
SENATE BILL 6350

State of Washington 64th Legislature 2016 Regular Session

By Senators O'Ban, Padden, Miloscia, Roach, Hewitt, Schoesler, and
Dammeier

Read first time 01/18/16. Referred to Committee on Law & Justice.

1 AN ACT Relating to motor vehicle property offenses; amending RCW
2 9.94A.525 and 9.94A.515; and prescribing penalties.

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

4 **Sec. 1.** RCW 9.94A.525 and 2013 2nd sp.s. c 35 s 8 are each
5 amended to read as follows:

6 The offender score is measured on the horizontal axis of the
7 sentencing grid. The offender score rules are as follows:

8 The offender score is the sum of points accrued under this
9 section rounded down to the nearest whole number.

10 (1) A prior conviction is a conviction which exists before the
11 date of sentencing for the offense for which the offender score is
12 being computed. Convictions entered or sentenced on the same date as
13 the conviction for which the offender score is being computed shall
14 be deemed "other current offenses" within the meaning of RCW
15 9.94A.589.

16 (2)(a) Class A and sex prior felony convictions shall always be
17 included in the offender score.

18 (b) Class B prior felony convictions other than sex offenses
19 shall not be included in the offender score, if since the last date
20 of release from confinement (including full-time residential
21 treatment) pursuant to a felony conviction, if any, or entry of

1 judgment and sentence, the offender had spent ten consecutive years
2 in the community without committing any crime that subsequently
3 results in a conviction.

4 (c) Except as provided in (e) of this subsection, class C prior
5 felony convictions other than sex offenses shall not be included in
6 the offender score if, since the last date of release from
7 confinement (including full-time residential treatment) pursuant to a
8 felony conviction, if any, or entry of judgment and sentence, the
9 offender had spent five consecutive years in the community without
10 committing any crime that subsequently results in a conviction.

11 (d) Except as provided in (e) of this subsection, serious traffic
12 convictions shall not be included in the offender score if, since the
13 last date of release from confinement (including full-time
14 residential treatment) pursuant to a conviction, if any, or entry of
15 judgment and sentence, the offender spent five years in the community
16 without committing any crime that subsequently results in a
17 conviction.

18 (e) If the present conviction is felony driving while under the
19 influence of intoxicating liquor or any drug (RCW 46.61.502(6)) or
20 felony physical control of a vehicle while under the influence of
21 intoxicating liquor or any drug (RCW 46.61.504(6)), all predicate
22 crimes for the offense as defined by RCW 46.61.5055(14) shall be
23 included in the offender score, and prior convictions for felony
24 driving while under the influence of intoxicating liquor or any drug
25 (RCW 46.61.502(6)) or felony physical control of a vehicle while
26 under the influence of intoxicating liquor or any drug (RCW
27 46.61.504(6)) shall always be included in the offender score. All
28 other convictions of the defendant shall be scored according to this
29 section.

30 (f) Prior convictions for a repetitive domestic violence offense,
31 as defined in RCW 9.94A.030, shall not be included in the offender
32 score if, since the last date of release from confinement or entry of
33 judgment and sentence, the offender had spent ten consecutive years
34 in the community without committing any crime that subsequently
35 results in a conviction.

36 (g) This subsection applies to both adult and juvenile prior
37 convictions.

38 (3) Out-of-state convictions for offenses shall be classified
39 according to the comparable offense definitions and sentences
40 provided by Washington law. Federal convictions for offenses shall be

1 classified according to the comparable offense definitions and
2 sentences provided by Washington law. If there is no clearly
3 comparable offense under Washington law or the offense is one that is
4 usually considered subject to exclusive federal jurisdiction, the
5 offense shall be scored as a class C felony equivalent if it was a
6 felony under the relevant federal statute.

7 (4) Score prior convictions for felony anticipatory offenses
8 (attempts, criminal solicitations, and criminal conspiracies) the
9 same as if they were convictions for completed offenses.

