

CERTIFICATION OF ENROLLMENT

SUBSTITUTE HOUSE BILL 1200

Chapter 292, Laws of 2017

65th Legislature
2017 Regular Session

VOYEURISM IN THE SECOND DEGREE

EFFECTIVE DATE: 7/23/2017

Passed by the House April 17, 2017
Yeas 95 Nays 0

FRANK CHOPP

Speaker of the House of Representatives

Passed by the Senate April 12, 2017
Yeas 49 Nays 0

CYRUS HABIB

President of the Senate

Approved May 16, 2017 10:10 AM

JAY INSLEE

Governor of the State of Washington

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1200** as passed by House of Representatives and the Senate on the dates hereon set forth.

BERNARD DEAN

Chief Clerk

FILED

May 16, 2017

**Secretary of State
State of Washington**

SUBSTITUTE HOUSE BILL 1200

AS AMENDED BY THE SENATE

Passed Legislature - 2017 Regular Session

State of Washington 65th Legislature 2017 Regular Session

By House Public Safety (originally sponsored by Representatives McCabe, Goodman, Klippert, Orwall, Hayes, Johnson, Griffey, Caldier, Dye, Sells, McDonald, Kilduff, and Smith)

READ FIRST TIME 02/13/17.

1 AN ACT Relating to the crime of voyeurism; amending RCW 9A.44.115
2 and 13.40.070; reenacting and amending RCW 9.94A.515; and prescribing
3 penalties.

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

5 **Sec. 1.** RCW 9A.44.115 and 2003 c 213 s 1 are each amended to
6 read as follows:

7 (1) As used in this section:

8 (a) "Intimate areas" means any portion of a person's body or
9 undergarments that is covered by clothing and intended to be
10 protected from public view;

11 (b) "Photographs" or "films" means the making of a photograph,
12 motion picture film, videotape, digital image, or any other recording
13 or transmission of the image of a person;

14 (c) "Place where he or she would have a reasonable expectation of
15 privacy" means:

16 (i) A place where a reasonable person would believe that he or
17 she could disrobe in privacy, without being concerned that his or her
18 undressing was being photographed or filmed by another; or

19 (ii) A place where one may reasonably expect to be safe from
20 casual or hostile intrusion or surveillance;

1 (d) "Surveillance" means secret observation of the activities of
2 another person for the purpose of spying upon and invading the
3 privacy of the person;

4 (e) "Views" means the intentional looking upon of another person
5 for more than a brief period of time, in other than a casual or
6 cursory manner, with the unaided eye or with a device designed or
7 intended to improve visual acuity.

8 (2)(a) A person commits the crime of voyeurism in the first
9 degree if, for the purpose of arousing or gratifying the sexual
10 desire of any person, he or she knowingly views, photographs, or
11 films:

12 ((+a)) (i) Another person without that person's knowledge and
13 consent while the person being viewed, photographed, or filmed is in
14 a place where he or she would have a reasonable expectation of
15 privacy; or

16 ((+b)) (ii) The intimate areas of another person without that
17 person's knowledge and consent and under circumstances where the
18 person has a reasonable expectation of privacy, whether in a public
19 or private place.

20 ((+3)) (b) Voyeurism in the first degree is a class C felony.

21 (3)(a) A person commits the crime of voyeurism in the second
22 degree if he or she intentionally photographs or films another person
23 for the purpose of photographing or filming the intimate areas of
24 that person with the intent to distribute or disseminate the
25 photograph or film, without that person's knowledge and consent, and
26 under circumstances where the person has a reasonable expectation of
27 privacy, whether in a public or private place.

28 (b) Voyeurism in the second degree is a gross misdemeanor.

29 (c) Voyeurism in the second degree is not a sex offense for the
30 purposes of sentencing or sex offender registration requirements
31 under this chapter.

32 (4) This section does not apply to viewing, photographing, or
33 filming by personnel of the department of corrections or of a local
34 jail or correctional facility for security purposes or during
35 investigation of alleged misconduct by a person in the custody of the
36 department of corrections or the local jail or correctional facility.

