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HOUSE BILL 2532

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State of Washington

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1998 Regular Session

By Representatives Sheahan, Costa, Lambert, Cody, Sterk, Voloria, Mason, Kenney, O'Brien, Cole, Conway, Dickerson, Chopp, Kessler, Constantine and Wood

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1 AN ACT Relating to full faith and credit for foreign protection  
2 orders; amending RCW 10.31.100; reenacting and amending RCW 9.94A.320;  
3 adding a new chapter to Title 26 RCW; and prescribing penalties.

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

5 NEW SECTION. **Sec. 1.** CITATION. This act may be known and cited  
6 as the Foreign Protection Order Full Faith and Credit Act.

7 NEW SECTION. **Sec. 2.** LEGISLATIVE INTENT. The problem of women  
8 fleeing across state lines to escape their abusers is epidemic in the  
9 United States. In 1994, Congress enacted the Violence Against Women  
10 Act (VAWA) as Title IV of the Violent Crime Control and Law Enforcement  
11 Act (P.L. 103-322). The VAWA provides for improved prevention and  
12 prosecution of violent crimes against women and children. Section 2265  
13 of the VAWA (Title IV, P.L. 103-322) provides for nation-wide  
14 enforcement of civil and criminal protection orders in state and tribal  
15 courts throughout the country.

16 The legislature finds that existing statutes may not provide an  
17 adequate mechanism for victims, police, prosecutors, and courts to  
18 enforce a foreign protection order in our state. It is the intent of

1 the legislature that the barriers faced by persons entitled to  
2 protection under a foreign protection order will be removed and that  
3 violations of foreign protection orders be criminally prosecuted in  
4 this state.

5 NEW SECTION. **Sec. 3.** DEFINITIONS. The definitions in this  
6 section apply throughout this chapter unless the context clearly  
7 requires otherwise.

8 (1) "Domestic or family violence" includes, but is not limited to,  
9 conduct when committed by one family member against another that is  
10 classified in the jurisdiction where the conduct occurred as a domestic  
11 violence crime or a crime committed in another jurisdiction that under  
12 the laws of this state would be classified as domestic violence under  
13 RCW 10.99.020.

14 (2) "Family or household members" means spouses, former spouses,  
15 persons who have a child in common regardless of whether they have been  
16 married or have lived together at any time, adult persons related by  
17 blood or marriage, adult persons who are presently residing together or  
18 who have resided together in the past, persons sixteen years of age or  
19 older who are presently residing together or who have resided together  
20 in the past and who have or have had a dating relationship, persons  
21 sixteen years of age or older with whom a person sixteen years of age  
22 or older has or has had a dating relationship, and persons who have a  
23 biological or legal parent-child relationship, including stepparents  
24 and stepchildren and grandparents and grandchildren.

25 (3) "Foreign protection order" means an injunction or other order  
26 issued by a court of another state, territory, or possession of the  
27 United States, the Commonwealth of Puerto Rico, or the District of  
28 Columbia, or any United States military tribunal, or a tribal court, in  
29 a civil or criminal action related to domestic or family violence,  
30 harassment, sexual abuse, or stalking, for the purpose of preventing  
31 violent or threatening acts or harassment against, or contact or  
32 communication with or physical proximity to another person.

33 (4) "Harassment" includes, but is not limited to, conduct that is  
34 classified in the jurisdiction where the conduct occurred as harassment  
35 or a crime committed in another jurisdiction that under the laws of  
36 this state would be classified as harassment under RCW 9A.46.040.

37 (5) "Judicial day" does not include Saturdays, Sundays, or legal  
38 holidays in Washington state.

1 (6) "Person entitled to protection" means a person, regardless of  
2 whether the person was the moving party in the foreign jurisdiction,  
3 who is benefited by the foreign protection order.

4 (7) "Person under restraint" means a person, regardless of whether  
5 the person was the responding party in the foreign jurisdiction, whose  
6 ability to contact or communicate with another person, or to be  
7 physically close to another person, is restricted by the foreign  
8 protection order.

9 (8) "Sexual abuse" includes, but is not limited to, conduct that is  
10 classified in the jurisdiction where the conduct occurred as a sex  
11 offense or a crime committed in another jurisdiction that under the  
12 laws of this state would be classified as a sex offense under RCW  
13 9.94A.030.

