
SENATE BILL 6188

State of Washington 55th Legislature 1998 Regular Session

By Senators Oke, Benton, Strannigan, Bauer and Winsley

Read first time 01/13/98. Referred to Committee on Law & Justice.

1 AN ACT Relating to registration of sex offenders; and reenacting
2 and amending RCW 9A.44.130, 9.94A.310, and 9.94A.320.

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

4 **Sec. 1.** RCW 9A.44.130 and 1997 c 340 s 3 and 1997 c 113 s 3 are
5 each reenacted and amended to read as follows:

6 (1) Any adult or juvenile residing in this state who has been found
7 to have committed or has been convicted of any sex offense or
8 kidnapping offense, or who has been found not guilty by reason of
9 insanity under chapter 10.77 RCW of committing any sex offense or
10 kidnapping offense, shall register with the county sheriff for the
11 county of the person's residence.

12 (2) The person shall provide the county sheriff with the following
13 information when registering: (a) Name; (b) address; (c) date and
14 place of birth; (d) place of employment; (e) crime for which convicted;
15 (f) date and place of conviction; (g) aliases used; and (h) social
16 security number.

17 (3)(a) Offenders shall register within the following deadlines.
18 For purposes of this section the term "conviction" refers to adult

1 convictions and juvenile adjudications for sex offenses or kidnapping
2 offenses:

3 (i) OFFENDERS IN CUSTODY. (A) Sex offenders who committed a sex
4 offense on, before, or after February 28, 1990, and who, on or after
5 July 28, 1991, are in custody, as a result of that offense, of the
6 state department of corrections, the state department of social and
7 health services, a local division of youth services, or a local jail or
8 juvenile detention facility, and (B) kidnapping offenders who on or
9 after July 27, 1997, are in custody of the state department of
10 corrections, the state department of social and health services, a
11 local division of youth services, or a local jail or juvenile detention
12 facility, must register within twenty-four hours from the time of
13 release with the county sheriff for the county of the person's
14 residence. The agency that has jurisdiction over the offender shall
15 provide notice to the offender of the duty to register. Failure to
16 register within twenty-four hours of release constitutes a violation of
17 this section and is punishable as provided in subsection (7) of this
18 section.

19 (ii) OFFENDERS NOT IN CUSTODY BUT UNDER STATE OR LOCAL
20 JURISDICTION. Sex offenders who, on July 28, 1991, are not in custody
21 but are under the jurisdiction of the indeterminate sentence review
22 board or under the department of correction's active supervision, as
23 defined by the department of corrections, the state department of
24 social and health services, or a local division of youth services, for
25 sex offenses committed before, on, or after February 28, 1990, must
26 register within ten days of July 28, 1991. Kidnapping offenders who,
27 on July 27, 1997, are not in custody but are under the jurisdiction of
28 the indeterminate sentence review board or under the department of
29 correction's active supervision, as defined by the department of
30 corrections, the state department of social and health services, or a
31 local division of youth services, for kidnapping offenses committed
32 before, on, or after July 27, 1997, must register within ten days of
33 July 27, 1997. A change in supervision status of a sex offender who
34 was required to register under this subsection (3)(a)(ii) as of July
35 28, 1991, or a kidnapping offender required to register as of July 27,
36 1997, shall not relieve the offender of the duty to register or to
37 reregister following a change in residence. The obligation to register
38 shall only cease pursuant to RCW 9A.44.140.

