

SSB 6293 - H COMM AMD

By Committee on Public Safety & Emergency Preparedness

NOT ADOPTED 03/04/2010

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 9A.76.070 and 2003 c 53 s 83 are each amended to read  
4 as follows:

5 (1) A person is guilty of rendering criminal assistance in the  
6 first degree if he or she renders criminal assistance to a person who  
7 has committed or is being sought for murder in the first degree or any  
8 class A felony or equivalent juvenile offense.

9 (2)(a) Except as provided in (b) of this subsection, rendering  
10 criminal assistance in the first degree is a class ((C)) B felony.

11 (b) Rendering criminal assistance in the first degree is a ((~~gross~~  
12 ~~misdemeanor~~)) class C felony if it is established by a preponderance of  
13 the evidence that the actor is a relative as defined in RCW 9A.76.060.

14 Sec. 2. RCW 9.94A.515 and 2008 c 108 s 23 and 2008 c 38 s 1 are  
15 each reenacted and amended to read as follows:

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18		TABLE 2
19		CRIMES INCLUDED WITHIN
20		EACH SERIOUSNESS LEVEL
21	XVI	Aggravated Murder 1 (RCW
22		10.95.020)
23	XV	Homicide by abuse (RCW 9A.32.055)
24		Malicious explosion 1 (RCW
25		70.74.280(1))
26		Murder 1 (RCW 9A.32.030)
27	XIV	Murder 2 (RCW 9A.32.050)
28		Trafficking 1 (RCW 9A.40.100(1))

1 XIII Malicious explosion 2 (RCW  
2 70.74.280(2))  
3 Malicious placement of an explosive 1  
4 (RCW 70.74.270(1))  
5 XII Assault 1 (RCW 9A.36.011)  
6 Assault of a Child 1 (RCW 9A.36.120)  
7 Malicious placement of an imitation  
8 device 1 (RCW 70.74.272(1)(a))  
9 Rape 1 (RCW 9A.44.040)  
10 Rape of a Child 1 (RCW 9A.44.073)  
11 Trafficking 2 (RCW 9A.40.100(2))  
12 XI Manslaughter 1 (RCW 9A.32.060)  
13 Rape 2 (RCW 9A.44.050)  
14 Rape of a Child 2 (RCW 9A.44.076)  
15 X Child Molestation 1 (RCW 9A.44.083)  
16 Criminal Mistreatment 1 (RCW  
17 9A.42.020)  
18 Indecent Liberties (with forcible  
19 compulsion) (RCW  
20 9A.44.100(1)(a))  
21 Kidnapping 1 (RCW 9A.40.020)  
22 Leading Organized Crime (RCW  
23 9A.82.060(1)(a))  
24 Malicious explosion 3 (RCW  
25 70.74.280(3))  
26 Sexually Violent Predator Escape  
27 (RCW 9A.76.115)  
28 IX Abandonment of Dependent Person 1  
29 (RCW 9A.42.060)  
30 Assault of a Child 2 (RCW 9A.36.130)  
31 Explosive devices prohibited (RCW  
32 70.74.180)  
33 Hit and Run--Death (RCW  
34 46.52.020(4)(a))

1 Homicide by Watercraft, by being  
2 under the influence of intoxicating  
3 liquor or any drug (RCW  
4 79A.60.050)  
5 Inciting Criminal Profiteering (RCW  
6 9A.82.060(1)(b))  
7 Malicious placement of an explosive 2  
8 (RCW 70.74.270(2))  
9 Robbery 1 (RCW 9A.56.200)  
10 Sexual Exploitation (RCW 9.68A.040)  
11 Vehicular Homicide, by being under  
12 the influence of intoxicating liquor  
13 or any drug (RCW 46.61.520)  
14 VIII Arson 1 (RCW 9A.48.020)  
15 Homicide by Watercraft, by the  
16 operation of any vessel in a  
17 reckless manner (RCW  
18 79A.60.050)  
19 Manslaughter 2 (RCW 9A.32.070)  
20 Promoting Commercial Sexual Abuse  
21 of a Minor (RCW 9.68A.101)  
22 Promoting Prostitution 1 (RCW  
23 9A.88.070)  
24 Theft of Ammonia (RCW 69.55.010)  
25 Vehicular Homicide, by the operation  
26 of any vehicle in a reckless manner  
27 (RCW 46.61.520)  
28 VII Burglary 1 (RCW 9A.52.020)  
29 Child Molestation 2 (RCW 9A.44.086)  
30 Civil Disorder Training (RCW  
31 9A.48.120)  
32 Dealing in depictions of minor engaged  
33 in sexually explicit conduct (RCW  
34 9.68A.050)  
35 Drive-by Shooting (RCW 9A.36.045)

