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HOUSE BILL 1668

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State of Washington                      65th Legislature                      2017 Regular Session

By Representatives Halper, Hayes, and Muri

Read first time 01/26/17. Referred to Committee on Public Safety.

1            AN ACT Relating to enhancing penalties for crimes committed  
2 against law enforcement officers; amending RCW 9A.36.011, 9A.36.021,  
3 9A.36.031, and 9.94A.510; reenacting and amending RCW 9.94A.515;  
4 adding a new section to chapter 9A.32 RCW; adding a new section to  
5 chapter 9A.40 RCW; adding a new section to chapter 9A.44 RCW; adding  
6 a new section to chapter 9.94A RCW; and prescribing penalties.

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

8            NEW SECTION.    **Sec. 1.**    A new section is added to chapter 9A.32  
9 RCW to read as follows:

10            A person is guilty of aggravated second degree murder, a class A  
11 felony, if he or she commits second degree murder as defined by RCW  
12 9A.32.050, as now or hereafter amended, and the victim was a law  
13 enforcement officer who was performing his or her official duties at  
14 the time of the act resulting in death and the victim was known or  
15 reasonably should have been known by the person to be such at the  
16 time of the killing.

17            NEW SECTION.    **Sec. 2.**    A new section is added to chapter 9A.40  
18 RCW to read as follows:

19            A person is guilty of aggravated first degree kidnapping, a class  
20 A felony, if he or she commits first degree kidnapping as defined by

1 RCW 9A.40.020, as now or hereafter amended, and the victim was a law  
2 enforcement officer who was performing his or her official duties at  
3 the time of the act and the victim was known or reasonably should  
4 have been known by the person to be such at the time of the act.

5 NEW SECTION. **Sec. 3.** A new section is added to chapter 9A.44  
6 RCW to read as follows:

7 (1) A person is guilty of aggravated first degree rape, a class A  
8 felony, if he or she commits first degree rape as defined by RCW  
9 9A.44.040, as now or hereafter amended, and the victim was a law  
10 enforcement officer who was performing his or her official duties at  
11 the time of the act and the victim was known or reasonably should  
12 have been known by the person to be such at the time of the act.

13 (2) A person is guilty of aggravated second degree rape, a class  
14 A felony, if he or she commits second degree rape as defined by RCW  
15 9A.44.050(1) (a) or (b), as now or hereafter amended, and the victim  
16 was a law enforcement officer who was performing his or her official  
17 duties at the time of the act and the victim was known or reasonably  
18 should have been known by the person to be such at the time of the  
19 act.

20 NEW SECTION. **Sec. 4.** A new section is added to chapter 9.94A  
21 RCW to read as follows:

22 (1) Except as provided in subsection (2) of this section, any  
23 person convicted of a crime under section 1, 2, or 3 (1) or (2) of  
24 this act must be sentenced to life imprisonment without possibility  
25 of release or parole. A person sentenced to life imprisonment under  
26 this section may not have that sentence suspended, deferred, or  
27 commuted by any judicial officer and the indeterminate sentence  
28 review board or its successor may not parole the prisoner nor reduce  
29 the period of confinement in any manner whatsoever including, but not  
30 limited to, any good time calculation. The department of social and  
31 health services or its successor or any executive official may not  
32 permit the prisoner to participate in any sort of release or furlough  
33 program.

34 (2) Any person convicted of a crime under section 1, 2, or 3 (1)  
35 or (2) of this act for an offense before the person's eighteenth  
36 birthday shall be sentenced to a maximum term of life imprisonment  
37 and a minimum term of total confinement of twenty years. A person  
38 sentenced under this subsection for crimes under sections 1 and 2 of

1 this act is subject to the requirements of RCW 9.94A.730. A person  
2 sentenced under this subsection for crimes under section 3 (1) or (2)  
3 of this act is subject to the treatment, review, release, and  
4 community custody requirements of juveniles sentenced as adults for  
5 rape in the first or second degree including, but not limited to, RCW  
6 9.94A.507 (4) through (6), 9.94A.704, 72.09.335, or 9.95.420 through  
7 9.95.440, and any applicable sex offender registration requirements  
8 under RCW 9A.44.130.