1 (iii) OFFENDERS UNDER FEDERAL JURISDICTION. Sex offenders who, on
2 or after July 23, 1995, and kidnapping offenders who, on or after July
3 27, 1997, as a result of that offense are in the custody of the United
4 States bureau of prisons or other federal or military correctional
5 agency for sex offenses committed before, on, or after February 28,
6 1990, or kidnapping offenses committed on, before, or after July 27,
7 1997, must register within twenty-four hours from the time of release
8 with the county sheriff for the county of the person's residence. Sex
9 offenders who, on July 23, 1995, are not in custody but are under the
10 jurisdiction of the United States bureau of prisons, United States
11 courts, United States parole commission, or military parole board for
12 sex offenses committed before, on, or after February 28, 1990, must
13 register within ten days of July 23, 1995. Kidnapping offenders who,
14 on July 27, 1997, are not in custody but are under the jurisdiction of
15 the United States bureau of prisons, United States courts, United
16 States parole commission, or military parole board for kidnapping
17 offenses committed before, on, or after July 27, 1997, must register
18 within ten days of July 27, 1997. A change in supervision status of a
19 sex offender who was required to register under this subsection
20 (3)(a)(iii) as of July 23, 1995, or a kidnapping offender required to
21 register as of July 27, 1997, shall not relieve the offender of the
22 duty to register or to reregister following a change in residence. The
23 obligation to register shall only cease pursuant to RCW 9A.44.140.

24 (iv) OFFENDERS WHO ARE CONVICTED BUT NOT CONFINED. Sex offenders
25 who are convicted of a sex offense on or after July 28, 1991, for a sex
26 offense that was committed on or after February 28, 1990, and
27 kidnapping offenders who are convicted on or after July 27, 1997, for
28 a kidnapping offense that was committed on or after July 27, 1997, but
29 who are not sentenced to serve a term of confinement immediately upon
30 sentencing, shall report to the county sheriff to register immediately
31 upon completion of being sentenced.

32 (v) OFFENDERS WHO ARE NEW RESIDENTS OR RETURNING WASHINGTON
33 RESIDENTS. Sex offenders and kidnapping offenders who move to
34 Washington state from another state or a foreign country that are not
35 under the jurisdiction of the state department of corrections, the
36 indeterminate sentence review board, or the state department of social
37 and health services at the time of moving to Washington, must register
38 within thirty days of establishing residence or reestablishing
39 residence if the person is a former Washington resident. The duty to

1 register under this subsection applies to sex offenders convicted under
2 the laws of another state or a foreign country, federal or military
3 statutes, or Washington state for offenses committed on or after
4 February 28, 1990, and to kidnapping offenders convicted under the laws
5 of another state or a foreign country, federal or military statutes, or
6 Washington state for offenses committed on or after July 27, 1997. Sex
7 offenders and kidnapping offenders from other states or a foreign
8 country who, when they move to Washington, are under the jurisdiction
9 of the department of corrections, the indeterminate sentence review
10 board, or the department of social and health services must register
11 within twenty-four hours of moving to Washington. The agency that has
12 jurisdiction over the offender shall notify the offender of the
13 registration requirements before the offender moves to Washington.

14 (vi) OFFENDERS FOUND NOT GUILTY BY REASON OF INSANITY. Any adult
15 or juvenile who has been found not guilty by reason of insanity under
16 chapter 10.77 RCW of (A) committing a sex offense on, before, or after
17 February 28, 1990, and who, on or after July 23, 1995, is in custody,
18 as a result of that finding, of the state department of social and
19 health services, or (B) committing a kidnapping offense on, before, or
20 after July 27, 1997, and who on or after July 27, 1997, is in custody,
21 as a result of that finding, of the state department of social and
22 health services, must register within twenty-four hours from the time
23 of release with the county sheriff for the county of the person's
24 residence. The state department of social and health services shall
25 provide notice to the adult or juvenile in its custody of the duty to
26 register. Any adult or juvenile who has been found not guilty by
27 reason of insanity of committing a sex offense on, before, or after
28 February 28, 1990, but who was released before July 23, 1995, or any
29 adult or juvenile who has been found not guilty by reason of insanity
30 of committing a kidnapping offense but who was released before July 27,
31 1997, shall be required to register within twenty-four hours of
32 receiving notice of this registration requirement. The state
33 department of social and health services shall make reasonable attempts
34 within available resources to notify sex offenders who were released
35 before July 23, 1995, and kidnapping offenders who were released before
36 July 27, 1997. Failure to register within twenty-four hours of
37 release, or of receiving notice, constitutes a violation of this
38 section and is punishable as provided in subsection (7) of this
39 section.