37 (5) If a person is convicted of a violation of this section, the
38 court may order the destruction of any photograph, motion picture
39 film, digital image, videotape, or any other recording of an image
40 that was made by the person in violation of this section.

1 **Sec. 2.** RCW 13.40.070 and 2013 c 179 s 3 are each amended to
2 read as follows:

3 (1) Complaints referred to the juvenile court alleging the
4 commission of an offense shall be referred directly to the
5 prosecutor. The prosecutor, upon receipt of a complaint, shall screen
6 the complaint to determine whether:

7 (a) The alleged facts bring the case within the jurisdiction of
8 the court; and

9 (b) On a basis of available evidence there is probable cause to
10 believe that the juvenile did commit the offense.

11 (2) If the identical alleged acts constitute an offense under
12 both the law of this state and an ordinance of any city or county of
13 this state, state law shall govern the prosecutor's screening and
14 charging decision for both filed and diverted cases.

15 (3) If the requirements of subsections (1)(a) and (b) of this
16 section are met, the prosecutor shall either file an information in
17 juvenile court or divert the case, as set forth in subsections (5),
18 (6), and (8) of this section. If the prosecutor finds that the
19 requirements of subsection (1)(a) and (b) of this section are not
20 met, the prosecutor shall maintain a record, for one year, of such
21 decision and the reasons therefor. In lieu of filing an information
22 or diverting an offense a prosecutor may file a motion to modify
23 community supervision where such offense constitutes a violation of
24 community supervision.

25 (4) An information shall be a plain, concise, and definite
26 written statement of the essential facts constituting the offense
27 charged. It shall be signed by the prosecuting attorney and conform
28 to chapter 10.37 RCW.

29 (5) Except as provided in RCW 13.40.213 and subsection (7) of
30 this section, where a case is legally sufficient, the prosecutor
31 shall file an information with the juvenile court if:

32 (a) An alleged offender is accused of a class A felony, a class B
33 felony, an attempt to commit a class B felony, a class C felony
34 listed in RCW 9.94A.411(2) as a crime against persons or listed in
35 RCW 9A.46.060 as a crime of harassment, or a class C felony that is a
36 violation of RCW 9.41.080 or 9.41.040(2)(a)(~~iii~~) (iv); or

37 (b) An alleged offender is accused of a felony and has a criminal
38 history of any felony, or at least two gross misdemeanors, or at
39 least two misdemeanors; or

1 (c) An alleged offender has previously been committed to the
2 department; or

3 (d) An alleged offender has been referred by a diversion unit for
4 prosecution or desires prosecution instead of diversion; or

5 (e) An alleged offender has three or more diversion agreements on
6 the alleged offender's criminal history; or

7 (f) A special allegation has been filed that the offender or an
8 accomplice was armed with a firearm when the offense was committed.

9 (6) Where a case is legally sufficient the prosecutor shall
10 divert the case if the alleged offense is a misdemeanor or gross
11 misdemeanor or violation and the alleged offense is the offender's
12 first offense or violation. If the alleged offender is charged with a
13 related offense that must or may be filed under subsections (5) and
14 (8) of this section, a case under this subsection may also be filed.

15 (7) Where a case is legally sufficient to charge an alleged
16 offender with:

17 (a) Either prostitution or prostitution loitering and the alleged
18 offense is the offender's first prostitution or prostitution
19 loitering offense, the prosecutor shall divert the case; or

20 (b) Voyeurism in the second degree, the offender is under
21 seventeen years of age, and the alleged offense is the offender's
22 first voyeurism in the second degree offense, the prosecutor shall
23 divert the case, unless the offender has received two diversions for
24 any offense in the previous two years.

25 (8) Where a case is legally sufficient and falls into neither
26 subsection (5) nor (6) of this section, it may be filed or diverted.
27 In deciding whether to file or divert an offense under this section
28 the prosecutor shall be guided only by the length, seriousness, and
29 recency of the alleged offender's criminal history and the
30 circumstances surrounding the commission of the alleged offense.

