

2 E2SHB 1841 - S COMM AMD
3 By Committee on Education

4 ADOPTED AS AMENDED 4/15/97

5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. Sec. 1. The legislature finds that the children of
8 this state have the right to an effective public education and that
9 both students and educators have the need to be safe and secure in the
10 classroom if learning is to occur. The legislature also finds,
11 however, that children in many of our public schools are forced to
12 focus on the threat and message of violence contained in many aspects
13 of our society and reflected through and in gang violence activities on
14 school campuses.

15 The legislature recognizes that the prevalence of weapons,
16 including firearms and dangerous knives, is an increasing problem that
17 is spreading rapidly even to elementary schools throughout the state.
18 Gang-related apparel and regalia compound the problem by easily
19 concealing weapons that threaten and intimidate students and school
20 personnel. These threats have resulted in tragic and unnecessary
21 bloodshed over the past two years and must be eradicated from the
22 system if student and staff security is to be restored on school
23 campuses. Many educators believe that school dress significantly
24 influences student behavior in both positive and negative ways.
25 Special school dress up and color days signify school spirit and
26 provide students with a sense of unity. Schools that have adopted
27 school uniforms report a feeling of togetherness, greater school pride,
28 and better student behavior in and out of the classroom. This sense of
29 unity provides students with the positive attitudes needed to avert the
30 pressures of gang involvement.

31 The legislature also recognizes there are other more significant
32 factors that impact school safety such as the pervasive use of drugs
33 and alcohol in school. In addition to physical safety zones, schools
34 should also be drug-free zones that expressly prohibit the sale, use,
35 or possession of illegal drugs on school property. Students involved
36 in drug-related activity are unable to benefit fully from educational

1 opportunities and are disruptive to the learning environment of their
2 fellow students. Schools must be empowered to make decisions that
3 positively impact student learning by eradicating drug use and
4 possession on their campuses. This flexibility should also be afforded
5 to schools as they deal with other harmful substance abuse activities
6 engaged in by their students.

7 Toward this end, the legislature recognizes the important role of
8 the classroom teacher who must be empowered to restore discipline and
9 safety in the classroom. Teachers must have the ability to control the
10 conduct of students to ensure that their mission of educating students
11 may be achieved. Disruptive behavior must not be allowed to continue
12 to divert attention, time, and resources from educational activities.

13 The legislature therefore intends to define gang-related activities
14 as criminal behavior disruptive not only to the learning environment
15 but to society as a whole, and to provide educators with the authority
16 to restore order and safety to the student learning environment,
17 eliminate the influence of gang activities, and eradicate drug and
18 substance abuse on school campuses, thus empowering educators to regain
19 control of our classrooms and provide our students with the best
20 educational opportunities available in our schools.

21 The legislature also finds that students and school employees have
22 been subjected to violence such as rapes, assaults, or harassment that
23 has not been gang or drug-related criminal activity. The legislature
24 intends that all violence and harassment directed at students and
25 school personnel be eradicated in public schools.

26 NEW SECTION. **Sec. 2.** A new section is added to chapter 28A.600
27 RCW to read as follows:

28 (1) A student who is enrolled in a public school or an alternative
29 school may be suspended or expelled if the student is a member of a
30 gang and knowingly engages in gang activity on school grounds.

31 (2) "Gang" means a group which: (a) Consists of three or more
32 persons; (b) has identifiable leadership; and (c) on an ongoing basis,
33 regularly conspires and acts in concert mainly for criminal purposes.

34 NEW SECTION. **Sec. 3.** A new section is added to chapter 9A.46 RCW
35 to read as follows:

36 A person commits the offense of criminal gang intimidation if the
37 person threatens another person with bodily injury because the other

1 person refuses to join or has attempted to withdraw from a gang, as
2 defined in section 2 of this act, if the person who threatens the
3 victim or the victim attends or is registered in a public or
4 alternative school. Criminal gang intimidation is a class C felony.

