCING GRID C: FOR OFFENSES
COMMITTED ON OR AFTER JULY 1, 2018
(SOLICITATIONS FOR OFFENSES UNDER CHAPTER 69.50 RCW,
ANTICIPATORIES FOR OFFENSES NOT UNDER CHAPTER 69.50
RCW)**

**“CURRENT GRID”
RCW 9.94A.517**

Seriousness Level	Offender Score		
	0 to 2	3 to 5	6 to 9+
LEVEL III	38.25 - 51	51.02 - 75	75.02 - 90
LEVEL II	9.02 - 15	15.02 - 45	45.02 - 90
LEVEL I	0 - 4.5	4.52 - 13.5	9.02 - 18

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

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

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

Seriousness Level	Statute (RCW)	Offense	Class
	69.50.401(2)(b)	Manufacture, Deliver or Possess with Intent to Deliver - Amphetamine	B
	69.50.401(2)(c-e)	Manufacture, Deliver or Possess with Intent to Deliver - Narcotics from Schedule III, IV, or V or Nonnarcotics from Schedule I-V (except Marijuana, Amphetamine, Methamphetamine, or Flunitrazepam)	C
	69.52.030(1)	Manufacture, Distribute or Possess with Intent to Distribute an Imitation Controlled Substance	C
I	69.41.020	Forged Prescription - Legend Drug	B
	69.50.403	Forged Prescription for a Controlled Substance	C
	69.50.401(2)(c)	Manufacture, Deliver or Possess with Intent to Deliver - Marijuana	C
	69.50.4013	Possession of Controlled Substance That is a Narcotic from Schedule III, IV or V or Nonnarcotic from Schedule I-V	C
	69.50.4013	Possession of Controlled Substance That is Either Heroin or Narcotics from Schedule I or II	C
	69.53.010	Unlawful Use of Building for Drug Purposes	C

SENTENCING SUMMARY

State v. _____

Cause No. _____

Prosecutor: _____

Age/DOB: _____

Defense: _____

CCN: _____

Plea _____ or Trial _____ Custody Status: IN or OUT CFTS: _____

ORIGINAL CHARGE(S): _____

CURRENT CRIME(S): _____

CRIMINAL HISTORY: _____

Offender Score: _____ Seriousness Level(s): _____

Standard Range(s): _____

RECOMMENDATION

	STATE	DEFENSE
Incarceration	WER / CCAP / DOSA	WER / CCAP / DOSA
Probation	Supervised / Unsupervised	
Community Custody		
Community Service		
Costs		
VPA \$500		
DNA Fee \$100		
Restitution		
No Contact		
Other Conditions		

FILED

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KING COUNTY

SUPERIOR COURT CLERK

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

CASE #: 18-1-00851-1 SEA

THE STATE OF WASHINGTON,

Plaintiff,

v.

No. [REDACTED]

[REDACTED]

Defendant.

PRESENTENCE STATEMENT OF
KING COUNTY PROSECUTING ATTORNEY

CCN: [REDACTED]

DOB: [REDACTED]

SEX: Male

<u>CNT</u>	<u>Charge</u>	<u>Crime Date</u>
1	Burglary In The First Degree <u>Conviction Date:</u> 05/22/2019	01/05/2018 <u>Verdict:</u> Guilty Plea
2	Assault In The Second Degree <u>Conviction Date:</u> 05/22/2019	01/05/2018 <u>Verdict:</u> Guilty Plea
3	Assault In The Third Degree <u>Conviction Date:</u> 05/22/2019	01/05/2018 <u>Verdict:</u> Guilty Plea

SENTENCING DATE: June 14, 2019

SENTENCING JUDGE: The Honorable Roger S. Rogoff

DEFENSE ATTORNEY: [REDACTED]

ATTACHMENTS: THE FOLLOWING ATTACHMENTS ARE INCORPORATED BY REFERENCE INTO THIS PROSECUTOR'S STATEMENT:

- INFORMATION
- CERTIFICATION FOR DETERMINATION OF PROBABLE CAUSE
- PROSECUTING ATTORNEY SUMMARY AND REQUEST FOR BAIL
- PLEA AGREEMENT
- SENTENCING REFORM ACT SCORE SHEET
- APPENDIX B
- STATE'S SENTENCE RECOMMENDATION

DANIEL T. SATTERBERG
Prosecuting Attorney

BY: _____
Deputy Prosecuting Attorney

CRIMINAL DIVISION

FILED
2019 MAY 23
KING COUNTY
SUPERIOR COURT CLERK

CASE #: 18-1-00851-1 SEA

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SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

THE STATE OF WASHINGTON,)	
)	
)	Plaintiff,
)	
v.	)	No. 18-1- [REDACTED]
)	
[REDACTED])	
	)	Defendant.
)	
	)	AMENDED INFORMATION
)	
)	

I, Daniel T. Satterberg, Prosecuting Attorney for King County in the name and by the authority of the State of Washington, do accuse [REDACTED] of the following crime[s], which are of the same or similar character, and which are based on the same conduct or a series of acts connected together or constituting parts of a common scheme or plan: **Burglary In The First Degree, Assault In The Second Degree, Assault In The Third Degree**, committed as follows:

Count 1 Burglary In The First Degree

That the defendant [REDACTED] in King County, Washington, on or about January 5, 2018, did enter and remain unlawfully in a building located at [REDACTED] Seattle, in said county and state, with intent to commit a crime against a person or property therein, and in entering, and while in such building and in immediate flight therefrom, the defendant did assault a person, to-wit: [REDACTED];

Contrary to RCW 9A.52.020, and against the peace and dignity of the State of Washington.

And further do accuse the defendant, [REDACTED], at said time of committing the above crime against a family or household member, a crime of domestic violence as defined in RCW 9A.36.041(4) (intimate partner) and RCW 10.99.020.

And further do accuse the defendant, [REDACTED] at said time of being armed with a deadly weapon, to-wit: a machete, under the authority of RCW 9.94A.825 and 9.94A.533(4).

Daniel T. Satterberg, Prosecuting Attorney
CRIMINAL DIVISION
W554 King County Courthouse
516 Third Avenue
Seattle, WA 98104-2385
(206) 477-3742 FAX (206) 205-6104

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Count 2 Assault In The Second Degree

That the defendant [REDACTED] in King County, Washington, on or about January 5, 2018, did intentionally assault [REDACTED] with a deadly weapon, to-wit: Machete;

Contrary to RCW 9A.36.021(1)(c), and against the peace and dignity of the State of Washington.

And further do accuse the defendant, [REDACTED] at said time of being armed with a deadly weapon, to-wit: a machete, under the authority of RCW 9.94A.825 and 9.94A.533(4).

Count 3 Assault In The Third Degree

That the defendant [REDACTED] in King County, Washington, on or about January 5, 2018, with criminal negligence did cause bodily harm to [REDACTED], a human being, by means of a weapon or other instrument or thing likely to produce bodily harm, to-wit: a machete;

Contrary to RCW 9A.36.031(1)(d), and against the peace and dignity of the State of Washington.