10 (5)(a) In the case of multiple prior convictions, for the purpose
11 of computing the offender score, count all convictions separately,
12 except:

13 (i) Prior offenses which were found, under RCW 9.94A.589(1)(a),
14 to encompass the same criminal conduct, shall be counted as one
15 offense, the offense that yields the highest offender score. The
16 current sentencing court shall determine with respect to other prior
17 adult offenses for which sentences were served concurrently or prior
18 juvenile offenses for which sentences were served consecutively,
19 whether those offenses shall be counted as one offense or as separate
20 offenses using the "same criminal conduct" analysis found in RCW
21 9.94A.589(1)(a), and if the court finds that they shall be counted as
22 one offense, then the offense that yields the highest offender score
23 shall be used. The current sentencing court may presume that such
24 other prior offenses were not the same criminal conduct from
25 sentences imposed on separate dates, or in separate counties or
26 jurisdictions, or in separate complaints, indictments, or
27 informations;

28 (ii) In the case of multiple prior convictions for offenses
29 committed before July 1, 1986, for the purpose of computing the
30 offender score, count all adult convictions served concurrently as
31 one offense, and count all juvenile convictions entered on the same
32 date as one offense. Use the conviction for the offense that yields
33 the highest offender score.

34 (b) As used in this subsection (5), "served concurrently" means
35 that: (i) The latter sentence was imposed with specific reference to
36 the former; (ii) the concurrent relationship of the sentences was
37 judicially imposed; and (iii) the concurrent timing of the sentences
38 was not the result of a probation or parole revocation on the former
39 offense.

1 (6) If the present conviction is one of the anticipatory offenses
2 of criminal attempt, solicitation, or conspiracy, count each prior
3 conviction as if the present conviction were for a completed offense.
4 When these convictions are used as criminal history, score them the
5 same as a completed crime.

6 (7) If the present conviction is for a nonviolent offense and not
7 covered by subsection (11), (12), or (13) of this section, count one
8 point for each adult prior felony conviction and one point for each
9 juvenile prior violent felony conviction and 1/2 point for each
10 juvenile prior nonviolent felony conviction.

11 (8) If the present conviction is for a violent offense and not
12 covered in subsection (9), (10), (11), (12), or (13) of this section,
13 count two points for each prior adult and juvenile violent felony
14 conviction, one point for each prior adult nonviolent felony
15 conviction, and 1/2 point for each prior juvenile nonviolent felony
16 conviction.

17 (9) If the present conviction is for a serious violent offense,
18 count three points for prior adult and juvenile convictions for
19 crimes in this category, two points for each prior adult and juvenile
20 violent conviction (not already counted), one point for each prior
21 adult nonviolent felony conviction, and 1/2 point for each prior
22 juvenile nonviolent felony conviction.

23 (10) If the present conviction is for Burglary 1, count prior
24 convictions as in subsection (8) of this section; however count two
25 points for each prior adult Burglary 2 or residential burglary
26 conviction, and one point for each prior juvenile Burglary 2 or
27 residential burglary conviction.

28 (11) If the present conviction is for a felony traffic offense
29 count two points for each adult or juvenile prior conviction for
30 Vehicular Homicide or Vehicular Assault; for each felony offense
31 count one point for each adult and 1/2 point for each juvenile prior
32 conviction; for each serious traffic offense, other than those used
33 for an enhancement pursuant to RCW 46.61.520(2), count one point for
34 each adult and 1/2 point for each juvenile prior conviction; count
35 one point for each adult and 1/2 point for each juvenile prior
36 conviction for operation of a vessel while under the influence of
37 intoxicating liquor or any drug.

38 (12) If the present conviction is for homicide by watercraft or
39 assault by watercraft count two points for each adult or juvenile
40 prior conviction for homicide by watercraft or assault by watercraft;

1 for each felony offense count one point for each adult and 1/2 point
2 for each juvenile prior conviction; count one point for each adult
3 and 1/2 point for each juvenile prior conviction for driving under
4 the influence of intoxicating liquor or any drug, actual physical
5 control of a motor vehicle while under the influence of intoxicating
6 liquor or any drug, or operation of a vessel while under the
7 influence of intoxicating liquor or any drug.

