
SUBSTITUTE HOUSE BILL 2532

State of Washington

55th Legislature

1998 Regular Session

By House Committee on Law & Justice (originally sponsored by Representatives Sheahan, Costa, Lambert, Cody, Sterk, Voloria, Mason, Kenney, O'Brien, Cole, Conway, Dickerson, Chopp, Kessler, Constantine and Wood)

Read first time 02/06/98. Referred to Committee on .

1 AN ACT Relating to full faith and credit for foreign protection
2 orders; amending RCW 10.31.100; reenacting and amending RCW 9.94A.320;
3 adding a new chapter to Title 26 RCW; and prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** CITATION. This act may be known and cited
6 as the Foreign Protection Order Full Faith and Credit Act.

7 NEW SECTION. **Sec. 2.** LEGISLATIVE INTENT. The problem of women
8 fleeing across state lines to escape their abusers is epidemic in the
9 United States. In 1994, Congress enacted the Violence Against Women
10 Act (VAWA) as Title IV of the Violent Crime Control and Law Enforcement
11 Act (P.L. 103-322). The VAWA provides for improved prevention and
12 prosecution of violent crimes against women and children. Section 2265
13 of the VAWA (Title IV, P.L. 103-322) provides for nation-wide
14 enforcement of civil and criminal protection orders in state and tribal
15 courts throughout the country.

16 The legislature finds that existing statutes may not provide an
17 adequate mechanism for victims, police, prosecutors, and courts to
18 enforce a foreign protection order in our state. It is the intent of

1 the legislature that the barriers faced by persons entitled to
2 protection under a foreign protection order will be removed and that
3 violations of foreign protection orders be criminally prosecuted in
4 this state.

5 NEW SECTION. **Sec. 3.** DEFINITIONS. The definitions in this
6 section apply throughout this chapter unless the context clearly
7 requires otherwise.

8 (1) "Domestic or family violence" includes, but is not limited to,
9 conduct when committed by one family member against another that is
10 classified in the jurisdiction where the conduct occurred as a domestic
11 violence crime or a crime committed in another jurisdiction that under
12 the laws of this state would be classified as domestic violence under
13 RCW 10.99.020.

14 (2) "Family or household members" means spouses, former spouses,
15 persons who have a child in common regardless of whether they have been
16 married or have lived together at any time, adult persons related by
17 blood or marriage, adult persons who are presently residing together or
18 who have resided together in the past, persons sixteen years of age or
19 older who are presently residing together or who have resided together
20 in the past and who have or have had a dating relationship, persons
21 sixteen years of age or older with whom a person sixteen years of age
22 or older has or has had a dating relationship, and persons who have a
23 biological or legal parent-child relationship, including stepparents
24 and stepchildren and grandparents and grandchildren.

25 (3) "Foreign protection order" means an injunction or other order
26 related to domestic or family violence, harassment, sexual abuse, or
27 stalking, for the purpose of preventing violent or threatening acts or
28 harassment against, or contact or communication with or physical
29 proximity to another person issued by a court of another state,
30 territory, or possession of the United States, the Commonwealth of
31 Puerto Rico, or the District of Columbia, or any United States military
32 tribunal, or a tribal court, in a civil or criminal action.

33 (4) "Harassment" includes, but is not limited to, conduct that is
34 classified in the jurisdiction where the conduct occurred as harassment
35 or a crime committed in another jurisdiction that under the laws of
36 this state would be classified as harassment under RCW 9A.46.040.

37 (5) "Judicial day" does not include Saturdays, Sundays, or legal
38 holidays in Washington state.

1 (6) "Person entitled to protection" means a person, regardless of
2 whether the person was the moving party in the foreign jurisdiction,
3 who is benefited by the foreign protection order.

4 (7) "Person under restraint" means a person, regardless of whether
5 the person was the responding party in the foreign jurisdiction, whose
6 ability to contact or communicate with another person, or to be
7 physically close to another person, is restricted by the foreign
8 protection order.