14 (9) "Stalking" includes, but is not limited to, conduct that is  
15 classified in the jurisdiction where the conduct occurred as stalking  
16 or a crime committed in another jurisdiction that under the laws of  
17 this state would be classified as stalking under RCW 9A.46.110.

18 (10) "Washington court" includes the superior, district, and  
19 municipal courts of the state of Washington.

20 NEW SECTION. **Sec. 4.** VALID FOREIGN PROTECTION ORDERS. A foreign  
21 protection order is valid if the issuing court had jurisdiction over  
22 the parties and matter under the law of the state, territory, or  
23 possession, or tribe or United States military tribunal. There is a  
24 presumption in favor of validity where an order appears authentic on  
25 its face.

26 NEW SECTION. **Sec. 5.** FILING OF FOREIGN PROTECTION ORDERS. (1) A  
27 person entitled to protection who has a valid foreign protection order  
28 may file that order by presenting a certified, authenticated, or  
29 exemplified copy of the foreign protection order to a clerk of the  
30 court of a Washington court in which the person entitled to protection  
31 resides or to a clerk of the court of a Washington court where the  
32 person entitled to protection believes enforcement may be necessary.

33 (2) Filing of a foreign protection order with a court and entry of  
34 the foreign protection order into any computer-based criminal  
35 intelligence information system available in this state used by law  
36 enforcement agencies to list outstanding warrants are not prerequisites  
37 for enforcement of the foreign protection order.

1 (3) The court shall accept the filing of a foreign protection order  
2 without a fee or cost.

3 (4) The clerk of the court shall provide information to a person  
4 entitled to protection of the availability of domestic violence, sexual  
5 abuse, and other services to victims in the community where the court  
6 is located and in the state.

7 (5) The clerk of the court shall assist the person entitled to  
8 protection in completing an information form that must include, but  
9 need not be limited to, the following:

10 (a) The name of the person entitled to protection and any other  
11 protected parties;

12 (b) The name and address of the person who is subject to the  
13 restraint provisions of the foreign protection order;

14 (c) The date the foreign protection order was entered;

15 (d) The date the foreign protection order expires;

16 (e) The relief granted under . . . . . (specify the  
17 relief awarded and citations thereto, and designate which of the  
18 violations are arrestable offenses);

19 (f) The judicial district and contact information for court  
20 administration for the court in which the foreign protection order was  
21 entered;

22 (g) The Social Security number, date of birth, and description of  
23 the person subject to the restraint provisions of the foreign  
24 protection order;

25 (h) Whether the person who is subject to the restraint provisions  
26 of the foreign protection order is believed to be armed and dangerous;

27 (i) Whether the person who is subject to the restraint provisions  
28 of the foreign protection order was served with the order, and if so,  
29 the method used to serve the order.

30 An inability to answer any of the above questions does not preclude  
31 the filing or enforcement of a foreign protection order.

32 (6) The clerk of the court shall forward a copy of the foreign  
33 protection order and the completed information form to the county  
34 sheriff on or before the next judicial day for entry into any  
35 computer-based criminal intelligence information system available in  
36 this state used by law enforcement agencies to list outstanding  
37 warrants.

38 (7) The clerk of the court shall provide the person entitled to  
39 protection with a copy bearing proof of filing with the court.

1        NEW SECTION.    **Sec. 6.**    TRANSMITTAL OF FILED FOREIGN PROTECTION  
2 ORDERS TO LAW ENFORCEMENT AGENCY.    (1) The clerk of the court shall  
3 forward a copy of a foreign protection order that is filed under this  
4 chapter on or before the next judicial day to the county sheriff along  
5 with the completed information form.

6        Upon receipt of a filed foreign protection order, the county  
7 sheriff shall immediately enter the foreign protection order into any  
8 computer-based criminal intelligence information system available in  
9 this state used by law enforcement agencies to list outstanding  
10 warrants. The foreign protection order must remain in the computer for  
11 the period stated in the order. The county sheriff shall only expunge  
12 from the computer-based criminal intelligence information system  
13 foreign protection orders that are expired, vacated, or superseded.  
14 Entry into the law enforcement information system constitutes notice to  
15 all law enforcement agencies of the existence of the foreign protection  
16 order. The foreign protection order is fully enforceable in any county  
17 in the state.

18        (2) The information entered into the computer-based criminal  
19 intelligence information system must include, if available, notice to  
20 law enforcement whether the foreign protection order was served and the  
21 method of service.

