
HOUSE BILL 2321

State of Washington

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1996 Regular Session

By Representatives Ballasiotes, Patterson, Regala, Hatfield, Cole, Ogden, Conway, Kessler, Cody, Poulsen, McMahan, Dickerson, Murray, Thompson and Quall

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1 AN ACT Relating to crimes of violence; amending RCW 9.94A.390 and
2 9.94A.310; reenacting and amending RCW 9.94A.320; adding a new section
3 to chapter 9A.32 RCW; adding a new section to chapter 9A.72 RCW; and
4 prescribing penalties.

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

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

8 A person is guilty of domestic violence homicide by abuse if the
9 person causes the death of another person with whom the person is or
10 has been involved in a marital, intimate, or dating relationship, and
11 the perpetrator has previously engaged in a pattern or practice of
12 psychological, physical, or sexual abuse or harassment of the victim.

13 Domestic violence homicide by abuse is a class A felony.

14 NEW SECTION. **Sec. 2.** A new section is added to chapter 9A.72 RCW
15 to read as follows:

16 Every person who prevents or attempts to prevent another person who
17 has been the victim of a crime or who is a witness to a crime from
18 making any report of such victimization or crime to any peace officer

1 or state or local law enforcement officer or prosecuting attorney is
2 guilty of a gross misdemeanor.

3 **Sec. 3.** RCW 9.94A.390 and 1995 c 316 s 2 are each amended to read
4 as follows:

5 If the sentencing court finds that an exceptional sentence outside
6 the standard range should be imposed in accordance with RCW
7 9.94A.120(2), the sentence is subject to review only as provided for in
8 RCW 9.94A.210(4).

9 The following are illustrative factors which the court may consider
10 in the exercise of its discretion to impose an exceptional sentence.
11 The following are illustrative only and are not intended to be
12 exclusive reasons for exceptional sentences.

13 (1) Mitigating Circumstances

14 (a) To a significant degree, the victim was an initiator, willing
15 participant, aggressor, or provoker of the incident.

16 (b) Before detection, the defendant compensated, or made a good
17 faith effort to compensate, the victim of the criminal conduct for any
18 damage or injury sustained.

19 (c) The defendant committed the crime under duress, coercion,
20 threat, or compulsion insufficient to constitute a complete defense but
21 which significantly affected his or her conduct.

22 (d) The defendant, with no apparent predisposition to do so, was
23 induced by others to participate in the crime.

24 (e) The defendant's capacity to appreciate the wrongfulness of his
25 or her conduct or to conform his or her conduct to the requirements of
26 the law, was significantly impaired (voluntary use of drugs or alcohol
27 is excluded).

28 (f) The offense was principally accomplished by another person and
29 the defendant manifested extreme caution or sincere concern for the
30 safety or well-being of the victim.

31 (g) The operation of the multiple offense policy of RCW 9.94A.400
32 results in a presumptive sentence that is clearly excessive in light of
33 the purpose of this chapter, as expressed in RCW 9.94A.010.

34 (h) The defendant or the defendant's children suffered a continuing
35 pattern of physical or sexual abuse by the victim of the offense and
36 the offense is a response to that abuse.

37 (2) Aggravating Circumstances

1 (a) The defendant's conduct during the commission of the current
2 offense manifested deliberate cruelty to the victim.

3 (b) The defendant knew or should have known that the victim of the
4 current offense was particularly vulnerable or incapable of resistance
5 due to extreme youth, advanced age, disability, or ill health.

6 (c) The current offense was a major economic offense or series of
7 offenses, so identified by a consideration of any of the following
8 factors:

9 (i) The current offense involved multiple victims or multiple
10 incidents per victim;

11 (ii) The current offense involved attempted or actual monetary loss
12 substantially greater than typical for the offense;

13 (iii) The current offense involved a high degree of sophistication
14 or planning or occurred over a lengthy period of time; or

15 (iv) The defendant used his or her position of trust, confidence,
16 or fiduciary responsibility to facilitate the commission of the current
17 offense.

