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SENATE BILL 5771

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State of Washington

65th Legislature

2017 Regular Session

By Senators Rivers and Wilson

Read first time 02/09/17. Referred to Committee on Law & Justice.

1 AN ACT Relating to harming a police dog, accelerant detection  
2 dog, or police horse; amending RCW 9A.76.200; reenacting and amending  
3 RCW 9.94A.515; and prescribing penalties.

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

5 **Sec. 1.** RCW 9A.76.200 and 2012 c 94 s 2 are each amended to read  
6 as follows:

7 (1) A person is guilty of harming a police dog, accelerant  
8 detection dog, or police horse, if he or she maliciously injures,  
9 disables, shoots, or kills by any means any dog or horse that the  
10 person knows or has reason to know to be a police dog or accelerant  
11 detection dog, as defined in RCW 4.24.410, or police horse, as  
12 defined in subsection (2) of this section, whether or not the dog or  
13 horse is actually engaged in police or accelerant detection work at  
14 the time of the injury.

15 (2) "Police horse" means any horse used or kept for use by a law  
16 enforcement officer in discharging any legal duty or power of his or  
17 her office.

18 (3) Harming a police dog, accelerant detection dog, or police  
19 horse is a class C felony.

1 (4) Harming a police dog, accelerant detection dog, or police  
2 horse is a class B felony if the person kills a police dog,  
3 accelerant detection dog, or police horse.

4 (5)(a) In addition to the criminal penalty provided in this  
5 section for harming a police dog:

6 (i) The court may impose a civil penalty of up to five thousand  
7 dollars for harming a police dog.

8 (ii) The court shall impose a civil penalty of at least five  
9 thousand dollars and may increase the penalty up to a maximum of ten  
10 thousand dollars for killing a police dog.

11 (b) Moneys collected must be distributed to the jurisdiction that  
12 owns the police dog.

13 **Sec. 2.** RCW 9.94A.515 and 2016 c 213 s 5, 2016 c 164 s 13, and  
14 2016 c 6 s 1 are each reenacted and amended to read as follows:

15 TABLE 2

16 CRIMES INCLUDED WITHIN EACH  
17 SERIOUSNESS LEVEL

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

1 Rape of a Child 1 (RCW 9A.44.073)  
2 Trafficking 2 (RCW 9A.40.100(3))  
3 XI Manslaughter 1 (RCW 9A.32.060)  
4 Rape 2 (RCW 9A.44.050)  
5 Rape of a Child 2 (RCW 9A.44.076)  
6 Vehicular Homicide, by being under the  
7 influence of intoxicating liquor or  
8 any drug (RCW 46.61.520)  
9 Vehicular Homicide, by the operation of  
10 any vehicle in a reckless manner  
11 (RCW 46.61.520)  
12 X Child Molestation 1 (RCW 9A.44.083)  
13 Criminal Mistreatment 1 (RCW  
14 9A.42.020)  
15 Indecent Liberties (with forcible  
16 compulsion) (RCW  
17 9A.44.100(1)(a))  
18 Kidnapping 1 (RCW 9A.40.020)  
19 Leading Organized Crime (RCW  
20 9A.82.060(1)(a))  
21 Malicious explosion 3 (RCW  
22 70.74.280(3))  
23 Sexually Violent Predator Escape (RCW  
24 9A.76.115)  
25 IX Abandonment of Dependent Person 1  
26 (RCW 9A.42.060)  
27 Assault of a Child 2 (RCW 9A.36.130)  
28 Explosive devices prohibited (RCW  
29 70.74.180)  
30 Hit and Run—Death (RCW  
31 46.52.020(4)(a))  
32 Homicide by Watercraft, by being under  
33 the influence of intoxicating liquor  
34 or any drug (RCW 79A.60.050)