9 **Sec. 5.** RCW 9A.36.011 and 1997 c 196 s 1 are each amended to  
10 read as follows:

11 (1) A person is guilty of assault in the first degree if he or  
12 she, with intent to inflict great bodily harm:

13 (a) Assaults another with a firearm or any deadly weapon or by  
14 any force or means likely to produce great bodily harm or death; or

15 (b) Administers, exposes, or transmits to or causes to be taken  
16 by another, poison, the human immunodeficiency virus as defined in  
17 chapter 70.24 RCW, or any other destructive or noxious substance; or

18 (c) Assaults another and inflicts great bodily harm; or

19 (d) Assaults another under (a), (b), or (c) of this subsection  
20 and the victim was a law enforcement officer who was performing his  
21 or her official duties at the time of the act and the victim was  
22 known or reasonably should have been known by the person to be such  
23 at the time of the act.

24 (2) Assault in the first degree is a class A felony.

25 **Sec. 6.** RCW 9A.36.021 and 2011 c 166 s 1 are each amended to  
26 read as follows:

27 (1) A person is guilty of assault in the second degree if he or  
28 she, under circumstances not amounting to assault in the first  
29 degree:

30 (a) Intentionally assaults another and thereby recklessly  
31 inflicts substantial bodily harm; or

32 (b) Intentionally and unlawfully causes substantial bodily harm  
33 to an unborn quick child by intentionally and unlawfully inflicting  
34 any injury upon the mother of such child; or

35 (c) Assaults another with a deadly weapon; or

36 (d) With intent to inflict bodily harm, administers to or causes  
37 to be taken by another, poison or any other destructive or noxious  
38 substance; or

1 (e) With intent to commit a felony, assaults another; or  
2 (f) Knowingly inflicts bodily harm which by design causes such  
3 pain or agony as to be the equivalent of that produced by torture; or  
4 (g) Assaults another by strangulation or suffocation; or  
5 (h) Assaults another under subsection (a), (b), (c), (d), (e),  
6 (f), or (g) of this section and the victim was a law enforcement  
7 officer who was performing his or her official duties at the time of  
8 the act and the victim was known or reasonably should have been known  
9 by the person to be such at the time of the act.

10 (2)(a) Except as provided in (b) of this subsection, assault in  
11 the second degree is a class B felony.

12 (b) Assault in the second degree with a finding of sexual  
13 motivation under RCW 9.94A.835 or 13.40.135 is a class A felony.

14 **Sec. 7.** RCW 9A.36.031 and 2013 c 256 s 1 are each amended to  
15 read as follows:

16 (1) A person is guilty of assault in the third degree if he or  
17 she, under circumstances not amounting to assault in the first or  
18 second degree:

19 (a) With intent to prevent or resist the execution of any lawful  
20 process or mandate of any court officer or the lawful apprehension or  
21 detention of himself, herself, or another person, assaults another;  
22 or

23 (b) Assaults a person employed as a transit operator or driver,  
24 the immediate supervisor of a transit operator or driver, a mechanic,  
25 or a security officer, by a public or private transit company or a  
26 contracted transit service provider, while that person is performing  
27 his or her official duties at the time of the assault; or

28 (c) Assaults a school bus driver, the immediate supervisor of a  
29 driver, a mechanic, or a security officer, employed by a school  
30 district transportation service or a private company under contract  
31 for transportation services with a school district, while the person  
32 is performing his or her official duties at the time of the assault;  
33 or

34 (d) With criminal negligence, causes bodily harm to another  
35 person by means of a weapon or other instrument or thing likely to  
36 produce bodily harm; or

37 (e) Assaults a firefighter or other employee of a fire  
38 department, county fire marshal's office, county fire prevention

1 bureau, or fire protection district who was performing his or her  
2 official duties at the time of the assault; or

3 (f) With criminal negligence, causes bodily harm accompanied by  
4 substantial pain that extends for a period sufficient to cause  
5 considerable suffering; or

6 (g) Assaults a law enforcement officer or other employee of a law  
7 enforcement agency who was performing his or her official duties at  
8 the time of the assault; or

9 (h) Assaults a peace officer with a projectile stun gun; or

10 (i) Assaults a nurse, physician, or health care provider who was  
11 performing his or her nursing or health care duties at the time of  
12 the assault. For purposes of this subsection: "Nurse" means a person  
13 licensed under chapter 18.79 RCW; "physician" means a person licensed  
14 under chapter 18.57 or 18.71 RCW; and "health care provider" means a  
15 person certified under chapter 18.71 or 18.73 RCW who performs  
16 emergency medical services or a person regulated under Title 18 RCW  
17 and employed by, or contracting with, a hospital licensed under  
18 chapter 70.41 RCW; or