22        NEW SECTION.    **Sec. 7.**    PEACE OFFICER IMMUNITY. A peace officer may  
23 not be held criminally or civilly liable for making an arrest under  
24 this chapter if the peace officer acted in good faith and without  
25 malice.

26        NEW SECTION.    **Sec. 8.**    FEES NOT PERMITTED. A public agency may not  
27 charge a fee for filing or preparation of certified, authenticated, or  
28 exemplified copies to a person entitled to protection who seeks relief  
29 under this chapter or to a foreign prosecutor or a foreign law  
30 enforcement agency seeking to enforce a protection order entered by a  
31 Washington court. A person entitled to protection and foreign  
32 prosecutors or law enforcement agencies must be provided the necessary  
33 number of certified, authenticated, or exemplified copies at no cost.

34        NEW SECTION.    **Sec. 9.**    VIOLATION OF FOREIGN ORDERS. (1) Whenever  
35 a foreign protection order is granted to a person entitled to  
36 protection and the person under restraint knows of the foreign

1 protection order, a violation of a provision prohibiting the person  
2 under restraint from contacting or communicating with another person,  
3 or of a provision excluding the person under restraint from a  
4 residence, workplace, school, or day care, or a violation of any  
5 provision for which the foreign protection order specifically indicates  
6 that a violation will be a crime, is a gross misdemeanor except as  
7 provided in subsections (3) and (4) of this section. Upon conviction,  
8 and in addition to any other penalties provided by law, the court may  
9 require the person under restraint to submit to electronic monitoring.  
10 The court shall specify who will provide the electronic monitoring  
11 services, and the terms under which the monitoring will be performed.  
12 The order also may include a requirement that the person under  
13 restraint pay the costs of the monitoring. The court shall consider  
14 the ability of the convicted person to pay for electronic monitoring.

15 (2) A peace officer shall arrest without a warrant and take into  
16 custody a person when the peace officer has probable cause to believe  
17 that a foreign protection order has been issued of which the person  
18 under restraint has knowledge and the person under restraint has  
19 violated a provision of the foreign protection order that prohibits the  
20 person under restraint from contacting or communicating with another  
21 person, or a provision that excludes the person under restraint from a  
22 residence, workplace, school, or day care, or a violation of any  
23 provision for which the foreign protection order specifically indicates  
24 that a violation will be a crime. Presence of the order in the law  
25 enforcement computer-based criminal intelligence information system is  
26 not the only means of establishing knowledge of the order.

27 (3) An assault that is a violation of a valid foreign protection  
28 order that does not amount to assault in the first or second degree  
29 under RCW 9A.36.011 or 9A.36.021 is a class C felony, and conduct in  
30 violation of a valid foreign protection order issued under this chapter  
31 that is reckless and creates a substantial risk of death or serious  
32 physical injury to another person is a class C felony.

33 (4) A violation of a valid foreign protection order is a class C  
34 felony if the offender has at least two previous convictions for  
35 violating the provisions of a no-contact order issued under chapter  
36 10.99 RCW, a domestic violence protection order issued under chapter  
37 26.09, 26.10, 26.26, or 26.50 RCW, or a federal or out-of-state order  
38 that is comparable to a no-contact or protection order issued under  
39 Washington law. The previous convictions may involve the same person

1 entitled to protection or other person entitled to protection  
2 specifically protected by the no-contact orders or protection orders  
3 the offender violated.

4 **Sec. 10.** RCW 10.31.100 and 1997 c 66 s 10 are each amended to read  
5 as follows:

6 A police officer having probable cause to believe that a person has  
7 committed or is committing a felony shall have the authority to arrest  
8 the person without a warrant. A police officer may arrest a person  
9 without a warrant for committing a misdemeanor or gross misdemeanor  
10 only when the offense is committed in the presence of the officer,  
11 except as provided in subsections (1) through (10) of this section.

12 (1) Any police officer having probable cause to believe that a  
13 person has committed or is committing a misdemeanor or gross  
14 misdemeanor, involving physical harm or threats of harm to any person  
15 or property or the unlawful taking of property or involving the use or  
16 possession of cannabis, or involving the acquisition, possession, or  
17 consumption of alcohol by a person under the age of twenty-one years  
18 under RCW 66.44.270, or involving criminal trespass under RCW 9A.52.070  
19 or 9A.52.080, shall have the authority to arrest the person.

