

## CRIMINAL MISTREATMENT STATUTES AND SENTENCES

### **9A.42.020. Criminal mistreatment in the first degree**

#### **Class B Felony**

**Standard sentence range: 51-60 months**

(1) A parent of a child, the person entrusted with the physical custody of a child or dependent person, a person who has assumed the responsibility to provide to a dependent person the basic necessities of life, or a person employed to provide to the child or dependent person the basic necessities of life is guilty of criminal mistreatment in the first degree if he or she **recklessly**, as defined in [RCW 9A.08.010](#), causes great bodily harm to a child or dependent person by withholding any of the basic necessities of life.

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### **9A.42.030. Criminal mistreatment in the second degree**

#### **Class C Felony**

**Standard sentence range: 6-12 months**

(1) A parent of a child, the person entrusted with the physical custody of a child or dependent person, a person who has assumed the responsibility to provide to a dependent person the basic necessities of life, or a person employed to provide to the child or dependent person the basic necessities of life is guilty of criminal mistreatment in the second degree if he or she **recklessly**, as defined in [RCW 9A.08.010](#), either (a) creates an imminent and substantial risk of death or great bodily harm, or (b) causes substantial bodily harm by withholding any of the basic necessities of life.

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### **9A.42.035. Criminal mistreatment in the third degree**

#### **Gross Misdemeanor**

**Sentence range: 0-364 days**

(1) A person is guilty of the crime of criminal mistreatment in the third degree if the person is the parent of a child, is a person entrusted with the physical custody of a child or other dependent person, is a person who has assumed the responsibility to provide to a dependent person the basic necessities of life, or is a person employed to provide to the child or dependent person the basic necessities of life, and either:

(a) **With criminal negligence**, creates an imminent and substantial risk of substantial bodily harm to a child or dependent person by withholding any of the basic necessities of life; or

(b) **With criminal negligence**, causes substantial bodily harm to a child or dependent person by withholding any of the basic necessities of life.

**9A.42.037. Criminal mistreatment in the fourth degree**

**Misdemeanor**

**Sentence range: 0-90 days**

(1) A person is guilty of the crime of criminal mistreatment in the fourth degree if the person is the parent of a child, is a person entrusted with the physical custody of a child or other dependent person, is a person who has assumed the responsibility to provide to a dependent person the basic necessities of life, or is a person employed to provide to the child or dependent person the basic necessities of life, and either:

(a) **With criminal negligence**, creates an imminent and substantial risk of bodily injury to a child or dependent person by withholding any of the basic necessities of life; or

(b) **With criminal negligence**, causes bodily injury or extreme emotional distress manifested by more than transient physical symptoms to a child or dependent person by withholding the basic necessities of life.