

2 SHB 2059 - S AMD TO LAW COMM AMD (S-2671.1/97) - 332
3 By Senators Kline and Roach

4 ADOPTED 4/15/97

5 On page 5, after line 26 of the amendment, insert the following:

6 "Sec. 3. RCW 9.94A.320 and 1996 c 302 s 6, 1996 c 205 s 3, and
7 1996 c 36 s 2 are each reenacted and amended to read as follows:

8 TABLE 2

9 CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

10	XV	Aggravated Murder 1 (RCW 10.95.020)
11	XIV	Murder 1 (RCW 9A.32.030)
12		Homicide by abuse (RCW 9A.32.055)
13	XIII	Murder 2 (RCW 9A.32.050)
14	XII	Assault 1 (RCW 9A.36.011)
15		Assault of a Child 1 (RCW 9A.36.120)
16	XI	Rape 1 (RCW 9A.44.040)
17		Rape of a Child 1 (RCW 9A.44.073)
18	X	Kidnapping 1 (RCW 9A.40.020)
19		Rape 2 (RCW 9A.44.050)
20		Rape of a Child 2 (RCW 9A.44.076)
21		Child Molestation 1 (RCW 9A.44.083)
22		Damaging building, etc., by explosion with
23		threat to human being (RCW
24		70.74.280(1))
25		Over 18 and deliver heroin or narcotic from
26		Schedule I or II to someone under 18
27		(RCW 69.50.406)
28		Leading Organized Crime (RCW
29		9A.82.060(1)(a))

1 IX Assault of a Child 2 (RCW 9A.36.130)
2 Robbery 1 (RCW 9A.56.200)
3 Manslaughter 1 (RCW 9A.32.060)
4 Explosive devices prohibited (RCW
5 70.74.180)
6 Indecent Liberties (with forcible
7 compulsion) (RCW 9A.44.100(1)(a))
8 Endangering life and property by explosives
9 with threat to human being (RCW
10 70.74.270)
11 Over 18 and deliver narcotic from Schedule
12 III, IV, or V or a nonnarcotic from
13 Schedule I-V to someone under 18 and 3
14 years junior (RCW 69.50.406)
15 Controlled Substance Homicide (RCW
16 69.50.415)
17 Sexual Exploitation (RCW 9.68A.040)
18 Inciting Criminal Profiteering (RCW
19 9A.82.060(1)(b))
20 Vehicular Homicide, by being under the
21 influence of intoxicating liquor or
22 any drug (RCW 46.61.520)

23 VIII Arson 1 (RCW 9A.48.020)
24 Promoting Prostitution 1 (RCW 9A.88.070)
25 Selling for profit (controlled or
26 counterfeit) any controlled substance
27 (RCW 69.50.410)
28 Manufacture, deliver, or possess with
29 intent to deliver heroin or cocaine
30 (RCW 69.50.401(a)(1)(i))
31 Manufacture, deliver, or possess with
32 intent to deliver methamphetamine (RCW
33 69.50.401(a)(1)(ii))
34 Possession of ephedrine or pseudoephedrine
35 with intent to manufacture
36 methamphetamine (RCW 69.50.440)
37 Vehicular Homicide, by the operation of any
38 vehicle in a reckless manner (RCW
39 46.61.520)

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 Reckless Endangerment 1 (RCW 9A.36.045)
18 Unlawful Possession of a Firearm in the
19 first degree (RCW 9.41.040(1)(a))
20 VI Bribery (RCW 9A.68.010)
21 Manslaughter 2 (RCW 9A.32.070)
22 Rape of a Child 3 (RCW 9A.44.079)
23 Intimidating a Juror/Witness (RCW
24 9A.72.110, 9A.72.130)
25 Damaging building, etc., by explosion with
26 no threat to human being (RCW
27 70.74.280(2))
28 Endangering life and property by explosives
29 with no threat to human being (RCW
30 70.74.270)
31 Incest 1 (RCW 9A.64.020(1))
32 Manufacture, deliver, or possess with
33 intent to deliver narcotics from
34 Schedule I or II (except heroin or
35 cocaine) (RCW 69.50.401(a)(1)(i))
36 Intimidating a Judge (RCW 9A.72.160)
37 Bail Jumping with Murder 1 (RCW
38 9A.76.170(2)(a))
39 Theft of a Firearm (RCW 9A.56.300)

1 V Persistent prison misbehavior (RCW
2 9.94.070)
3 Criminal Mistreatment 1 (RCW 9A.42.020)
4 Abandonment of dependent person 1 (RCW
5 9A.42.060)
6 Rape 3 (RCW 9A.44.060)
7 Sexual Misconduct with a Minor 1 (RCW
8 9A.44.093)
9 Child Molestation 3 (RCW 9A.44.089)
10 Kidnapping 2 (RCW 9A.40.030)
11 Extortion 1 (RCW 9A.56.120)
12 Incest 2 (RCW 9A.64.020(2))
13 Perjury 1 (RCW 9A.72.020)
14 Extortionate Extension of Credit (RCW
15 9A.82.020)
16 Advancing money or property for
17 extortionate extension of credit (RCW
18 9A.82.030)
19 Extortionate Means to Collect Extensions of
20 Credit (RCW 9A.82.040)
21 Rendering Criminal Assistance 1 (RCW
22 9A.76.070)
23 Bail Jumping with class A Felony (RCW
24 9A.76.170(2)(b))
25 Sexually Violating Human Remains (RCW
26 9A.44.105)
27 Delivery of imitation controlled substance
28 by person eighteen or over to person
29 under eighteen (RCW 69.52.030(2))
30 Possession of a Stolen Firearm (RCW
31 9A.56.310)

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(a)(1)
17 (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 Mistreatment 2 (RCW 9A.42.030)
25 Abandonment of dependent person 2 (RCW
26 9A.42.070)
27 Extortion 2 (RCW 9A.56.130)
28 Unlawful Imprisonment (RCW 9A.40.040)
29 Assault 3 (RCW 9A.36.031)
30 Assault of a Child 3 (RCW 9A.36.140)
31 Custodial Assault (RCW 9A.36.100)
32 Unlawful possession of firearm in the
33 second degree (RCW 9.41.040(1)(b))
34 Harassment (RCW 9A.46.020)
35 Promoting Prostitution 2 (RCW 9A.88.080)
36 Willful Failure to Return from Work Release
37 (RCW 72.65.070)
38 Burglary 2 (RCW 9A.52.030)
39 Introducing Contraband 2 (RCW 9A.76.150)

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