1 Homicide by Watercraft, by disregard  
2 for the safety of others (RCW  
3 79A.60.050)  
4 Indecent Liberties (without forcible  
5 compulsion) (RCW 9A.44.100(1)  
6 (b) and (c))  
7 Introducing Contraband 1 (RCW  
8 9A.76.140)  
9 Malicious placement of an explosive 3  
10 (RCW 70.74.270(3))  
11 Negligently Causing Death By Use of a  
12 Signal Preemption Device (RCW  
13 46.37.675)  
14 Sending, bringing into state depictions  
15 of minor engaged in sexually  
16 explicit conduct (RCW 9.68A.060)  
17 Unlawful Possession of a Firearm in  
18 the first degree (RCW 9.41.040(1))  
19 Use of a Machine Gun in Commission  
20 of a Felony (RCW 9.41.225)  
21 Vehicular Homicide, by disregard for  
22 the safety of others (RCW  
23 46.61.520)  
24 VI Bail Jumping with Murder 1 (RCW  
25 9A.76.170(3)(a))  
26 Bribery (RCW 9A.68.010)  
27 Incest 1 (RCW 9A.64.020(1))  
28 Intimidating a Judge (RCW 9A.72.160)  
29 Intimidating a Juror/Witness (RCW  
30 9A.72.110, 9A.72.130)  
31 Malicious placement of an imitation  
32 device 2 (RCW 70.74.272(1)(b))  
33 Possession of Depictions of a Minor  
34 Engaged in Sexually Explicit  
35 Conduct (RCW 9.68A.070)  
36 Rape of a Child 3 (RCW 9A.44.079)  
37 Theft of a Firearm (RCW 9A.56.300)

1 Unlawful Storage of Ammonia (RCW  
2 69.55.020)  
3 V Abandonment of Dependent Person 2  
4 (RCW 9A.42.070)  
5 Advancing money or property for  
6 extortionate extension of credit  
7 (RCW 9A.82.030)  
8 Bail Jumping with class A Felony  
9 (RCW 9A.76.170(3)(b))  
10 Child Molestation 3 (RCW 9A.44.089)  
11 Criminal Mistreatment 2 (RCW  
12 9A.42.030)  
13 Custodial Sexual Misconduct 1 (RCW  
14 9A.44.160)  
15 Domestic Violence Court Order  
16 Violation (RCW 10.99.040,  
17 10.99.050, 26.09.300, 26.10.220,  
18 26.26.138, 26.50.110, 26.52.070,  
19 or 74.34.145)  
20 Driving While Under the Influence  
21 (RCW 46.61.502(6))  
22 Extortion 1 (RCW 9A.56.120)  
23 Extortionate Extension of Credit (RCW  
24 9A.82.020)  
25 Extortionate Means to Collect  
26 Extensions of Credit (RCW  
27 9A.82.040)  
28 Incest 2 (RCW 9A.64.020(2))  
29 Kidnapping 2 (RCW 9A.40.030)  
30 Perjury 1 (RCW 9A.72.020)  
31 Persistent prison misbehavior (RCW  
32 9.94.070)  
33 Physical Control of a Vehicle While  
34 Under the Influence (RCW  
35 46.61.504(6))  
36 Possession of a Stolen Firearm (RCW  
37 9A.56.310)

1 Rape 3 (RCW 9A.44.060)  
2 Rendering Criminal Assistance 1  
3 (RCW 9A.76.070(2)(a))  
4 Sexual Misconduct with a Minor 1  
5 (RCW 9A.44.093)  
6 Sexually Violating Human Remains  
7 (RCW 9A.44.105)  
8 Stalking (RCW 9A.46.110)  
9 Taking Motor Vehicle Without  
10 Permission 1 (RCW 9A.56.070)  
11 IV Arson 2 (RCW 9A.48.030)  
12 Assault 2 (RCW 9A.36.021)  
13 Assault 3 (of a Peace Officer with a  
14 Projectile Stun Gun) (RCW  
15 9A.36.031(1)(h))  
16 Assault by Watercraft (RCW  
17 79A.60.060)  
18 Bribing a Witness/Bribe Received by  
19 Witness (RCW 9A.72.090,  
20 9A.72.100)  
21 Cheating 1 (RCW 9A.46.1961)  
22 Commercial Bribery (RCW 9A.68.060)  
23 Counterfeiting (RCW 9.16.035(4))  
24 Endangerment with a Controlled  
25 Substance (RCW 9A.42.100)  
26 Escape 1 (RCW 9A.76.110)  
27 Hit and Run--Injury (RCW  
28 46.52.020(4)(b))  
29 Hit and Run with Vessel--Injury  
30 Accident (RCW 79A.60.200(3))  
31 Identity Theft 1 (RCW 9.35.020(2))  
32 Indecent Exposure to Person Under  
33 Age Fourteen (subsequent sex  
34 offense) (RCW 9A.88.010)  
35 Influencing Outcome of Sporting Event  
36 (RCW 9A.82.070)