8 (13) If the present conviction is for manufacture of
9 methamphetamine count three points for each adult prior manufacture
10 of methamphetamine conviction and two points for each juvenile
11 manufacture of methamphetamine offense. If the present conviction is
12 for a drug offense and the offender has a criminal history that
13 includes a sex offense or serious violent offense, count three points
14 for each adult prior felony drug offense conviction and two points
15 for each juvenile drug offense. All other adult and juvenile felonies
16 are scored as in subsection (8) of this section if the current drug
17 offense is violent, or as in subsection (7) of this section if the
18 current drug offense is nonviolent.

19 (14) If the present conviction is for Escape from Community
20 Custody, RCW 72.09.310, count only prior escape convictions in the
21 offender score. Count adult prior escape convictions as one point and
22 juvenile prior escape convictions as 1/2 point.

23 (15) If the present conviction is for Escape 1, RCW 9A.76.110, or
24 Escape 2, RCW 9A.76.120, count adult prior convictions as one point
25 and juvenile prior convictions as 1/2 point.

26 (16) If the present conviction is for Burglary 2 or residential
27 burglary, count priors as in subsection (7) of this section; however,
28 count two points for each adult and juvenile prior Burglary 1
29 conviction, two points for each adult prior Burglary 2 or residential
30 burglary conviction, and one point for each juvenile prior Burglary 2
31 or residential burglary conviction.

32 (17) If the present conviction is for a sex offense, count priors
33 as in subsections (7) through (11) and (13) through (16) of this
34 section; however count three points for each adult and juvenile prior
35 sex offense conviction.

36 (18) If the present conviction is for failure to register as a
37 sex offender under RCW 9A.44.130 or 9A.44.132, count priors as in
38 subsections (7) through (11) and (13) through (16) of this section;
39 however count three points for each adult and juvenile prior sex
40 offense conviction, excluding prior convictions for failure to

1 register as a sex offender under RCW 9A.44.130 or 9A.44.132, which
2 shall count as one point.

3 (19) If the present conviction is for an offense committed while
4 the offender was under community custody, add one point. For purposes
5 of this subsection, community custody includes community placement or
6 postrelease supervision, as defined in chapter 9.94B RCW.

7 (20) If the present conviction is for Theft of a Motor Vehicle,
8 Possession of a Stolen Vehicle, Taking a Motor Vehicle Without
9 Permission 1, (~~(\oplus)~~) Taking a Motor Vehicle Without Permission 2,
10 Malicious Mischief 1 (motor vehicle), or Malicious Mischief 2 (motor
11 vehicle), count priors as in subsections (7) through (18) of this
12 section; however count one point for prior convictions of Vehicle
13 Prowling 2, and three points for each adult and juvenile prior Theft
14 1 (of a motor vehicle), Theft 2 (of a motor vehicle), Possession of
15 Stolen Property 1 (of a motor vehicle), Possession of Stolen Property
16 2 (of a motor vehicle), Theft of a Motor Vehicle, Possession of a
17 Stolen Vehicle, Taking a Motor Vehicle Without Permission 1, (~~(\oplus)~~)
18 Taking a Motor Vehicle Without Permission 2, Malicious Mischief 1
19 (motor vehicle), or Malicious Mischief 2 (motor vehicle) conviction.