And further do accuse the defendant, [REDACTED], at said time of committing the above crime against a family or household member, a crime of domestic violence as defined in RCW 9A.36.041(4) (intimate partner) and RCW 10.99.020.

And further do accuse the defendant, [REDACTED] at said time of being armed with a deadly weapon, to-wit: a machete, under the authority of RCW 9.94A.825 and 9.94A.533(4).

DANIEL T. SATTERBERG
Prosecuting Attorney

By:


[REDACTED]
Senior Deputy Prosecuting Attorney

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CAUSE NO. [REDACTED]

PROSECUTING ATTORNEY CASE SUMMARY AND REQUEST FOR BAIL AND/OR
CONDITIONS OF RELEASE

The State incorporates by reference the Certification for Determination of Probable Cause prepared by Officer [REDACTED] of the Seattle Police Department for case number 2018-6137.

Bail Request: The State requests bail in the amount of \$250,000.

Currently Charged Offense: As the certification and police reports describe, defendant [REDACTED] is the ex-boyfriend of 15 year old victim [REDACTED]. Since ending her relationship with the defendant, she has dated victim [REDACTED]. This angered the defendant who text messaged [REDACTED] on 12/23/17 that he would shoot him. On 1/5/18, [REDACTED] was inside her family home with her current boyfriend victim [REDACTED] mother [REDACTED] was not home at the time. [REDACTED] 10 year old sister (whose initials are also [REDACTED]) was also home. The defendant arrived unexpected and uninvited and let himself inside where he surprised [REDACTED] and [REDACTED], within earshot of the 10 year old. The defendant said "Oh, yup" and pulled a machete with a 15 inch blade out of his waistband. When [REDACTED] tried to come to [REDACTED] assistance, the defendant hit his ex-girlfriend [REDACTED]s mouth with the butt end of the handle. The defendant slashed [REDACTED]s right hand, stabbed the back of his shoulder, and then grabbed [REDACTED] around his neck, restricting his breathing and leaving visible red marks. The 10 year begged the defendant to finally stop. [REDACTED] was treated at Swedish Hospital for injuries which include the shoulder and defensive hand wounds pictured below. [REDACTED] will also require months of physical therapy to regain hand function because the defendant severed several tendons. Out of fear since the assault, [REDACTED] and [REDACTED] have remained in confidential locations. On 1/8/18, [REDACTED] mother Petitioned for Protection Order [REDACTED], which remains to be served because the defendant is at large. Page 6 of [REDACTED] mother's Petition chronicles prior violence by the defendant towards [REDACTED] including strangulation¹ and is attached as Appendix A.



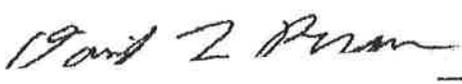
¹ Strangulation is a very serious indication of potential lethality. Intimate partners who have been non-fatally strangled are 8 times more likely to become a subsequent victim of homicide at the hands of the same abusive partner.
Daniel T. Sattarberg, Prosecuting Attorney
CRIMINAL DIVISION
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Affidavit: I, [REDACTED], Senior Deputy Prosecuting Attorney, declare that I have reviewed the Certification, discovery, and defendant's criminal history; I further declare that I copied the photos above from the hospital pictures provided by the investigating detective. I copied Appendix A from page 6 of sub 1 for cause [REDACTED] SEA in ECR.

Under penalty of perjury of the laws of the State of Washington, I, David L. Ryan, Senior Deputy Prosecuting Attorney, certify that the foregoing is true and correct.

Signed and dated by me this 8th day of February, 2018.



Senior Deputy Prosecuting Attorney

24

partner. Nancy Glass et al., Non-Fatal Strangulation Is an Important Risk Factor for Homicide of Women, 35 J. EMERGENCY MED.329, 329 (2008).
Prosecuting Attorney Case
Summary and Request for Bail
and/or Conditions of Release - 2

Daniel T. Satterberg, Prosecuting Attorney
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W554 King County Courthouse
516 Third Avenue
Seattle, WA 98104-2385
(206) 477-3742 FAX (206) 205-6104

then himself. I heard that he lost his father to suicide and has been struggling with severe depression most of his life.

Describe any violence or threats towards children:

My daughter also told me that the respondent strangled her sometime in October or November 2017. She said that they argued and when she said something that he did not like, he put his hands around her throat demanding that she take the words back.

Describe any stalking behavior by respondent, including use of telephonic, audiovisual or electronic means to harass or monitor:

My daughter told me that respondent looked for her at her school after they broke up. My daughter's school informed me that during the weeks leading up to winter break, respondent came around the school to look for her and would not leave.

Describe medical treatment you received and for what:

not leave.

Describe any threats of suicide or suicidal behavior by the respondent:

I have heard on at least 3 occasions that respondent had to go to the hospital due to suicide attempt's. According to my daughter, one of the attempts happened in our home when he drank peroxide and cut up his face.

Does the respondent own or possess firearms? Yes No

Does the respondent use firearms, weapons or objects to threaten or harm you? Please describe:

Please see above.

Has the respondent used, displayed, or threatened to use a firearm or other dangerous weapon in a felony? Please describe:

CAUSE NO. _____



**CERTIFICATION FOR DETERMINATION
OF PROBABLE CAUSE**

GENERAL OFFENSE # 2018-6137
UNIT FILE NUMBER

That Jill Vanskike is a Detective with the Seattle Police Department and has reviewed the investigation conducted in Seattle Police Department Case Number 2018-6137;

There is probable cause to believe that [REDACTED] committed the crime(s) of Burglary, Assault and Harassment within the City of Seattle, County of King, State of Washington.

This belief is predicated on the following facts and circumstances:

On 01/05/18 at about 1800 hours, victim [REDACTED] was at his friend [REDACTED]'s house, located at [REDACTED] Seattle WA. Jerry was downstairs in [REDACTED]'s bedroom watching a movie with [REDACTED] and her 10-year-old sister [REDACTED]. [REDACTED] heard someone walking down the stairs and thought it was her mother, so she told [REDACTED] to hide. He did as instructed and when [REDACTED] exited her bedroom, she discovered her ex-boyfriend, [REDACTED] was standing there. [REDACTED] had entered the house via an unsecured front door and was not expected nor had permission to be there. [REDACTED] stood in front of her door and told [REDACTED] to leave. He ignored her and looked into her room. He did not see anyone. Then he went into the bathroom and looked around. When he exited the bathroom, he saw [REDACTED] standing inside [REDACTED]'s room. [REDACTED] said something like "Oh yup" and pulled a machete from his waistband. He raised the knife and in the process struck [REDACTED] in the upper lip with the butt of the knife, causing a fat lip. [REDACTED] then lunged at [REDACTED] with the knife and slashed [REDACTED] across his right hand. [REDACTED] swung the machete at [REDACTED] a second time, but [REDACTED] ducked and was stabbed in his back in the upper left shoulder area by the knife's blade. [REDACTED] and [REDACTED] then struggled with each other and [REDACTED] pushed [REDACTED] on top of [REDACTED]'s bed. [REDACTED] then straddled [REDACTED] and placed his hands around [REDACTED]'s neck and attempted to strangle him. [REDACTED]'s airway was compromised and he couldn't breathe, but before he lost consciousness, he was able to push [REDACTED] upwards in order to gulp in air. During this time, [REDACTED] and [REDACTED] were crying and begging [REDACTED] to let [REDACTED] go. [REDACTED] also begged for [REDACTED] to let him leave. [REDACTED] finally stopped the assault and let [REDACTED] go. [REDACTED]'s friend [REDACTED] arrived and drove [REDACTED] to Swedish Hospital in Ballard where he was treated for a large puncture wound in his upper left shoulder and severed tendons in his right hand. [REDACTED] also had visible bruising on both sides of his neck consistent with strangulation. Prior to the incident, [REDACTED] received a text message from [REDACTED] on 12/23/17 in which [REDACTED] threatened he was going to shoot [REDACTED]. [REDACTED] had surgery on his right hand to reattach the tendons and nerves and will need physical therapy for at least six months to regain strength in his hand. [REDACTED] reported the incident to SPD while being treated at Swedish Hospital in Ballard. [REDACTED] reported the incident on 1/8/18 at school (18-9003). She was interviewed with her Principal and mother present and her story was consistent with [REDACTED]'s version. [REDACTED] stated she did not report the assault right away because she was afraid of [REDACTED] and not sure how to tell her mother. She stated she was also concerned about [REDACTED] because he is suicidal. E.J.