31 (9) Whenever a juvenile is placed in custody or, where not placed
32 in custody, referred to a diversion interview, the parent or legal
33 guardian of the juvenile shall be notified as soon as possible
34 concerning the allegation made against the juvenile and the current
35 status of the juvenile. Where a case involves victims of crimes
36 against persons or victims whose property has not been recovered at
37 the time a juvenile is referred to a diversion unit, the victim shall
38 be notified of the referral and informed how to contact the unit.

39 (10) The responsibilities of the prosecutor under subsections (1)
40 through (9) of this section may be performed by a juvenile court

1 probation counselor for any complaint referred to the court alleging
2 the commission of an offense which would not be a felony if committed
3 by an adult, if the prosecutor has given sufficient written notice to
4 the juvenile court that the prosecutor will not review such
5 complaints.

6 (11) The prosecutor, juvenile court probation counselor, or
7 diversion unit may, in exercising their authority under this section
8 or RCW 13.40.080, refer juveniles to mediation or victim offender
9 reconciliation programs. Such mediation or victim offender
10 reconciliation programs shall be voluntary for victims.

11 **Sec. 3.** RCW 9.94A.515 and 2016 c 213 s 5, 2016 c 164 s 13, and
12 2016 c 6 s 1 are each reenacted and amended to read as follows:

13 TABLE 2

14 CRIMES INCLUDED WITHIN EACH
15 SERIOUSNESS LEVEL

- 16 XVI Aggravated Murder 1 (RCW 10.95.020)
- 17 XV Homicide by abuse (RCW 9A.32.055)
- 18 Malicious explosion 1 (RCW
19 70.74.280(1))
- 20 Murder 1 (RCW 9A.32.030)
- 21 XIV Murder 2 (RCW 9A.32.050)
- 22 Trafficking 1 (RCW 9A.40.100(1))
- 23 XIII Malicious explosion 2 (RCW
24 70.74.280(2))
- 25 Malicious placement of an explosive 1
26 (RCW 70.74.270(1))
- 27 XII Assault 1 (RCW 9A.36.011)
- 28 Assault of a Child 1 (RCW 9A.36.120)
- 29 Malicious placement of an imitation
30 device 1 (RCW 70.74.272(1)(a))
- 31 Promoting Commercial Sexual Abuse of
32 a Minor (RCW 9.68A.101)
- 33 Rape 1 (RCW 9A.44.040)
- 34 Rape of a Child 1 (RCW 9A.44.073)
- 35 Trafficking 2 (RCW 9A.40.100(3))

1 XI Manslaughter 1 (RCW 9A.32.060)
2 Rape 2 (RCW 9A.44.050)
3 Rape of a Child 2 (RCW 9A.44.076)
4 Vehicular Homicide, by being under the
5 influence of intoxicating liquor or
6 any drug (RCW 46.61.520)
7 Vehicular Homicide, by the operation of
8 any vehicle in a reckless manner
9 (RCW 46.61.520)
10 X Child Molestation 1 (RCW 9A.44.083)
11 Criminal Mistreatment 1 (RCW
12 9A.42.020)
13 Indecent Liberties (with forcible
14 compulsion) (RCW
15 9A.44.100(1)(a))
16 Kidnapping 1 (RCW 9A.40.020)
17 Leading Organized Crime (RCW
18 9A.82.060(1)(a))
19 Malicious explosion 3 (RCW
20 70.74.280(3))
21 Sexually Violent Predator Escape (RCW
22 9A.76.115)
23 IX Abandonment of Dependent Person 1
24 (RCW 9A.42.060)
25 Assault of a Child 2 (RCW 9A.36.130)
26 Explosive devices prohibited (RCW
27 70.74.180)
28 Hit and Run—Death (RCW
29 46.52.020(4)(a))
30 Homicide by Watercraft, by being under
31 the influence of intoxicating liquor
32 or any drug (RCW 79A.60.050)
33 Inciting Criminal Profiteering (RCW
34 9A.82.060(1)(b))