20 (2) A police officer shall arrest and take into custody, pending  
21 release on bail, personal recognizance, or court order, a person  
22 without a warrant when the officer has probable cause to believe that:

23 (a) An order has been issued of which the person has knowledge  
24 under RCW 10.99.040(2), 10.99.050, 26.09.050, 26.09.060, 26.10.040,  
25 26.10.115, 26.44.063, chapter 26.26 RCW, or chapter 26.50 RCW  
26 restraining the person and the person has violated the terms of the  
27 order restraining the person from acts or threats of violence or  
28 restraining the person from going onto the grounds of or entering a  
29 residence, workplace, school, or day care or, in the case of an order  
30 issued under RCW 26.44.063, imposing any other restrictions or  
31 conditions upon the person; or

32 (b) A foreign protection order, as defined in section 3 of this  
33 act, has been issued of which the person under restraint has knowledge  
34 and the person under restraint has violated a provision of the foreign  
35 protection order prohibiting the person under restraint from contacting  
36 or communicating with another person, or of a provision excluding the  
37 person under restraint from a residence, workplace, school, or day

1 care, or a violation of any provision for which the foreign protection  
2 order specifically indicates that a violation will be a crime; or

3 (c) The person is sixteen years or older and within the preceding  
4 four hours has assaulted a family or household member as defined in RCW  
5 10.99.020 and the officer believes: (i) A felonious assault has  
6 occurred; (ii) an assault has occurred which has resulted in bodily  
7 injury to the victim, whether the injury is observable by the  
8 responding officer or not; or (iii) that any physical action has  
9 occurred which was intended to cause another person reasonably to fear  
10 imminent serious bodily injury or death. Bodily injury means physical  
11 pain, illness, or an impairment of physical condition. When the  
12 officer has probable cause to believe that family or household members  
13 have assaulted each other, the officer is not required to arrest both  
14 persons. The officer shall arrest the person whom the officer believes  
15 to be the primary physical aggressor. In making this determination,  
16 the officer shall make every reasonable effort to consider: (A) The  
17 intent to protect victims of domestic violence under RCW 10.99.010; (B)  
18 the comparative extent of injuries inflicted or serious threats  
19 creating fear of physical injury; and (C) the history of domestic  
20 violence between the persons involved.

21 (3) Any police officer having probable cause to believe that a  
22 person has committed or is committing a violation of any of the  
23 following traffic laws shall have the authority to arrest the person:

24 (a) RCW 46.52.010, relating to duty on striking an unattended car  
25 or other property;

26 (b) RCW 46.52.020, relating to duty in case of injury to or death  
27 of a person or damage to an attended vehicle;

28 (c) RCW 46.61.500 or 46.61.530, relating to reckless driving or  
29 racing of vehicles;

30 (d) RCW 46.61.502 or 46.61.504, relating to persons under the  
31 influence of intoxicating liquor or drugs;

32 (e) RCW 46.20.342, relating to driving a motor vehicle while  
33 operator's license is suspended or revoked;

34 (f) RCW 46.61.5249, relating to operating a motor vehicle in a  
35 negligent manner.

36 (4) A law enforcement officer investigating at the scene of a motor  
37 vehicle accident may arrest the driver of a motor vehicle involved in  
38 the accident if the officer has probable cause to believe that the



1 driver has committed in connection with the accident a violation of any  
2 traffic law or regulation.

3 (5) Any police officer having probable cause to believe that a  
4 person has committed or is committing a violation of RCW 88.12.025  
5 shall have the authority to arrest the person.

6 (6) An officer may act upon the request of a law enforcement  
7 officer in whose presence a traffic infraction was committed, to stop,  
8 detain, arrest, or issue a notice of traffic infraction to the driver  
9 who is believed to have committed the infraction. The request by the  
10 witnessing officer shall give an officer the authority to take  
11 appropriate action under the laws of the state of Washington.

12 (7) Any police officer having probable cause to believe that a  
13 person has committed or is committing any act of indecent exposure, as  
14 defined in RCW 9A.88.010, may arrest the person.

15 (8) A police officer may arrest and take into custody, pending  
16 release on bail, personal recognizance, or court order, a person  
17 without a warrant when the officer has probable cause to believe that  
18 an order has been issued of which the person has knowledge under  
19 chapter 10.14 RCW and the person has violated the terms of that order.

20 (9) Any police officer having probable cause to believe that a  
21 person has, within twenty-four hours of the alleged violation,  
22 committed a violation of RCW 9A.50.020 may arrest such person.