1 (b) Failure to register within the time required under this section
2 constitutes a per se violation of this section and is punishable as
3 provided in subsection (7) of this section. The county sheriff shall
4 not be required to determine whether the person is living within the
5 county.

6 (c) An arrest on charges of failure to register, service of an
7 information, or a complaint for a violation of this section, or
8 arraignment on charges for a violation of this section, constitutes
9 actual notice of the duty to register. Any person charged with the
10 crime of failure to register under this section who asserts as a
11 defense the lack of notice of the duty to register shall register
12 immediately following actual notice of the duty through arrest,
13 service, or arraignment. Failure to register as required under this
14 subsection (c) constitutes grounds for filing another charge of failing
15 to register. Registering following arrest, service, or arraignment on
16 charges shall not relieve the offender from criminal liability for
17 failure to register prior to the filing of the original charge.

18 (d) The deadlines for the duty to register under this section do
19 not relieve any sex offender of the duty to register under this section
20 as it existed prior to July 28, 1991.

21 (4)(a) If any person required to register pursuant to this section
22 changes his or her residence address within the same county, the person
23 must send written notice of the change of address to the county sheriff
24 at least fourteen days before moving. If any person required to
25 register pursuant to this section moves to a new county, the person
26 must send written notice of the change of address at least fourteen
27 days before moving to the county sheriff in the new county of residence
28 and must register with that county sheriff within twenty-four hours of
29 moving. The person must also send written notice within ten days of
30 the change of address in the new county to the county sheriff with whom
31 the person last registered. If any person required to register
32 pursuant to this section moves out of Washington state, the person must
33 also send written notice within ten days of moving to the new state or
34 a foreign country to the county sheriff with whom the person last
35 registered in Washington state.

36 (b) It is an affirmative defense to a charge that the person failed
37 to send a notice at least fourteen days in advance of moving as
38 required under (a) of this subsection that the person did not know the
39 location of his or her new residence at least fourteen days before

1 moving. The defendant must establish the defense by a preponderance of
2 the evidence and, to prevail on the defense, must also prove by a
3 preponderance that the defendant sent the required notice within
4 twenty-four hours of determining the new address.

5 (5) The county sheriff shall obtain a photograph of the individual
6 and shall obtain a copy of the individual's fingerprints.

7 (6) For the purpose of RCW 9A.44.130, 10.01.200, 43.43.540,
8 70.48.470, and 72.09.330:

9 (a) "Sex offense" means any offense defined as a sex offense by RCW
10 9.94A.030 and any violation of RCW 9.68A.040 (sexual exploitation of a
11 minor), 9.68A.050 (dealing in depictions of minor engaged in sexually
12 explicit conduct), 9.68A.060 (sending, bringing into state depictions
13 of minor engaged in sexually explicit conduct), 9.68A.090
14 (communication with minor for immoral purposes), 9.68A.100 (patronizing
15 juvenile prostitute), or 9A.44.096 (sexual misconduct with a minor in
16 the second degree), as well as any gross misdemeanor that is, under
17 chapter 9A.28 RCW, a criminal attempt, criminal solicitation, or
18 criminal conspiracy to commit an offense that is classified as a sex
19 offense under RCW 9.94A.030.

20 (b) "Kidnapping offense" means the crimes of kidnapping in the
21 first degree, kidnapping in the second degree, and unlawful
22 imprisonment as defined in chapter 9A.40 RCW, where the victim is a
23 minor and the offender is not the minor's parent.

24 (7) A person who knowingly fails to register or who moves without
25 notifying the county sheriff as required by this section is guilty of
26 a class C felony (~~((if the crime for which the individual was convicted
27 was a felony or a federal or out-of-state conviction for an offense
28 that under the laws of this state would be a felony. If the crime was
29 other than a felony or a federal or out-of-state conviction for an
30 offense that under the laws of this state would be other than a felony,
31 violation of this section is a gross misdemeanor))~~)).