1 Malicious placement of an explosive 2
2 (RCW 70.74.270(2))
3 Robbery 1 (RCW 9A.56.200)
4 Sexual Exploitation (RCW 9.68A.040)
5 VIII Arson 1 (RCW 9A.48.020)
6 Commercial Sexual Abuse of a Minor
7 (RCW 9.68A.100)
8 Homicide by Watercraft, by the
9 operation of any vessel in a reckless
10 manner (RCW 79A.60.050)
11 Manslaughter 2 (RCW 9A.32.070)
12 Promoting Prostitution 1 (RCW
13 9A.88.070)
14 Theft of Ammonia (RCW 69.55.010)
15 VII Air bag diagnostic systems (causing
16 bodily injury or death) (RCW
17 46.37.660(2)(b))
18 Air bag replacement requirements
19 (causing bodily injury or death)
20 (RCW 46.37.660(1)(b))
21 Burglary 1 (RCW 9A.52.020)
22 Child Molestation 2 (RCW 9A.44.086)
23 Civil Disorder Training (RCW
24 9A.48.120)
25 Dealing in depictions of minor engaged
26 in sexually explicit conduct 1
27 (RCW 9.68A.050(1))
28 Drive-by Shooting (RCW 9A.36.045)
29 Homicide by Watercraft, by disregard
30 for the safety of others (RCW
31 79A.60.050)
32 Indecent Liberties (without forcible
33 compulsion) (RCW 9A.44.100(1)
34 (b) and (c))

1 Introducing Contraband 1 (RCW
2 9A.76.140)
3 Malicious placement of an explosive 3
4 (RCW 70.74.270(3))
5 Manufacture or import counterfeit,
6 nonfunctional, damaged, or
7 previously deployed air bag
8 (causing bodily injury or death)
9 (RCW 46.37.650(1)(b))
10 Negligently Causing Death By Use of a
11 Signal Preemption Device (RCW
12 46.37.675)
13 Sale, install, ~~((for))~~ or reinstall
14 counterfeit, nonfunctional,
15 damaged, or previously deployed
16 airbag (RCW 46.37.650(2)(b))
17 Sending, bringing into state depictions
18 of minor engaged in sexually
19 explicit conduct 1 (RCW
20 9.68A.060(1))
21 Unlawful Possession of a Firearm in the
22 first degree (RCW 9.41.040(1))
23 Use of a Machine Gun in Commission
24 of a Felony (RCW 9.41.225)
25 Vehicular Homicide, by disregard for
26 the safety of others (RCW
27 46.61.520)
28 VI Bail Jumping with Murder 1 (RCW
29 9A.76.170(3)(a))
30 Bribery (RCW 9A.68.010)
31 Incest 1 (RCW 9A.64.020(1))
32 Intimidating a Judge (RCW 9A.72.160)
33 Intimidating a Juror/Witness (RCW
34 9A.72.110, 9A.72.130)
35 Malicious placement of an imitation
36 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 Bail Jumping with class A Felony
18 (RCW 9A.76.170(3)(b))
19 Child Molestation 3 (RCW 9A.44.089)
20 Criminal Mistreatment 2 (RCW
21 9A.42.030)
22 Custodial Sexual Misconduct 1 (RCW
23 9A.44.160)
24 Dealing in Depictions of Minor
25 Engaged in Sexually Explicit
26 Conduct 2 (RCW 9.68A.050(2))
27 Domestic Violence Court Order
28 Violation (RCW 10.99.040,
29 10.99.050, 26.09.300, 26.10.220,
30 26.26.138, 26.50.110, 26.52.070, or
31 74.34.145)
32 Driving While Under the Influence
33 (RCW 46.61.502(6))
34 Extortion 1 (RCW 9A.56.120)
35 Extortionate Extension of Credit (RCW
36 9A.82.020)

