

WAC 352-32-200 Expulsion from state park areas. (1) In addition to the penalty provided in RCW 79A.05.165, or any other existing or future law of the state of Washington, violation of or failure to comply with any section of this chapter, or of any other chapter of this title, or any other rule or regulation of the commission, or with any other federal, state, or local law, rule, or regulation applicable under the circumstances, shall subject the person so violating or failing to comply to expulsion from any state park area. Any park ranger may expel a person from any state park area under the authority of this section by issuing the person a notice of expulsion.

(2) A notice of expulsion shall:

(a) Be in writing and signed by the ranger issuing it.

(b) Contain the date of issuance and effective date, the violation that the person is alleged to have committed, a citation to the code, statute, or rule violated, and a description of the egregious nature of the violation warranting a deviation from the standard expulsion duration (if any).

(c) Specify the locations where the individual will be expelled from and the duration of the expulsion.

(d) Set out the method of appealing the notice, which shall also include the address where the appeal should be sent.

(e) Prominently display a warning of the consequences for failure to comply with the notice and state that a violation of the terms of the notice will constitute criminal trespass under chapter 9A.52 RCW.

(3) The person subject to expulsion need not be charged, tried, or convicted of any crime or be issued an infraction or have an infraction found committed in order for a notice of expulsion to be issued or effective. The issuing ranger need only establish that good cause existed to support the issuance of the notice of expulsion. "Good cause" means facts and circumstances which lead a ranger to believe that a person has violated, or through his or her actions or behaviors, intends to violate the rules of this chapter or any applicable state, local, or federal law or regulation.

(4) The period of expulsion shall be as follows, unless the issuing ranger deems a longer period of expulsion is warranted based on the egregiousness of the violation:

(a) First violation: Forty-eight hour expulsion.

(b) Second violation: Thirty day expulsion.

(c) Third violation: One year expulsion.

(5) A person subject to expulsion pursuant to this section may appeal the expulsion to the director by mailing a written statement of the basis for appeal, together with a copy of the expulsion notice, to the director within ten days of receipt of the notice of expulsion. The appeal shall be decided as a brief adjudicative appeal under RCW 34.05.482 through 34.05.494 and shall be decided by the director or designee. Unless the expulsion period expires, the expulsion shall remain in effect during the pendency of an appeal.

[Statutory Authority: Chapter 79A.05 RCW. WSR 16-10-002, § 352-32-200, filed 4/20/16, effective 5/21/16. Statutory Authority: Chapter 79A.05 RCW, including RCW 79A.05.030, 79A.05.035, 79A.05.055, and 79A.05.070. WSR 00-13-070, § 352-32-200, filed 6/16/00, effective 7/17/00. Statutory Authority: RCW 43.51.040. WSR 98-04-065, § 352-32-200, filed 2/2/98, effective 3/5/98. Statutory Authority: RCW 43.51.040(1), [43.51.]045, [43.51.]050, [43.51.]060(1), [43.51.]061 and [43.51.]395. WSR 96-01-078, § 352-32-200, filed 12/18/95, effective 1/18/96. Statu-

tory Authority: RCW 43.51.040. WSR 91-07-014, § 352-32-200, filed 3/12/91, effective 4/12/91; Order 9, § 352-32-200, filed 11/24/70.]