19 (j) Assaults a judicial officer, court-related employee, county  
20 clerk, or county clerk's employee, while that person is performing  
21 his or her official duties at the time of the assault or as a result  
22 of that person's employment within the judicial system. For purposes  
23 of this subsection, "court-related employee" includes bailiffs, court  
24 reporters, judicial assistants, court managers, court managers'  
25 employees, and any other employee, regardless of title, who is  
26 engaged in equivalent functions; or

27 (k) Assaults a person located in a courtroom, jury room, judge's  
28 chamber, or any waiting area or corridor immediately adjacent to a  
29 courtroom, jury room, or judge's chamber. This section shall apply  
30 only: (i) During the times when a courtroom, jury room, or judge's  
31 chamber is being used for judicial purposes during court proceedings;  
32 and (ii) if signage was posted in compliance with RCW 2.28.200 at the  
33 time of the assault.

34 (2)(a) Except as provided in (b) of this subsection, assault in  
35 the third degree is a class C felony.

36 (b) Assault in the third degree under subsection (1)(g) or (h) of  
37 this section is a class B felony.

38 **Sec. 8.** RCW 9.94A.510 and 2014 c 130 s 1 are each amended to  
39 read as follows:

TABLE 1  
Sentencing Grid

SERIOUSNESS										
LEVEL	OFFENDER SCORE									
										9 or
	0	1	2	3	4	5	6	7	8	more
XVI	Life sentence without parole/death penalty for offenders at or over the age of eighteen, <u>except the death penalty is not available for section 4 of this act</u> . For offenders under the age of eighteen, a term of twenty-five years to life.									
XV	23y4m	24y4m	25y4m	26y4m	27y4m	28y4m	30y4m	32y10m36y	40y	
	240-	250-	261-	271-	281-	291-	312-	338-	370-	411-
	320	333	347	361	374	388	416	450	493	548
XIV	14y4m	15y4m	16y2m	17y	17y11m	18y9m	20y5m	22y2m	25y7m	29y
	123-	134-	144-	154-	165-	175-	195-	216-	257-	298-
	220	234	244	254	265	275	295	316	357	397
XIII	12y	13y	14y	15y	16y	17y	19y	21y	25y	29y
	123-	134-	144-	154-	165-	175-	195-	216-	257-	298-
	164	178	192	205	219	233	260	288	342	397
XII	9y	9y11m	10y9m	11y8m	12y6m	13y5m	15y9m	17y3m	20y3m	23y3m
	93-	102-	111-	120-	129-	138-	162-	178-	209-	240-
	123	136	147	160	171	184	216	236	277	318
XI	7y6m	8y4m	9y2m	9y11m	10y9m	11y7m	14y2m	15y5m	17y11m	20y5m
	78-	86-	95-	102-	111-	120-	146-	159-	185-	210-
	102	114	125	136	147	158	194	211	245	280
X	5y	5y6m	6y	6y6m	7y	7y6m	9y6m	10y6m	12y6m	14y6m
	51-	57-	62-	67-	72-	77-	98-	108-	129-	149-
	68	75	82	89	96	102	130	144	171	198
IX	3y	3y6m	4y	4y6m	5y	5y6m	7y6m	8y6m	10y6m	12y6m
	31-	36-	41-	46-	51-	57-	77-	87-	108-	129-
	41	48	54	61	68	75	102	116	144	171
VIII	2y	2y6m	3y	3y6m	4y	4y6m	6y6m	7y6m	8y6m	10y6m
	21-	26-	31-	36-	41-	46-	67-	77-	87-	108-

1		27	34	41	48	54	61	89	102	116	144
2	VII	18m	2y	2y6m	3y	3y6m	4y	5y6m	6y6m	7y6m	8y6m
3		15-	21-	26-	31-	36-	41-	57-	67-	77-	87-
4		20	27	34	41	48	54	75	89	102	116
5	VI	13m	18m	2y	2y6m	3y	3y6m	4y6m	5y6m	6y6m	7y6m
6		12+-	15-	21-	26-	31-	36-	46-	57-	67-	77-
7		14	20	27	34	41	48	61	75	89	102
8	V	9m	13m	15m	18m	2y2m	3y2m	4y	5y	6y	7y
9		6-	12+-	13-	15-	22-	33-	41-	51-	62-	72-
10		12	14	17	20	29	43	54	68	82	96
11	IV	6m	9m	13m	15m	18m	2y2m	3y2m	4y2m	5y2m	6y2m
12		3-	6-	12+-	13-	15-	22-	33-	43-	53-	63-
13		9	12	14	17	20	29	43	57	70	84
14	III	2m	5m	8m	11m	14m	20m	2y2m	3y2m	4y2m	5y
15		1-	3-	4-	9-	12+-	17-	22-	33-	43-	51-
16		3	8	12	12	16	22	29	43	57	68
17	II		4m	6m	8m	13m	16m	20m	2y2m	3y2m	4y2m
18		0-90	2-	3-	4-	12+-	14-	17-	22-	33-	43-
19		Days	6	9	12	14	18	22	29	43	57
20	I			3m	4m	5m	8m	13m	16m	20m	2y2m
21		0-60	0-90	2-	2-	3-	4-	12+-	14-	17-	22-
22		Days	Days	5	6	8	12	14	18	22	29