**CERTIFICATION FOR DETERMINATION
OF PROBABLE CAUSE**

INCIDENT NUMBER	2018-6137
UNIT FILE NUMBER	

and her family have petitioned for a Protection Order against [REDACTED] but it has not been served yet.

[REDACTED] whereabouts are unknown at this time and I request a warrant be issued for his arrest.

Under penalty of perjury under the laws of the State of Washington, I certify that the foregoing is true and correct to best of my knowledge and belief. Signed and dated by me this 18th day of January, 2018, at Seattle, Washington.

[Handwritten signature]

FELONY PLEA AGREEMENT

Date of Crime: January 5, 2018

Date: May 21, 2019

Defendant: [REDACTED]

Cause No: 18-1-[REDACTED]

The State of Washington and the defendant enter into this PLEA AGREEMENT which is accepted only by a guilty plea. This agreement may be withdrawn at any time prior to entry of the guilty plea.

The PLEA AGREEMENT is as follows:

On Plea To: As charged in Count(s) I-3 of the original 1st amended information.

With Special Finding(s): firearm, RCW 9.94A.533(3); deadly weapon other than firearm, RCW 9.94A.533(4); domestic violence – intimate partner, RCW 9A.36.041(4); domestic violence (other), RCW 10.99.020; sexual motivation, RCW 9.94A.533(8); other _____; for count(s): _____.

This is part of an indivisible agreement that includes cause number(s): _____.

DISMISS: Upon disposition of Count(s) _____, the State moves to dismiss: _____.

REAL FACTS OF HIGHER/MORE SERIOUS AND/OR ADDITIONAL CRIMES: In accordance with RCW 9.94A.530, the parties have stipulated that the following are real and material facts for purposes of this sentencing:

The facts set out in the certification(s) for determination of probable cause and prosecutor's summary.

The facts set forth in Appendix C; _____.

The defendant acknowledges and waives any right to have a jury determine these facts by proof beyond a reasonable doubt.

RESTITUTION: Pursuant to RCW 9.94A.753, the defendant shall pay restitution in full to the victim(s) on charged counts and

agrees to pay restitution in the specific amount of \$ TBD.

agrees to pay restitution _____.

The parties agree that neither party will seek an exceptional sentence, and the defendant agrees that he or she will not request a first-time offender waiver, or a drug offender or parenting sentencing alternative.

The defendant agrees that any attempt to withdraw the defendant's guilty plea(s), or any attempt to appeal or collaterally attack any conviction or agreed sentence under this cause number or any cause number that is part of this indivisible agreement will constitute a breach of this agreement.

OTHER: Neither party will seek an exceptional sentence

CRIMINAL HISTORY AND OFFENDER SCORE:

a. The defendant agrees to this Plea Agreement and that the attached sentencing guidelines scoring form(s) (Appendix A), offender score, and the attached Prosecutor's Understanding of Defendant's Criminal History (Appendix B) are accurate and complete and that the defendant was represented by counsel or waived counsel at the time of prior conviction(s). The State makes the sentencing recommendation set forth in the State's sentence recommendation. An essential term of this agreement is the parties' understanding of the standard sentencing range(s); if the parties are mistaken as to the offender score on any count, neither party is bound by any term of this agreement.

b. The defendant disputes the Prosecutor's Statement of the Defendant's Criminal History, as follows:

(1) Conviction: _____ Basis: _____

(2) Conviction: _____ Basis: _____

c. The defendant understands that one or more **convictions from other jurisdictions** have been included in the offender score, and agrees that these convictions have been properly included and scored according to the comparable offense definitions provided by Washington law.

Maximum on Count(s) 1 is not more than 20 years each and \$ 50,000 fine each.

Maximum on Count(s) 2 is not more than 10 years each and \$ 20,000 fine each.

Maximum on Count(s) 3 is not more than 5 years each and \$ 10,000 fine each.

Mandatory Minimum Term(s) pursuant to RCW 9.94A.540 only:

Mandatory weapon sentence enhancement for Count(s) 1 is 24 months each; for Count(s) 2 is 12 months each, for Count(s) 3 is 6 months each. This/these additional term(s) must be served consecutively to each other and to any other term and without any earned early release.

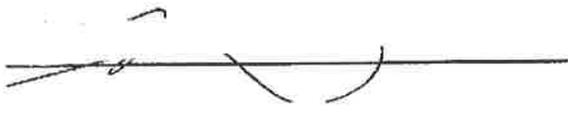
If this offense is a **felony firearm offense as defined by RCW 9.41.010** (including any felony committed while armed with a firearm, drive-by shooting, unlawful possession of a firearm, theft of a firearm, and possession of a stolen firearm), the judge may impose a requirement that I register with the sheriff in the County where I reside, for a period of four years from sentencing or from my release from confinement for this offense, whichever is later, in compliance with RCW 9.41.333. If this felony firearm offense, or an offense committed in conjunction with this offense, involved sexual motivation, was committed against a child under 18, or was a serious violent offense, the judge must impose this registration requirement. If it is later determined by the appellate courts that the facts required to order registration have not been properly established, any firearm offender registration requirement will be stricken.

The State's recommendation will increase in severity if additional criminal convictions are found or if the defendant commits any new charged or uncharged crimes, fails to appear for sentencing, or violates the conditions of release. If the defendant violates any other provision of this agreement, the State may either recommend a more severe sentence, file additional or greater charges, or re-file charges that were dismissed. The defendant waives any objection to the filing of additional or greater charges based on pre-charging or pre-trial delay, statutes of limitations, mandatory joinder requirements, or double jeopardy. This agreement does not preclude the defendant challenging whether a violation or breach of this agreement has occurred.