32 **Sec. 2.** RCW 9.94A.310 and 1997 c 365 s 3 and 1997 c 338 s 50 are
33 each reenacted and amended to read as follows:

1 (1)

TABLE 1

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Sentencing Grid

3 SERIOUSNESS

4 SCORE

OFFENDER SCORE

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0 1 2 3 4 5 6 7 8 more

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XV Life Sentence without Parole/Death Penalty

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XIV	23y4m	24y4m	25y4m	26y4m	27y4m	28y4m	30y4m	32y10m	36y	40y
	240-	250-	261-	271-	281-	291-	312-	338-	370-	411-
	320	333	347	361	374	388	416	450	493	548

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XIII	14y4m	15y4m	16y2m	17y	17y11m	18y9m	20y5m	22y2m	25y7m	29y
	123-	134-	144-	154-	165-	175-	195-	216-	257-	298-
	220	234	244	254	265	275	295	316	357	397

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XII	9y	9y11m	10y9m	11y8m	12y6m	13y5m	15y9m	17y3m	20y3m	23y3m
	93-	102-	111-	120-	129-	138-	162-	178-	209-	240-
	123	136	147	160	171	184	216	236	277	318

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XI	7y6m	8y4m	9y2m	9y11m	10y9m	11y7m	14y2m	15y5m	17y11m	20y5m
	78-	86-	95-	102-	111-	120-	146-	159-	185-	210-
	102	114	125	136	147	158	194	211	245	280

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X	5y	5y6m	6y	6y6m	7y	7y6m	9y6m	10y6m	12y6m	14y6m
	51-	57-	62-	67-	72-	77-	98-	108-	129-	149-
	68	75	82	89	96	102	130	144	171	198

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IX	3y	3y6m	4y	4y6m	5y	5y6m	7y6m	8y6m	10y6m	12y6m
	31-	36-	41-	46-	51-	57-	77-	87-	108-	129-
	41	48	54	61	68	75	102	116	144	171

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VIII	2y	2y6m	3y	3y6m	4y	4y6m	6y6m	7y6m	8y6m	10y6m
	21-	26-	31-	36-	41-	46-	67-	77-	87-	108-
	27	34	41	48	54	61	89	102	116	144

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VII	18m	2y	2y6m	3y	3y6m	4y	5y6m	6y6m	7y6m	8y6m
	15-	21-	26-	31-	36-	41-	57-	67-	77-	87-
	20	27	34	41	48	54	75	89	102	116

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VI	13m	18m	2y	2y6m	3y	3y6m	4y6m	5y6m	6y6m	7y6m
	12+-	15-	21-	26-	31-	36-	46-	57-	67-	77-
	14	20	27	34	41	48	61	75	89	102

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V	9m	13m	15m	18m	2y2m	3y2m	4y	5y	6y	7y
	6-	12+-	13-	15-	22-	33-	41-	51-	62-	72-
	12	14	17	20	29	43	54	68	82	96

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1	IV	6m	9m	13m	15m	18m	2y2m	3y2m	4y2m	5y2m	6y2m
2		3-	6-	12+-	13-	15-	22-	33-	43-	53-	63-
3		9	12	14	17	20	29	43	57	70	84
4	<hr/>										
5	III	2m	5m	8m	11m	14m	20m	2y2m	3y2m	4y2m	5y
6		1-	3-	4-	9-	12+-	17-	22-	33-	43-	51-
7		3	8	12	12	16	22	29	43	57	68
8	<hr/>										
9	II		4m	6m	8m	13m	16m	20m	2y2m	3y2m	4y2m
10		0-90	2-	3-	4-	12+-	14-	17-	22-	33-	43-
11		Days	6	9	12	14	18	22	29	43	57
12	<hr/>										
13	I			3m	4m	5m	8m	13m	16m	20m	2y2m
14		0-60	0-90	2-	2-	3-	4-	12+-	14-	17-	22-
15		Days	Days	5	6	8	12	14	18	22	29
16	<hr/>										