23 Numbers in the first horizontal row of each seriousness category  
 24 represent sentencing midpoints in years(y) and months(m). Numbers in  
 25 the second and third rows represent standard sentence ranges in  
 26 months, or in days if so designated. 12+ equals one year and one day.

27 **Sec. 9.** RCW 9.94A.515 and 2016 c 213 s 5, 2016 c 164 s 13, and  
 28 2016 c 6 s 1 are each reenacted and amended to read as follows:

29 **TABLE 2**  
 30 **CRIMES INCLUDED WITHIN EACH**  
 31 **SERIOUSNESS LEVEL**

1 XVI Aggravated Kidnapping 1 (section 2 of  
2 this act)  
3 Aggravated Murder 1 (RCW 10.95.020)  
4 Aggravated Murder 2 (section 1 of this  
5 act)  
6 Aggravated Rape 1 (section 3(1) of this  
7 act)  
8 Aggravated Rape 2 (section 3(2) of this  
9 act)  
10 XV Homicide by abuse (RCW 9A.32.055)  
11 Malicious explosion 1 (RCW  
12 70.74.280(1))  
13 Murder 1 (RCW 9A.32.030)  
14 XIV Murder 2 (RCW 9A.32.050)  
15 Trafficking 1 (RCW 9A.40.100(1))  
16 XIII Assault 1 (of a Law Enforcement  
17 Officer) (RCW 9A.36.011(1)(d))  
18 Malicious explosion 2 (RCW  
19 70.74.280(2))  
20 Malicious placement of an explosive 1  
21 (RCW 70.74.270(1))  
22 XII Assault 1 (Except Assault 1 of a Law  
23 Enforcement Officer) (RCW  
24 9A.36.011 except subsection (1)(d))  
25 Assault of a Child 1 (RCW 9A.36.120)  
26 Malicious placement of an imitation  
27 device 1 (RCW 70.74.272(1)(a))  
28 Promoting Commercial Sexual Abuse of  
29 a Minor (RCW 9.68A.101)  
30 Rape 1 (RCW 9A.44.040)  
31 Rape of a Child 1 (RCW 9A.44.073)  
32 Trafficking 2 (RCW 9A.40.100(3))  
33 XI Manslaughter 1 (RCW 9A.32.060)  
34 Rape 2 (RCW 9A.44.050)  
35 Rape of a Child 2 (RCW 9A.44.076)

1 Vehicular Homicide, by being under the  
2 influence of intoxicating liquor or  
3 any drug (RCW 46.61.520)  
4 Vehicular Homicide, by the operation of  
5 any vehicle in a reckless manner  
6 (RCW 46.61.520)  
7 X Child Molestation 1 (RCW 9A.44.083)  
8 Criminal Mistreatment 1 (RCW  
9 9A.42.020)  
10 Indecent Liberties (with forcible  
11 compulsion) (RCW  
12 9A.44.100(1)(a))  
13 Kidnapping 1 (RCW 9A.40.020)  
14 Leading Organized Crime (RCW  
15 9A.82.060(1)(a))  
16 Malicious explosion 3 (RCW  
17 70.74.280(3))  
18 Sexually Violent Predator Escape (RCW  
19 9A.76.115)  
20 IX Abandonment of Dependent Person 1  
21 (RCW 9A.42.060)  
22 Assault of a Child 2 (RCW 9A.36.130)  
23 Explosive devices prohibited (RCW  
24 70.74.180)  
25 Hit and Run—Death (RCW  
26 46.52.020(4)(a))  
27 Homicide by Watercraft, by being under  
28 the influence of intoxicating liquor  
29 or any drug (RCW 79A.60.050)  
30 Inciting Criminal Profiteering (RCW  
31 9A.82.060(1)(b))  
32 Malicious placement of an explosive 2  
33 (RCW 70.74.270(2))  
34 Robbery 1 (RCW 9A.56.200)  
35 Sexual Exploitation (RCW 9.68A.040)