5 **Sec. 4.** RCW 28A.225.330 and 1995 c 324 s 2 and 1995 c 311 s 25 are
6 each reenacted and amended to read as follows:

7 (1) When enrolling a student who has attended school in another
8 school district, the school enrolling the student may request the
9 parent and the student to briefly indicate in writing whether or not
10 the student has:

11 (a) Any history of placement in special educational programs;

12 (b) Any past, current, or pending disciplinary action;

13 (c) Any history of violent behavior, or behavior listed in section
14 7 of this act;

15 (d) Any unpaid fines or fees imposed by other schools; and

16 (e) Any health conditions affecting the student's educational
17 needs.

18 (2) The school enrolling the student shall request the school the
19 student previously attended to send the student's permanent record
20 including records of disciplinary action, attendance, immunization
21 records, and academic performance. If the student has not paid a fine
22 or fee under RCW 28A.635.060, or tuition, fees, or fines at approved
23 private schools the school may withhold the student's official
24 transcript, but shall transmit information about the student's academic
25 performance, special placement, immunization records, and records of
26 disciplinary action. If the official transcript is not sent due to
27 unpaid tuition, fees, or fines, the enrolling school shall notify both
28 the student and parent or guardian that the official transcript will
29 not be sent until the obligation is met, and failure to have an
30 official transcript may result in exclusion from extracurricular
31 activities or failure to graduate.

32 (3) If information is requested under subsection (2) of this
33 section, the information shall be transmitted within two school days
34 after receiving the request and the records shall be sent as soon as
35 possible. Any school district or district employee who releases the
36 information in compliance with this section is immune from civil
37 liability for damages unless it is shown that the school district
38 employee acted with gross negligence or in bad faith. The state board

1 of education shall provide by rule for the discipline under chapter
2 28A.410 RCW of a school principal or other chief administrator of a
3 public school building who fails to make a good faith effort to assure
4 compliance with this subsection.

5 (4) Any school district or district employee who releases the
6 information in compliance with federal and state law is immune from
7 civil liability for damages unless it is shown that the school district
8 or district employee acted with gross negligence or in bad faith.

9 NEW SECTION. **Sec. 5.** A new section is added to chapter 28A.195
10 RCW to read as follows:

11 If a student who previously attended an approved private school
12 enrolls in a public school but has not paid tuition, fees, or fines at
13 the approved private school, the approved private school may withhold
14 the student's official transcript, but shall transmit information to
15 the public school about the student's academic performance, special
16 placement, immunization records, and records of disciplinary action.

17 **Sec. 6.** RCW 28A.635.020 and 1981 c 36 s 1 are each amended to read
18 as follows:

19 (1) It shall be unlawful for any person to willfully disobey the
20 order of the chief administrative officer of a public school district,
21 or of an authorized designee of any such administrator, to leave any
22 motor vehicle, building, grounds or other property which is owned,
23 operated or controlled by the school district if the person so ordered
24 is under the influence of alcohol or drugs, or is committing, threatens
25 to imminently commit or incites another to imminently commit any act
26 which would disturb or interfere with or obstruct any lawful task,
27 function, process or procedure of the school district or any lawful
28 task, function, process or procedure of any student, official, employee
29 or invitee of the school district. The order of a school officer or
30 designee acting pursuant to this subsection shall be valid if the
31 officer or designee reasonably believes a person ordered to leave is
32 under the influence of alcohol or drugs, is committing acts, or is
33 creating a disturbance as provided in this subsection.

34 (2) It shall be unlawful for any person to refuse to leave public
35 property immediately adjacent to a building, grounds or property which
36 is owned, operated or controlled by a school district when ordered to
37 do so by a law enforcement officer if such person is engaging in

1 conduct which creates a substantial risk of causing injury to any
2 person, or substantial harm to property, or such conduct amounts to
3 disorderly conduct under RCW 9A.84.030.