20 (21) If the present conviction is for a felony domestic violence
21 offense where domestic violence as defined in RCW 9.94A.030 was
22 (~~(\oplus)~~) pleaded and proven, count priors as in
23 subsections (7) through (20) of this section; however, count points
24 as follows:

25 (a) Count two points for each adult prior conviction where
26 domestic violence as defined in RCW 9.94A.030 was (~~(\oplus)~~)
27 pleaded and proven after August 1, 2011, for the following offenses:
28 A violation of a no-contact order that is a felony offense, a
29 violation of a protection order that is a felony offense, a felony
30 domestic violence harassment offense, a felony domestic violence
31 stalking offense, a domestic violence Burglary 1 offense, a domestic
32 violence Kidnapping 1 offense, a domestic violence Kidnapping 2
33 offense, a domestic violence unlawful imprisonment offense, a
34 domestic violence Robbery 1 offense, a domestic violence Robbery 2
35 offense, a domestic violence Assault 1 offense, a domestic violence
36 Assault 2 offense, a domestic violence Assault 3 offense, a domestic
37 violence Arson 1 offense, or a domestic violence Arson 2 offense;

38 (b) Count one point for each second and subsequent juvenile
39 conviction where domestic violence as defined in RCW 9.94A.030 was

1 (~~plead~~~~pled~~) pleaded and proven after August 1, 2011, for the
2 offenses listed in (a) of this subsection; and

3 (c) Count one point for each adult prior conviction for a
4 repetitive domestic violence offense as defined in RCW 9.94A.030,
5 where domestic violence as defined in RCW 9.94A.030, was (~~plead~~
6 ~~pled~~) pleaded and proven after August 1, 2011.

7 (22) The fact that a prior conviction was not included in an
8 offender's offender score or criminal history at a previous
9 sentencing shall have no bearing on whether it is included in the
10 criminal history or offender score for the current offense. Prior
11 convictions that were not counted in the offender score or included
12 in criminal history under repealed or previous versions of the
13 sentencing reform act shall be included in criminal history and shall
14 count in the offender score if the current version of the sentencing
15 reform act requires including or counting those convictions. Prior
16 convictions that were not included in criminal history or in the
17 offender score shall be included upon any resentencing to ensure
18 imposition of an accurate sentence.

19 **Sec. 2.** RCW 9.94A.515 and 2015 c 261 s 11 are each amended to
20 read as follows:

21 TABLE 2

22 CRIMES INCLUDED WITHIN
23 EACH SERIOUSNESS LEVEL

- 24 XVI Aggravated Murder 1 (RCW
25 10.95.020)
- 26 XV Homicide by abuse (RCW 9A.32.055)
27 Malicious explosion 1 (RCW
28 70.74.280(1))
- 29 Murder 1 (RCW 9A.32.030)
- 30 XIV Murder 2 (RCW 9A.32.050)
31 Trafficking 1 (RCW 9A.40.100(1))
- 32 XIII Malicious explosion 2 (RCW
33 70.74.280(2))
- 34 Malicious placement of an explosive 1
35 (RCW 70.74.270(1))
- 36 XII Assault 1 (RCW 9A.36.011)

1 Assault of a Child 1 (RCW 9A.36.120)
2 Malicious placement of an imitation
3 device 1 (RCW 70.74.272(1)(a))
4 Promoting Commercial Sexual Abuse
5 of a Minor (RCW 9.68A.101)
6 Rape 1 (RCW 9A.44.040)
7 Rape of a Child 1 (RCW 9A.44.073)
8 Trafficking 2 (RCW 9A.40.100(3))
9 XI Manslaughter 1 (RCW 9A.32.060)
10 Rape 2 (RCW 9A.44.050)
11 Rape of a Child 2 (RCW 9A.44.076)
12 Vehicular Homicide, by being under
13 the influence of intoxicating liquor
14 or any drug (RCW 46.61.520)
15 X Child Molestation 1 (RCW 9A.44.083)
16 Criminal Mistreatment 1 (RCW
17 9A.42.020)
18 Indecent Liberties (with forcible
19 compulsion) (RCW
20 9A.44.100(1)(a))
21 Kidnapping 1 (RCW 9A.40.020)
22 Leading Organized Crime (RCW
23 9A.82.060(1)(a))
24 Malicious explosion 3 (RCW
25 70.74.280(3))
26 Sexually Violent Predator Escape
27 (RCW 9A.76.115)
28 IX Abandonment of Dependent Person 1
29 (RCW 9A.42.060)
30 Assault of a Child 2 (RCW 9A.36.130)
31 Explosive devices prohibited (RCW
32 70.74.180)
33 Hit and Run—Death (RCW
34 46.52.020(4)(a))