Felony Plea agreement (2 pages)

Cause No. 18-1-00851-1 SEA

Defendant


Senior Deputy Prosecuting Attorney, WSBA

Attorney for Defendant, WSBA#

Judge, King County Superior Court

General Burglary First Degree Offense Where Domestic Violence Has Been Plead and Proven

VIOLENT OFFENDER SCORING RCW 9.94A.525(21)

CURRENT OFFENSE BEING SCORED: Burglary 1-DV

ADULT HISTORY:

Enter number of domestic violence felony convictions as listed below* x 2 = _____

Enter number of repetitive domestic violence offense convictions (RCW 9.94A.030(42)) plead and proven after 8/1/11 x 1 = _____

Enter number of Burglary 2 and Residential Burglary felony convictions x 2 = _____

Enter number of serious violent and violent felony convictions x 2 = _____

Enter number of nonviolent felony convictions x 1 = _____

JUVENILE HISTORY:

Enter number of subsequent domestic violence felony dispositions as listed below* x 1 = _____

Enter number of Burglary 2 and Residential Burglary felony dispositions x 1 = _____

Enter number of serious violent and violent felony dispositions x 2 = _____

Enter number of nonviolent felony dispositions x 1/2 = _____

OTHER CURRENT OFFENSES:

(Other current offenses that do not encompass the same conduct count in offender score)

Enter number of other domestic violence felony convictions as listed below* 1 x 2 = 2

Enter number of repetitive domestic violence offense convictions plead and proven after 8/1/11 x 1 = _____

Enter number of Burglary 2 and Residential Burglary felony convictions x 2 = _____

Enter number of other serious violent and violent felony convictions 1 x 2 = 2

Enter number of other nonviolent felony convictions x 1 = _____

STATUS:

Was the offender on community custody on the date the current offense was committed? + 1 = _____

* If domestic violence was plead and proven after 8/1/2011 for the following felony offenses: Violation of a No-Contact Order, Violation of a Protection Order, Domestic Violence Harassment, Domestic Violence Stalking, Domestic Violence Burglary 1, Domestic Violence Kidnapping 1, Domestic Violence Kidnapping 2, Domestic Violence Unlawful Imprisonment, Domestic Violence Robbery 1, Domestic Violence Robbery 2, Domestic Violence Assault 1, Domestic Violence Assault 2, Domestic Violence Assault 3, Domestic Violence Arson 1, Domestic Violence Arson 2.

* If domestic violence was plead and proven after 7/23/17 for the following felony offenses: Assault of a Child 1, Assault of a Child 2, Assault of a Child 3, Criminal Mistreatment 1, Criminal Mistreatment 2.

STANDARD RANGE CALCULATION

Total the last column to get the Offender Score (Round down to the nearest whole number) = 4

Seriousness Level = VII

Low to High

STANDARD SENTENCE RANGE 36 to 48

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 66 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 245 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 253.
- ✓ For sentencing alternatives, see page 235.
- ✓ For community custody eligibility, see page 247.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 242.

+24 months DW

Assault Second Degree

RCW 9A.36.021(2)(a) CLASS B – VIOLENT/CRIMES AGAINST PERSONS OFFENDER SCORING RCW 9.94A.625(8)

If the present conviction is for a felony domestic violence offense where domestic violence was plead and proven, use the General Violent Offense Where Domestic Violence Has Been Plead and Proven scoring form on page 263.

ADULT HISTORY:

Enter number of serious violent and violent felony convictions 1 x 2 = _____
 Enter number of nonviolent felony convictions _____ x 1 = _____

JUVENILE HISTORY:

Enter number of serious violent and violent felony dispositions _____ x 2 = _____
 Enter number of nonviolent felony dispositions _____ x 1/2 = _____

OTHER CURRENT OFFENSES:

(Other current offenses that do not encompass the same conduct count in offender score)

Enter number of other serious violent and violent felony convictions 1 x 2 = 2
 Enter number of other nonviolent felony convictions 1 x 1 = 1

STATUS:

Was the offender on community custody on the date the current offense was committed? _____ + 1 = _____

Total the last column to get the **Offender Score** (Round down to the nearest whole number) 3

SENTENCE RANGE

	Offender Score									
	0	1	2	3	4	5	6	7	8	9+
LEVEL IV	6m 3-9	9m 6-12	13m 12+ - 14	15m 13-17	17.5m 15-20	25.5m 22-29	38m 33-43	50m 43-57	61.5m 53-70	73.5m 63-84

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 66 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 245 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 253.
- ✓ For sentencing alternatives, see page 235.
- ✓ For community custody eligibility, see page 247.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 242.

+ 6 months
Dw

General Nonviolent Offense Where Domestic Violence Has Been Pleaded and Proven

NONVIOLENT OFFENDER SCORING RCW 9.94A.525(21)

CURRENT OFFENSE BEING SCORED Assault 3 DV

ADULT HISTORY:

Enter number of domestic violence felony convictions as listed below* x 2 = _____

Enter number of repetitive domestic violence offense convictions (RCW 9.94A.030(42))
plead and proven after 8/1/11 x 1 = _____

Enter number of felony convictions x 1 = _____

JUVENILE HISTORY:

Enter number of subsequent domestic violence felony dispositions as listed below* x 1 = _____

Enter number of serious violent and violent felony dispositions x 1 = _____

Enter number of nonviolent felony dispositions x 1/2 = _____

OTHER CURRENT OFFENSES:

(Other current offenses that do not encompass the same conduct count in offender score)

Enter number of other domestic violence felony convictions as listed below* 1 x 2 = 2

Enter number of other repetitive domestic violence offense convictions plead and proven after 8/1/11 x 1 = _____

Enter number of other felony convictions 1 x 1 = 1

STATUS:

Was the offender on community custody on the date the current offense was committed? (if yes) + 1 = _____

* If domestic violence was plead and proven after 8/1/2011 for the following felony offenses:
Violation of a No-Contact Order, Violation of a Protection Order, Domestic Violence Harassment, Domestic Violence Stalking, Domestic Violence Burglary 1, Domestic Violence Kidnapping 1, Domestic Violence Kidnapping 2, Domestic Violence Unlawful Imprisonment, Domestic Violence Robbery 1, Domestic Violence Robbery 2, Domestic Violence Assault 1, Domestic Violence Assault 2, Domestic Violence Assault 3, Domestic Violence Arson 1, Domestic Violence Arson 2.

* If domestic violence was plead and proven after 7/23/17 for the following felony offenses:
Assault of a Child 1, Assault of a Child 2, Assault of a Child 3, Criminal Mistreatment 1, Criminal Mistreatment 2.

STANDARD RANGE CALCULATION

Total the last column to get the Offender Score (Round down to the nearest whole number) = 3

Seriousness Level = III

Low to High

STANDARD SENTENCE RANGE

- ✓ For attempt, solicitation, conspiracy (RCW 9.94A.595) see page 66 or for gang-related felonies where the court found the offender involved a minor (RCW 9.94A.833) see page 245 for standard range adjustments.
- ✓ For deadly weapon enhancement, see page 253.
- ✓ For sentencing alternatives, see page 235.
- ✓ For community custody eligibility, see page 247.
- ✓ For any applicable enhancements other than deadly weapon enhancement, see page 242.