23 (10) A police officer having probable cause to believe that a  
24 person illegally possesses or illegally has possessed a firearm or  
25 other dangerous weapon on private or public elementary or secondary  
26 school premises shall have the authority to arrest the person.

27 For purposes of this subsection, the term "firearm" has the meaning  
28 defined in RCW 9.41.010 and the term "dangerous weapon" has the meaning  
29 defined in RCW 9.41.250 and 9.41.280(1) (c) through (e).

30 (11) Except as specifically provided in subsections (2), (3), (4),  
31 and (6) of this section, nothing in this section extends or otherwise  
32 affects the powers of arrest prescribed in Title 46 RCW.

33 (12) No police officer may be held criminally or civilly liable for  
34 making an arrest pursuant to RCW 10.31.100 (2) or (8) if the police  
35 officer acts in good faith and without malice.

36 **Sec. 11.** RCW 9.94A.320 and 1997 c 365 s 4, 1997 c 346 s 3, 1997 c  
37 340 s 1, 1997 c 338 s 51, 1997 c 266 s 15, and 1997 c 120 s 5 are each  
38 reenacted and amended to read as follows:

TABLE 2

CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

1		
2		
3	XV	Aggravated Murder 1 (RCW 10.95.020)
4	XIV	Murder 1 (RCW 9A.32.030)
5		Homicide by abuse (RCW 9A.32.055)
6		Malicious explosion 1 (RCW 70.74.280(1))
7	XIII	Murder 2 (RCW 9A.32.050)
8		Malicious explosion 2 (RCW 70.74.280(2))
9		Malicious placement of an explosive 1 (RCW
10		70.74.270(1))
11	XII	Assault 1 (RCW 9A.36.011)
12		Assault of a Child 1 (RCW 9A.36.120)
13		Rape 1 (RCW 9A.44.040)
14		Rape of a Child 1 (RCW 9A.44.073)
15		Malicious placement of an imitation device
16		1 (RCW 70.74.272(1)(a))
17	XI	Rape 2 (RCW 9A.44.050)
18		Rape of a Child 2 (RCW 9A.44.076)
19		Manslaughter 1 (RCW 9A.32.060)
20	X	Kidnapping 1 (RCW 9A.40.020)
21		Child Molestation 1 (RCW 9A.44.083)
22		Malicious explosion 3 (RCW 70.74.280(3))
23		Over 18 and deliver heroin or narcotic from
24		Schedule I or II to someone under 18
25		(RCW 69.50.406)
26		Leading Organized Crime (RCW
27		9A.82.060(1)(a))
28		Indecent Liberties (with forcible
29		compulsion) (RCW 9A.44.100(1)(a))
30	IX	Assault of a Child 2 (RCW 9A.36.130)
31		Robbery 1 (RCW 9A.56.200)
32		Explosive devices prohibited (RCW
33		70.74.180)

1 Malicious placement of an explosive 2 (RCW  
2 70.74.270(2))  
3 Over 18 and deliver narcotic from Schedule  
4 III, IV, or V or a nonnarcotic from  
5 Schedule I-V to someone under 18 and 3  
6 years junior (RCW 69.50.406)  
7 Controlled Substance Homicide (RCW  
8 69.50.415)  
9 Sexual Exploitation (RCW 9.68A.040)  
10 Inciting Criminal Profiteering (RCW  
11 9A.82.060(1)(b))  
12 Vehicular Homicide, by being under the  
13 influence of intoxicating liquor or  
14 any drug (RCW 46.61.520)

15 VIII Arson 1 (RCW 9A.48.020)  
16 Promoting Prostitution 1 (RCW 9A.88.070)  
17 Selling for profit (controlled or  
18 counterfeit) any controlled substance  
19 (RCW 69.50.410)  
20 Manufacture, deliver, or possess with  
21 intent to deliver heroin or cocaine  
22 (RCW 69.50.401(a)(1)(i))  
23 Manufacture, deliver, or possess with  
24 intent to deliver methamphetamine (RCW  
25 69.50.401(a)(1)(ii))  
26 Possession of ephedrine or pseudoephedrine  
27 with intent to manufacture  
28 methamphetamine (RCW 69.50.440)  
29 Vehicular Homicide, by the operation of any  
30 vehicle in a reckless manner (RCW  
31 46.61.520)  
32 Manslaughter 2 (RCW 9A.32.070)