9 (8) "Sexual abuse" includes, but is not limited to, conduct that is
10 classified in the jurisdiction where the conduct occurred as a sex
11 offense or a crime committed in another jurisdiction that under the
12 laws of this state would be classified as a sex offense under RCW
13 9.94A.030.

14 (9) "Stalking" includes, but is not limited to, conduct that is
15 classified in the jurisdiction where the conduct occurred as stalking
16 or a crime committed in another jurisdiction that under the laws of
17 this state would be classified as stalking under RCW 9A.46.110.

18 (10) "Washington court" includes the superior, district, and
19 municipal courts of the state of Washington.

20 NEW SECTION. **Sec. 4.** VALID FOREIGN PROTECTION ORDERS. A foreign
21 protection order is valid if the issuing court had jurisdiction over
22 the parties and matter under the law of the state, territory, or
23 possession, or tribe or United States military tribunal. There is a
24 presumption in favor of validity where an order appears authentic on
25 its face.

26 NEW SECTION. **Sec. 5.** FILING OF FOREIGN PROTECTION ORDERS. (1) A
27 person entitled to protection who has a valid foreign protection order
28 may file that order by presenting a certified, authenticated, or
29 exemplified copy of the foreign protection order to a clerk of the
30 court of a Washington court in which the person entitled to protection
31 resides or to a clerk of the court of a Washington court where the
32 person entitled to protection believes enforcement may be necessary.

33 (2) Filing of a foreign protection order with a court and entry of
34 the foreign protection order into any computer-based criminal
35 intelligence information system available in this state used by law
36 enforcement agencies to list outstanding warrants are not prerequisites
37 for enforcement of the foreign protection order.

1 (3) The court shall accept the filing of a foreign protection order
2 without a fee or cost.

3 (4) The clerk of the court shall provide information to a person
4 entitled to protection of the availability of domestic violence, sexual
5 abuse, and other services to victims in the community where the court
6 is located and in the state.

7 (5) The clerk of the court shall assist the person entitled to
8 protection in completing an information form that must include, but
9 need not be limited to, the following:

10 (a) The name of the person entitled to protection and any other
11 protected parties;

12 (b) The name and address of the person who is subject to the
13 restraint provisions of the foreign protection order;

14 (c) The date the foreign protection order was entered;

15 (d) The date the foreign protection order expires;

16 (e) The relief granted under (specify the
17 relief awarded and citations thereto, and designate which of the
18 violations are arrestable offenses);

19 (f) The judicial district and contact information for court
20 administration for the court in which the foreign protection order was
21 entered;

22 (g) The Social Security number, date of birth, and description of
23 the person subject to the restraint provisions of the foreign
24 protection order;

25 (h) Whether the person who is subject to the restraint provisions
26 of the foreign protection order is believed to be armed and dangerous;

27 (i) Whether the person who is subject to the restraint provisions
28 of the foreign protection order was served with the order, and if so,
29 the method used to serve the order.

30 An inability to answer any of the above questions does not preclude
31 the filing or enforcement of a foreign protection order.

32 (6) The clerk of the court shall forward a copy of the foreign
33 protection order and the completed information form to the county
34 sheriff on or before the next judicial day for entry into any
35 computer-based criminal intelligence information system available in
36 this state used by law enforcement agencies to list outstanding
37 warrants.

38 (7) The clerk of the court shall provide the person entitled to
39 protection with a copy bearing proof of filing with the court.

1 (8) Any assistance provided by the clerk under this section does
2 not constitute the practice of law. The clerk is not liable for any
3 incomplete or incorrect information that he or she is provided.

4 NEW SECTION. **Sec. 6.** TRANSMITTAL OF FILED FOREIGN PROTECTION
5 ORDERS TO LAW ENFORCEMENT AGENCY. (1) The clerk of the court shall
6 forward a copy of a foreign protection order that is filed under this
7 chapter on or before the next judicial day to the county sheriff along
8 with the completed information form.