+ 12 month DW

**APPENDIX B TO PLEA AGREEMENT
PROSECUTOR'S UNDERSTANDING OF DEFENDANT'S CRIMINAL HISTORY
(SENTENCING REFORM ACT)**

DEFENDANT: T _____
FBI No: State ID No.:

This criminal history was compiled on: February 12, 2018

- None known. Recommendations and standard range assumes no prior felony convictions.
- Criminal history not known and not received at this time. WASIS/NCIC last received on:

Offense	Score	Disposition	Type*
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Comments:

Prepared by: _____

*AF – Adult Felony
 AM – Adult Misdemeanor
 JF – Juvenile Felony
 JM – Juvenile Misdemeanor

STATE'S SENTENCE RECOMMENDATION
(USE FOR NON-SEX OFFENSE, NON-DOSA SENTENCES OF OVER ONE YEAR ONLY)

Date of Crime: January 5, 2018
 Defendant: _____

Date: May 21, 2019
 Cause No: _____

The State recommends that the defendant be sentenced to a term of total confinement in the Department of Corrections as follows:

41 Months on Count 1 ; 12 Months on Count 3 ;
17 Months on Count 2 ; _____ Days/months on Count _____ ;

with credit for time served as provided under RCW 9.94A.505. Terms to be served *concurrently/consecutively* with each other. Terms to be served *concurrently/consecutively* with: _____. Terms to be consecutive to any other term(s) not specifically referred to in this form.

WEAPONS ENHANCEMENT - RCW 9.94A.533: The above recommended term(s) of confinement do not include the following weapons enhancement time: 24 months for Ct. 1, 12 months for Ct. 2, 6 months for Ct. 3; which is/are mandatory, served without good time and served consecutive to any other term of confinement.

_____ ENHANCEMENT _____ months for Ct. _____.

TOTAL LENGTH OF CONFINEMENT recommended in this cause, including all counts and enhancements is 83 months.

This is an agreed recommendation.

NO DRUG OFFENDER SENTENCE ALTERNATIVE (DOSA) - RCW 9.94A.660:

Defendant is not legally eligible for DOSA because current sex/ violent offense; prior violent offense within 10 years or any prior sex offense; weapon enhancement; subject to final deportation order; not small quantity of drugs; more than one prior DOSA within 10 years; felony DUI or physical control.

Defendant is eligible but DOSA is not recommended because _____.

EXCEPTIONAL SENTENCE: Substantial and compelling reasons for departing from presumptive range are set out in attached memo.

NO CONTACT: For the maximum term, defendant shall have no contact, direct or indirect, in person, in writing, by telephone, or through third parties, with: DV NCO with EJ, condition of sentence NCO with JC.

Count(s) _____ is a **FELONY FIREARM OFFENSE** (defined by RCW 9.41.010) as to which, pursuant to RCW 9.41.330: firearm offender registration is mandatory; or firearm offender registration may be required and the State recommends it.

MONETARY PAYMENTS: Defendant shall make the following monetary payments pursuant to RCW 9.94A.753 and RCW 9.94A.760. Mandatory \$500 Victim Penalty Assessment. \$100 DNA collection fee (DNA fee is mandatory unless the State has previously collected DNA as a result of a prior conviction).

- Restitution as set forth in the "Plea Agreement" page and _____.
 Court costs; recoupment of cost for appointed counsel.
 Other: _____.

COMMUNITY CUSTODY: for qualifying crimes the defendant shall serve a term of community custody set forth below.

- Serious violent offense: 36 months (a range of 24 to 36 months if crime committed before 8/1/2009).
 Violent offense: 18 months
 Crimes against persons or violation of Ch. 69.50 or .52: 12 months (range of 9-12 mo. if crime committed before 8/1/2009).

Community Custody includes mandatory statutory conditions as well as discretionary conditions set by the court or Dept. of Corrections. The State recommends the court impose these discretionary conditions:

- Obtain an alcohol/substance abuse evaluation within 30 days of release and follow all treatment recommendations.
 Enter into within 30 days of release, make reasonable progress in, and successfully complete state-certified Domestic Violence treatment.
 Other: Obtain mental health evaluation and follow all treatment recommendations. Parties agree mental health was a

factor in offense to warrant treatment conditions.

MANDATORY CONSEQUENCES: HIV blood testing (RCW 70.24.340) for any prostitution related offense, or drug offense associated with needle use. DNA testing (RCW 43.43.754). Revocation of right to possess a FIREARM (RCW 9.41.040). DRIVER'S LICENSE REVOCATION (RCW 46.20.285; RCW 69.50.420). REGISTRATION: Persons convicted of some kidnap/unlawful imprisonment offenses are required to register pursuant to RCW 9A.44.130.


Senior Deputy Prosecuting Attorney

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FILED THE HON. ROGER ROGOFF
2019 JUN 14 11:12 AM Sentencing Hearing: Friday, June 24, 2019
KING COUNTY 1:00 p.m.
SUPERIOR COURT CLERK
E-FILED
CASE #: 18-1-00851-1 SEA

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF KING

STATE OF WASHINGTON,

Plaintiff,

v.

[REDACTED]

Defendant.

No. 15-1-02109-0

DEFENDANT'S SENTENCING
MEMORANDUM

I. INTRODUCTION

The defendant, [REDACTED] is before the Court for sentencing pursuant to a guilty plea to one count of Burglary in the First Degree DV, Assault in the Second Degree, and Assault in the Third Degree DV.

II. SENTENCING RECOMMENDATION

The parties respectfully request that this Court follow the agreed recommendation as noted in the State's Sentencing Recommendation and sentence [REDACTED] accordingly. The agreed recommendation was reached with consideration of [REDACTED] mental status at the time of the incident, his age, and his lack of prior criminal history, and other factors surrounding the incident.

III. BACKGROUND HISTORY

[REDACTED] was born in Seattle, Washington on April 28, 2000. Up until his incarceration, he lived with his paternal grandmother, [REDACTED], who also cared for [REDACTED] brother. [REDACTED] father committed suicide when [REDACTED] was 4 years

1 old. His mother was in the drug scene and not available for her sons. The responsibility
2 fell on his grandmother to raise the two boys.

3 [REDACTED] was attending West Seattle High School at this time of this incident. He
4 was transferred to West Seattle in late 2015 for intimidating a teacher. Earlier that year he
5 attempted suicide and at the time of his transfer, he talked about wanting to commit suicide.
6 These events prompted the school to seek mental health counseling for [REDACTED]. Along
7 with the referral to NAVOS for mental health treatment, it is noted the punishment was
8 mitigated because [REDACTED] was under medical care for a concussion. Prior to the 2015
9 action, [REDACTED] attended Madison Middle School. In the two years he was at Madison,
10 he received 15 infractions on his official record for Disruptive Conduct, Rule Breaking,
11 Bullying, Assault, Interference with School Authorities, Drug Possession and Malicious
12 Mischief. These occurred when he was 12 – 14 years old. One wonders how much more
13 had to signaled at Madison for [REDACTED] to receive counseling or intervention of some type.
14 His academic record is very good. However, due to his behavioral issues, he was kept in
15 classes below his level and his teachers admitted the work was most likely too easy for
16 him.