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

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

27 (3) The following additional times shall be added to the
28 presumptive sentence for felony crimes committed after July 23, 1995,
29 if the offender or an accomplice was armed with a firearm as defined in
30 RCW 9.41.010 and the offender is being sentenced for one of the crimes
31 listed in this subsection as eligible for any firearm enhancements
32 based on the classification of the completed felony crime. If the
33 offender or an accomplice was armed with a firearm as defined in RCW
34 9.41.010 and the offender is being sentenced for an anticipatory
35 offense under chapter 9A.28 RCW to commit one of the crimes listed in
36 this subsection as eligible for any firearm enhancements, the following
37 additional times shall be added to the presumptive sentence determined
38 under subsection (2) of this section based on the felony crime of
39 conviction as classified under RCW 9A.28.020:

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

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

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

7 (d) If the offender is being sentenced for any firearm
8 enhancements under (a), (b), and/or (c) of this subsection and the
9 offender has previously been sentenced for any deadly weapon
10 enhancements after July 23, 1995, under (a), (b), and/or (c) of this
11 subsection or subsection (4)(a), (b), and/or (c) of this section, or
12 both, any and all firearm enhancements under this subsection shall be
13 twice the amount of the enhancement listed.

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

18 (f) The firearm enhancements in this section shall apply to all
19 felony crimes except the following: Possession of a machine gun,
20 possessing a stolen firearm, drive-by shooting, theft of a firearm,
21 unlawful possession of a firearm in the first and second degree, and
22 use of a machine gun in a felony.

23 (g) If the presumptive sentence under this section exceeds the
24 statutory maximum for the offense, the statutory maximum sentence shall
25 be the presumptive sentence unless the offender is a persistent
26 offender as defined in RCW 9.94A.030.

27 (4) The following additional times shall be added to the
28 presumptive sentence for felony crimes committed after July 23, 1995,
29 if the offender or an accomplice was armed with a deadly weapon as
30 defined in this chapter other than a firearm as defined in RCW 9.41.010
31 and the offender is being sentenced for one of the crimes listed in
32 this subsection as eligible for any deadly weapon enhancements based on
33 the classification of the completed felony crime. If the offender or
34 an accomplice was armed with a deadly weapon other than a firearm as
35 defined in RCW 9.41.010 and the offender is being sentenced for an
36 anticipatory offense under chapter 9A.28 RCW to commit one of the
37 crimes listed in this subsection as eligible for any deadly weapon
38 enhancements, the following additional times shall be added to the
39 presumptive sentence determined under subsection (2) of this section

1 based on the felony crime of conviction as classified under RCW
2 9A.28.020:

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

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

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

12 (d) If the offender is being sentenced under (a), (b), and/or (c)
13 of this subsection for any deadly weapon enhancements and the offender
14 has previously been sentenced for any deadly weapon enhancements after
15 July 23, 1995, under (a), (b), and/or (c) of this subsection or
16 subsection (3)(a), (b), and/or (c) of this section, or both, any and
17 all deadly weapon enhancements under this subsection shall be twice the
18 amount of the enhancement listed.

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

23 (f) The deadly weapon enhancements in this section shall apply to
24 all felony crimes except the following: Possession of a machine gun,
25 possessing a stolen firearm, drive-by shooting, theft of a firearm,
26 unlawful possession of a firearm in the first and second degree, and
27 use of a machine gun in a felony.

28 (g) If the presumptive sentence under this section exceeds the
29 statutory maximum for the offense, the statutory maximum sentence shall
30 be the presumptive sentence unless the offender is a persistent
31 offender as defined in RCW 9.94A.030.