1 Homicide by Watercraft, by being
2 under the influence of intoxicating
3 liquor or any drug (RCW
4 79A.60.050)

5 Inciting Criminal Profiteering (RCW
6 9A.82.060(1)(b))

7 Malicious placement of an explosive 2
8 (RCW 70.74.270(2))

9 Robbery 1 (RCW 9A.56.200)

10 Sexual Exploitation (RCW 9.68A.040)

11 VIII Arson 1 (RCW 9A.48.020)

12 Commercial Sexual Abuse of a Minor
13 (RCW 9.68A.100)

14 Homicide by Watercraft, by the
15 operation of any vessel in a
16 reckless manner (RCW
17 79A.60.050)

18 Manslaughter 2 (RCW 9A.32.070)

19 Promoting Prostitution 1 (RCW
20 9A.88.070)

21 Theft of Ammonia (RCW 69.55.010)

22 Vehicular Homicide, by the operation
23 of any vehicle in a reckless
24 manner (RCW 46.61.520)

25 VII Burglary 1 (RCW 9A.52.020)

26 Child Molestation 2 (RCW 9A.44.086)

27 Civil Disorder Training (RCW
28 9A.48.120)

29 Dealing in depictions of minor engaged
30 in sexually explicit conduct 1
31 (RCW 9.68A.050(1))

32 Drive-by Shooting (RCW 9A.36.045)

33 Homicide by Watercraft, by disregard
34 for the safety of others (RCW
35 79A.60.050)

1 Indecent Liberties (without forcible
2 compulsion) (RCW 9A.44.100(1)
3 (b) and (c))
4 Introducing Contraband 1 (RCW
5 9A.76.140)
6 Malicious placement of an explosive 3
7 (RCW 70.74.270(3))
8 Negligently Causing Death By Use of a
9 Signal Preemption Device (RCW
10 46.37.675)
11 Sending, bringing into state depictions
12 of minor engaged in sexually
13 explicit conduct 1 (RCW
14 9.68A.060(1))
15 Unlawful Possession of a Firearm in
16 the first degree (RCW
17 9.41.040(1))
18 Use of a Machine Gun in Commission
19 of a Felony (RCW 9.41.225)
20 Vehicular Homicide, by disregard for
21 the safety of others (RCW
22 46.61.520)
23 VI Bail Jumping with Murder 1 (RCW
24 9A.76.170(3)(a))
25 Bribery (RCW 9A.68.010)
26 Incest 1 (RCW 9A.64.020(1))
27 Intimidating a Judge (RCW 9A.72.160)
28 Intimidating a Juror/Witness (RCW
29 9A.72.110, 9A.72.130)
30 Malicious placement of an imitation
31 device 2 (RCW 70.74.272(1)(b))
32 Possession of Depictions of a Minor
33 Engaged in Sexually Explicit
34 Conduct 1 (RCW 9.68A.070(1))
35 Rape of a Child 3 (RCW 9A.44.079)