4 (3) Nothing in this section shall be construed to prohibit or
5 penalize activity consisting of the lawful exercise of freedom of
6 speech, freedom of press and the right to peaceably assemble and
7 petition the government for a redress of grievances: PROVIDED, That
8 such activity neither does or threatens imminently to materially
9 disturb or interfere with or obstruct any lawful task, function,
10 process or procedure of the school district, or any lawful task,
11 function, process or procedure of any student, official, employee or
12 invitee of the school district: PROVIDED FURTHER, That such activity
13 is not conducted in violation of a prohibition or limitation lawfully
14 imposed by the school district upon entry or use of any motor vehicle,
15 building, grounds or other property which is owned, operated or
16 controlled by the school district.

17 (4) Any person guilty of violating this section shall be deemed
18 guilty of a gross misdemeanor (~~(and, upon conviction therefor, shall be~~
19 ~~fined not more than five hundred dollars, or imprisoned in jail for not~~
20 ~~more than six months or both so fined and imprisoned)) punishable as
21 provided in chapter 9A.20 RCW.~~

22 NEW SECTION. Sec. 7. A new section is added to chapter 13.04 RCW
23 to read as follows:

24 (1) Whenever a minor enrolled in any common school is convicted in
25 adult criminal court, or adjudicated or entered into a diversion
26 agreement with the juvenile court on any of the following offenses, the
27 court must notify the principal of the student's school of the
28 disposition of the case, after first notifying the parent or legal
29 guardian that such notification will be made:

- 30 (a) A violent offense as defined in RCW 9.94A.030;
- 31 (b) A sex offense as defined in RCW 9.94A.030;
- 32 (c) Inhaling toxic fumes under chapter 9.47A RCW;
- 33 (d) A controlled substances violation under chapter 69.50 RCW;
- 34 (e) A liquor violation under RCW 66.44.270; and
- 35 (f) Any crime under chapters 9A.36, 9A.40, 9A.46, and 9A.48 RCW.

36 (2) The principal must provide the information received under
37 subsection (1) of this section to every teacher of any student who
38 qualifies under subsection (1) of this section and any other personnel

1 who, in the judgment of the principal, supervises the student or for
2 security purposes should be aware of the student's record. The
3 principal must provide the information to teachers and other personnel
4 based on any written records that the principal maintains or receives
5 from a juvenile court administrator or a law enforcement agency
6 regarding the student.

7 (3) Any information received by a principal or school personnel
8 under this section is confidential and may not be further disseminated
9 except as provided in RCW 28A.225.330, other statutes or case law, and
10 the family and educational and privacy rights act of 1994, 20 U.S.C.
11 Sec. 1232g et seq.

12 NEW SECTION. **Sec. 8.** A new section is added to chapter 13.50 RCW
13 to read as follows:

14 Records of disposition for a juvenile offense must be provided to
15 schools as provided in section 7 of this act.

16 NEW SECTION. **Sec. 9.** A new section is added to chapter 28A.600
17 RCW to read as follows:

18 (1) School district boards of directors shall adopt policies that
19 restore discipline to the classroom. Such policies must provide for at
20 least the following: Allowing each teacher to take disciplinary action
21 to correct a student who disrupts normal classroom activities, abuses
22 or insults a teacher as prohibited by RCW 28A.635.010, willfully
23 disobeys a teacher, uses abusive or foul language directed at a school
24 district employee, school volunteer, or another student, violates
25 school rules, or who interferes with an orderly education process.
26 Disciplinary action may include but is not limited to: Oral or written
27 reprimands; written notification to parents of disruptive behavior, a
28 copy of which must be provided to the principal.

29 (2) A student committing an offense under chapter 9A.36, 9A.40,
30 9A.46, or 9A.48 RCW when the activity is directed toward the teacher,
31 shall not be assigned to that teacher's classroom for the duration of
32 the student's attendance at that school or any other school where the
33 teacher is assigned.

34 (3) A student who commits an offense under chapter 9A.36, 9A.40,
35 9A.46, or 9A.48 RCW, when directed toward another student, may be
36 removed from the classroom of the victim for the duration of the
37 student's attendance at that school or any other school where the

1 victim is enrolled. A student who commits an offense under one of the
2 chapters enumerated in this section against a student or another school
3 employee, may be expelled or suspended.