1 Extortionate Means to Collect
2 Extensions of Credit (RCW
3 9A.82.040)
4 Incest 2 (RCW 9A.64.020(2))
5 Kidnapping 2 (RCW 9A.40.030)
6 Manufacture or import counterfeit,
7 nonfunctional, damaged, or
8 previously deployed air bag (RCW
9 46.37.650(1)(c))
10 Perjury 1 (RCW 9A.72.020)
11 Persistent prison misbehavior (RCW
12 9.94.070)
13 Physical Control of a Vehicle While
14 Under the Influence (RCW
15 46.61.504(6))
16 Possession of a Stolen Firearm (RCW
17 9A.56.310)
18 Rape 3 (RCW 9A.44.060)
19 Rendering Criminal Assistance 1 (RCW
20 9A.76.070)
21 Sale, install, ~~((for))~~ or reinstall
22 counterfeit, nonfunctional,
23 damaged, or previously deployed
24 airbag (RCW 46.37.650(2)(c))
25 Sending, Bringing into State Depictions
26 of Minor Engaged in Sexually
27 Explicit Conduct 2 (RCW
28 9.68A.060(2))
29 Sexual Misconduct with a Minor 1
30 (RCW 9A.44.093)
31 Sexually Violating Human Remains
32 (RCW 9A.44.105)
33 Stalking (RCW 9A.46.110)
34 Taking Motor Vehicle Without
35 Permission 1 (RCW 9A.56.070)
36 IV Arson 2 (RCW 9A.48.030)

1 Assault 2 (RCW 9A.36.021)
2 Assault 3 (of a Peace Officer with a
3 Projectile Stun Gun) (RCW
4 9A.36.031(1)(h))
5 Assault by Watercraft (RCW
6 79A.60.060)
7 Bribing a Witness/Bribe Received by
8 Witness (RCW 9A.72.090,
9 9A.72.100)
10 Cheating 1 (RCW 9.46.1961)
11 Commercial Bribery (RCW 9A.68.060)
12 Counterfeiting (RCW 9.16.035(4))
13 Endangerment with a Controlled
14 Substance (RCW 9A.42.100)
15 Escape 1 (RCW 9A.76.110)
16 Hit and Run—Injury (RCW
17 46.52.020(4)(b))
18 Hit and Run with Vessel—Injury
19 Accident (RCW 79A.60.200(3))
20 Identity Theft 1 (RCW 9.35.020(2))
21 Indecent Exposure to Person Under Age
22 Fourteen (subsequent sex offense)
23 (RCW 9A.88.010)
24 Influencing Outcome of Sporting Event
25 (RCW 9A.82.070)
26 Malicious Harassment (RCW
27 9A.36.080)
28 Possession of Depictions of a Minor
29 Engaged in Sexually Explicit
30 Conduct 2 (RCW 9.68A.070(2))
31 Residential Burglary (RCW 9A.52.025)
32 Robbery 2 (RCW 9A.56.210)
33 Theft of Livestock 1 (RCW 9A.56.080)
34 Threats to Bomb (RCW 9.61.160)

1 Trafficking in Stolen Property 1 (RCW
2 9A.82.050)

3 Unlawful factoring of a credit card or
4 payment card transaction (RCW
5 9A.56.290(4)(b))

6 Unlawful transaction of health coverage
7 as a health care service contractor
8 (RCW 48.44.016(3))

9 Unlawful transaction of health coverage
10 as a health maintenance
11 organization (RCW 48.46.033(3))

12 Unlawful transaction of insurance
13 business (RCW 48.15.023(3))

14 Unlicensed practice as an insurance
15 professional (RCW 48.17.063(2))

16 Use of Proceeds of Criminal
17 Profiteering (RCW 9A.82.080 (1)
18 and (2))

19 Vehicle Prowling 2 (third or subsequent
20 offense) (RCW 9A.52.100(3))

21 Vehicular Assault, by being under the
22 influence of intoxicating liquor or
23 any drug, or by the operation or
24 driving of a vehicle in a reckless
25 manner (RCW 46.61.522)

26 Viewing of Depictions of a Minor
27 Engaged in Sexually Explicit
28 Conduct 1 (RCW 9.68A.075(1))

29 Willful Failure to Return from Furlough
30 (RCW 72.66.060)

31 III Animal Cruelty 1 (Sexual Conduct or
32 Contact) (RCW 16.52.205(3))

33 Assault 3 (Except Assault 3 of a Peace
34 Officer With a Projectile Stun Gun)
35 (RCW 9A.36.031 except subsection
36 (1)(h))