1 Perjury 1 (RCW 9A.72.020)
2 Persistent prison misbehavior (RCW
3 9.94.070)
4 Physical Control of a Vehicle While
5 Under the Influence (RCW
6 46.61.504(6))
7 Possession of a Stolen Firearm (RCW
8 9A.56.310)
9 Rape 3 (RCW 9A.44.060)
10 Rendering Criminal Assistance 1
11 (RCW 9A.76.070)
12 Sending, Bringing into State
13 Depictions of Minor Engaged in
14 Sexually Explicit Conduct 2
15 (RCW 9.68A.060(2))
16 Sexual Misconduct with a Minor 1
17 (RCW 9A.44.093)
18 Sexually Violating Human Remains
19 (RCW 9A.44.105)
20 Stalking (RCW 9A.46.110)
21 Taking Motor Vehicle Without
22 Permission 1 (RCW 9A.56.070)
23 IV Arson 2 (RCW 9A.48.030)
24 Assault 2 (RCW 9A.36.021)
25 Assault 3 (of a Peace Officer with a
26 Projectile Stun Gun) (RCW
27 9A.36.031(1)(h))
28 Assault by Watercraft (RCW
29 79A.60.060)
30 Bribing a Witness/Bribe Received by
31 Witness (RCW 9A.72.090,
32 9A.72.100)
33 Cheating 1 (RCW 9.46.1961)
34 Commercial Bribery (RCW
35 9A.68.060)

1 Counterfeiting (RCW 9.16.035(4))
2 Endangerment with a Controlled
3 Substance (RCW 9A.42.100)
4 Escape 1 (RCW 9A.76.110)
5 Hit and Run—Injury (RCW
6 46.52.020(4)(b))
7 Hit and Run with Vessel—Injury
8 Accident (RCW 79A.60.200(3))
9 Identity Theft 1 (RCW 9.35.020(2))
10 Indecent Exposure to Person Under
11 Age Fourteen (subsequent sex
12 offense) (RCW 9A.88.010)
13 Influencing Outcome of Sporting Event
14 (RCW 9A.82.070)
15 Malicious Harassment (RCW
16 9A.36.080)
17 Possession of Depictions of a Minor
18 Engaged in Sexually Explicit
19 Conduct 2 (RCW 9.68A.070(2))
20 Residential Burglary (RCW
21 9A.52.025)
22 Robbery 2 (RCW 9A.56.210)
23 Theft of Livestock 1 (RCW 9A.56.080)
24 Threats to Bomb (RCW 9.61.160)
25 Trafficking in Stolen Property 1 (RCW
26 9A.82.050)
27 Unlawful factoring of a credit card or
28 payment card transaction (RCW
29 9A.56.290(4)(b))
30 Unlawful transaction of health
31 coverage as a health care service
32 contractor (RCW 48.44.016(3))
33 Unlawful transaction of health
34 coverage as a health maintenance
35 organization (RCW 48.46.033(3))

1 Unlawful transaction of insurance
2 business (RCW 48.15.023(3))
3 Unlicensed practice as an insurance
4 professional (RCW 48.17.063(2))
5 Use of Proceeds of Criminal
6 Profiteering (RCW 9A.82.080 (1)
7 and (2))
8 Vehicle Prowling 2 (third or
9 subsequent offense) (RCW
10 9A.52.100(3))
11 Vehicular Assault, by being under the
12 influence of intoxicating liquor or
13 any drug, or by the operation or
14 driving of a vehicle in a reckless
15 manner (RCW 46.61.522)
16 Viewing of Depictions of a Minor
17 Engaged in Sexually Explicit
18 Conduct 1 (RCW 9.68A.075(1))
19 Willful Failure to Return from
20 Furlough (RCW 72.66.060)
21 III Animal Cruelty 1 (Sexual Conduct or
22 Contact) (RCW 16.52.205(3))
23 Assault 3 (Except Assault 3 of a Peace
24 Officer With a Projectile Stun
25 Gun) (RCW 9A.36.031 except
26 subsection (1)(h))
27 Assault of a Child 3 (RCW 9A.36.140)
28 Bail Jumping with class B or C Felony
29 (RCW 9A.76.170(3)(c))
30 Burglary 2 (RCW 9A.52.030)
31 Communication with a Minor for
32 Immoral Purposes (RCW
33 9.68A.090)
34 Criminal Gang Intimidation (RCW
35 9A.46.120)
36 Custodial Assault (RCW 9A.36.100)