1 Inciting Criminal Profiteering (RCW  
2 9A.82.060(1)(b))  
3 Malicious placement of an explosive 2  
4 (RCW 70.74.270(2))  
5 Robbery 1 (RCW 9A.56.200)  
6 Sexual Exploitation (RCW 9.68A.040)  
7 VIII Arson 1 (RCW 9A.48.020)  
8 Commercial Sexual Abuse of a Minor  
9 (RCW 9.68A.100)  
10 Homicide by Watercraft, by the  
11 operation of any vessel in a reckless  
12 manner (RCW 79A.60.050)  
13 Manslaughter 2 (RCW 9A.32.070)  
14 Promoting Prostitution 1 (RCW  
15 9A.88.070)  
16 Theft of Ammonia (RCW 69.55.010)  
17 VII Air bag diagnostic systems (causing  
18 bodily injury or death) (RCW  
19 46.37.660(2)(b))  
20 Air bag replacement requirements  
21 (causing bodily injury or death)  
22 (RCW 46.37.660(1)(b))  
23 Burglary 1 (RCW 9A.52.020)  
24 Child Molestation 2 (RCW 9A.44.086)  
25 Civil Disorder Training (RCW  
26 9A.48.120)  
27 Dealing in depictions of minor engaged  
28 in sexually explicit conduct 1  
29 (RCW 9.68A.050(1))  
30 Drive-by Shooting (RCW 9A.36.045)  
31 Harming a Police Dog, Accelerant  
32 Detection Dog, or Police Horse (if  
33 the police dog, accelerant detection  
34 dog, or police horse is killed)  
35 (RCW 9A.76.200(4))

1 Homicide by Watercraft, by disregard  
2 for the safety of others (RCW  
3 79A.60.050)

4 Indecent Liberties (without forcible  
5 compulsion) (RCW 9A.44.100(1)  
6 (b) and (c))

7 Introducing Contraband 1 (RCW  
8 9A.76.140)

9 Malicious placement of an explosive 3  
10 (RCW 70.74.270(3))

11 Manufacture or import counterfeit,  
12 nonfunctional, damaged, or  
13 previously deployed air bag  
14 (causing bodily injury or death)  
15 (RCW 46.37.650(1)(b))

16 Negligently Causing Death By Use of a  
17 Signal Preemption Device (RCW  
18 46.37.675)

19 Sale, install, ~~((for))~~ or reinstall  
20 counterfeit, nonfunctional,  
21 damaged, or previously deployed  
22 airbag (RCW 46.37.650(2)(b))

23 Sending, bringing into state depictions  
24 of minor engaged in sexually  
25 explicit conduct 1 (RCW  
26 9.68A.060(1))

27 Unlawful Possession of a Firearm in the  
28 first degree (RCW 9.41.040(1))

29 Use of a Machine Gun in Commission  
30 of a Felony (RCW 9.41.225)

31 Vehicular Homicide, by disregard for  
32 the safety of others (RCW  
33 46.61.520)

34 VI Bail Jumping with Murder 1 (RCW  
35 9A.76.170(3)(a))

36 Bribery (RCW 9A.68.010)

37 Incest 1 (RCW 9A.64.020(1))

1 Intimidating a Judge (RCW 9A.72.160)  
2 Intimidating a Juror/Witness (RCW  
3 9A.72.110, 9A.72.130)  
4 Malicious placement of an imitation  
5 device 2 (RCW 70.74.272(1)(b))  
6 Possession of Depictions of a Minor  
7 Engaged in Sexually Explicit  
8 Conduct 1 (RCW 9.68A.070(1))  
9 Rape of a Child 3 (RCW 9A.44.079)  
10 Theft of a Firearm (RCW 9A.56.300)  
11 Unlawful Storage of Ammonia (RCW  
12 69.55.020)  
13 V Abandonment of Dependent Person 2  
14 (RCW 9A.42.070)  
15 Advancing money or property for  
16 extortionate extension of credit  
17 (RCW 9A.82.030)  
18 Air bag diagnostic systems (RCW  
19 46.37.660(2)(c))  
20 Air bag replacement requirements  
21 (RCW 46.37.660(1)(c))  
22 Bail Jumping with class A Felony  
23 (RCW 9A.76.170(3)(b))  
24 Child Molestation 3 (RCW 9A.44.089)  
25 Criminal Mistreatment 2 (RCW  
26 9A.42.030)  
27 Custodial Sexual Misconduct 1 (RCW  
28 9A.44.160)  
29 Dealing in Depictions of Minor  
30 Engaged in Sexually Explicit  
31 Conduct 2 (RCW 9.68A.050(2))  
32 Domestic Violence Court Order  
33 Violation (RCW 10.99.040,  
34 10.99.050, 26.09.300, 26.10.220,  
35 26.26.138, 26.50.110, 26.52.070, or  
36 74.34.145)