1 Malicious Harassment (RCW  
2 9A.36.080)  
3 Residential Burglary (RCW  
4 9A.52.025)  
5 Robbery 2 (RCW 9A.56.210)  
6 Theft of Livestock 1 (RCW 9A.56.080)  
7 Threats to Bomb (RCW 9.61.160)  
8 Trafficking in Stolen Property 1 (RCW  
9 9A.82.050)  
10 Unlawful factoring of a credit card or  
11 payment card transaction (RCW  
12 9A.56.290(4)(b))  
13 Unlawful transaction of health  
14 coverage as a health care service  
15 contractor (RCW 48.44.016(3))  
16 Unlawful transaction of health  
17 coverage as a health maintenance  
18 organization (RCW 48.46.033(3))  
19 Unlawful transaction of insurance  
20 business (RCW 48.15.023(3))  
21 Unlicensed practice as an insurance  
22 professional (RCW  
23 48.17.063(~~(3)~~)(2))  
24 Use of Proceeds of Criminal  
25 Profiteering (RCW 9A.82.080 (1)  
26 and (2))  
27 Vehicular Assault, by being under the  
28 influence of intoxicating liquor or  
29 any drug, or by the operation or  
30 driving of a vehicle in a reckless  
31 manner (RCW 46.61.522)  
32 Willful Failure to Return from  
33 Furlough (RCW 72.66.060)  
34 III Animal Cruelty 1 (Sexual Conduct or  
35 Contact) (RCW 16.52.205(3))

1 Assault 3 (Except Assault 3 of a Peace  
2 Officer With a Projectile Stun  
3 Gun) (RCW 9A.36.031 except  
4 subsection (1)(h))  
5 Assault of a Child 3 (RCW 9A.36.140)  
6 Bail Jumping with class B or C Felony  
7 (RCW 9A.76.170(3)(c))  
8 Burglary 2 (RCW 9A.52.030)  
9 Commercial Sexual Abuse of a Minor  
10 (RCW 9.68A.100)  
11 Communication with a Minor for  
12 Immoral Purposes (RCW  
13 9.68A.090)  
14 Criminal Gang Intimidation (RCW  
15 9A.46.120)  
16 Custodial Assault (RCW 9A.36.100)  
17 Cyberstalking (subsequent conviction  
18 or threat of death) (RCW  
19 9.61.260(3))  
20 Escape 2 (RCW 9A.76.120)  
21 Extortion 2 (RCW 9A.56.130)  
22 Harassment (RCW 9A.46.020)  
23 Intimidating a Public Servant (RCW  
24 9A.76.180)  
25 Introducing Contraband 2 (RCW  
26 9A.76.150)  
27 Malicious Injury to Railroad Property  
28 (RCW 81.60.070)  
29 Mortgage Fraud (RCW 19.144.080)  
30 Negligently Causing Substantial Bodily  
31 Harm By Use of a Signal  
32 Preemption Device (RCW  
33 46.37.674)  
34 Organized Retail Theft 1 (RCW  
35 9A.56.350(2))  
36 Perjury 2 (RCW 9A.72.030)



1 Possession of Incendiary Device (RCW  
2 9.40.120)  
3 Possession of Machine Gun or Short-  
4 Barreled Shotgun or Rifle (RCW  
5 9.41.190)  
6 Promoting Prostitution 2 (RCW  
7 9A.88.080)  
8 Rendering Criminal Assistance 1  
9 (RCW 9A.76.070(2)(b))  
10 Retail Theft with Extenuating  
11 Circumstances 1 (RCW  
12 9A.56.360(2))  
13 Securities Act violation (RCW  
14 21.20.400)  
15 Tampering with a Witness (RCW  
16 9A.72.120)  
17 Telephone Harassment (subsequent  
18 conviction or threat of death)  
19 (RCW 9.61.230(2))  
20 Theft of Livestock 2 (RCW 9A.56.083)  
21 Theft with the Intent to Resell 1 (RCW  
22 9A.56.340(2))  
23 Trafficking in Stolen Property 2 (RCW  
24 9A.82.055)  
25 Unlawful Imprisonment (RCW  
26 9A.40.040)  
27 Unlawful possession of firearm in the  
28 second degree (RCW 9.41.040(2))  
29 Vehicular Assault, by the operation or  
30 driving of a vehicle with disregard  
31 for the safety of others (RCW  
32 46.61.522)  
33 Willful Failure to Return from Work  
34 Release (RCW 72.65.070)  
35 II Computer Trespass 1 (RCW  
36 9A.52.110)  
37 Counterfeiting (RCW 9.16.035(3))