9 Upon receipt of a filed foreign protection order, the county
10 sheriff shall immediately enter the foreign protection order into any
11 computer-based criminal intelligence information system available in
12 this state used by law enforcement agencies to list outstanding
13 warrants. The foreign protection order must remain in the computer for
14 the period stated in the order. The county sheriff shall only expunge
15 from the computer-based criminal intelligence information system
16 foreign protection orders that are expired, vacated, or superseded.
17 Entry into the law enforcement information system constitutes notice to
18 all law enforcement agencies of the existence of the foreign protection
19 order. The foreign protection order is fully enforceable in any county
20 in the state.

21 (2) The information entered into the computer-based criminal
22 intelligence information system must include, if available, notice to
23 law enforcement whether the foreign protection order was served and the
24 method of service.

25 NEW SECTION. **Sec. 7.** PEACE OFFICER IMMUNITY. A peace officer or
26 a peace officer's legal advisor may not be held criminally or civilly
27 liable for making an arrest under this chapter if the peace officer or
28 the peace officer's legal advisor acted in good faith and without
29 malice.

30 NEW SECTION. **Sec. 8.** FEES NOT PERMITTED. A public agency may not
31 charge a fee for filing or preparation of certified, authenticated, or
32 exemplified copies to a person entitled to protection who seeks relief
33 under this chapter or to a foreign prosecutor or a foreign law
34 enforcement agency seeking to enforce a protection order entered by a
35 Washington court. A person entitled to protection and foreign

1 prosecutors or law enforcement agencies must be provided the necessary
2 number of certified, authenticated, or exemplified copies at no cost.

3 NEW SECTION. **Sec. 9.** VIOLATION OF FOREIGN ORDERS. (1) Whenever
4 a foreign protection order is granted to a person entitled to
5 protection and the person under restraint knows of the foreign
6 protection order, a violation of a provision prohibiting the person
7 under restraint from contacting or communicating with another person,
8 or of a provision excluding the person under restraint from a
9 residence, workplace, school, or day care, or a violation of any
10 provision for which the foreign protection order specifically indicates
11 that a violation will be a crime, is a gross misdemeanor except as
12 provided in subsections (3) and (4) of this section. Upon conviction,
13 and in addition to any other penalties provided by law, the court may
14 require the person under restraint to submit to electronic monitoring.
15 The court shall specify who will provide the electronic monitoring
16 services, and the terms under which the monitoring will be performed.
17 The order also may include a requirement that the person under
18 restraint pay the costs of the monitoring. The court shall consider
19 the ability of the convicted person to pay for electronic monitoring.

20 (2) A peace officer shall arrest without a warrant and take into
21 custody a person when the peace officer has probable cause to believe
22 that a foreign protection order has been issued of which the person
23 under restraint has knowledge and the person under restraint has
24 violated a provision of the foreign protection order that prohibits the
25 person under restraint from contacting or communicating with another
26 person, or a provision that excludes the person under restraint from a
27 residence, workplace, school, or day care, or a violation of any
28 provision for which the foreign protection order specifically indicates
29 that a violation will be a crime. Presence of the order in the law
30 enforcement computer-based criminal intelligence information system is
31 not the only means of establishing knowledge of the order.

32 (3) An assault that is a violation of a valid foreign protection
33 order that does not amount to assault in the first or second degree
34 under RCW 9A.36.011 or 9A.36.021 is a class C felony, and conduct in
35 violation of a valid foreign protection order issued under this chapter
36 that is reckless and creates a substantial risk of death or serious
37 physical injury to another person is a class C felony.