1 Cyberstalking (subsequent conviction
2 or threat of death) (RCW
3 9.61.260(3))
4 Escape 2 (RCW 9A.76.120)
5 Extortion 2 (RCW 9A.56.130)
6 Harassment (RCW 9A.46.020)
7 Intimidating a Public Servant (RCW
8 9A.76.180)
9 Introducing Contraband 2 (RCW
10 9A.76.150)
11 Malicious Injury to Railroad Property
12 (RCW 81.60.070)
13 Malicious Mischief 1 (motor vehicle,
14 third or subsequent offense) (RCW
15 9A.48.070)
16 Mortgage Fraud (RCW 19.144.080)
17 Negligently Causing Substantial
18 Bodily Harm By Use of a Signal
19 Preemption Device (RCW
20 46.37.674)
21 Organized Retail Theft 1 (RCW
22 9A.56.350(2))
23 Perjury 2 (RCW 9A.72.030)
24 Possession of Incendiary Device (RCW
25 9.40.120)
26 Possession of Machine Gun or Short-
27 Barreled Shotgun or Rifle (RCW
28 9.41.190)
29 Possession of Stolen Vehicle (third or
30 subsequent offense) (RCW
31 9A.56.068)
32 Promoting Prostitution 2 (RCW
33 9A.88.080)
34 Retail Theft with Special
35 Circumstances 1 (RCW
36 9A.56.360(2))

1 Securities Act violation (RCW
2 21.20.400)
3 Tampering with a Witness (RCW
4 9A.72.120)
5 Telephone Harassment (subsequent
6 conviction or threat of death)
7 (RCW 9.61.230(2))
8 Theft of Livestock 2 (RCW 9A.56.083)
9 Theft of Motor Vehicle (third or
10 subsequent offense) (RCW
11 9A.56.065)
12 Theft with the Intent to Resell 1 (RCW
13 9A.56.340(2))
14 Trafficking in Stolen Property 2 (RCW
15 9A.82.055)
16 Unlawful Hunting of Big Game 1
17 (RCW 77.15.410(3)(b))
18 Unlawful Imprisonment (RCW
19 9A.40.040)
20 Unlawful Misbranding of Food Fish or
21 Shellfish 1 (RCW 69.04.938(3))
22 Unlawful possession of firearm in the
23 second degree (RCW 9.41.040(2))
24 Unlawful Taking of Endangered Fish
25 or Wildlife 1 (RCW
26 77.15.120(3)(b))
27 Unlawful Trafficking in Fish, Shellfish,
28 or Wildlife 1 (RCW
29 77.15.260(3)(b))
30 Unlawful Use of a Nondesignated
31 Vessel (RCW 77.15.530(4))
32 Vehicular Assault, by the operation or
33 driving of a vehicle with disregard
34 for the safety of others (RCW
35 46.61.522)

1 Willful Failure to Return from Work
2 Release (RCW 72.65.070)
3 II Commercial Fishing Without a License
4 1 (RCW 77.15.500(3)(b))
5 Computer Trespass 1 (RCW
6 9A.52.110)
7 Counterfeiting (RCW 9.16.035(3))
8 Engaging in Fish Dealing Activity
9 Unlicensed 1 (RCW 77.15.620(3))
10 Escape from Community Custody
11 (RCW 72.09.310)
12 Failure to Register as a Sex Offender
13 (second or subsequent offense)
14 (RCW 9A.44.130 prior to June 10,
15 2010, and RCW 9A.44.132)
16 Health Care False Claims (RCW
17 48.80.030)
18 Identity Theft 2 (RCW 9.35.020(3))
19 Improperly Obtaining Financial
20 Information (RCW 9.35.010)
21 Malicious Mischief 1 (RCW
22 9A.48.070)
23 Malicious Mischief 2 (motor vehicle,
24 third or subsequent offense) (RCW
25 9A.48.080)
26 Organized Retail Theft 2 (RCW
27 9A.56.350(3))
28 Possession of Stolen Property 1 (RCW
29 9A.56.150)
30 Possession of a Stolen Vehicle (RCW
31 9A.56.068)
32 Retail Theft with Special
33 Circumstances 2 (RCW
34 9A.56.360(3))