18 (d) The current offense was a major violation of the Uniform
19 Controlled Substances Act, chapter 69.50 RCW (VUCSA), related to
20 trafficking in controlled substances, which was more onerous than the
21 typical offense of its statutory definition: The presence of ANY of
22 the following may identify a current offense as a major VUCSA:

23 (i) The current offense involved at least three separate
24 transactions in which controlled substances were sold, transferred, or
25 possessed with intent to do so;

26 (ii) The current offense involved an attempted or actual sale or
27 transfer of controlled substances in quantities substantially larger
28 than for personal use;

29 (iii) The current offense involved the manufacture of controlled
30 substances for use by other parties;

31 (iv) The circumstances of the current offense reveal the offender
32 to have occupied a high position in the drug distribution hierarchy;

33 (v) The current offense involved a high degree of sophistication or
34 planning or occurred over a lengthy period of time or involved a broad
35 geographic area of disbursement; or

36 (vi) The offender used his or her position or status to facilitate
37 the commission of the current offense, including positions of trust,
38 confidence or fiduciary responsibility (e.g., pharmacist, physician, or
39 other medical professional).

1 (e) The current offense included a finding of sexual motivation
2 pursuant to RCW 9.94A.127.

3 (f) The offense was part of an ongoing pattern of sexual abuse of
4 the same victim under the age of eighteen years manifested by multiple
5 incidents over a prolonged period of time.

6 (g) The offender is convicted of a crime where one or more victims
7 is a parent who provided a family bond and support for his or her child
8 or children, or a person who provided the same family bond and support
9 as a biological parent for a child or children, and the foreseeable
10 result of the crime is that the victim's child or children suffer loss
11 of that victim's support because of the victim's death or severe mental
12 or physical impairment. The court shall not require medical,
13 psychological, or any other evidence of precise individual impact on
14 the child or children.

15 As long as (i) the victim is a parent or other person who provided
16 a family bond and support to a child or children, (ii) that victim's
17 support has been terminated or severely restricted, and (iii) the
18 resulting loss was foreseeable, then as a matter of law, the child's or
19 children's loss is a substantial and compelling reason for an
20 exceptional sentence.

21 (h) The operation of the multiple offense policy of RCW 9.94A.400
22 results in a presumptive sentence that is clearly too lenient in light
23 of the purpose of this chapter, as expressed in RCW 9.94A.010.

24 (({h})) (i) The defendant's prior unscored misdemeanor or prior
25 unscored foreign criminal history results in a presumptive sentence
26 that is clearly too lenient in light of the purpose of this chapter as
27 expressed in RCW 9.94A.010.

28 **Sec. 4.** RCW 9.94A.310 and 1995 c 129 s 2 (Initiative Measure No.
29 159) are each amended to read as follows:

30 (1)