33 VII Burglary 1 (RCW 9A.52.020)  
34 Vehicular Homicide, by disregard for the  
35 safety of others (RCW 46.61.520)  
36 Introducing Contraband 1 (RCW 9A.76.140)

1 Indecent Liberties (without forcible  
2 compulsion) (RCW 9A.44.100(1) (b) and  
3 (c))  
4 Child Molestation 2 (RCW 9A.44.086)  
5 Dealing in depictions of minor engaged in  
6 sexually explicit conduct (RCW  
7 9.68A.050)  
8 Sending, bringing into state depictions of  
9 minor engaged in sexually explicit  
10 conduct (RCW 9.68A.060)  
11 Involving a minor in drug dealing (RCW  
12 69.50.401(f))  
13 Drive-by Shooting (RCW 9A.36.045)  
14 Unlawful Possession of a Firearm in the  
15 first degree (RCW 9.41.040(1)(a))  
16 Malicious placement of an explosive 3 (RCW  
17 70.74.270(3))  
18 VI Bribery (RCW 9A.68.010)  
19 Rape of a Child 3 (RCW 9A.44.079)  
20 Intimidating a Juror/Witness (RCW  
21 9A.72.110, 9A.72.130)  
22 Malicious placement of an imitation device  
23 2 (RCW 70.74.272(1)(b))  
24 Incest 1 (RCW 9A.64.020(1))  
25 Manufacture, deliver, or possess with  
26 intent to deliver narcotics from  
27 Schedule I or II (except heroin or  
28 cocaine) (RCW 69.50.401(a)(1)(i))  
29 Intimidating a Judge (RCW 9A.72.160)  
30 Bail Jumping with Murder 1 (RCW  
31 9A.76.170(2)(a))  
32 Theft of a Firearm (RCW 9A.56.300)  
33 V Persistent prison misbehavior (RCW  
34 9.94.070)  
35 Criminal Mistreatment 1 (RCW 9A.42.020)  
36 Abandonment of dependent person 1 (RCW  
37 9A.42.060)  
38 Rape 3 (RCW 9A.44.060)

1 Sexual Misconduct with a Minor 1 (RCW  
2 9A.44.093)  
3 Child Molestation 3 (RCW 9A.44.089)  
4 Kidnapping 2 (RCW 9A.40.030)  
5 Extortion 1 (RCW 9A.56.120)  
6 Incest 2 (RCW 9A.64.020(2))  
7 Perjury 1 (RCW 9A.72.020)  
8 Extortionate Extension of Credit (RCW  
9 9A.82.020)  
10 Advancing money or property for  
11 extortionate extension of credit (RCW  
12 9A.82.030)  
13 Extortionate Means to Collect Extensions of  
14 Credit (RCW 9A.82.040)  
15 Rendering Criminal Assistance 1 (RCW  
16 9A.76.070)  
17 Bail Jumping with class A Felony (RCW  
18 9A.76.170(2)(b))  
19 Sexually Violating Human Remains (RCW  
20 9A.44.105)  
21 Delivery of imitation controlled substance  
22 by person eighteen or over to person  
23 under eighteen (RCW 69.52.030(2))  
24 Possession of a Stolen Firearm (RCW  
25 9A.56.310)  
26 Violation of a Foreign Protection Order  
27 (section 9(3) and (4) of this act)  
28 IV Residential Burglary (RCW 9A.52.025)  
29 Theft of Livestock 1 (RCW 9A.56.080)  
30 Robbery 2 (RCW 9A.56.210)  
31 Assault 2 (RCW 9A.36.021)  
32 Escape 1 (RCW 9A.76.110)  
33 Arson 2 (RCW 9A.48.030)  
34 Commercial Bribery (RCW 9A.68.060)  
35 Bribing a Witness/Bribe Received by Witness  
36 (RCW 9A.72.090, 9A.72.100)  
37 Malicious Harassment (RCW 9A.36.080)  
38 Threats to Bomb (RCW 9.61.160)