1 Driving While Under the Influence  
2 (RCW 46.61.502(6))  
3 Extortion 1 (RCW 9A.56.120)  
4 Extortionate Extension of Credit (RCW  
5 9A.82.020)  
6 Extortionate Means to Collect  
7 Extensions of Credit (RCW  
8 9A.82.040)  
9 Incest 2 (RCW 9A.64.020(2))  
10 Kidnapping 2 (RCW 9A.40.030)  
11 Manufacture or import counterfeit,  
12 nonfunctional, damaged, or  
13 previously deployed air bag (RCW  
14 46.37.650(1)(c))  
15 Perjury 1 (RCW 9A.72.020)  
16 Persistent prison misbehavior (RCW  
17 9.94.070)  
18 Physical Control of a Vehicle While  
19 Under the Influence (RCW  
20 46.61.504(6))  
21 Possession of a Stolen Firearm (RCW  
22 9A.56.310)  
23 Rape 3 (RCW 9A.44.060)  
24 Rendering Criminal Assistance 1 (RCW  
25 9A.76.070)  
26 Sale, install, ~~((for))~~ or reinstall  
27 counterfeit, nonfunctional,  
28 damaged, or previously deployed  
29 airbag (RCW 46.37.650(2)(c))  
30 Sending, Bringing into State Depictions  
31 of Minor Engaged in Sexually  
32 Explicit Conduct 2 (RCW  
33 9.68A.060(2))  
34 Sexual Misconduct with a Minor 1  
35 (RCW 9A.44.093)

1 Sexually Violating Human Remains  
2 (RCW 9A.44.105)  
3 Stalking (RCW 9A.46.110)  
4 Taking Motor Vehicle Without  
5 Permission 1 (RCW 9A.56.070)  
6 IV Arson 2 (RCW 9A.48.030)  
7 Assault 2 (RCW 9A.36.021)  
8 Assault 3 (of a Peace Officer with a  
9 Projectile Stun Gun) (RCW  
10 9A.36.031(1)(h))  
11 Assault by Watercraft (RCW  
12 79A.60.060)  
13 Bribing a Witness/Bribe Received by  
14 Witness (RCW 9A.72.090,  
15 9A.72.100)  
16 Cheating 1 (RCW 9.46.1961)  
17 Commercial Bribery (RCW 9A.68.060)  
18 Counterfeiting (RCW 9.16.035(4))  
19 Endangerment with a Controlled  
20 Substance (RCW 9A.42.100)  
21 Escape 1 (RCW 9A.76.110)  
22 Hit and Run—Injury (RCW  
23 46.52.020(4)(b))  
24 Hit and Run with Vessel—Injury  
25 Accident (RCW 79A.60.200(3))  
26 Identity Theft 1 (RCW 9.35.020(2))  
27 Indecent Exposure to Person Under Age  
28 Fourteen (subsequent sex offense)  
29 (RCW 9A.88.010)  
30 Influencing Outcome of Sporting Event  
31 (RCW 9A.82.070)  
32 Malicious Harassment (RCW  
33 9A.36.080)



1 Possession of Depictions of a Minor  
2 Engaged in Sexually Explicit  
3 Conduct 2 (RCW 9.68A.070(2))  
4 Residential Burglary (RCW 9A.52.025)  
5 Robbery 2 (RCW 9A.56.210)  
6 Theft of Livestock 1 (RCW 9A.56.080)  
7 Threats to Bomb (RCW 9.61.160)  
8 Trafficking in Stolen Property 1 (RCW  
9 9A.82.050)  
10 Unlawful factoring of a credit card or  
11 payment card transaction (RCW  
12 9A.56.290(4)(b))  
13 Unlawful transaction of health coverage  
14 as a health care service contractor  
15 (RCW 48.44.016(3))  
16 Unlawful transaction of health coverage  
17 as a health maintenance  
18 organization (RCW 48.46.033(3))  
19 Unlawful transaction of insurance  
20 business (RCW 48.15.023(3))  
21 Unlicensed practice as an insurance  
22 professional (RCW 48.17.063(2))  
23 Use of Proceeds of Criminal  
24 Profiteering (RCW 9A.82.080 (1)  
25 and (2))  
26 Vehicle Prowling 2 (third or subsequent  
27 offense) (RCW 9A.52.100(3))  
28 Vehicular Assault, by being under the  
29 influence of intoxicating liquor or  
30 any drug, or by the operation or  
31 driving of a vehicle in a reckless  
32 manner (RCW 46.61.522)  
33 Viewing of Depictions of a Minor  
34 Engaged in Sexually Explicit  
35 Conduct 1 (RCW 9.68A.075(1))