1 (4) A violation of a valid foreign protection order is a class C
2 felony if the offender has at least two previous convictions for
3 violating the provisions of a no-contact order issued under chapter
4 10.99 RCW, a domestic violence protection order issued under chapter
5 26.09, 26.10, 26.26, or 26.50 RCW, or a federal or out-of-state order
6 that is comparable to a no-contact or protection order issued under
7 Washington law. The previous convictions may involve the same person
8 entitled to protection or other person entitled to protection
9 specifically protected by the no-contact orders or protection orders
10 the offender violated.

11 **Sec. 10.** RCW 10.31.100 and 1997 c 66 s 10 are each amended to read
12 as follows:

13 A police officer having probable cause to believe that a person has
14 committed or is committing a felony shall have the authority to arrest
15 the person without a warrant. A police officer may arrest a person
16 without a warrant for committing a misdemeanor or gross misdemeanor
17 only when the offense is committed in the presence of the officer,
18 except as provided in subsections (1) through (10) of this section.

19 (1) Any police officer having probable cause to believe that a
20 person has committed or is committing a misdemeanor or gross
21 misdemeanor, involving physical harm or threats of harm to any person
22 or property or the unlawful taking of property or involving the use or
23 possession of cannabis, or involving the acquisition, possession, or
24 consumption of alcohol by a person under the age of twenty-one years
25 under RCW 66.44.270, or involving criminal trespass under RCW 9A.52.070
26 or 9A.52.080, shall have the authority to arrest the person.

27 (2) A police officer shall arrest and take into custody, pending
28 release on bail, personal recognizance, or court order, a person
29 without a warrant when the officer has probable cause to believe that:

30 (a) An order has been issued of which the person has knowledge
31 under RCW 10.99.040(2), 10.99.050, 26.09.050, 26.09.060, 26.10.040,
32 26.10.115, 26.44.063, chapter 26.26 RCW, or chapter 26.50 RCW
33 restraining the person and the person has violated the terms of the
34 order restraining the person from acts or threats of violence or
35 restraining the person from going onto the grounds of or entering a
36 residence, workplace, school, or day care or, in the case of an order
37 issued under RCW 26.44.063, imposing any other restrictions or
38 conditions upon the person; or

1 (b) A foreign protection order, as defined in section 3 of this
2 act, has been issued of which the person under restraint has knowledge
3 and the person under restraint has violated a provision of the foreign
4 protection order prohibiting the person under restraint from contacting
5 or communicating with another person, or of a provision excluding the
6 person under restraint from a residence, workplace, school, or day
7 care, or a violation of any provision for which the foreign protection
8 order specifically indicates that a violation will be a crime; or

9 (c) The person is sixteen years or older and within the preceding
10 four hours has assaulted a family or household member as defined in RCW
11 10.99.020 and the officer believes: (i) A felonious assault has
12 occurred; (ii) an assault has occurred which has resulted in bodily
13 injury to the victim, whether the injury is observable by the
14 responding officer or not; or (iii) that any physical action has
15 occurred which was intended to cause another person reasonably to fear
16 imminent serious bodily injury or death. Bodily injury means physical
17 pain, illness, or an impairment of physical condition. When the
18 officer has probable cause to believe that family or household members
19 have assaulted each other, the officer is not required to arrest both
20 persons. The officer shall arrest the person whom the officer believes
21 to be the primary physical aggressor. In making this determination,
22 the officer shall make every reasonable effort to consider: (A) The
23 intent to protect victims of domestic violence under RCW 10.99.010; (B)
24 the comparative extent of injuries inflicted or serious threats
25 creating fear of physical injury; and (C) the history of domestic
26 violence between the persons involved.