17 Although [REDACTED] was reluctant to discuss any (if any) past abuse or the suicide
18 attempt, he showed improvement while in counseling after his transfer to West Seattle. He
19 cited his only support system as his girlfriend. His counselor noted: “The client has
20 experienced exposure to threatened death, and serious injury through witnessing or
21 experiencing the traumatic event. When the client is reminded of something in the past he
22 becomes very distressed, and avoidance [*sic*]of stressful events connected to traumatic
23 events occur as well. Given these symptoms, it makes sense to give the diagnosis of Post
24 Traumatic Stress disorder.”

At the time of the incident for which he is before the court, he had recently broken
up with his girlfriend, the one person he cited as an only friend and support person since
he attended Madison Junior High. Although he didn't say so (in line with his reluctance at
the time to discuss distressing events) he was devastated and quite beside himself. He
knew she started seeing another young man, the victim in this case, who Tyshawn also
knew. On January 5, 2018, he went over to his ex-girlfriend's house (also victim in this
case), went inside and finding the male victim in the house, stabbed him with a machete he

1 had brought. The injury sustained by his ex-girlfriend was received when [REDACTED]
2 accidentally hit her on the cheek with the butt of the knife during the attack. Simply
3 overcome by his anger and unable to control his emotions, he lashed out physically.
4 [REDACTED] still lacked the tools required to bring his emotions in check, to reason what his
5 actions would mean for his future, and to see the situation as painful yet temporary in
6 context with his life. Unfortunately, this happened before he explored the tools required
7 for such self-awareness. He has expressed many times that he realizes he allowed his
8 emotions to control him and this was an insight he had not witnessed before. He
9 understands from the situation that he does have the ability to control his thoughts and
10 actions. He wants to continue to explore ways and methods required to maintain a
11 controlled thought and action process.

12 [REDACTED] also expresses his sincere apologies to the victims and their families. In
13 his right mind, he would not cause them harm. He would like them to know he will
14 continue to seek help through counseling, so the uncontrolled behavior does not re-occur.

15 [REDACTED] has taken advantage of services offered while incarcerated. He obtained
16 his GED and graduated. He will continue to pursue academic studies in DOC. [REDACTED] is
17 a bright, personable, sensitive person who has great potential when he is able to fully
18 understand he does have control over himself; while allowing his emotions to play out as
19 they should.

20 The recommendation before the court, as stated in the State's Sentencing
21 Memorandum is agreed. It is an appropriate evaluation as the State recognized the
22 mitigating factors affecting the necessary *mens rea* and made the sentencing
23 recommendation with those factors in mind. [REDACTED] and I discussed this possible
24 resolution in the months before it was presented. So, although he understands the charges
and the plea, it was still a difficult situation for him. He hopes the Court and State do not
see his demeanor at the plea as a signal of his disregard for acceptance of the consequences
of his actions. He does accept responsibility for what he did, and he expressed as much on
the first day I met with him.

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IV. CONCLUSION

Given the circumstances in this case, the underlying issues and totality of circumstances, the recommendation is reasonable and accurate to the crimes. We urge the Court to accept this agreed recommendation and sentence [REDACTED] accordingly.

Respectfully Submitted,

Attorney for

COMMITMENT ISSUED JUN 21 2019

FILED KING COUNTY, WASHINGTON JUN 21 2019 SUPERIOR COURT CLERK

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,)
Plaintiff,) No. [REDACTED]
vs.) JUDGMENT AND SENTENCE
[REDACTED]) FELONY (FJS)
Defendant.)

I. HEARING

I.1 The defendant, the defendant's lawyer, Colleen O'Connor, and the deputy prosecuting attorney were present at the sentencing hearing conducted today. Others present were: _____

II. FINDINGS

There being no reason why judgment should not be pronounced, the court finds:

2.1 CURRENT OFFENSE(S): The defendant was found guilty on 05/22/2019 by Plea of:

Count No.: 1 Crime: Burglary In The First Degree
RCW: 9A.52.020 Crime Code: 02306C
Date of Crime: 01/05/2018

Count No.: 2 Crime: Assault In The Second Degree
RCW: 9A.36.021(1)(c) Crime Code: 01020
Date of Crime: 01/05/2018

Count No.: 3 Crime: Assault In The Third Degree
RCW: 9A.36.031(1)(d) Crime Code: 01102D
Date of Crime: 01/05/2018

[] Additional current offenses are attached in Appendix A

SPECIAL VERDICT or FINDING(S):

- (a) While armed with a **firearm** in count(s) _____ RCW 9.94A.533(3).
- (b) While armed with a **deadly weapon** other than a firearm in count(s) 1, 2, 3 RCW 9.94A.533(4).
- (c) With a **sexual motivation** in count(s) _____ RCW 9.94A.835.
- (d) A V.U.C.S.A. offense committed in a **protected zone** in count(s) _____ RCW 69.50.435.
- (e) **Vehicular homicide** Violent traffic offense DUI Reckless Disregard.
- (f) **Vehicular homicide** by DUI with _____ prior conviction(s) for offense(s) defined in RCW 46.61.5055, RCW 9.94A.533(7).
- (g) **Non-parental kidnapping** or unlawful imprisonment with a minor victim. RCW 9A.44.128, .130.
- (h) **Domestic violence – intimate partner** as defined in RCW 9A.36.041(4) and RCW 10.99.020 was pled and proved for count(s) 1 & 2.
- (i) **Domestic violence (other)** as defined in RCW 10.99.020 was pled and proved for count(s) _____.
- (j) Current offenses **encompassing the same criminal conduct** in this cause are count(s) _____ RCW 9.94A.589(1)(a).
- (k) **Aggravating circumstances** as to count(s) _____: _____

2.2 **OTHER CURRENT CONVICTION(S):** Other current convictions listed under different cause numbers used in calculating the offender score are (list offense and cause number): _____

2.3 **CRIMINAL HISTORY:** Prior convictions constituting criminal history for purposes of calculating the offender score are (RCW 9.94A.525):

- Criminal history is attached in **Appendix B**.
- One point added for offense(s) committed while under community placement for count(s) _____

2.4 **SENTENCING DATA:**

Sentencing Data	Offender Score	Seriousness Level	Standard Range	Enhancement	Total Standard Range	Maximum Term
1	4	VII	36-48 months	24 months, ea.	60-72 months	20 YRS and/or \$50,000
2	3	IV	13-17 months	12 months, ea.	25-29 months	10 YRS and/or \$20,000
3	3	III	9-12 months	6 months, ea.	15-18 months	5 YRS and/or \$10,000

Additional current offense sentencing data is attached in **Appendix C**.

2.5 **EXCEPTIONAL SENTENCE**

- Findings of Fact and Conclusions of Law as to sentence above the standard range:
Finding of Fact: The jury found or the defendant stipulated to aggravating circumstances as to Count(s) _____.
Conclusion of Law: These aggravating circumstances constitute substantial and compelling reasons that justify a sentence above the standard range for Count(s) _____. The court would impose the same sentence on the basis of any one of the aggravating circumstances.
- An exceptional sentence above the standard range is imposed pursuant to RCW 9.94A.535(2) (including free crimes or the stipulation of the defendant). Findings of Fact and Conclusions of Law are attached in Appendix D.
- An exceptional sentence below the standard range is imposed. Findings of Fact and Conclusions of Law are attached in Appendix D.