4 (4) Nothing in this section is intended to limit the authority of
5 a school under existing law and rules to expel or suspend a student for
6 misconduct or criminal behavior.

7 (5) All school districts must collect data on disciplinary actions
8 taken in each school. The information shall be made available to the
9 public upon request. This collection of data shall not include
10 personally identifiable information including, but not limited to, a
11 student's social security number, name, or address.

12 NEW SECTION. **Sec. 10.** A new section is added to chapter 28A.320
13 RCW to read as follows:

14 School district boards of directors may adopt policies that limit
15 the possession of (1) paging telecommunication devices by students that
16 emit audible signals, vibrate, display a message, or otherwise summons
17 or delivers a communication to the possessor, and (2) portable or
18 cellular telephones.

19 **Sec. 11.** RCW 28A.600.020 and 1990 c 33 s 497 are each amended to
20 read as follows:

21 (1) The rules adopted pursuant to RCW 28A.600.010 shall be
22 interpreted to insure that the optimum learning atmosphere of the
23 classroom is maintained, and that the highest consideration is given to
24 the judgment of qualified certificated educators regarding conditions
25 necessary to maintain the optimum learning atmosphere.

26 (2) Any student who creates a disruption of the educational process
27 in violation of the building disciplinary standards while under a
28 teacher's immediate supervision may be excluded by the teacher from his
29 or her individual classroom and instructional or activity area for all
30 or any portion of the balance of the school day, or up to the following
31 two days, or until the principal or designee and teacher have
32 conferred, whichever occurs first~~((:—PROVIDED, That))~~. Except in
33 emergency circumstances, the teacher ~~((shall have))~~ first ~~((attempted))~~
34 must attempt one or more alternative forms of corrective action~~((:—~~
35 ~~PROVIDED FURTHER, That))~~. In no event without the consent of the
36 teacher ~~((shall))~~ may an excluded student ~~((be returned))~~ return to
37 the class during the balance of that class or activity period or up to

1 the following two days, or until the principal or his or her designee
2 and the teacher have conferred.

3 (3) In order to preserve a beneficial learning environment for all
4 students and to maintain good order and discipline in each classroom,
5 every school district board of directors shall provide that written
6 procedures are developed for administering discipline at each school
7 within the district. Such procedures shall be developed with the
8 participation of parents and the community, and shall provide that the
9 teacher, principal or designee, and other authorities designated by the
10 board of directors, make every reasonable attempt to involve the parent
11 or guardian and the student in the resolution of student discipline
12 problems. Such procedures shall provide that students may be excluded
13 from their individual classes or activities for periods of time in
14 excess of that provided in subsection (2) of this section if such
15 students have repeatedly disrupted the learning of other students(~~(+~~
16 ~~PROVIDED, That~~)). The procedures ((are)) must be consistent with the
17 ((regulations)) rules of the state board of education and must provide
18 for early involvement of parents in attempts to improve the student's
19 behavior(~~(+ PROVIDED FURTHER, That pursuant to RCW 28A.400.110,))~~.

20 (4) The procedures shall assure, pursuant to RCW 28A.400.110, that
21 all staff work cooperatively toward consistent enforcement of proper
22 student behavior throughout each school as well as within each
23 classroom.

24 (5) A principal shall consider imposing long-term suspension or
25 expulsion as a sanction when deciding the appropriate disciplinary
26 action for a student who, after the effective date of this section:

27 (a) Engages in two or more violations within a three-year period of
28 section 2, 3, 9, or 10 of this act, RCW 28A.635.020, 28A.600.020,
29 28A.635.060, 9.41.280, or 28A.320.140; or

30 (b) Engages in one or more of the offenses listed in section 7 of
31 this act.

32 The principal shall communicate the disciplinary action taken by
33 the principal to the school personnel who referred the student to the
34 principal for disciplinary action.