TABLE 1

Sentencing Grid

32 SERIOUSNESS

33 SCORE

OFFENDER SCORE

34
35 0 1 2 3 4 5 6 7 8 9 or
36 more

37 XV Life Sentence without Parole/Death Penalty

1											
2	XIV	23y4m	24y4m	25y4m	26y4m	27y4m	28y4m	30y4m	32y10m	36y	40y
3		240-	250-	261-	271-	281-	291-	312-	338-	370-	411-
4		320	333	347	361	374	388	416	450	493	548
5											
6	XIII	((12y	13y	14y	15y	16y	17y	19y	21y	25y	29y
7		123-	134-	144-	154-	165-	175-	195-	216-	257-	298-
8		164-	178-	192-	205-	219-	233-	260-	288-	342-	397-
9		<u>14y4m</u>	<u>15y4m</u>	<u>16y4m</u>	<u>17y4m</u>	<u>18y4m</u>	<u>19y4m</u>	<u>21y4m</u>	<u>23y4m</u>	<u>27y4m</u>	<u>31y4m</u>
10		<u>123-</u>	<u>134-</u>	<u>144-</u>	<u>154-</u>	<u>165-</u>	<u>175-</u>	<u>195-</u>	<u>216-</u>	<u>257-</u>	<u>298-</u>
11		<u>220</u>	<u>234</u>	<u>248</u>	<u>261</u>	<u>275</u>	<u>289</u>	<u>316</u>	<u>344</u>	<u>398</u>	<u>453</u>
12											
13	XII	9y	9y11m	10y9m	11y8m	12y6m	13y5m	15y9m	17y3m	20y3m	23y3m
14		93-	102-	111-	120-	129-	138-	162-	178-	209-	240-
15		123	136	147	160	171	184	216	236	277	318
16											
17	XI	7y6m	8y4m	9y2m	9y11m	10y9m	11y7m	14y2m	15y5m	17y11m	20y5m
18		78-	86-	95-	102-	111-	120-	146-	159-	185-	210-
19		102	114	125	136	147	158	194	211	245	280
20											
21	X	5y	5y6m	6y	6y6m	7y	7y6m	9y6m	10y6m	12y6m	14y6m
22		51-	57-	62-	67-	72-	77-	98-	108-	129-	149-
23		68	75	82	89	96	102	130	144	171	198
24											
25	IX	3y	3y6m	4y	4y6m	5y	5y6m	7y6m	8y6m	10y6m	12y6m
26		31-	36-	41-	46-	51-	57-	77-	87-	108-	129-
27		41	48	54	61	68	75	102	116	144	171
28											
29	VIII	2y	2y6m	3y	3y6m	4y	4y6m	6y6m	7y6m	8y6m	10y6m
30		21-	26-	31-	36-	41-	46-	67-	77-	87-	108-
31		27	34	41	48	54	61	89	102	116	144
32											
33	VII	18m	2y	2y6m	3y	3y6m	4y	5y6m	6y6m	7y6m	8y6m
34		15-	21-	26-	31-	36-	41-	57-	67-	77-	87-
35		20	27	34	41	48	54	75	89	102	116
36											
37	VI	13m	18m	2y	2y6m	3y	3y6m	4y6m	5y6m	6y6m	7y6m
38		12+-	15-	21-	26-	31-	36-	46-	57-	67-	77-
39		14	20	27	34	41	48	61	75	89	102

1											
2	V	9m	13m	15m	18m	2y2m	3y2m	4y	5y	6y	7y
3		6-	12+-	13-	15-	22-	33-	41-	51-	62-	72-
4		12	14	17	20	29	43	54	68	82	96
5											
6	IV	6m	9m	13m	15m	18m	2y2m	3y2m	4y2m	5y2m	6y2m
7		3-	6-	12+-	13-	15-	22-	33-	43-	53-	63-
8		9	12	14	17	20	29	43	57	70	84
9											
10	III	2m	5m	8m	11m	14m	20m	2y2m	3y2m	4y2m	5y
11		1-	3-	4-	9-	12+-	17-	22-	33-	43-	51-
12		3	8	12	12	16	22	29	43	57	68
13											
14	II		4m	6m	8m	13m	16m	20m	2y2m	3y2m	4y2m
15		0-90	2-	3-	4-	12+-	14-	17-	22-	33-	43-
16		Days	6	9	12	14	18	22	29	43	57
17											
18	I			3m	4m	5m	8m	13m	16m	20m	2y2m
19		0-60	0-90	2-	2-	3-	4-	12+-	14-	17-	22-
20		Days	Days	5	6	8	12	14	18	22	29
21											

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

26 (2) For persons convicted of the anticipatory offenses of criminal
 27 attempt, solicitation, or conspiracy under chapter 9A.28 RCW, the
 28 presumptive sentence is determined by locating the sentencing grid
 29 sentence range defined by the appropriate offender score and the
 30 seriousness level of the completed crime, and multiplying the range by
 31 75 percent.

32 (3) The following additional times shall be added to the
 33 presumptive sentence for felony crimes committed after July 23, 1995,
 34 if the offender or an accomplice was armed with a firearm as defined in
 35 RCW 9.41.010 and the offender is being sentenced for one of the crimes
 36 listed in this subsection as eligible for any firearm enhancements
 37 based on the classification of the completed felony crime. If the
 38 offender or an accomplice was armed with a firearm as defined in RCW

1 9.41.010 and the offender is being sentenced for an anticipatory
2 offense under chapter 9A.28 RCW to commit one of the crimes listed in
3 this subsection as eligible for any firearm enhancements, the following
4 additional times shall be added to the presumptive sentence determined
5 under subsection (2) of this section based on the felony crime of
6 conviction as classified under RCW 9A.28.020:

7 (a) Five years for any felony defined under any law as a class A
8 felony or with a maximum sentence of at least twenty years, or both,
9 and not covered under (f) of this subsection.