37 Assault of a Child 3 (RCW 9A.36.140)

1 Bail Jumping with class B or C Felony
2 (RCW 9A.76.170(3)(c))
3 Burglary 2 (RCW 9A.52.030)
4 Communication with a Minor for
5 Immoral Purposes (RCW
6 9.68A.090)
7 Criminal Gang Intimidation (RCW
8 9A.46.120)
9 Custodial Assault (RCW 9A.36.100)
10 Cyberstalking (subsequent conviction or
11 threat of death) (RCW 9.61.260(3))
12 Escape 2 (RCW 9A.76.120)
13 Extortion 2 (RCW 9A.56.130)
14 Harassment (RCW 9A.46.020)
15 Intimidating a Public Servant (RCW
16 9A.76.180)
17 Introducing Contraband 2 (RCW
18 9A.76.150)
19 Malicious Injury to Railroad Property
20 (RCW 81.60.070)
21 Mortgage Fraud (RCW 19.144.080)
22 Negligently Causing Substantial Bodily
23 Harm By Use of a Signal
24 Preemption Device (RCW
25 46.37.674)
26 Organized Retail Theft 1 (RCW
27 9A.56.350(2))
28 Perjury 2 (RCW 9A.72.030)
29 Possession of Incendiary Device (RCW
30 9.40.120)
31 Possession of Machine Gun or Short-
32 Barreled Shotgun or Rifle (RCW
33 9.41.190)
34 Promoting Prostitution 2 (RCW
35 9A.88.080)

1 Retail Theft with Special Circumstances
2 1 (RCW 9A.56.360(2))
3 Securities Act violation (RCW
4 21.20.400)
5 Tampering with a Witness (RCW
6 9A.72.120)
7 Telephone Harassment (subsequent
8 conviction or threat of death) (RCW
9 9.61.230(2))
10 Theft of Livestock 2 (RCW 9A.56.083)
11 Theft with the Intent to Resell 1 (RCW
12 9A.56.340(2))
13 Trafficking in Stolen Property 2 (RCW
14 9A.82.055)
15 Unlawful Hunting of Big Game 1 (RCW
16 77.15.410(3)(b))
17 Unlawful Imprisonment (RCW
18 9A.40.040)
19 Unlawful Misbranding of Food Fish or
20 Shellfish 1 (RCW 69.04.938(3))
21 Unlawful possession of firearm in the
22 second degree (RCW 9.41.040(2))
23 Unlawful Taking of Endangered Fish or
24 Wildlife 1 (RCW 77.15.120(3)(b))
25 Unlawful Trafficking in Fish, Shellfish,
26 or Wildlife 1 (RCW
27 77.15.260(3)(b))
28 Unlawful Use of a Nondesignated
29 Vessel (RCW 77.15.530(4))
30 Vehicular Assault, by the operation or
31 driving of a vehicle with disregard
32 for the safety of others (RCW
33 46.61.522)
34 Willful Failure to Return from Work
35 Release (RCW 72.65.070)

1 II Commercial Fishing Without a License
2 1 (RCW 77.15.500(3)(b))
3 Computer Trespass 1 (RCW 9A.90.040)
4 Counterfeiting (RCW 9.16.035(3))
5 Electronic Data Service Interference
6 (RCW 9A.90.060)
7 Electronic Data Tampering 1 (RCW
8 9A.90.080)
9 Electronic Data Theft (RCW 9A.90.100)
10 Engaging in Fish Dealing Activity
11 Unlicensed 1 (RCW 77.15.620(3))
12 Escape from Community Custody
13 (RCW 72.09.310)
14 Failure to Register as a Sex Offender
15 (second or subsequent offense)
16 (RCW 9A.44.130 prior to June 10,
17 2010, and RCW 9A.44.132)
18 Health Care False Claims (RCW
19 48.80.030)
20 Identity Theft 2 (RCW 9.35.020(3))
21 Improperly Obtaining Financial
22 Information (RCW 9.35.010)
23 Malicious Mischief 1 (RCW 9A.48.070)
24 Organized Retail Theft 2 (RCW
25 9A.56.350(3))
26 Possession of Stolen Property 1 (RCW
27 9A.56.150)
28 Possession of a Stolen Vehicle (RCW
29 9A.56.068)
30 Retail Theft with Special Circumstances
31 2 (RCW 9A.56.360(3))
32 Scrap Processing, Recycling, or
33 Supplying Without a License
34 (second or subsequent offense)
35 (RCW 19.290.100)

