

Review of Unranked Offenses – Additional data

Animal Fighting RCW 16.52.117(2)(a)

March 3, 2022

Motion to rank Animal Fighting at SL 5; motion failed

Motion to rank Animal Fighting at SL 3; motion passed

Discussion:

- Raise to SL 5; at SL 3 a person would need a CHS 2 to receive a sentence range similar to that of an unranked offense.
- At SL 5; a person would reach stat max (60 mos for class C) at CHS 7;
- At SL 3; a person would reach stat max at CHS 9+

Animal Cruelty 1 RCW 16.52.205(1)&(2)

Motion to rank at SL 5 and raise to class B; motion failed

Motion to rank at SL 3; motion passed

Discussion:

- Animal Cruelty is serious because a helpless animal is intentionally hurt; it is related to infliction of pain.
- A higher ranking on Animal Cruelty 1 compared to Animal Fighting would be consistent based on the sentencing data.
- Animal Cruelty 1 w/Sexual Conduct or Contact is SL 3
- Animal Cruelty 2 is a gross misdemeanor
- Intentional cruelty (AC1) should be more serious and not have the same 0 – 12 month range as AC2, as they are very different conduct.
- Currently, a person may not go into custody for this offense, whereas if it is ranked at SL3, every person will go into custody.

Animal Fighting – Mutilation RCW 16.52.117(2)(b)

Discussion:

- Background information: dogs were stolen from yards, being harmed and used as bait for pit fights.
- The intentionality of the mutilation raised concerns; felt it was appropriate to rank above AC1.
- Concern increase could exacerbate disproportionality in sentences
 - o What are the demographics for convictions of AC1 and AF-Mutilation?
 - o Is there a gang component?

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Animal Cruelty 1				
	2015	2016	2017	2018
Total N	13	20	29	11
Race				
Unknown	0	1	0	0
White	12	17	27	11
Black	1	0	2	0
Asian/NatHI/PacIs	0	0	0	0
Native American	0	1	0	0
Hispanic	0	1	0	0
Age				
20-29	6	4	5	2
30-39	5	1	21	2
40-49	2	1	1	1
50-59	0	11	0	2
60+	0	2	2	2
Under 20	0	1	0	2
Rank				
1	11	7	8	9
2	2	3	4	2
3	0	1	4	0
4+	0	9	17	0

FY	RaceId	N Obs	Mean	Median
2015	White	10	2.8	2.5
	Black	1	12.0	12.0
2016	Unknown	1	1.0	1.0
	White	5	1.1	1.0
	Hispanic	1	4.0	4.0
2017	White	7	3.1	3.0
	Black	1	1.5	1.5
2018	White	9	4.6	5.0

Review of Unranked Offenses – Additional data

Animal Fighting				
	2015	2016	2017	2018
Total N	2	1	1	0
Race				
Unknown	0	0	0	
White	0	0	0	
Black	0	0	0	
Asian/NatHI/PacIs	0	1	1	
Native American	0	0	0	
Hispanic	2	0	0	
Age				
20-29	1	0	0	
30-39	0	1	0	
40-49	1	0	0	
50-59	0	0	1	
60+	0	0	0	
Under 20	0	0	0	
Rank				
	1	2	0	1
	2	0	0	0
	3	0	1	0
	4+	0	0	0

FY	RaceId	N Obs	Mean	Median
2015	Hispanic	2	0.325	0.325
2017	Asian/Nat HI/Pac Is	1	0	0