10 (b) Three years for any felony defined under any law as a class B
11 felony or with a maximum sentence of ten years, or both, and not
12 covered under (f) of this subsection.

13 (c) Eighteen months for any felony defined under any law as a
14 class C felony or with a maximum sentence of five years, or both, and
15 not covered under (f) of this subsection.

16 (d) If the offender is being sentenced for any firearm
17 enhancements under (a), (b), and/or (c) of this subsection and the
18 offender has previously been sentenced for any deadly weapon
19 enhancements after July 23, 1995, under (a), (b), and/or (c) of this
20 subsection or subsection (4)(a), (b), and/or (c) of this section, or
21 both, any and all firearm enhancements under this subsection shall be
22 twice the amount of the enhancement listed.

23 (e) Notwithstanding any other provision of law, any and all
24 firearm enhancements under this section are mandatory, shall be served
25 in total confinement, and shall not run concurrently with any other
26 sentencing provisions.

27 (f) The firearm enhancements in this section shall apply to all
28 felony crimes except the following: Possession of a machine gun,
29 possessing a stolen firearm, reckless endangerment in the first degree,
30 theft of a firearm, unlawful possession of a firearm in the first and
31 second degree, and use of a machine gun in a felony.

32 (g) If the presumptive sentence under this section exceeds the
33 statutory maximum for the offense, the statutory maximum sentence shall
34 be the presumptive sentence unless the offender is a persistent
35 offender as defined in RCW 9.94A.030.

36 (4) The following additional times shall be added to the
37 presumptive sentence for felony crimes committed after July 23, 1995,
38 if the offender or an accomplice was armed with a deadly weapon as
39 defined in this chapter other than a firearm as defined in RCW 9.41.010

1 and the offender is being sentenced for one of the crimes listed in
2 this subsection as eligible for any deadly weapon enhancements based on
3 the classification of the completed felony crime. If the offender or
4 an accomplice was armed with a deadly weapon other than a firearm as
5 defined in RCW 9.41.010 and the offender is being sentenced for an
6 anticipatory offense under chapter 9A.28 RCW to commit one of the
7 crimes listed in this subsection as eligible for any deadly weapon
8 enhancements, the following additional times shall be added to the
9 presumptive sentence determined under subsection (2) of this section
10 based on the felony crime of conviction as classified under RCW
11 9A.28.020:

12 (a) Two years for any felony defined under any law as a class A
13 felony or with a maximum sentence of at least twenty years, or both,
14 and not covered under (f) of this subsection.

15 (b) One year for any felony defined under any law as a class B
16 felony or with a maximum sentence of ten years, or both, and not
17 covered under (f) of this subsection.

18 (c) Six months for any felony defined under any law as a class C
19 felony or with a maximum sentence of five years, or both, and not
20 covered under (f) of this subsection.

21 (d) If the offender is being sentenced under (a), (b), and/or (c)
22 of this subsection for any deadly weapon enhancements and the offender
23 has previously been sentenced for any deadly weapon enhancements after
24 July 23, 1995, under (a), (b), and/or (c) of this subsection or
25 subsection (3)(a), (b), and/or (c) of this section, or both, any and
26 all deadly weapon enhancements under this subsection shall be twice the
27 amount of the enhancement listed.

28 (e) Notwithstanding any other provision of law, any and all deadly
29 weapon enhancements under this section are mandatory, shall be served
30 in total confinement, and shall not run concurrently with any other
31 sentencing provisions.

32 (f) The deadly weapon enhancements in this section shall apply to
33 all felony crimes except the following: Possession of a machine gun,
34 possessing a stolen firearm, reckless endangerment in the first degree,
35 theft of a firearm, unlawful possession of a firearm in the first and
36 second degree, and use of a machine gun in a felony.

37 (g) If the presumptive sentence under this section exceeds the
38 statutory maximum for the offense, the statutory maximum sentence shall

1 be the presumptive sentence unless the offender is a persistent
2 offender as defined in RCW 9.94A.030.