1 Willful Failure to Return from Furlough  
2 (RCW 72.66.060)  
3 Hit and Run--Injury Accident (RCW  
4 46.52.020(4))  
5 Hit and Run with Vessel--Injury Accident  
6 (RCW 88.12.155(3))  
7 Vehicular Assault (RCW 46.61.522)  
8 Manufacture, deliver, or possess with  
9 intent to deliver narcotics from  
10 Schedule III, IV, or V or nonnarcotics  
11 from Schedule I-V (except marijuana or  
12 methamphetamines) (RCW 69.50.401  
13 (a)(1) (iii) through (v))  
14 Influencing Outcome of Sporting Event (RCW  
15 9A.82.070)  
16 Use of Proceeds of Criminal Profiteering  
17 (RCW 9A.82.080 (1) and (2))  
18 Knowingly Trafficking in Stolen Property  
19 (RCW 9A.82.050(2))  
20 III Criminal Gang Intimidation (RCW 9A.46.120)  
21 Criminal Mistreatment 2 (RCW 9A.42.030)  
22 Abandonment of dependent person 2 (RCW  
23 9A.42.070)  
24 Extortion 2 (RCW 9A.56.130)  
25 Unlawful Imprisonment (RCW 9A.40.040)  
26 Assault 3 (RCW 9A.36.031)  
27 Assault of a Child 3 (RCW 9A.36.140)  
28 Custodial Assault (RCW 9A.36.100)  
29 Unlawful possession of firearm in the  
30 second degree (RCW 9.41.040(1)(b))  
31 Harassment (RCW 9A.46.020)  
32 Promoting Prostitution 2 (RCW 9A.88.080)  
33 Willful Failure to Return from Work Release  
34 (RCW 72.65.070)  
35 Burglary 2 (RCW 9A.52.030)  
36 Introducing Contraband 2 (RCW 9A.76.150)  
37 Communication with a Minor for Immoral  
38 Purposes (RCW 9.68A.090)

1 Patronizing a Juvenile Prostitute (RCW  
2 9.68A.100)  
3 Escape 2 (RCW 9A.76.120)  
4 Perjury 2 (RCW 9A.72.030)  
5 Bail Jumping with class B or C Felony (RCW  
6 9A.76.170(2)(c))  
7 Intimidating a Public Servant (RCW  
8 9A.76.180)  
9 Tampering with a Witness (RCW 9A.72.120)  
10 Manufacture, deliver, or possess with  
11 intent to deliver marijuana (RCW  
12 69.50.401(a)(1)(iii))  
13 Delivery of a material in lieu of a  
14 controlled substance (RCW  
15 69.50.401(c))  
16 Manufacture, distribute, or possess with  
17 intent to distribute an imitation  
18 controlled substance (RCW  
19 69.52.030(1))  
20 Recklessly Trafficking in Stolen Property  
21 (RCW 9A.82.050(1))  
22 Theft of livestock 2 (RCW 9A.56.080)  
23 Securities Act violation (RCW 21.20.400)  
24 II Unlawful Practice of Law (RCW 2.48.180)  
25 Malicious Mischief 1 (RCW 9A.48.070)  
26 Possession of Stolen Property 1 (RCW  
27 9A.56.150)  
28 Theft 1 (RCW 9A.56.030)  
29 Class B Felony Theft of Rental, Leased, or  
30 Lease-purchased Property (RCW  
31 9A.56.096(4))  
32 Trafficking in Insurance Claims (RCW  
33 48.30A.015)  
34 Unlicensed Practice of a Profession or  
35 Business (RCW 18.130.190(7))  
36 Health Care False Claims (RCW 48.80.030)  
37 Possession of controlled substance that is  
38 either heroin or narcotics from  
39 Schedule I or II (RCW 69.50.401(d))

1 Possession of phencyclidine (PCP) (RCW  
2 69.50.401(d))  
3 Create, deliver, or possess a counterfeit  
4 controlled substance (RCW  
5 69.50.401(b))  
6 Computer Trespass 1 (RCW 9A.52.110)  
7 Escape from Community Custody (RCW  
8 72.09.310)

9 I Theft 2 (RCW 9A.56.040)  
10 Class C Felony Theft of Rental, Leased, or  
11 Lease-purchased Property (RCW  
12 9A.56.096(4))  
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. 12.** Sections 1 through 9 and 13 of this act  
38 constitute a new chapter in Title 26 RCW.



1        NEW SECTION.    **Sec. 13.**    CAPTIONS NOT LAW.    Captions used in this  
2 chapter are not part of the law.

3        NEW SECTION.    **Sec. 14.**    If any provision of this act or its  
4 application to any person or circumstance is held invalid, the  
5 remainder of the act or the application of the provision to other  
6 persons or circumstances is not affected.

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