1 Willful Failure to Return from Furlough  
2 (RCW 72.66.060)

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

5 Assault 3 (Except Assault 3 of a Peace  
6 Officer With a Projectile Stun Gun)  
7 (RCW 9A.36.031 except subsection  
8 (1)(h))

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

10 Bail Jumping with class B or C Felony  
11 (RCW 9A.76.170(3)(c))

12 Burglary 2 (RCW 9A.52.030)

13 Communication with a Minor for  
14 Immoral Purposes (RCW  
15 9.68A.090)

16 Criminal Gang Intimidation (RCW  
17 9A.46.120)

18 Custodial Assault (RCW 9A.36.100)

19 Cyberstalking (subsequent conviction or  
20 threat of death) (RCW 9.61.260(3))

21 Escape 2 (RCW 9A.76.120)

22 Extortion 2 (RCW 9A.56.130)

23 Harassment (RCW 9A.46.020)

24 Intimidating a Public Servant (RCW  
25 9A.76.180)

26 Introducing Contraband 2 (RCW  
27 9A.76.150)

28 Malicious Injury to Railroad Property  
29 (RCW 81.60.070)

30 Mortgage Fraud (RCW 19.144.080)

31 Negligently Causing Substantial Bodily  
32 Harm By Use of a Signal  
33 Preemption Device (RCW  
34 46.37.674)

1 Organized Retail Theft 1 (RCW  
2 9A.56.350(2))  
3 Perjury 2 (RCW 9A.72.030)  
4 Possession of Incendiary Device (RCW  
5 9.40.120)  
6 Possession of Machine Gun or Short-  
7 Barreled Shotgun or Rifle (RCW  
8 9.41.190)  
9 Promoting Prostitution 2 (RCW  
10 9A.88.080)  
11 Retail Theft with Special Circumstances  
12 1 (RCW 9A.56.360(2))  
13 Securities Act violation (RCW  
14 21.20.400)  
15 Tampering with a Witness (RCW  
16 9A.72.120)  
17 Telephone Harassment (subsequent  
18 conviction or threat of death) (RCW  
19 9.61.230(2))  
20 Theft of Livestock 2 (RCW 9A.56.083)  
21 Theft with the Intent to Resell 1 (RCW  
22 9A.56.340(2))  
23 Trafficking in Stolen Property 2 (RCW  
24 9A.82.055)  
25 Unlawful Hunting of Big Game 1 (RCW  
26 77.15.410(3)(b))  
27 Unlawful Imprisonment (RCW  
28 9A.40.040)  
29 Unlawful Misbranding of Food Fish or  
30 Shellfish 1 (RCW 69.04.938(3))  
31 Unlawful possession of firearm in the  
32 second degree (RCW 9.41.040(2))  
33 Unlawful Taking of Endangered Fish or  
34 Wildlife 1 (RCW 77.15.120(3)(b))