1 Scrap Processing, Recycling, or
2 Supplying Without a License
3 (second or subsequent offense)
4 (RCW 19.290.100)

5 Taking Motor Vehicle Without
6 Permission 2 (third or subsequent
7 offense) (RCW 9A.56.075)

8 Theft 1 (RCW 9A.56.030)

9 Theft of a Motor Vehicle (RCW
10 9A.56.065)

11 Theft of Rental, Leased, ~~((or))~~ Lease-
12 purchased, or Loaned Property
13 (valued at ~~((one))~~ five thousand
14 ~~((five hundred))~~ dollars or more)
15 (RCW 9A.56.096(5)(a))

16 Theft with the Intent to Resell 2 (RCW
17 9A.56.340(3))

18 Trafficking in Insurance Claims (RCW
19 48.30A.015)

20 Unlawful factoring of a credit card or
21 payment card transaction (RCW
22 9A.56.290(4)(a))

23 Unlawful Participation of Non-Indians
24 in Indian Fishery (RCW
25 77.15.570(2))

26 Unlawful Practice of Law (RCW
27 2.48.180)

28 Unlawful Purchase or Use of a License
29 (RCW 77.15.650(3)(b))

30 Unlawful Trafficking in Fish, Shellfish,
31 or Wildlife 2 (RCW
32 77.15.260(3)(a))

33 Unlicensed Practice of a Profession or
34 Business (RCW 18.130.190(7))

35 Vehicle Prowl 1 (third or subsequent
36 offense) (RCW 9A.52.095)

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
11 9A.48.080)
12 Mineral Trespass (RCW 78.44.330)
13 Possession of Stolen Property 2 (RCW
14 9A.56.160)
15 Reckless Burning 1 (RCW 9A.48.040)
16 Spotlighting Big Game 1 (RCW
17 77.15.450(3)(b))
18 Suspension of Department Privileges 1
19 (RCW 77.15.670(3)(b))
20 Taking Motor Vehicle Without
21 Permission 2 (RCW 9A.56.075)
22 Theft 2 (RCW 9A.56.040)
23 Theft of Rental, Leased, ~~((or))~~ Lease-
24 purchased, or Loaned Property
25 (valued at ~~((two))~~ seven hundred
26 fifty dollars or more but less than
27 ~~((one))~~ five thousand ~~((five~~
28 ~~hundred))~~ dollars) (RCW
29 9A.56.096(5)(b))
30 Transaction of insurance business
31 beyond the scope of licensure
32 (RCW 48.17.063)
33 Unlawful Fish and Shellfish Catch
34 Accounting (RCW
35 77.15.630(3)(b))

1 Unlawful Issuance of Checks or Drafts
2 (RCW 9A.56.060)
3 Unlawful Possession of Fictitious
4 Identification (RCW 9A.56.320)
5 Unlawful Possession of Instruments of
6 Financial Fraud (RCW 9A.56.320)
7 Unlawful Possession of Payment
8 Instruments (RCW 9A.56.320)
9 Unlawful Possession of a Personal
10 Identification Device (RCW
11 9A.56.320)
12 Unlawful Production of Payment
13 Instruments (RCW 9A.56.320)
14 Unlawful Releasing, Planting,
15 Possessing, or Placing Deleterious
16 Exotic Wildlife (RCW
17 77.15.250(2)(b))
18 Unlawful Trafficking in Food Stamps
19 (RCW 9.91.142)
20 Unlawful Use of Food Stamps (RCW
21 9.91.144)
22 Unlawful Use of Net to Take Fish 1
23 (RCW 77.15.580(3)(b))
24 Unlawful Use of Prohibited Aquatic
25 Animal Species (RCW
26 77.15.253(3))
27 Vehicle Prowl 1 (RCW 9A.52.095)
28 Violating Commercial Fishing Area or
29 Time 1 (RCW 77.15.550(3)(b))

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