27 (3) Any police officer having probable cause to believe that a
28 person has committed or is committing a violation of any of the
29 following traffic laws shall have the authority to arrest the person:

30 (a) RCW 46.52.010, relating to duty on striking an unattended car
31 or other property;

32 (b) RCW 46.52.020, relating to duty in case of injury to or death
33 of a person or damage to an attended vehicle;

34 (c) RCW 46.61.500 or 46.61.530, relating to reckless driving or
35 racing of vehicles;

36 (d) RCW 46.61.502 or 46.61.504, relating to persons under the
37 influence of intoxicating liquor or drugs;

38 (e) RCW 46.20.342, relating to driving a motor vehicle while
39 operator's license is suspended or revoked;

1 (f) RCW 46.61.5249, relating to operating a motor vehicle in a
2 negligent manner.

3 (4) A law enforcement officer investigating at the scene of a motor
4 vehicle accident may arrest the driver of a motor vehicle involved in
5 the accident if the officer has probable cause to believe that the
6 driver has committed in connection with the accident a violation of any
7 traffic law or regulation.

8 (5) Any police officer having probable cause to believe that a
9 person has committed or is committing a violation of RCW 88.12.025
10 shall have the authority to arrest the person.

11 (6) An officer may act upon the request of a law enforcement
12 officer in whose presence a traffic infraction was committed, to stop,
13 detain, arrest, or issue a notice of traffic infraction to the driver
14 who is believed to have committed the infraction. The request by the
15 witnessing officer shall give an officer the authority to take
16 appropriate action under the laws of the state of Washington.

17 (7) Any police officer having probable cause to believe that a
18 person has committed or is committing any act of indecent exposure, as
19 defined in RCW 9A.88.010, may arrest the person.

20 (8) A police officer may arrest and take into custody, pending
21 release on bail, personal recognizance, or court order, a person
22 without a warrant when the officer has probable cause to believe that
23 an order has been issued of which the person has knowledge under
24 chapter 10.14 RCW and the person has violated the terms of that order.

25 (9) Any police officer having probable cause to believe that a
26 person has, within twenty-four hours of the alleged violation,
27 committed a violation of RCW 9A.50.020 may arrest such person.

28 (10) A police officer having probable cause to believe that a
29 person illegally possesses or illegally has possessed a firearm or
30 other dangerous weapon on private or public elementary or secondary
31 school premises shall have the authority to arrest the person.

32 For purposes of this subsection, the term "firearm" has the meaning
33 defined in RCW 9.41.010 and the term "dangerous weapon" has the meaning
34 defined in RCW 9.41.250 and 9.41.280(1) (c) through (e).

35 (11) Except as specifically provided in subsections (2), (3), (4),
36 and (6) of this section, nothing in this section extends or otherwise
37 affects the powers of arrest prescribed in Title 46 RCW.

1 (12) No police officer may be held criminally or civilly liable for
2 making an arrest pursuant to RCW 10.31.100 (2) or (8) if the police
3 officer acts in good faith and without malice.

4 **Sec. 11.** RCW 9.94A.320 and 1997 c 365 s 4, 1997 c 346 s 3, 1997 c
5 340 s 1, 1997 c 338 s 51, 1997 c 266 s 15, and 1997 c 120 s 5 are each
6 reenacted and amended to read as follows:

7 TABLE 2

8 CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

9	XV	Aggravated Murder 1 (RCW 10.95.020)
10	XIV	Murder 1 (RCW 9A.32.030)
11		Homicide by abuse (RCW 9A.32.055)
12		Malicious explosion 1 (RCW 70.74.280(1))
13	XIII	Murder 2 (RCW 9A.32.050)
14		Malicious explosion 2 (RCW 70.74.280(2))
15		Malicious placement of an explosive 1 (RCW
16		70.74.270(1))
17	XII	Assault 1 (RCW 9A.36.011)
18		Assault of a Child 1 (RCW 9A.36.120)
19		Rape 1 (RCW 9A.44.040)
20		Rape of a Child 1 (RCW 9A.44.073)
21		Malicious placement of an imitation device
22		1 (RCW 70.74.272(1)(a))
23	XI	Rape 2 (RCW 9A.44.050)
24		Rape of a Child 2 (RCW 9A.44.076)
25		Manslaughter 1 (RCW 9A.32.060)
26	X	Kidnapping 1 (RCW 9A.40.020)
27		Child Molestation 1 (RCW 9A.44.083)
28		Malicious explosion 3 (RCW 70.74.280(3))
29		Over 18 and deliver heroin or narcotic from
30		Schedule I or II to someone under 18
31		(RCW 69.50.406)
32		Leading Organized Crime (RCW
33		9A.82.060(1)(a))