III. JUDGMENT

IT IS ADJUDGED that defendant is guilty of the current offenses set forth in Section 2.1 above and **Appendix A**.

The Court **DISMISSES** Count(s) _____

IV. ORDER

IT IS ORDERED that the defendant serve the determinate sentence and abide by the other terms set forth below.

- [] This offense is a **felony firearm offense** (defined in RCW 9.41.010; includes any felony committed while armed with a firearm, unlawful possession of a firearm, theft of a firearm, and possession of a stolen firearm). **Registration is required** because this offense or an offense committed in conjunction with this offense: involved sexual motivation; was committed against a child under 18; or was a serious violent offense. As mandated by RCW 9.41.330(3), the Court requires that the defendant register as a firearm offender, in compliance with RCW 9.41.333. The registration requirements are explained in the attached **Appendix L**.
- [] This offense is a **felony firearm offense** (defined in RCW 9.41.010; includes any felony committed while armed with a firearm, unlawful possession of a firearm, theft of a firearm, and possession of a stolen firearm) but does not fall within a category mandating registration. Having considered relevant factors, including criminal history, propensity for violence endangering persons, and any prior NGRI findings, the **Court orders that the defendant register** as a firearm offender, in compliance with RCW 9.41.333. The registration requirements are explained in the attached **Appendix L**.

4.1 RESTITUTION, VICTIM ASSESSMENT, AND DNA FEE:

- Defendant shall pay restitution to the Clerk of this Court as set forth in attached **Appendix E**.
- Defendant shall not pay restitution because the Court finds that extraordinary circumstances exist, and the court, pursuant to RCW 9.94A.753(5), sets forth those circumstances in attached Appendix E.
- Restitution to be determined at future restitution hearing on (Date) _____ at _____ m.
- Date to be set.
- Defendant waives right to be present at future restitution hearing(s).
- Restitution is not ordered.
- ✓ Defendant shall pay **Victim Penalty Assessment** in the amount of **\$500** (RCW 7.68.035 - mandatory).
- Defendant shall pay **DNA collection fee** in the amount of **\$100** (RCW 43.43.7541 - mandatory unless the state has previously collected DNA as a result of a prior conviction). *exception: for mental health*

4.2 OTHER FINANCIAL OBLIGATIONS: Having considered the defendant's present and likely future financial resources, the Court concludes that the defendant has the present or likely future ability to pay the financial obligations imposed. Defendant shall pay the following to the Clerk of this Court:

- (a) \$ _____, Court costs (RCW 10.01.160), defendant is not indigent; Court costs are waived;
- (b) \$ _____, Recoupment for attorney's fees to King County Public Defense Programs (RCW 9.94A.030); Recoupment is waived;
- (c) \$ _____, Fine ; \$1,000, Fine for VUCSA \$2,000, Fine for subsequent VUCSA (RCW 69.50.430); VUCSA fine waived;
- (d) \$ _____, Other fine/assessment for: _____.

Defendant has stipulated to his or her ability to pay legal financial obligations ordered.

4.3 PAYMENT SCHEDULE: The **TOTAL FINANCIAL OBLIGATION** set in this order is \$ 500...

Restitution may be added in the future. The payments shall be made to the King County Superior Court Clerk according to the rules of the Clerk and the following terms: Not less than \$ _____ per month;

On a schedule established by the defendant's Community Corrections Officer or Department of Judicial Administration (DJA) Collections Officer. Restitution shall bear interest pursuant to RCW 10.82.090. **The Defendant shall remain under the Court's jurisdiction to assure payment of financial obligations: for crimes committed before 7/1/2000, for up to ten years from the date of sentence or release from total confinement, whichever is later; for crimes committed on or after 7/1/2000, until the obligation is completely satisfied.** Pursuant to RCW 9.94A.7602, if the defendant is more than 30 days past due in payments, a notice of payroll deduction may be issued without further notice to the offender. Pursuant to RCW 9.94A.760(7)(b), the defendant shall report as directed by DJA and provide financial information as requested.

4.4 CONFINEMENT OVER ONE YEAR: Defendant is sentenced to a term of total confinement in the custody of the Department of Corrections as follows, commencing immediately:

41 months/days on count I; 12 months/days on count III; _____ months/days on count _____;
17 months/days on count II; _____ months/days on count _____; _____ months/days on count _____;

The above terms for counts _____ are consecutive concurrent.

The above terms shall run consecutive concurrent to cause No.(s) _____

The above terms shall run consecutive concurrent to any previously imposed sentence not referred to in this order.

In addition to the above term(s) the court imposes the following mandatory terms of confinement for any special WEAPON finding(s) in section 2.1:
24 month Cr I 12 months Cr II 6 months Cr III
which term(s) shall run consecutive with each other and with all base term(s) above and terms in any other cause. (Use this section only for crimes committed after 6-10-98.)

The enhancement term(s) for any special WEAPON findings in section 2.1 is/are included within the term(s) imposed above. (Use this section when appropriate, but for crimes before 6-11-98 only, per In Re Charles.)

[] On the conviction for aggravated murder in the first degree, the defendant was under 18 at the time of that offense. Having considered the factors listed in RCW 10.95.030, a minimum term of _____ years of total confinement and a maximum term of life imprisonment is imposed. (If under 16 at the time of the offense, minimum term must be 25 years; if 16 or 17, minimum term must be 25 years to life without parole.)

The TOTAL of all terms imposed in this cause is 83 months.

Credit is given for time served in King County Jail or EHD solely for confinement under this cause number pursuant to RCW 9.94A.505(6): _____ day(s) or days determined by the King County Jail.

4.5 NO CONTACT: For the maximum term of 20 years, defendant shall have no contact with _____

4.6 DNA TESTING. The defendant shall have a biological sample collected for purposes of DNA identification analysis and the defendant shall fully cooperate in the testing, as ordered in APPENDIX G.

HIV TESTING: The defendant shall submit to HIV testing as ordered in APPENDIX G. RCW 70.24.340.

4.7 (a) COMMUNITY CUSTODY for qualifying crimes committed before 7-1-2000, is ordered for one year (for a drug offense, assault 2, assault of a child 2, or any crime against a person where there is a finding that defendant or an accomplice was armed with a deadly weapon); 18 months (for any vehicular homicide or for a vehicular assault by being under the influence or by operation of a vehicle in a reckless manner); two years (for a serious violent offense).

(b) COMMUNITY CUSTODY for any SEX OFFENSE committed after 6-5-96 but before 7-1-2000, is ordered for a period of 36 months.

(c) **COMMUNITY CUSTODY** - for qualifying crimes committed after 6-30-2000 is ordered for the following established range or term:

- Sex Offense, RCW 9.94A.030 - 36 months—when not sentenced under RCW 9.94A.507
 - Serious Violent Offense, RCW 9.94A.030 - 36 months
 - If crime committed prior to 8-1-09, a range of 24 to 36 months.
 - Violent Offense, RCW 9.94A.030 - 18 months
 - Crime Against Person, RCW 9.94A.411 or Felony Violation of RCW 69.50/52 - 12 months
 - If crime committed prior to 8-1-09, a range of 9 to 12 months.
- _____ months (applicable mandatory term reduced so that the total amount of incarceration and community custody does not exceed the maximum term of sentence).