1 VIII Assault 2 (of a Law Enforcement  
2 Officer) (RCW 9A.36.021(1)(h))  
3 Arson 1 (RCW 9A.48.020)  
4 Commercial Sexual Abuse of a Minor  
5 (RCW 9.68A.100)  
6 Homicide by Watercraft, by the  
7 operation of any vessel in a reckless  
8 manner (RCW 79A.60.050)  
9 Manslaughter 2 (RCW 9A.32.070)  
10 Promoting Prostitution 1 (RCW  
11 9A.88.070)  
12 Theft of Ammonia (RCW 69.55.010)  
13 VII Air bag diagnostic systems (causing  
14 bodily injury or death) (RCW  
15 46.37.660(2)(b))  
16 Air bag replacement requirements  
17 (causing bodily injury or death)  
18 (RCW 46.37.660(1)(b))  
19 Burglary 1 (RCW 9A.52.020)  
20 Child Molestation 2 (RCW 9A.44.086)  
21 Civil Disorder Training (RCW  
22 9A.48.120)  
23 Dealing in depictions of minor engaged  
24 in sexually explicit conduct 1  
25 (RCW 9.68A.050(1))  
26 Drive-by Shooting (RCW 9A.36.045)  
27 Homicide by Watercraft, by disregard  
28 for the safety of others (RCW  
29 79A.60.050)  
30 Indecent Liberties (without forcible  
31 compulsion) (RCW 9A.44.100(1)  
32 (b) and (c))  
33 Introducing Contraband 1 (RCW  
34 9A.76.140)  
35 Malicious placement of an explosive 3  
36 (RCW 70.74.270(3))

1 Manufacture or import counterfeit,  
2 nonfunctional, damaged, or  
3 previously deployed air bag  
4 (causing bodily injury or death)  
5 (RCW 46.37.650(1)(b))  
6 Negligently Causing Death By Use of a  
7 Signal Preemption Device (RCW  
8 46.37.675)  
9 Sale, install, ~~((for))~~ or reinstall  
10 counterfeit, nonfunctional,  
11 damaged, or previously deployed  
12 airbag (RCW 46.37.650(2)(b))  
13 Sending, bringing into state depictions  
14 of minor engaged in sexually  
15 explicit conduct 1 (RCW  
16 9.68A.060(1))  
17 Unlawful Possession of a Firearm in the  
18 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 Assault 3 (of a Peace Officer with a  
25 Projectile Stun Gun) (RCW  
26 9A.36.031(1)(h))  
27 Bail Jumping with Murder 1 (RCW  
28 9A.76.170(3)(a))  
29 Bribery (RCW 9A.68.010)  
30 Incest 1 (RCW 9A.64.020(1))  
31 Intimidating a Judge (RCW 9A.72.160)  
32 Intimidating a Juror/Witness (RCW  
33 9A.72.110, 9A.72.130)  
34 Malicious placement of an imitation  
35 device 2 (RCW 70.74.272(1)(b))

1 Possession of Depictions of a Minor  
2 Engaged in Sexually Explicit  
3 Conduct 1 (RCW 9.68A.070(1))  
4 Rape of a Child 3 (RCW 9A.44.079)  
5 Theft of a Firearm (RCW 9A.56.300)  
6 Unlawful Storage of Ammonia (RCW  
7 69.55.020)  
8 V Abandonment of Dependent Person 2  
9 (RCW 9A.42.070)  
10 Advancing money or property for  
11 extortionate extension of credit  
12 (RCW 9A.82.030)  
13 Air bag diagnostic systems (RCW  
14 46.37.660(2)(c))  
15 Air bag replacement requirements  
16 (RCW 46.37.660(1)(c))  
17 Assault 3 (of a Law Enforcement  
18 Officer) (RCW 9A.36.031(1)(g))  
19 Bail Jumping with class A Felony  
20 (RCW 9A.76.170(3)(b))  
21 Child Molestation 3 (RCW 9A.44.089)  
22 Criminal Mistreatment 2 (RCW  
23 9A.42.030)  
24 Custodial Sexual Misconduct 1 (RCW  
25 9A.44.160)  
26 Dealing in Depictions of Minor  
27 Engaged in Sexually Explicit  
28 Conduct 2 (RCW 9.68A.050(2))  
29 Domestic Violence Court Order  
30 Violation (RCW 10.99.040,  
31 10.99.050, 26.09.300, 26.10.220,  
32 26.26.138, 26.50.110, 26.52.070, or  
33 74.34.145)  
34 Driving While Under the Influence  
35 (RCW 46.61.502(6))  
36 Extortion 1 (RCW 9A.56.120)