32 (5) The following additional times shall be added to the
33 presumptive sentence if the offender or an accomplice committed the
34 offense while in a county jail or state correctional facility as that
35 term is defined in this chapter and the offender is being sentenced for
36 one of the crimes listed in this subsection. If the offender or an
37 accomplice committed one of the crimes listed in this subsection while
38 in a county jail or state correctional facility as that term is defined
39 in this chapter, and the offender is being sentenced for an

1 anticipatory offense under chapter 9A.28 RCW to commit one of the
2 crimes listed in this subsection, the following additional times shall
3 be added to the presumptive sentence determined under subsection (2) of
4 this section:

5 (a) Eighteen months for offenses committed under RCW
6 69.50.401(a)(1) (i) or (ii) or 69.50.410;

7 (b) Fifteen months for offenses committed under RCW
8 69.50.401(a)(1) (iii), (iv), and (v);

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

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

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

16 (7) An additional sixty months shall be added to the presumptive
17 sentence for any sex offense committed while the offender was in
18 violation of RCW 9A.44.130(7). The enhancement in this subsection is
19 mandatory, and shall not run concurrently with any other sentencing
20 provisions.

21 **Sec. 3.** RCW 9.94A.320 and 1997 c 365 s 4, 1997 c 346 s 3, 1997 c
22 340 s 1, 1997 c 338 s 51, 1997 c 266 s 15, and 1997 c 120 s 5 are each
23 reenacted and amended to read as follows:

24 TABLE 2

25 CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

26 XV Aggravated Murder 1 (RCW 10.95.020)

27 XIV Murder 1 (RCW 9A.32.030)

28 Homicide by abuse (RCW 9A.32.055)

29 Malicious explosion 1 (RCW 70.74.280(1))

30 XIII Murder 2 (RCW 9A.32.050)

31 Malicious explosion 2 (RCW 70.74.280(2))

32 Malicious placement of an explosive 1 (RCW
33 70.74.270(1))

34 XII Assault 1 (RCW 9A.36.011)

35 Assault of a Child 1 (RCW 9A.36.120)

1 Rape 1 (RCW 9A.44.040)
2 Rape of a Child 1 (RCW 9A.44.073)
3 Malicious placement of an imitation device 1
4 (RCW 70.74.272(1)(a))
5 XI Rape 2 (RCW 9A.44.050)
6 Rape of a Child 2 (RCW 9A.44.076)
7 Manslaughter 1 (RCW 9A.32.060)
8 X Kidnapping 1 (RCW 9A.40.020)
9 Child Molestation 1 (RCW 9A.44.083)
10 Malicious explosion 3 (RCW 70.74.280(3))
11 Over 18 and deliver heroin or narcotic from
12 Schedule I or II to someone under 18
13 (RCW 69.50.406)
14 Leading Organized Crime (RCW 9A.82.060(1)(a))
15 Indecent Liberties (with forcible compulsion)
16 (RCW 9A.44.100(1)(a))
17 IX Assault of a Child 2 (RCW 9A.36.130)
18 Robbery 1 (RCW 9A.56.200)
19 Explosive devices prohibited (RCW 70.74.180)
20 Malicious placement of an explosive 2 (RCW
21 70.74.270(2))
22 Over 18 and deliver narcotic from Schedule
23 III, IV, or V or a nonnarcotic from
24 Schedule I-V to someone under 18 and 3
25 years junior (RCW 69.50.406)
26 Controlled Substance Homicide (RCW 69.50.415)
27 Sexual Exploitation (RCW 9.68A.040)
28 Inciting Criminal Profiteering (RCW
29 9A.82.060(1)(b))
30 Vehicular Homicide, by being under the
31 influence of intoxicating liquor or any
32 drug (RCW 46.61.520)
33 VIII Arson 1 (RCW 9A.48.020)
34 Promoting Prostitution 1 (RCW 9A.88.070)
35 Selling for profit (controlled or
36 counterfeit) any controlled substance
37 (RCW 69.50.410)

