

## SGC Re-ranking Project: Scoring Rules

### Proposed General Scoring Rules:

- Prior adult offenses = 1 pt
- Prior juvenile offenses (M1, M2, Class A sex) = 1 pt
- Current offense is Escape from Community Custody = prior escape convictions = 1pt
- Current offense is Escape 1/Escape 2 = prior convictions = 1 pt
- Current offense conviction while under community custody = 1pt
- Current offense is felony domestic violence offense where DV was plead and proven\*:
  - Count priors as noted above.
  - 2pts = each prior adult conviction where DV was pleaded and proven\* after 8/1/11 for the following offenses: Violation of a No Contact or Protection Order, felony Washington State Criminal Sentencing Task Force December 2022 Final Report 100 Harassment, felony Stalking, Burglary 1°, Kidnapping 1° or 2°, Unlawful Imprisonment, Robbery 1° or 2°, Assault 1°, 2° or 3°, or Arson 1° or 2°.
  - 2pts = each adult prior conviction where DV was pleaded and proven\* after 7/23/17 for any of the following offenses: Assault of a Child 1°, 2° or 3°, or Criminal Mistreatment 1° or 2°.
  - 1pt = each adult prior conviction for a repetitive DV offense\* where DV was pleaded and proven\* after 8/1/11
- Current offense is felony traffic offense:
  - Count priors as noted above.
  - 1pt = serious traffic offense (other than those used for enhancement pursuant to RCW 46.61.520(2)).
  - 1pt = boating while under the influence (BUI)
- Current offense is Homicide/Assault by Watercraft
  - Count priors as noted above.
  - 1pt = adult prior conviction for DUI, PC-DUI, BUI

\*per RCW 9.94A.030

The offense-specific exceptions to standard scoring rules that increase the amount of criminal history score (CHS) points added for certain prior convictions (multipliers) are eliminated, except for certain misdemeanor and gross misdemeanor prior offenses, and a new column for Repeat Serious Violent, Violent, or Repeat Domestic Violence is added for adjustments to the standard range for qualifying individuals.

Sentences are eligible for the expanded range if the current offense is a violent or serious violent offense and there is at least one prior conviction for a violent or serious violent offense. The maximum of the sentence range increases by the percentage indicated in the repeat offending column. This is not an aggravated/exceptional sentence. The maximum sentence range should increase 10% for sentences that qualify for the repeat offending column. For example, if the standard range is 45-76 months, the expanded range would be 45-83 months (76 + 7).

Sentences are also eligible for the expanded range if the current offense is a Domestic Violence (DV) offense and there is at least one prior conviction for a domestic violence offense. Felony DV offenses will still count as one CHS point. Judges will have additional discretion to increase sanctions even further in the instance of repeat offending. This discretion allows for more nuanced and effective approaches to sentencing based on the characteristics of a particular case.