3 (5) The following additional times shall be added to the
4 presumptive sentence if the offender or an accomplice committed the
5 offense while in a county jail or state correctional facility as that
6 term is defined in this chapter and the offender is being sentenced for
7 one of the crimes listed in this subsection. If the offender or an
8 accomplice committed one of the crimes listed in this subsection while
9 in a county jail or state correctional facility as that term is defined
10 in this chapter, and the offender is being sentenced for an
11 anticipatory offense under chapter 9A.28 RCW to commit one of the
12 crimes listed in this subsection, the following additional times shall
13 be added to the presumptive sentence determined under subsection (2) of
14 this section:

15 (a) Eighteen months for offenses committed under RCW
16 69.50.401(a)(1)(i) or 69.50.410;

17 (b) Fifteen months for offenses committed under RCW
18 69.50.401(a)(1) (ii), (iii), and (iv);

19 (c) Twelve months for offenses committed under RCW 69.50.401(d).

20 For the purposes of this subsection, all of the real property of
21 a state correctional facility or county jail shall be deemed to be part
22 of that facility or county jail.

23 (6) An additional twenty-four months shall be added to the
24 presumptive sentence for any ranked offense involving a violation of
25 chapter 69.50 RCW if the offense was also a violation of RCW 69.50.435.

26 **Sec. 5.** RCW 9.94A.320 and 1995 c 385 s 2, 1995 c 285 s 28, and
27 1995 c 129 s 3 (Initiative Measure No. 159) are each reenacted and
28 amended to read as follows:

29 TABLE 2

30 CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

31 XV Aggravated Murder 1 (RCW 10.95.020)

32 XIV Murder 1 (RCW 9A.32.030)

33 Homicide by Abuse (RCW 9A.32.055)

34 Domestic Violence Homicide by Abuse (RCW

35 9A.32.--- (section 2 of this act))

1 XIII Murder 2 (RCW 9A.32.050)
2 XII Assault 1 (RCW 9A.36.011)
3 Assault of a Child 1 (RCW 9A.36.120)
4 XI Rape 1 (RCW 9A.44.040)
5 Rape of a Child 1 (RCW 9A.44.073)
6 X Kidnapping 1 (RCW 9A.40.020)
7 Rape 2 (RCW 9A.44.050)
8 Rape of a Child 2 (RCW 9A.44.076)
9 Child Molestation 1 (RCW 9A.44.083)
10 Damaging building, etc., by explosion with
11 threat to human being (RCW
12 70.74.280(1))
13 Over 18 and deliver heroin or narcotic from
14 Schedule I or II to someone under 18
15 (RCW 69.50.406)
16 Leading Organized Crime (RCW
17 9A.82.060(1)(a))
18 IX Assault of a Child 2 (RCW 9A.36.130)
19 Robbery 1 (RCW 9A.56.200)
20 Manslaughter 1 (RCW 9A.32.060)
21 Explosive devices prohibited (RCW 70.74.180)
22 Indecent Liberties (with forcible
23 compulsion) (RCW 9A.44.100(1)(a))
24 Endangering life and property by explosives
25 with threat to human being (RCW
26 70.74.270)
27 Over 18 and deliver narcotic from Schedule
28 III, IV, or V or a nonnarcotic from
29 Schedule I-V to someone under 18 and 3
30 years junior (RCW 69.50.406)
31 Controlled Substance Homicide (RCW
32 69.50.415)
33 Sexual Exploitation (RCW 9.68A.040)
34 Inciting Criminal Profiteering (RCW
35 9A.82.060(1)(b))

1 Vehicular Homicide, by being under the
2 influence of intoxicating liquor or any
3 drug (RCW 46.61.520)

4 VIII Arson 1 (RCW 9A.48.020)
5 Promoting Prostitution 1 (RCW 9A.88.070)
6 Selling for profit (controlled or
7 counterfeit) any controlled substance
8 (RCW 69.50.410)
9 Manufacture, deliver, or possess with intent
10 to deliver heroin or cocaine (RCW
11 69.50.401(a)(1)(i))
12 Manufacture, deliver, or possess with intent
13 to deliver methamphetamine (RCW
14 69.50.401(a)(1)(ii))
15 Vehicular Homicide, by the operation of any
16 vehicle in a reckless manner (RCW
17 46.61.520)