1 Extortionate Extension of Credit (RCW  
2 9A.82.020)  
3 Extortionate Means to Collect  
4 Extensions of Credit (RCW  
5 9A.82.040)  
6 Incest 2 (RCW 9A.64.020(2))  
7 Kidnapping 2 (RCW 9A.40.030)  
8 Manufacture or import counterfeit,  
9 nonfunctional, damaged, or  
10 previously deployed air bag (RCW  
11 46.37.650(1)(c))  
12 Perjury 1 (RCW 9A.72.020)  
13 Persistent prison misbehavior (RCW  
14 9.94.070)  
15 Physical Control of a Vehicle While  
16 Under the Influence (RCW  
17 46.61.504(6))  
18 Possession of a Stolen Firearm (RCW  
19 9A.56.310)  
20 Rape 3 (RCW 9A.44.060)  
21 Rendering Criminal Assistance 1 (RCW  
22 9A.76.070)  
23 Sale, install, ~~((for))~~ or reinstall  
24 counterfeit, nonfunctional,  
25 damaged, or previously deployed  
26 airbag (RCW 46.37.650(2)(c))  
27 Sending, Bringing into State Depictions  
28 of Minor Engaged in Sexually  
29 Explicit Conduct 2 (RCW  
30 9.68A.060(2))  
31 Sexual Misconduct with a Minor 1  
32 (RCW 9A.44.093)  
33 Sexually Violating Human Remains  
34 (RCW 9A.44.105)  
35 Stalking (RCW 9A.46.110)

1 Taking Motor Vehicle Without  
2 Permission 1 (RCW 9A.56.070)  
3 IV Arson 2 (RCW 9A.48.030)  
4 Assault 2 (Except Assault 2 of a Law  
5 Enforcement Officer) (RCW  
6 9A.36.021 except subsection (1)(h))  
7 (~~Assault 3 (of a Peace Officer with a~~  
8 ~~Projectile Stun Gun) (RCW~~  
9 ~~9A.36.031(1)(h))~~)  
10 Assault by Watercraft (RCW  
11 79A.60.060)  
12 Bribing a Witness/Bribe Received by  
13 Witness (RCW 9A.72.090,  
14 9A.72.100)  
15 Cheating 1 (RCW 9.46.1961)  
16 Commercial Bribery (RCW 9A.68.060)  
17 Counterfeiting (RCW 9.16.035(4))  
18 Endangerment with a Controlled  
19 Substance (RCW 9A.42.100)  
20 Escape 1 (RCW 9A.76.110)  
21 Hit and Run—Injury (RCW  
22 46.52.020(4)(b))  
23 Hit and Run with Vessel—Injury  
24 Accident (RCW 79A.60.200(3))  
25 Identity Theft 1 (RCW 9.35.020(2))  
26 Indecent Exposure to Person Under Age  
27 Fourteen (subsequent sex offense)  
28 (RCW 9A.88.010)  
29 Influencing Outcome of Sporting Event  
30 (RCW 9A.82.070)  
31 Malicious Harassment (RCW  
32 9A.36.080)  
33 Possession of Depictions of a Minor  
34 Engaged in Sexually Explicit  
35 Conduct 2 (RCW 9.68A.070(2))

1 Residential Burglary (RCW 9A.52.025)  
2 Robbery 2 (RCW 9A.56.210)  
3 Theft of Livestock 1 (RCW 9A.56.080)  
4 Threats to Bomb (RCW 9.61.160)  
5 Trafficking in Stolen Property 1 (RCW  
6 9A.82.050)  
7 Unlawful factoring of a credit card or  
8 payment card transaction (RCW  
9 9A.56.290(4)(b))  
10 Unlawful transaction of health coverage  
11 as a health care service contractor  
12 (RCW 48.44.016(3))  
13 Unlawful transaction of health coverage  
14 as a health maintenance  
15 organization (RCW 48.46.033(3))  
16 Unlawful transaction of insurance  
17 business (RCW 48.15.023(3))  
18 Unlicensed practice as an insurance  
19 professional (RCW 48.17.063(2))  
20 Use of Proceeds of Criminal  
21 Profiteering (RCW 9A.82.080 (1)  
22 and (2))  
23 Vehicle Prowling 2 (third or subsequent  
24 offense) (RCW 9A.52.100(3))  
25 Vehicular Assault, by being under the  
26 influence of intoxicating liquor or  
27 any drug, or by the operation or  
28 driving of a vehicle in a reckless  
29 manner (RCW 46.61.522)  
30 Viewing of Depictions of a Minor  
31 Engaged in Sexually Explicit  
32 Conduct 1 (RCW 9.68A.075(1))  
33 Willful Failure to Return from Furlough  
34 (RCW 72.66.060)  
35 III Animal Cruelty 1 (Sexual Conduct or  
36 Contact) (RCW 16.52.205(3))