1 Escape from Community Custody  
2 (RCW 72.09.310)  
3 Failure to Register as a Sex Offender  
4 (second or subsequent offense)  
5 (RCW 9A.44.130(11)(a))  
6 Health Care False Claims (RCW  
7 48.80.030)  
8 Identity Theft 2 (RCW 9.35.020(3))  
9 Improperly Obtaining Financial  
10 Information (RCW 9.35.010)  
11 Malicious Mischief 1 (RCW  
12 9A.48.070)  
13 Organized Retail Theft 2 (RCW  
14 9A.56.350(3))  
15 Possession of Stolen Property 1 (RCW  
16 9A.56.150)  
17 Possession of a Stolen Vehicle (RCW  
18 9A.56.068)  
19 Retail Theft with Extenuating  
20 Circumstances 2 (RCW  
21 9A.56.360(3))  
22 Theft 1 (RCW 9A.56.030)  
23 Theft of a Motor Vehicle (RCW  
24 9A.56.065)  
25 Theft of Rental, Leased, or Lease-  
26 purchased Property (valued at one  
27 thousand five hundred dollars or  
28 more) (RCW 9A.56.096(5)(a))  
29 Theft with the Intent to Resell 2 (RCW  
30 9A.56.340(3))  
31 Trafficking in Insurance Claims (RCW  
32 48.30A.015)  
33 Unlawful factoring of a credit card or  
34 payment card transaction (RCW  
35 9A.56.290(4)(a))  
36 Unlawful Practice of Law (RCW  
37 2.48.180)

1 Unlicensed Practice of a Profession or  
2 Business (RCW 18.130.190(7))  
3 Voyeurism (RCW 9A.44.115)  
4 I Attempting to Elude a Pursuing Police  
5 Vehicle (RCW 46.61.024)  
6 False Verification for Welfare (RCW  
7 74.08.055)  
8 Forgery (RCW 9A.60.020)  
9 Fraudulent Creation or Revocation of a  
10 Mental Health Advance Directive  
11 (RCW 9A.60.060)  
12 Malicious Mischief 2 (RCW  
13 9A.48.080)  
14 Mineral Trespass (RCW 78.44.330)  
15 Possession of Stolen Property 2 (RCW  
16 9A.56.160)  
17 Reckless Burning 1 (RCW 9A.48.040)  
18 Taking Motor Vehicle Without  
19 Permission 2 (RCW 9A.56.075)  
20 Theft 2 (RCW 9A.56.040)  
21 Theft of Rental, Leased, or Lease-  
22 purchased Property (valued at two  
23 hundred fifty dollars or more but  
24 less than one thousand five  
25 hundred dollars) (RCW  
26 9A.56.096(5)(b))  
27 Transaction of insurance business  
28 beyond the scope of licensure  
29 (RCW 48.17.063(((4))))  
30 Unlawful Issuance of Checks or Drafts  
31 (RCW 9A.56.060)  
32 Unlawful Possession of Fictitious  
33 Identification (RCW 9A.56.320)  
34 Unlawful Possession of Instruments of  
35 Financial Fraud (RCW 9A.56.320)  
36 Unlawful Possession of Payment  
37 Instruments (RCW 9A.56.320)

1 Unlawful Possession of a Personal  
2 Identification Device (RCW  
3 9A.56.320)  
4 Unlawful Production of Payment  
5 Instruments (RCW 9A.56.320)  
6 Unlawful Trafficking in Food Stamps  
7 (RCW 9.91.142)  
8 Unlawful Use of Food Stamps (RCW  
9 9.91.144)  
10 Vehicle Prowl 1 (RCW 9A.52.095)

11 **Sec. 3.** RCW 9A.76.060 and 1975 1st ex.s. c 260 s 9A.76.060 are  
12 each amended to read as follows:

13 As used in RCW 9A.76.070 and 9A.76.080, "relative" means a person:

14 (1)(a) Who was under the age of eighteen at the time of the  
15 offense, and is related as husband or wife, brother or sister, parent  
16 or grandparent, child or grandchild, step-child or step-parent to the  
17 person to whom criminal assistance is rendered; or

18 (b) Who provides emergency medical assistance and who is related to  
19 the same person as husband or wife, brother or sister, parent or  
20 grandparent, child or grandchild, stepchild or stepparent to whom  
21 criminal assistance is rendered; and

22 (2) Who does not render criminal assistance to another person in  
23 one or more of the means defined in subsections (4), (5), or (6) of RCW  
24 9A.76.050.

25 NEW SECTION. **Sec. 4.** This act shall be known as Randy's law."

26 Correct the title.

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