18 VII Burglary 1 (RCW 9A.52.020)
19 Vehicular Homicide, by disregard for the
20 safety of others (RCW 46.61.520)
21 Introducing Contraband 1 (RCW 9A.76.140)
22 Indecent Liberties (without forcible
23 compulsion) (RCW 9A.44.100(1) (b) and
24 (c))
25 Child Molestation 2 (RCW 9A.44.086)
26 Dealing in depictions of minor engaged in
27 sexually explicit conduct (RCW
28 9.68A.050)
29 Sending, bringing into state depictions of
30 minor engaged in sexually explicit
31 conduct (RCW 9.68A.060)
32 Involving a minor in drug dealing (RCW
33 69.50.401(f))
34 Reckless Endangerment 1 (RCW 9A.36.045)
35 Unlawful Possession of a Firearm in the
36 first degree (RCW 9.41.040(1)(a))

1 VI Bribery (RCW 9A.68.010)
2 Manslaughter 2 (RCW 9A.32.070)
3 Rape of a Child 3 (RCW 9A.44.079)
4 Intimidating a Juror/Witness (RCW 9A.72.110,
5 9A.72.130)
6 Damaging building, etc., by explosion with
7 no threat to human being (RCW
8 70.74.280(2))
9 Endangering life and property by explosives
10 with no threat to human being (RCW
11 70.74.270)
12 Incest 1 (RCW 9A.64.020(1))
13 Manufacture, deliver, or possess with intent
14 to deliver narcotics from Schedule I or
15 II (except heroin or cocaine) (RCW
16 69.50.401(a)(1)(i))
17 Intimidating a Judge (RCW 9A.72.160)
18 Bail Jumping with Murder 1 (RCW
19 9A.76.170(2)(a))
20 Theft of a Firearm (RCW 9A.56.300)

21 V Persistent prison misbehavior (RCW 9.94.070)
22 Criminal Mistreatment 1 (RCW 9A.42.020)
23 Rape 3 (RCW 9A.44.060)
24 Sexual Misconduct with a Minor 1 (RCW
25 9A.44.093)
26 Child Molestation 3 (RCW 9A.44.089)
27 Kidnapping 2 (RCW 9A.40.030)
28 Extortion 1 (RCW 9A.56.120)
29 Incest 2 (RCW 9A.64.020(2))
30 Perjury 1 (RCW 9A.72.020)
31 Extortionate Extension of Credit (RCW
32 9A.82.020)
33 Advancing money or property for extortionate
34 extension of credit (RCW 9A.82.030)
35 Extortionate Means to Collect Extensions of
36 Credit (RCW 9A.82.040)
37 Rendering Criminal Assistance 1 (RCW
38 9A.76.070)

1 Bail Jumping with class A Felony (RCW
2 9A.76.170(2)(b))
3 Sexually Violating Human Remains (RCW
4 9A.44.105)
5 Delivery of imitation controlled substance
6 by person eighteen or over to person
7 under eighteen (RCW 69.52.030(2))
8 Possession of a Stolen Firearm (RCW
9 9A.56.310)

10 IV Residential Burglary (RCW 9A.52.025)
11 Theft of Livestock 1 (RCW 9A.56.080)
12 Robbery 2 (RCW 9A.56.210)
13 Assault 2 (RCW 9A.36.021)
14 Escape 1 (RCW 9A.76.110)
15 Arson 2 (RCW 9A.48.030)
16 Commercial Bribery (RCW 9A.68.060)
17 Bribing a Witness/Bribe Received by Witness
18 (RCW 9A.72.090, 9A.72.100)
19 Malicious Harassment (RCW 9A.36.080)
20 Threats to Bomb (RCW 9.61.160)
21 Willful Failure to Return from Furlough (RCW
22 72.66.060)
23 Hit and Run « Injury Accident (RCW
24 46.52.020(4))
25 Vehicular Assault (RCW 46.61.522)
26 Manufacture, deliver, or possess with intent
27 to deliver narcotics from Schedule III,
28 IV, or V or nonnarcotics from Schedule
29 I-V (except marijuana or
30 methamphetamines) (RCW
31 69.50.401(a)(1)(ii) through (iv))
32 Influencing Outcome of Sporting Event (RCW
33 9A.82.070)
34 Use of Proceeds of Criminal Profiteering
35 (RCW 9A.82.080 (1) and (2))
36 Knowingly Trafficking in Stolen Property
37 (RCW 9A.82.050(2))