35 **Sec. 12.** RCW 28A.400.110 and 1990 c 33 s 379 are each amended to
36 read as follows:

37 Within each school the school principal shall determine that
38 appropriate student discipline is established and enforced. In order

1 to assist the principal in carrying out the intent of this section, the
2 principal and the certificated employees in a school building shall
3 confer at least annually in order to develop and/or review building
4 disciplinary standards and uniform enforcement of those standards.
5 Such building standards shall be consistent with the provisions of RCW
6 28A.600.020(3).

7 School principals and certificated employees shall also confer
8 annually, to establish criteria for determining when certificated
9 employees must complete classes to improve classroom management skills.

10 **Sec. 13.** RCW 28A.635.060 and 1994 c 304 s 1 are each amended to
11 read as follows:

12 (1) Any pupil who (~~shall~~) defaces or otherwise injures any school
13 property, (~~shall be liable~~) or property belonging to a school
14 contractor, employee, or another student, is subject to suspension and
15 punishment. If any property of the school district (whose property),
16 a contractor of the district, an employee, or another student has been
17 lost or willfully cut, defaced, or injured, the school district may
18 withhold the grades, diploma, and transcripts of the pupil responsible
19 for the damage or loss until the pupil or the pupil's parent or
20 guardian has paid for the damages. If the student is suspended, the
21 student may not be readmitted until the student or parents or legal
22 guardian has made payment in full or until directed by the
23 superintendent of schools. If the property damaged is a school bus
24 owned and operated by or contracted to any school district, a student
25 suspended for the damage may not be permitted to enter or ride any
26 school bus until the student or parent or legal guardian has made
27 payment in full or until directed by the superintendent. When the
28 pupil and parent or guardian are unable to pay for the damages, the
29 school district shall provide a program of voluntary work for the pupil
30 in lieu of the payment of monetary damages. Upon completion of
31 voluntary work the grades, diploma, and transcripts of the pupil shall
32 be released. The parent or guardian of such pupil shall be liable for
33 damages as otherwise provided by law.

34 (2) Before any penalties are assessed under this section, a school
35 district board of directors shall adopt procedures which insure that
36 pupils' rights to due process are protected.

37 (3) If the department of social and health services or a child-
38 placing agency licensed by the department has been granted custody of

1 a child, that child's records, if requested by the department or
2 agency, are not to be withheld for nonpayment of school fees or any
3 other reason.

4 **Sec. 14.** RCW 28A.320.140 and 1994 sp.s. c 7 s 612 are each amended
5 to read as follows:

6 (1) School district boards of directors may establish schools or
7 programs which parents may choose for their children to attend in
8 which: (a) Students are required to conform to dress and grooming
9 codes, including requiring that students wear uniforms; (b) parents are
10 required to participate in the student's education; or (c) discipline
11 requirements are more stringent than in other schools in the district.

12 (2) School district boards of directors may establish schools or
13 programs in which: (a) Students are required to conform to dress and
14 grooming codes, including requiring that students wear uniforms; (b)
15 parents are regularly counseled and encouraged to participate in the
16 student's education; or (c) discipline requirements are more stringent
17 than in other schools in the district. School boards may require that
18 students who are subject to suspension or expulsion attend these
19 schools or programs as a condition of continued enrollment in the
20 school district.

21 (3) If students are required to wear uniforms in these programs or
22 schools, school districts shall accommodate students so that the
23 uniform requirement is not an unfair barrier to school attendance and
24 participation.

25 (4) Nothing in this section impairs or reduces in any manner
26 whatsoever the authority of a board under other law to impose a dress
27 and appearance code. However, if a board requires uniforms under such
28 other authority, it shall accommodate students so that the uniform
29 requirement is not an unfair barrier to school attendance and
30 participation.

31 (5) School district boards of directors may adopt dress and
32 grooming code policies which prohibit students from wearing gang-
33 related apparel. If a dress and grooming code policy contains this
34 provision, the school board must also establish policies to notify
35 students and parents of what clothing and apparel is considered to be
36 gang-related apparel. This notice must precede any disciplinary action
37 resulting from a student wearing gang-related apparel.