1 Assault 3 (Except Assault 3 of a Law  
2 Enforcement Officer or Peace  
3 Officer With a Projectile Stun Gun)  
4 (RCW 9A.36.031 except subsection  
5 (1)(g) or (h))  
6 Assault of a Child 3 (RCW 9A.36.140)  
7 Bail Jumping with class B or C Felony  
8 (RCW 9A.76.170(3)(c))  
9 Burglary 2 (RCW 9A.52.030)  
10 Communication with a Minor for  
11 Immoral Purposes (RCW  
12 9.68A.090)  
13 Criminal Gang Intimidation (RCW  
14 9A.46.120)  
15 Custodial Assault (RCW 9A.36.100)  
16 Cyberstalking (subsequent conviction or  
17 threat of death) (RCW 9.61.260(3))  
18 Escape 2 (RCW 9A.76.120)  
19 Extortion 2 (RCW 9A.56.130)  
20 Harassment (RCW 9A.46.020)  
21 Intimidating a Public Servant (RCW  
22 9A.76.180)  
23 Introducing Contraband 2 (RCW  
24 9A.76.150)  
25 Malicious Injury to Railroad Property  
26 (RCW 81.60.070)  
27 Mortgage Fraud (RCW 19.144.080)  
28 Negligently Causing Substantial Bodily  
29 Harm By Use of a Signal  
30 Preemption Device (RCW  
31 46.37.674)  
32 Organized Retail Theft 1 (RCW  
33 9A.56.350(2))  
34 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 Retail Theft with Special Circumstances  
9 1 (RCW 9A.56.360(2))  
10 Securities Act violation (RCW  
11 21.20.400)  
12 Tampering with a Witness (RCW  
13 9A.72.120)  
14 Telephone Harassment (subsequent  
15 conviction or threat of death) (RCW  
16 9.61.230(2))  
17 Theft of Livestock 2 (RCW 9A.56.083)  
18 Theft with the Intent to Resell 1 (RCW  
19 9A.56.340(2))  
20 Trafficking in Stolen Property 2 (RCW  
21 9A.82.055)  
22 Unlawful Hunting of Big Game 1 (RCW  
23 77.15.410(3)(b))  
24 Unlawful Imprisonment (RCW  
25 9A.40.040)  
26 Unlawful Misbranding of Food Fish or  
27 Shellfish 1 (RCW 69.04.938(3))  
28 Unlawful possession of firearm in the  
29 second degree (RCW 9.41.040(2))  
30 Unlawful Taking of Endangered Fish or  
31 Wildlife 1 (RCW 77.15.120(3)(b))  
32 Unlawful Trafficking in Fish, Shellfish,  
33 or Wildlife 1 (RCW  
34 77.15.260(3)(b))  
35 Unlawful Use of a Nondesignated  
36 Vessel (RCW 77.15.530(4))

1 Vehicular Assault, by the operation or  
2 driving of a vehicle with disregard  
3 for the safety of others (RCW  
4 46.61.522)

5 Willful Failure to Return from Work  
6 Release (RCW 72.65.070)

7 II Commercial Fishing Without a License  
8 1 (RCW 77.15.500(3)(b))

9 Computer Trespass 1 (RCW 9A.90.040)

10 Counterfeiting (RCW 9.16.035(3))

11 Electronic Data Service Interference  
12 (RCW 9A.90.060)

13 Electronic Data Tampering 1 (RCW  
14 9A.90.080)

15 Electronic Data Theft (RCW 9A.90.100)

16 Engaging in Fish Dealing Activity  
17 Unlicensed 1 (RCW 77.15.620(3))

18 Escape from Community Custody  
19 (RCW 72.09.310)

20 Failure to Register as a Sex Offender  
21 (second or subsequent offense)  
22 (RCW 9A.44.130 prior to June 10,  
23 2010, and RCW 9A.44.132)