1 III Criminal Mistreatment 2 (RCW 9A.42.030)
2 Extortion 2 (RCW 9A.56.130)
3 Unlawful Imprisonment (RCW 9A.40.040)
4 Assault 3 (RCW 9A.36.031)
5 Assault of a Child 3 (RCW 9A.36.140)
6 Custodial Assault (RCW 9A.36.100)
7 Unlawful possession of firearm in the second
8 degree (RCW 9.41.040(1)(b))
9 Harassment (RCW 9A.46.020)
10 Promoting Prostitution 2 (RCW 9A.88.080)
11 Willful Failure to Return from Work Release
12 (RCW 72.65.070)
13 Burglary 2 (RCW 9A.52.030)
14 Introducing Contraband 2 (RCW 9A.76.150)
15 Communication with a Minor for Immoral
16 Purposes (RCW 9.68A.090)
17 Patronizing a Juvenile Prostitute (RCW
18 9.68A.100)
19 Escape 2 (RCW 9A.76.120)
20 Perjury 2 (RCW 9A.72.030)
21 Bail Jumping with class B or C Felony (RCW
22 9A.76.170(2)(c))
23 Intimidating a Public Servant (RCW
24 9A.76.180)
25 Tampering with a Witness (RCW 9A.72.120)
26 Manufacture, deliver, or possess with intent
27 to deliver marijuana (RCW
28 69.50.401(a)(1)(ii))
29 Delivery of a material in lieu of a
30 controlled substance (RCW 69.50.401(c))
31 Manufacture, distribute, or possess with
32 intent to distribute an imitation
33 controlled substance (RCW 69.52.030(1))
34 Recklessly Trafficking in Stolen Property
35 (RCW 9A.82.050(1))
36 Theft of livestock 2 (RCW 9A.56.080)
37 Securities Act violation (RCW 21.20.400)

1 II Unlawful Practice of Law (RCW 2.48.180)
2 Malicious Mischief 1 (RCW 9A.48.070)
3 Possession of Stolen Property 1 (RCW
4 9A.56.150)
5 Theft 1 (RCW 9A.56.030)
6 Trafficking in Insurance Claims (RCW
7 48.30A.015)
8 Unlicensed Practice of a Profession or
9 Business (RCW 18.130.190(7))
10 Health Care False Claims (RCW 48.80.030)
11 Possession of controlled substance that is
12 either heroin or narcotics from
13 Schedule I or II (RCW 69.50.401(d))
14 Possession of phencyclidine (PCP) (RCW
15 69.50.401(d))
16 Create, deliver, or possess a counterfeit
17 controlled substance (RCW 69.50.401(b))
18 Computer Trespass 1 (RCW 9A.52.110)
19 Escape from Community Custody (RCW
20 72.09.310)

21 I Theft 2 (RCW 9A.56.040)
22 Possession of Stolen Property 2 (RCW
23 9A.56.160)
24 Forgery (RCW 9A.60.020)
25 Taking Motor Vehicle Without Permission (RCW
26 9A.56.070)
27 Vehicle Prowl 1 (RCW 9A.52.095)
28 Attempting to Elude a Pursuing Police
29 Vehicle (RCW 46.61.024)
30 Malicious Mischief 2 (RCW 9A.48.080)
31 Reckless Burning 1 (RCW 9A.48.040)
32 Unlawful Issuance of Checks or Drafts (RCW
33 9A.56.060)
34 Unlawful Use of Food Stamps (RCW 9.91.140
35 (2) and (3))
36 False Verification for Welfare (RCW
37 74.08.055)
38 Forged Prescription (RCW 69.41.020)

1 Forged Prescription for a Controlled
2 Substance (RCW 69.50.403)
3 Possess Controlled Substance that is a
4 Narcotic from Schedule III, IV, or V or
5 Non-narcotic from Schedule I-V (except
6 phencyclidine) (RCW 69.50.401(d))

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