1 Indecent Liberties (with forcible
2 compulsion) (RCW 9A.44.100(1)(a))

3 IX Assault of a Child 2 (RCW 9A.36.130)
4 Robbery 1 (RCW 9A.56.200)
5 Explosive devices prohibited (RCW
6 70.74.180)
7 Malicious placement of an explosive 2 (RCW
8 70.74.270(2))
9 Over 18 and deliver narcotic from Schedule
10 III, IV, or V or a nonnarcotic from
11 Schedule I-V to someone under 18 and 3
12 years junior (RCW 69.50.406)
13 Controlled Substance Homicide (RCW
14 69.50.415)
15 Sexual Exploitation (RCW 9.68A.040)
16 Inciting Criminal Profiteering (RCW
17 9A.82.060(1)(b))
18 Vehicular Homicide, by being under the
19 influence of intoxicating liquor or
20 any drug (RCW 46.61.520)

21 VIII Arson 1 (RCW 9A.48.020)
22 Promoting Prostitution 1 (RCW 9A.88.070)
23 Selling for profit (controlled or
24 counterfeit) any controlled substance
25 (RCW 69.50.410)
26 Manufacture, deliver, or possess with
27 intent to deliver heroin or cocaine
28 (RCW 69.50.401(a)(1)(i))
29 Manufacture, deliver, or possess with
30 intent to deliver methamphetamine (RCW
31 69.50.401(a)(1)(ii))
32 Possession of ephedrine or pseudoephedrine
33 with intent to manufacture
34 methamphetamine (RCW 69.50.440)
35 Vehicular Homicide, by the operation of any
36 vehicle in a reckless manner (RCW
37 46.61.520)
38 Manslaughter 2 (RCW 9A.32.070)

1 VII Burglary 1 (RCW 9A.52.020)
2 Vehicular Homicide, by disregard for the
3 safety of others (RCW 46.61.520)
4 Introducing Contraband 1 (RCW 9A.76.140)
5 Indecent Liberties (without forcible
6 compulsion) (RCW 9A.44.100(1) (b) and
7 (c))
8 Child Molestation 2 (RCW 9A.44.086)
9 Dealing in depictions of minor engaged in
10 sexually explicit conduct (RCW
11 9.68A.050)
12 Sending, bringing into state depictions of
13 minor engaged in sexually explicit
14 conduct (RCW 9.68A.060)
15 Involving a minor in drug dealing (RCW
16 69.50.401(f))
17 Drive-by Shooting (RCW 9A.36.045)
18 Unlawful Possession of a Firearm in the
19 first degree (RCW 9.41.040(1)(a))
20 Malicious placement of an explosive 3 (RCW
21 70.74.270(3))
22 VI Bribery (RCW 9A.68.010)
23 Rape of a Child 3 (RCW 9A.44.079)
24 Intimidating a Juror/Witness (RCW
25 9A.72.110, 9A.72.130)
26 Malicious placement of an imitation device
27 2 (RCW 70.74.272(1)(b))
28 Incest 1 (RCW 9A.64.020(1))
29 Manufacture, deliver, or possess with
30 intent to deliver narcotics from
31 Schedule I or II (except heroin or
32 cocaine) (RCW 69.50.401(a)(1)(i))
33 Intimidating a Judge (RCW 9A.72.160)
34 Bail Jumping with Murder 1 (RCW
35 9A.76.170(2)(a))
36 Theft of a Firearm (RCW 9A.56.300)
37 V Persistent prison misbehavior (RCW
38 9.94.070)

