

FINAL BILL REPORT

SSB 6602

C 47 L 02
Synopsis as Enacted

Brief Description: Revising the crime of extortion in the second degree.

Sponsors: Senate Committee on Judiciary (originally sponsored by Senators Costa, Long, Poulsen and Kastama).

Senate Committee on Judiciary
House Committee on Criminal Justice & Corrections

Background: Extortion is defined in current statute as knowingly obtaining or attempting to obtain by threat the property or services of the owner, and specifically includes sexual favors. A person is guilty of extortion in the second degree if he or she commits extortion by means of a threat as defined in Washington statute.

A recent Washington Court of Appeals case, *State v. Pauling*, invalidated Washington's extortion statute. The court held "a statute that defines the word 'threat' to include the communication of information that is not inherently wrong or unlawful sweeps too broadly to withstand constitutional challenge." It found Washington's extortion statute to be overbroad because it is not restricted to wrongful threats and does not include any defenses that would limit its application.

Summary: A person commits extortion in the second degree when he or she commits extortion (knowingly obtaining or attempting to obtain by threat the property or services of the owner) by means of a wrongful threat.

Votes on Final Passage:

Senate	49	0
House	97	0

Effective: June 13, 2002