1 Theft 1 (RCW 9A.56.030)
2 Theft of a Motor Vehicle (RCW
3 9A.56.065)
4 Theft of Rental, Leased, Lease-
5 purchased, or Loaned Property
6 (valued at five thousand dollars or
7 more) (RCW 9A.56.096(5)(a))
8 Theft with the Intent to Resell 2 (RCW
9 9A.56.340(3))
10 Trafficking in Insurance Claims (RCW
11 48.30A.015)
12 Unlawful factoring of a credit card or
13 payment card transaction (RCW
14 9A.56.290(4)(a))
15 Unlawful Participation of Non-Indians
16 in Indian Fishery (RCW
17 77.15.570(2))
18 Unlawful Practice of Law (RCW
19 2.48.180)
20 Unlawful Purchase or Use of a License
21 (RCW 77.15.650(3)(b))
22 Unlawful Trafficking in Fish, Shellfish,
23 or Wildlife 2 (RCW
24 77.15.260(3)(a))
25 Unlicensed Practice of a Profession or
26 Business (RCW 18.130.190(7))
27 Voyeurism 1 (RCW 9A.44.115)
28 I Attempting to Elude a Pursuing Police
29 Vehicle (RCW 46.61.024)
30 False Verification for Welfare (RCW
31 74.08.055)
32 Forgery (RCW 9A.60.020)
33 Fraudulent Creation or Revocation of a
34 Mental Health Advance Directive
35 (RCW 9A.60.060)
36 Malicious Mischief 2 (RCW 9A.48.080)

1 Mineral Trespass (RCW 78.44.330)
2 Possession of Stolen Property 2 (RCW
3 9A.56.160)
4 Reckless Burning 1 (RCW 9A.48.040)
5 Spotlighting Big Game 1 (RCW
6 77.15.450(3)(b))
7 Suspension of Department Privileges 1
8 (RCW 77.15.670(3)(b))
9 Taking Motor Vehicle Without
10 Permission 2 (RCW 9A.56.075)
11 Theft 2 (RCW 9A.56.040)
12 Theft of Rental, Leased, Lease-
13 purchased, or Loaned Property
14 (valued at seven hundred fifty
15 dollars or more but less than five
16 thousand dollars) (RCW
17 9A.56.096(5)(b))
18 Transaction of insurance business
19 beyond the scope of licensure
20 (RCW 48.17.063)
21 Unlawful Fish and Shellfish Catch
22 Accounting (RCW 77.15.630(3)(b))
23 Unlawful Issuance of Checks or Drafts
24 (RCW 9A.56.060)
25 Unlawful Possession of Fictitious
26 Identification (RCW 9A.56.320)
27 Unlawful Possession of Instruments of
28 Financial Fraud (RCW 9A.56.320)
29 Unlawful Possession of Payment
30 Instruments (RCW 9A.56.320)
31 Unlawful Possession of a Personal
32 Identification Device (RCW
33 9A.56.320)
34 Unlawful Production of Payment
35 Instruments (RCW 9A.56.320)

1 Unlawful Releasing, Planting,
2 Possessing, or Placing Deleterious
3 Exotic Wildlife (RCW
4 77.15.250(2)(b))
5 Unlawful Trafficking in Food Stamps
6 (RCW 9.91.142)
7 Unlawful Use of Food Stamps (RCW
8 9.91.144)
9 Unlawful Use of Net to Take Fish 1
10 (RCW 77.15.580(3)(b))
11 Unlawful Use of Prohibited Aquatic
12 Animal Species (RCW
13 77.15.253(3))
14 Vehicle Prowl 1 (RCW 9A.52.095)
15 Violating Commercial Fishing Area or
16 Time 1 (RCW 77.15.550(3)(b))

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