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**SUBSTITUTE SENATE BILL 6602**

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**State of Washington 57th Legislature**

**2002 Regular Session**

**By** Senate Committee on Judiciary (originally sponsored by Senators Costa, Long, Poulsen and Kastama)

READ FIRST TIME 02/08/2002.

1 AN ACT Relating to extortion in the second degree; amending RCW  
2 9A.56.130; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** The legislature intends to revise the crime  
5 of extortion in the second degree in response to the holding in *State*  
6 *v. Pauling*, 108 Wn. App. 445 (2001), by adding a requirement that the  
7 threat required for conviction of the offense be wrongful.

8 **Sec. 2.** RCW 9A.56.130 and 1975 1st ex.s. c 260 s 9A.56.130 are  
9 each amended to read as follows:

10 (1) A person is guilty of extortion in the second degree if he or  
11 she commits extortion by means of a wrongful threat as defined in RCW  
12 9A.04.110(25) (d) through (j).

13 (2) In any prosecution under this section based on a threat to  
14 accuse any person of a crime or cause criminal charges to be instituted  
15 against any person, it is a defense that the actor reasonably believed  
16 the threatened criminal charge to be true and that his or her sole  
17 purpose was to compel or induce the person threatened to take

1 reasonable action to make good the wrong which was the subject of such  
2 threatened criminal charge.  
3 (3) Extortion in the second degree is a class C felony.

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