1 Criminal Mistreatment 1 (RCW 9A.42.020)
2 Abandonment of dependent person 1 (RCW
3 9A.42.060)
4 Rape 3 (RCW 9A.44.060)
5 Sexual Misconduct with a Minor 1 (RCW
6 9A.44.093)
7 Child Molestation 3 (RCW 9A.44.089)
8 Kidnapping 2 (RCW 9A.40.030)
9 Extortion 1 (RCW 9A.56.120)
10 Incest 2 (RCW 9A.64.020(2))
11 Perjury 1 (RCW 9A.72.020)
12 Extortionate Extension of Credit (RCW
13 9A.82.020)
14 Advancing money or property for
15 extortionate extension of credit (RCW
16 9A.82.030)
17 Extortionate Means to Collect Extensions of
18 Credit (RCW 9A.82.040)
19 Rendering Criminal Assistance 1 (RCW
20 9A.76.070)
21 Bail Jumping with class A Felony (RCW
22 9A.76.170(2)(b))
23 Sexually Violating Human Remains (RCW
24 9A.44.105)
25 Delivery of imitation controlled substance
26 by person eighteen or over to person
27 under eighteen (RCW 69.52.030(2))
28 Possession of a Stolen Firearm (RCW
29 9A.56.310)
30 Violation of a Foreign Protection Order
31 (section 9(3) and (4) of this act)
32 IV Residential Burglary (RCW 9A.52.025)
33 Theft of Livestock 1 (RCW 9A.56.080)
34 Robbery 2 (RCW 9A.56.210)
35 Assault 2 (RCW 9A.36.021)
36 Escape 1 (RCW 9A.76.110)
37 Arson 2 (RCW 9A.48.030)
38 Commercial Bribery (RCW 9A.68.060)

1 Bribing a Witness/Bribe Received by Witness
2 (RCW 9A.72.090, 9A.72.100)
3 Malicious Harassment (RCW 9A.36.080)
4 Threats to Bomb (RCW 9.61.160)
5 Willful Failure to Return from Furlough
6 (RCW 72.66.060)
7 Hit and Run--Injury Accident (RCW
8 46.52.020(4))
9 Hit and Run with Vessel--Injury Accident
10 (RCW 88.12.155(3))
11 Vehicular Assault (RCW 46.61.522)
12 Manufacture, deliver, or possess with
13 intent to deliver narcotics from
14 Schedule III, IV, or V or nonnarcotics
15 from Schedule I-V (except marijuana or
16 methamphetamines) (RCW 69.50.401
17 (a)(1) (iii) through (v))
18 Influencing Outcome of Sporting Event (RCW
19 9A.82.070)
20 Use of Proceeds of Criminal Profiteering
21 (RCW 9A.82.080 (1) and (2))
22 Knowingly Trafficking in Stolen Property
23 (RCW 9A.82.050(2))

24 III Criminal Gang Intimidation (RCW 9A.46.120)
25 Criminal Mistreatment 2 (RCW 9A.42.030)
26 Abandonment of dependent person 2 (RCW
27 9A.42.070)
28 Extortion 2 (RCW 9A.56.130)
29 Unlawful Imprisonment (RCW 9A.40.040)
30 Assault 3 (RCW 9A.36.031)
31 Assault of a Child 3 (RCW 9A.36.140)
32 Custodial Assault (RCW 9A.36.100)
33 Unlawful possession of firearm in the
34 second degree (RCW 9.41.040(1)(b))
35 Harassment (RCW 9A.46.020)
36 Promoting Prostitution 2 (RCW 9A.88.080)
37 Willful Failure to Return from Work Release
38 (RCW 72.65.070)
39 Burglary 2 (RCW 9A.52.030)