Sanctions and punishments for non-compliance will be imposed by the Department of Corrections or the court.

- APPENDIX H** for Community Custody conditions is attached and incorporated herein.
- APPENDIX J** for sex offender registration is attached and incorporated herein.

4.8 **ARMED CRIME COMPLIANCE, RCW 9.94A.475, 480.** The State's plea/sentencing agreement is attached as follows:

The defendant shall report to an assigned Community Corrections Officer upon release from confinement for monitoring of the remaining terms of this sentence.

Date: 6/21/19


JUDGE
Print Name: ROGER ROGOFF

Presented by:

Approved as to form:

Deputy Prosecuting Attorney.
Print Name: _____

Attorney for Defendant. WSBA #
Print Name: _____

FINGER PRINTS



RIGHT HAND
FINGERPRINTS OF:
TYSHAWN ALEXANDER HOWELL

DEFENDANT'S SIGNATURE: X [Signature]
DEFENDANT'S ADDRESS: Doc

Dated: 6/21/19
[Signature]
JUDGE **ROGER ROGOFF**

ATTESTED BY: BARBARA MINER,
SUPERIOR COURT CLERK
By: [Signature]
DEPUTY CLERK

CERTIFICATE

OFFENDER IDENTIFICATION

I, _____
CLERK OF THIS COURT, CERTIFY THAT THE
ABOVE IS A TRUE COPY OF THE JUDGMENT AND
SENTENCE IN THIS ACTION ON RECORD IN MY
OFFICE.
DATED: _____

S.I.D. NO. WA29032288

DOB: 04/28/2000

SEX: Male

RACE: Black/African American

CLERK
By: _____
DEPUTY CLERK

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,)	
)	
	)	Plaintiff,
	)	No. 18-1-00851-1 SEA
vs.)	
	)	APPENDIX G
	)	ORDER FOR BIOLOGICAL TESTING
TYSHAWN ALEXANDER HOWELL,	)	AND COUNSELING
)	
	)	Defendant.
)	
)	

(1) DNA IDENTIFICATION (RCW 43.43.754):

The Court orders the defendant to cooperate with the King County Department of Adult Detention, King County Sheriff's Office, and/or the State Department of Corrections in providing a biological sample for DNA identification analysis. The defendant, if out of custody, shall promptly call the King County Jail at (206) 477-5003 between 8:00 a.m. and 1:00 p.m., to make arrangements for the test to be conducted within 15 days.

(2) HIV TESTING AND COUNSELING (RCW 70.24.340):

(Required for defendant convicted of sexual offense, drug offense associated with the use of hypodermic needles, or prostitution related offense.)

The Court orders the defendant contact the Seattle-King County Health Department and participate in human immunodeficiency virus (HIV) testing and counseling in accordance with Chapter 70.24 RCW. The defendant, if out of custody, shall promptly call Seattle-King County Health Department at (206) 263-2000 to make arrangements for the test to be conducted within 30 days.

If (2) is checked, two independent biological samples shall be taken.

Date: 6/21/19



 JUDGE, King County Superior Court
ROGER ROGOFF

SUPERIOR COURT OF WASHINGTON FOR KING COUNTY

STATE OF WASHINGTON,)	
)	
	)	Plaintiff,
	)	No. 18-1-00851-1 SEA
vs.)	
	)	JUDGMENT AND SENTENCE (FELONY)
	)	APPENDIX H
TYSHAWN ALEXANDER HOWELL,	)	COMMUNITY CUSTODY
)	
	)	Defendant.
)	

The Defendant shall comply with the following conditions of community custody, effective as of the date of sentencing unless otherwise ordered by the court.

- 1) Report to and be available for contact with the assigned community corrections officer as directed;
- 2) Work at Department of Corrections-approved education, employment, and/or community restitution;
- 3) Not possess or consume controlled substances except pursuant to lawfully issued prescriptions;
- 4) Pay supervision fees as determined by the Department of Corrections;
- 5) Receive prior approval for living arrangements and residence location; and
- 6) Not own, use, or possess a firearm or ammunition. (RCW 9.94A.706)
- 7) Notify community corrections officer of any change in address or employment;
- 8) Upon request of the Department of Corrections, notify the Department of court-ordered treatment;
- 9) Remain within geographic boundaries, as set forth in writing by the Department of Corrections Officer or as set forth with SODA order.

- The defendant shall not consume any alcohol.
- Defendant shall have no contact with: [REDACTED]
- Defendant shall remain within outside of a specified geographical boundary, to wit:

- The court finds that the defendant has a chemical dependency (alcohol other substance) that has contributed to his or her offense. Treatment is reasonably related to the circumstances of this crime and reasonably necessary or beneficial to the defendant and the community. (RCW 9.94A.607) Therefore, the defendant shall participate in the following treatment:

obtain mental health eval and follow treatment recommendations

- The defendant shall comply with the following crime-related prohibitions:
The defendant shall enter into, make reasonable progress in, and successfully complete Domestic Violence Batterer's Treatment, per WAC 388-60 or a cognitive behavioral therapy alternative such as Moral Reconation Therapy (MRT) or Thinking for a Change.

Other conditions may be imposed by the court or Department during community custody.

Community Custody shall begin upon completion of the term(s) of confinement imposed herein, or at the time of sentencing if no term of confinement is ordered. The defendant shall remain under the supervision of the Department of Corrections and follow explicitly the instructions and conditions established by that agency. The Department may require the defendant to perform affirmative acts deemed appropriate to monitor compliance with the conditions and may issue warrants and/or detain defendants who violate a condition.

Date: 6/21/19


 JUDGE
ROGER ROGOFF

DEFENDANT	AGE/ RACE	CHARGED CRIME	CONVICTED CRIME	OFFENDER SCORE	VIOLENT HISTORY	RANGE	SENTENCE
13-C-██████████	39/White	PSP x 4 Att Elude	PSP x 4 Burg 2 Att Elude	8 to 16	No	43-47 MOS	25 MOS (DOSA)
14-1-██████████	19/White	Res Burg	Burg 2	5	Rob 1	17-22 MOS	17 MOS
14-1-██████████	39/White	UPFA Burg 2 x 2	Burg 2 UPFA	9-Jan	A2	1)51-60 MOS 2)51-68 MOS	12 MOS + 1 Day
13-1-██████████	28/White	Burg 2 x 3 PSP x 2	Burg 2 x 2 TMV 2 VUCSA	5 to 7	No	Burg 17-22 Mos TMV 2 14-18 Mos VUCSA - 6-12 Mos	25 Days Res DOSA
14-1-██████████	23/		Att Burg 2	0	No	21 Days to 2.25 Mos	21 Days
13-1-██████████	42/Black	Burg 1 Kidnap 1 Asit 2 w/Wit x2 VUCSA Tamp	Burg 1 Asit 4 DV	7	kidnap 1 asit 4	67-89	75 mos