24 Health Care False Claims (RCW  
25 48.80.030)

26 Identity Theft 2 (RCW 9.35.020(3))

27 Improperly Obtaining Financial  
28 Information (RCW 9.35.010)

29 Malicious Mischief 1 (RCW 9A.48.070)

30 Organized Retail Theft 2 (RCW  
31 9A.56.350(3))

32 Possession of Stolen Property 1 (RCW  
33 9A.56.150)

34 Possession of a Stolen Vehicle (RCW  
35 9A.56.068)

1 Retail Theft with Special Circumstances  
2 2 (RCW 9A.56.360(3))  
3 Scrap Processing, Recycling, or  
4 Supplying Without a License  
5 (second or subsequent offense)  
6 (RCW 19.290.100)  
7 Theft 1 (RCW 9A.56.030)  
8 Theft of a Motor Vehicle (RCW  
9 9A.56.065)  
10 Theft of Rental, Leased, Lease-  
11 purchased, or Loaned Property  
12 (valued at five thousand dollars or  
13 more) (RCW 9A.56.096(5)(a))  
14 Theft with the Intent to Resell 2 (RCW  
15 9A.56.340(3))  
16 Trafficking in Insurance Claims (RCW  
17 48.30A.015)  
18 Unlawful factoring of a credit card or  
19 payment card transaction (RCW  
20 9A.56.290(4)(a))  
21 Unlawful Participation of Non-Indians  
22 in Indian Fishery (RCW  
23 77.15.570(2))  
24 Unlawful Practice of Law (RCW  
25 2.48.180)  
26 Unlawful Purchase or Use of a License  
27 (RCW 77.15.650(3)(b))  
28 Unlawful Trafficking in Fish, Shellfish,  
29 or Wildlife 2 (RCW  
30 77.15.260(3)(a))  
31 Unlicensed Practice of a Profession or  
32 Business (RCW 18.130.190(7))  
33 Voyeurism (RCW 9A.44.115)  
34 I Attempting to Elude a Pursuing Police  
35 Vehicle (RCW 46.61.024)

1 False Verification for Welfare (RCW  
2 74.08.055)  
3 Forgery (RCW 9A.60.020)  
4 Fraudulent Creation or Revocation of a  
5 Mental Health Advance Directive  
6 (RCW 9A.60.060)  
7 Malicious Mischief 2 (RCW 9A.48.080)  
8 Mineral Trespass (RCW 78.44.330)  
9 Possession of Stolen Property 2 (RCW  
10 9A.56.160)  
11 Reckless Burning 1 (RCW 9A.48.040)  
12 Spotlighting Big Game 1 (RCW  
13 77.15.450(3)(b))  
14 Suspension of Department Privileges 1  
15 (RCW 77.15.670(3)(b))  
16 Taking Motor Vehicle Without  
17 Permission 2 (RCW 9A.56.075)  
18 Theft 2 (RCW 9A.56.040)  
19 Theft of Rental, Leased, Lease-  
20 purchased, or Loaned Property  
21 (valued at seven hundred fifty  
22 dollars or more but less than five  
23 thousand dollars) (RCW  
24 9A.56.096(5)(b))  
25 Transaction of insurance business  
26 beyond the scope of licensure  
27 (RCW 48.17.063)  
28 Unlawful Fish and Shellfish Catch  
29 Accounting (RCW 77.15.630(3)(b))  
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)

1 Unlawful Possession of Payment  
2 Instruments (RCW 9A.56.320)  
3 Unlawful Possession of a Personal  
4 Identification Device (RCW  
5 9A.56.320)  
6 Unlawful Production of Payment  
7 Instruments (RCW 9A.56.320)  
8 Unlawful Releasing, Planting,  
9 Possessing, or Placing Deleterious  
10 Exotic Wildlife (RCW  
11 77.15.250(2)(b))  
12 Unlawful Trafficking in Food Stamps  
13 (RCW 9.91.142)  
14 Unlawful Use of Food Stamps (RCW  
15 9.91.144)  
16 Unlawful Use of Net to Take Fish 1  
17 (RCW 77.15.580(3)(b))  
18 Unlawful Use of Prohibited Aquatic  
19 Animal Species (RCW  
20 77.15.253(3))  
21 Vehicle Prowl 1 (RCW 9A.52.095)  
22 Violating Commercial Fishing Area or  
23 Time 1 (RCW 77.15.550(3)(b))

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