1 (6) School district boards of directors may not adopt a dress and
2 grooming code policy which precludes students who participate in
3 nationally recognized youth organizations from wearing organization
4 uniforms on days that the organization has a scheduled activity or
5 prohibit students from wearing clothing in observance of their
6 religion.

7 **Sec. 15.** RCW 9.94A.320 and 1996 c 302 s 6, 1996 c 205 s 3, and
8 1996 c 36 s 2 are each reenacted and amended to read as follows:

9 TABLE 2

10 CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

11	XV	Aggravated Murder 1 (RCW 10.95.020)
12	XIV	Murder 1 (RCW 9A.32.030)
13		Homicide by abuse (RCW 9A.32.055)
14	XIII	Murder 2 (RCW 9A.32.050)
15	XII	Assault 1 (RCW 9A.36.011)
16		Assault of a Child 1 (RCW 9A.36.120)
17	XI	Rape 1 (RCW 9A.44.040)
18		Rape of a Child 1 (RCW 9A.44.073)
19	X	Kidnapping 1 (RCW 9A.40.020)
20		Rape 2 (RCW 9A.44.050)
21		Rape of a Child 2 (RCW 9A.44.076)
22		Child Molestation 1 (RCW 9A.44.083)
23		Damaging building, etc., by explosion with
24		threat to human being (RCW
25		70.74.280(1))
26		Over 18 and deliver heroin or narcotic from
27		Schedule I or II to someone under 18
28		(RCW 69.50.406)
29		Leading Organized Crime (RCW
30		9A.82.060(1)(a))
31	IX	Assault of a Child 2 (RCW 9A.36.130)
32		Robbery 1 (RCW 9A.56.200)
33		Manslaughter 1 (RCW 9A.32.060)

1 Explosive devices prohibited (RCW
2 70.74.180)
3 Indecent Liberties (with forcible
4 compulsion) (RCW 9A.44.100(1)(a))
5 Endangering life and property by explosives
6 with threat to human being (RCW
7 70.74.270)
8 Over 18 and deliver narcotic from Schedule
9 III, IV, or V or a nonnarcotic from
10 Schedule I-V to someone under 18 and 3
11 years junior (RCW 69.50.406)
12 Controlled Substance Homicide (RCW
13 69.50.415)
14 Sexual Exploitation (RCW 9.68A.040)
15 Inciting Criminal Profiteering (RCW
16 9A.82.060(1)(b))
17 Vehicular Homicide, by being under the
18 influence of intoxicating liquor or
19 any drug (RCW 46.61.520)
20 VIII Arson 1 (RCW 9A.48.020)
21 Promoting Prostitution 1 (RCW 9A.88.070)
22 Selling for profit (controlled or
23 counterfeit) any controlled substance
24 (RCW 69.50.410)
25 Manufacture, deliver, or possess with
26 intent to deliver heroin or cocaine
27 (RCW 69.50.401(a)(1)(i))
28 Manufacture, deliver, or possess with
29 intent to deliver methamphetamine (RCW
30 69.50.401(a)(1)(ii))
31 Possession of ephedrine or pseudoephedrine
32 with intent to manufacture
33 methamphetamine (RCW 69.50.440)
34 Vehicular Homicide, by the operation of any
35 vehicle in a reckless manner (RCW
36 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 Gang Intimidation (RCW 9A.46.--
25 (section 3 of this act))
26 Criminal Mistreatment 2 (RCW 9A.42.030)
27 Abandonment of dependent person 2 (RCW
28 9A.42.070)
29 Extortion 2 (RCW 9A.56.130)
30 Unlawful Imprisonment (RCW 9A.40.040)
31 Assault 3 (RCW 9A.36.031)
32 Assault of a Child 3 (RCW 9A.36.140)
33 Custodial Assault (RCW 9A.36.100)
34 Unlawful possession of firearm in the
35 second degree (RCW 9.41.040(1)(b))
36 Harassment (RCW 9A.46.020)
37 Promoting Prostitution 2 (RCW 9A.88.080)
38 Willful Failure to Return from Work Release
39 (RCW 72.65.070)