1 Manufacture, deliver, or possess with intent
2 to deliver heroin or cocaine (RCW
3 69.50.401(a)(1)(i))
4 Manufacture, deliver, or possess with intent
5 to deliver methamphetamine (RCW
6 69.50.401(a)(1)(ii))
7 Possession of ephedrine or pseudoephedrine
8 with intent to manufacture
9 methamphetamine (RCW 69.50.440)
10 Vehicular Homicide, by the operation of any
11 vehicle in a reckless manner (RCW
12 46.61.520)
13 Manslaughter 2 (RCW 9A.32.070)
14 VII Burglary 1 (RCW 9A.52.020)
15 Vehicular Homicide, by disregard for the
16 safety of others (RCW 46.61.520)
17 Introducing Contraband 1 (RCW 9A.76.140)
18 Indecent Liberties (without forcible
19 compulsion) (RCW 9A.44.100(1) (b) and
20 (c))
21 Child Molestation 2 (RCW 9A.44.086)
22 Dealing in depictions of minor engaged in
23 sexually explicit conduct (RCW
24 9.68A.050)
25 Sending, bringing into state depictions of
26 minor engaged in sexually explicit
27 conduct (RCW 9.68A.060)
28 Involving a minor in drug dealing (RCW
29 69.50.401(f))
30 Drive-by Shooting (RCW 9A.36.045)
31 Unlawful Possession of a Firearm in the first
32 degree (RCW 9.41.040(1)(a))
33 Malicious placement of an explosive 3 (RCW
34 70.74.270(3))
35 VI Bribery (RCW 9A.68.010)
36 Rape of a Child 3 (RCW 9A.44.079)
37 Intimidating a Juror/Witness (RCW 9A.72.110,
38 9A.72.130)

1 Malicious placement of an imitation device 2
2 (RCW 70.74.272(1)(b))
3 Incest 1 (RCW 9A.64.020(1))
4 Manufacture, deliver, or possess with intent
5 to deliver narcotics from Schedule I or
6 II (except heroin or cocaine) (RCW
7 69.50.401(a)(1)(i))
8 Intimidating a Judge (RCW 9A.72.160)
9 Bail Jumping with Murder 1 (RCW
10 9A.76.170(2)(a))
11 Theft of a Firearm (RCW 9A.56.300)
12 V Persistent prison misbehavior (RCW 9.94.070)
13 Criminal Mistreatment 1 (RCW 9A.42.020)
14 Abandonment of dependent person 1 (RCW
15 9A.42.060)
16 Rape 3 (RCW 9A.44.060)
17 Sexual Misconduct with a Minor 1 (RCW
18 9A.44.093)
19 Child Molestation 3 (RCW 9A.44.089)
20 Kidnapping 2 (RCW 9A.40.030)
21 Extortion 1 (RCW 9A.56.120)
22 Incest 2 (RCW 9A.64.020(2))
23 Perjury 1 (RCW 9A.72.020)
24 Extortionate Extension of Credit (RCW
25 9A.82.020)
26 Advancing money or property for extortionate
27 extension of credit (RCW 9A.82.030)
28 Extortionate Means to Collect Extensions of
29 Credit (RCW 9A.82.040)
30 Rendering Criminal Assistance 1 (RCW
31 9A.76.070)
32 Bail Jumping with class A Felony (RCW
33 9A.76.170(2)(b))
34 Sexually Violating Human Remains (RCW
35 9A.44.105)
36 Delivery of imitation controlled substance by
37 person eighteen or over to person under
38 eighteen (RCW 69.52.030(2))

1 Possession of a Stolen Firearm (RCW
2 9A.56.310)

3 IV Residential Burglary (RCW 9A.52.025)
4 Theft of Livestock 1 (RCW 9A.56.080)
5 Robbery 2 (RCW 9A.56.210)
6 Assault 2 (RCW 9A.36.021)
7 Escape 1 (RCW 9A.76.110)
8 Arson 2 (RCW 9A.48.030)
9 Commercial Bribery (RCW 9A.68.060)
10 Bribing a Witness/Bribe Received by Witness
11 (RCW 9A.72.090, 9A.72.100)
12 Malicious Harassment (RCW 9A.36.080)
13 Threats to Bomb (RCW 9.61.160)
14 Willful Failure to Return from Furlough (RCW
15 72.66.060)
16 Hit and Run--Injury Accident (RCW
17 46.52.020(4))
18 Hit and Run with Vessel--Injury Accident (RCW
19 88.12.155(3))
20 Vehicular Assault (RCW 46.61.522)
21 Manufacture, deliver, or possess with intent
22 to deliver narcotics from Schedule III,
23 IV, or V or nonnarcotics from Schedule
24 I-V (except marijuana or
25 methamphetamines) (RCW 69.50.401 (a)(1)
26 (iii) through (v))
27 Influencing Outcome of Sporting Event (RCW
28 9A.82.070)
29 Use of Proceeds of Criminal Profiteering (RCW
30 9A.82.080 (1) and (2))
31 Knowingly Trafficking in Stolen Property (RCW
32 9A.82.050(2))