1 Unlawful Trafficking in Fish, Shellfish,  
2 or Wildlife 1 (RCW  
3 77.15.260(3)(b))  
4 Unlawful Use of a Nondesignated  
5 Vessel (RCW 77.15.530(4))  
6 Vehicular Assault, by the operation or  
7 driving of a vehicle with disregard  
8 for the safety of others (RCW  
9 46.61.522)  
10 Willful Failure to Return from Work  
11 Release (RCW 72.65.070)  
12 II Commercial Fishing Without a License  
13 1 (RCW 77.15.500(3)(b))  
14 Computer Trespass 1 (RCW 9A.90.040)  
15 Counterfeiting (RCW 9.16.035(3))  
16 Electronic Data Service Interference  
17 (RCW 9A.90.060)  
18 Electronic Data Tampering 1 (RCW  
19 9A.90.080)  
20 Electronic Data Theft (RCW 9A.90.100)  
21 Engaging in Fish Dealing Activity  
22 Unlicensed 1 (RCW 77.15.620(3))  
23 Escape from Community Custody  
24 (RCW 72.09.310)  
25 Failure to Register as a Sex Offender  
26 (second or subsequent offense)  
27 (RCW 9A.44.130 prior to June 10,  
28 2010, and RCW 9A.44.132)  
29 Health Care False Claims (RCW  
30 48.80.030)  
31 Identity Theft 2 (RCW 9.35.020(3))  
32 Improperly Obtaining Financial  
33 Information (RCW 9.35.010)  
34 Malicious Mischief 1 (RCW 9A.48.070)  
35 Organized Retail Theft 2 (RCW  
36 9A.56.350(3))

1 Possession of Stolen Property 1 (RCW  
2 9A.56.150)  
3 Possession of a Stolen Vehicle (RCW  
4 9A.56.068)  
5 Retail Theft with Special Circumstances  
6 2 (RCW 9A.56.360(3))  
7 Scrap Processing, Recycling, or  
8 Supplying Without a License  
9 (second or subsequent offense)  
10 (RCW 19.290.100)  
11 Theft 1 (RCW 9A.56.030)  
12 Theft of a Motor Vehicle (RCW  
13 9A.56.065)  
14 Theft of Rental, Leased, Lease-  
15 purchased, or Loaned Property  
16 (valued at five thousand dollars or  
17 more) (RCW 9A.56.096(5)(a))  
18 Theft with the Intent to Resell 2 (RCW  
19 9A.56.340(3))  
20 Trafficking in Insurance Claims (RCW  
21 48.30A.015)  
22 Unlawful factoring of a credit card or  
23 payment card transaction (RCW  
24 9A.56.290(4)(a))  
25 Unlawful Participation of Non-Indians  
26 in Indian Fishery (RCW  
27 77.15.570(2))  
28 Unlawful Practice of Law (RCW  
29 2.48.180)  
30 Unlawful Purchase or Use of a License  
31 (RCW 77.15.650(3)(b))  
32 Unlawful Trafficking in Fish, Shellfish,  
33 or Wildlife 2 (RCW  
34 77.15.260(3)(a))  
35 Unlicensed Practice of a Profession or  
36 Business (RCW 18.130.190(7))

1 Voyeurism (RCW 9A.44.115)  
2 I Attempting to Elude a Pursuing Police  
3 Vehicle (RCW 46.61.024)  
4 False Verification for Welfare (RCW  
5 74.08.055)  
6 Forgery (RCW 9A.60.020)  
7 Fraudulent Creation or Revocation of a  
8 Mental Health Advance Directive  
9 (RCW 9A.60.060)  
10 Malicious Mischief 2 (RCW 9A.48.080)  
11 Mineral Trespass (RCW 78.44.330)  
12 Possession of Stolen Property 2 (RCW  
13 9A.56.160)  
14 Reckless Burning 1 (RCW 9A.48.040)  
15 Spotlighting Big Game 1 (RCW  
16 77.15.450(3)(b))  
17 Suspension of Department Privileges 1  
18 (RCW 77.15.670(3)(b))  
19 Taking Motor Vehicle Without  
20 Permission 2 (RCW 9A.56.075)  
21 Theft 2 (RCW 9A.56.040)  
22 Theft of Rental, Leased, Lease-  
23 purchased, or Loaned Property  
24 (valued at seven hundred fifty  
25 dollars or more but less than five  
26 thousand dollars) (RCW  
27 9A.56.096(5)(b))  
28 Transaction of insurance business  
29 beyond the scope of licensure  
30 (RCW 48.17.063)  
31 Unlawful Fish and Shellfish Catch  
32 Accounting (RCW 77.15.630(3)(b))  
33 Unlawful Issuance of Checks or Drafts  
34 (RCW 9A.56.060)  
35 Unlawful Possession of Fictitious  
36 Identification (RCW 9A.56.320)

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

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