1 Burglary 2 (RCW 9A.52.030)
2 Introducing Contraband 2 (RCW 9A.76.150)
3 Communication with a Minor for Immoral
4 Purposes (RCW 9.68A.090)
5 Patronizing a Juvenile Prostitute (RCW
6 9.68A.100)
7 Escape 2 (RCW 9A.76.120)
8 Perjury 2 (RCW 9A.72.030)
9 Bail Jumping with class B or C Felony (RCW
10 9A.76.170(2)(c))
11 Intimidating a Public Servant (RCW
12 9A.76.180)
13 Tampering with a Witness (RCW 9A.72.120)
14 Manufacture, deliver, or possess with
15 intent to deliver marijuana (RCW
16 69.50.401(a)(1)(iii))
17 Delivery of a material in lieu of a
18 controlled substance (RCW
19 69.50.401(c))
20 Manufacture, distribute, or possess with
21 intent to distribute an imitation
22 controlled substance (RCW
23 69.52.030(1))
24 Recklessly Trafficking in Stolen Property
25 (RCW 9A.82.050(1))
26 Theft of livestock 2 (RCW 9A.56.080)
27 Securities Act violation (RCW 21.20.400)
28 II Unlawful Practice of Law (RCW 2.48.180)
29 Malicious Mischief 1 (RCW 9A.48.070)
30 Possession of Stolen Property 1 (RCW
31 9A.56.150)
32 Theft 1 (RCW 9A.56.030)
33 Trafficking in Insurance Claims (RCW
34 48.30A.015)
35 Unlicensed Practice of a Profession or
36 Business (RCW 18.130.190(7))
37 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 Possession of Stolen Property 2 (RCW
14 9A.56.160)
15 Forgery (RCW 9A.60.020)
16 Taking Motor Vehicle Without Permission
17 (RCW 9A.56.070)
18 Vehicle Prowl 1 (RCW 9A.52.095)
19 Attempting to Elude a Pursuing Police
20 Vehicle (RCW 46.61.024)
21 Malicious Mischief 2 (RCW 9A.48.080)
22 Reckless Burning 1 (RCW 9A.48.040)
23 Unlawful Issuance of Checks or Drafts (RCW
24 9A.56.060)
25 Unlawful Use of Food Stamps (RCW 9.91.140
26 (2) and (3))
27 False Verification for Welfare (RCW
28 74.08.055)
29 Forged Prescription (RCW 69.41.020)
30 Forged Prescription for a Controlled
31 Substance (RCW 69.50.403)
32 Possess Controlled Substance that is a
33 Narcotic from Schedule III, IV, or V
34 or Non-narcotic from Schedule I-V
35 (except phencyclidine) (RCW
36 69.50.401(d))

37 NEW SECTION. **Sec. 16.** If any provision of this act or its
38 application to any person or circumstance is held invalid, the

1 remainder of the act or the application of the provision to other
2 persons or circumstances is not affected."

3 **E2SHB 1841** - S COMM AMD
4 By Committee on Education

5 ADOPTED AS AMENDED 4/15/97

6 On page 1, line 1 of the title, after "safety;" strike the
7 remainder of the title and insert "amending RCW 28A.635.020,
8 28A.600.020, 28A.400.110, 28A.635.060, and 28A.320.140; reenacting and
9 amending RCW 28A.225.330 and 9.94A.320; adding new sections to chapter
10 28A.600 RCW; adding a new section to chapter 9A.46 RCW; adding a new
11 section to chapter 28A.195 RCW; adding a new section to chapter 13.04
12 RCW; adding a new section to chapter 13.50 RCW; adding a new section to
13 chapter 28A.320 RCW; creating a new section; and prescribing
14 penalties."

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