1 Introducing Contraband 2 (RCW 9A.76.150)
2 Communication with a Minor for Immoral
3 Purposes (RCW 9.68A.090)
4 Patronizing a Juvenile Prostitute (RCW
5 9.68A.100)
6 Escape 2 (RCW 9A.76.120)
7 Perjury 2 (RCW 9A.72.030)
8 Bail Jumping with class B or C Felony (RCW
9 9A.76.170(2)(c))
10 Intimidating a Public Servant (RCW
11 9A.76.180)
12 Tampering with a Witness (RCW 9A.72.120)
13 Manufacture, deliver, or possess with
14 intent to deliver marijuana (RCW
15 69.50.401(a)(1)(iii))
16 Delivery of a material in lieu of a
17 controlled substance (RCW
18 69.50.401(c))
19 Manufacture, distribute, or possess with
20 intent to distribute an imitation
21 controlled substance (RCW
22 69.52.030(1))
23 Recklessly Trafficking in Stolen Property
24 (RCW 9A.82.050(1))
25 Theft of livestock 2 (RCW 9A.56.080)
26 Securities Act violation (RCW 21.20.400)
27 II Unlawful Practice of Law (RCW 2.48.180)
28 Malicious Mischief 1 (RCW 9A.48.070)
29 Possession of Stolen Property 1 (RCW
30 9A.56.150)
31 Theft 1 (RCW 9A.56.030)
32 Class B Felony Theft of Rental, Leased, or
33 Lease-purchased Property (RCW
34 9A.56.096(4))
35 Trafficking in Insurance Claims (RCW
36 48.30A.015)
37 Unlicensed Practice of a Profession or
38 Business (RCW 18.130.190(7))
39 Health Care False Claims (RCW 48.80.030)

1 Possession of controlled substance that is
2 either heroin or narcotics from
3 Schedule I or II (RCW 69.50.401(d))
4 Possession of phencyclidine (PCP) (RCW
5 69.50.401(d))
6 Create, deliver, or possess a counterfeit
7 controlled substance (RCW
8 69.50.401(b))
9 Computer Trespass 1 (RCW 9A.52.110)
10 Escape from Community Custody (RCW
11 72.09.310)

12 I Theft 2 (RCW 9A.56.040)
13 Class C Felony Theft of Rental, Leased, or
14 Lease-purchased Property (RCW
15 9A.56.096(4))
16 Possession of Stolen Property 2 (RCW
17 9A.56.160)
18 Forgery (RCW 9A.60.020)
19 Taking Motor Vehicle Without Permission
20 (RCW 9A.56.070)
21 Vehicle Prowl 1 (RCW 9A.52.095)
22 Attempting to Elude a Pursuing Police
23 Vehicle (RCW 46.61.024)
24 Malicious Mischief 2 (RCW 9A.48.080)
25 Reckless Burning 1 (RCW 9A.48.040)
26 Unlawful Issuance of Checks or Drafts (RCW
27 9A.56.060)
28 Unlawful Use of Food Stamps (RCW 9.91.140
29 (2) and (3))
30 False Verification for Welfare (RCW
31 74.08.055)
32 Forged Prescription (RCW 69.41.020)
33 Forged Prescription for a Controlled
34 Substance (RCW 69.50.403)
35 Possess Controlled Substance that is a
36 Narcotic from Schedule III, IV, or V
37 or Non-narcotic from Schedule I-V
38 (except phencyclidine) (RCW
39 69.50.401(d))

1 NEW SECTION. **Sec. 12.** Sections 1 through 9 and 13 of this act
2 constitute a new chapter in Title 26 RCW.

3 NEW SECTION. **Sec. 13.** CAPTIONS NOT LAW. Captions used in this
4 chapter are not part of the law.

5 NEW SECTION. **Sec. 14.** If any provision of this act or its
6 application to any person or circumstance is held invalid, the
7 remainder of the act or the application of the provision to other
8 persons or circumstances is not affected.

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