

SENTENCING ALTERNATIVES FOR CRIMINAL CHARGES

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1. OVERALL GENERAL ALTERNATIVES TO CONFINEMENT
2. FIRST TIME OFFENDER (RCW 9.94A.650)
3. SSOSA- SPECIAL SEX OFFENDER SENTENCING ALTERNATIVE (RCW 9.94A.670)
4. DOSA- DRUG OFFENDER SENTENCING ALTERNATIVE (RCW 9.94A.660)
 - a. PRISON BASED (RCW 9.94A.662)
 - b. RESIDENTIAL BASED (9.94A.664)
5. DRUG COURT (RCW 71.24.540)
6. PSA- PARENTING SENTENCING ALTERNATIVE (9.94A.655)
 - a. PARTIAL CONFINEMENT AS PART OF PARENTING PROGRAM (9.94A.6551)
7. MHSA- MENTAL HEALTH SENTENCING ALTERNATIVE (9.94A.695)
8. ALIEN OFFENDERS (9.94A.685)
9. WORK ETHIC CAMP (9.94A.690)
10. ALTERNATIVES (9.94A.680)
 - a. EHM
 - b. SCRAM
 - c. WORK RELEASE
 - d. WORK CREW
11. SOC- STIPULATED ORDER OF CONTINUANCE
 - a. DV
 - b. NON-CITIZEN
 - c. SECURITY/JOB CONSEQUENCES
12. CFD- CONTINUANCE FOR DISMISSAL
13. BF- BOND FORFEITURE
14. THERAPUTIC COURTS (RCW 2.30.010 + HANDBOOKS)
 - a. MH- MENTAL HEALTH
 - b. VET- VETERANS COURT
15. MISD COMPROMISE (RCW 10.22)
16. DEFERRED PROSECUTION (RCW 10.05)
17. DEFERRED SENTENCE (RCW 3.66.067)

SCENARIO #1

A group of recent high school graduates gets together to celebrate one last time before they go their separate ways to college. JR is a 4.0 student with scholarships to Western Washington University in the fall. Unfortunately, he is the one who draws the short straw and is stuck driving that night. The radio is on, some of the kids are smoking pot and it's the early morning hours, no one else is on the road. At some point JR takes a curve too fast and loses control. The car flips several times and there are injuries.

One of the kids is taken to the hospital with fractures but everyone thankfully recovers. Unfortunately, JR who has no criminal history was arrested for Vehicular Assault.

Blood results eventually come back and show that JR did not have any THC in his system and the Vehicular Assault is charged as a Disregard for the safety of others, a non-violent Class B felony. With no prior offenses he is looking at least 1 and up to 3 months jail- jail that would derail his college plans. What options does he have?

SCENARIO #2

Jane is a single mother raising her 2 girls, ages 4 and 7. She has no family in town for support and the biological father of her girls is in prison, so Jane is the sole custodian.

Jane works part-time at Safeway and just started dating a co-worker who seemed to be a solid guy. Let's call him Bob. Bob tells Jane that he has a few tools left over from a garage sale he had last summer and how he wished he had free time to go down to the local pawn shop, but he works so much. Jane volunteers to help him out. Jane goes after work one day and pawns 2 drill sets and an air compressor. She gives the clerk at the pawn shop her ID and completes the transaction.

When she tells her boyfriend Bob, he is overjoyed and sends her back the next day with a lawn mower and chainsaw.

2 weeks later, Jane is at home with the girls and law enforcement comes knocking on the door. She is being charged with 2 counts of Trafficking in Stolen Property 2nd Degree and since solid guy boyfriend Bob had filled her garage just this last weekend with a half dozen other "garage sale leftovers" she is being charged with 6 counts of possession of stolen property.

Adding up all the items and there were separate transaction dates, Jane could be looking at over a year in prison.

Put aside the possible defenses. Because Jane admits that she thought boyfriend Bob's story was a bit unusual, and she DID see the air compressor had someone else's name engraved in it, what can she do?

SCENARIO #3

Samantha works part-time at the local college bar to earn extra money while she finishes her graduate degree. Some weekends, especially homecoming weekend, can get crazy and her bad boss Stan refuses to hire extra help. This leaves Samantha trying to do everything as fast and efficiently as possible. Unfortunately, Friday night after the big game she got so busy she forgot to ID some of the kids and sure enough, one of them was under 21. Besides the fact that bad boss Stan got fined, he fired Samantha and she is now facing a furnishing liquor to a minor charge. It is a gross misdemeanor. What options might she have?