33 III Criminal Gang Intimidation (RCW 9A.46.120)
34 Criminal Mistreatment 2 (RCW 9A.42.030)
35 Abandonment of dependent person 2 (RCW
36 9A.42.070)
37 Extortion 2 (RCW 9A.56.130)
38 Unlawful Imprisonment (RCW 9A.40.040)

1 Assault 3 (RCW 9A.36.031)
2 Assault of a Child 3 (RCW 9A.36.140)
3 Custodial Assault (RCW 9A.36.100)
4 Unlawful possession of firearm in the second
5 degree (RCW 9.41.040(1)(b))
6 Harassment (RCW 9A.46.020)
7 Promoting Prostitution 2 (RCW 9A.88.080)
8 Willful Failure to Return from Work Release
9 (RCW 72.65.070)
10 Burglary 2 (RCW 9A.52.030)
11 Introducing Contraband 2 (RCW 9A.76.150)
12 Communication with a Minor for Immoral
13 Purposes (RCW 9.68A.090)
14 Patronizing a Juvenile Prostitute (RCW
15 9.68A.100)
16 Escape 2 (RCW 9A.76.120)
17 Perjury 2 (RCW 9A.72.030)
18 Bail Jumping with class B or C Felony (RCW
19 9A.76.170(2)(c))
20 Intimidating a Public Servant (RCW 9A.76.180)
21 Tampering with a Witness (RCW 9A.72.120)
22 Manufacture, deliver, or possess with intent
23 to deliver marijuana (RCW
24 69.50.401(a)(1)(iii))
25 Delivery of a material in lieu of a
26 controlled substance (RCW 69.50.401(c))
27 Manufacture, distribute, or possess with
28 intent to distribute an imitation
29 controlled substance (RCW 69.52.030(1))
30 Recklessly Trafficking in Stolen Property
31 (RCW 9A.82.050(1))
32 Theft of livestock 2 (RCW 9A.56.080)
33 Securities Act violation (RCW 21.20.400)
34 Knowingly failing to register as sex offender
35 or moving without notifying county
36 sheriff (RCW 9A.44.130(7))

1 II Unlawful Practice of Law (RCW 2.48.180)
2 Malicious Mischief 1 (RCW 9A.48.070)
3 Possession of Stolen Property 1 (RCW
4 9A.56.150)
5 Theft 1 (RCW 9A.56.030)
6 Class B Felony Theft of Rental, Leased, or
7 Lease-purchased Property (RCW
8 9A.56.096(4))
9 Trafficking in Insurance Claims (RCW
10 48.30A.015)
11 Unlicensed Practice of a Profession or
12 Business (RCW 18.130.190(7))
13 Health Care False Claims (RCW 48.80.030)
14 Possession of controlled substance that is
15 either heroin or narcotics from Schedule
16 I or II (RCW 69.50.401(d))
17 Possession of phencyclidine (PCP) (RCW
18 69.50.401(d))
19 Create, deliver, or possess a counterfeit
20 controlled substance (RCW 69.50.401(b))
21 Computer Trespass 1 (RCW 9A.52.110)
22 Escape from Community Custody (RCW 72.09.310)

23 I Theft 2 (RCW 9A.56.040)
24 Class C Felony Theft of Rental, Leased, or
25 Lease-purchased Property (RCW
26 9A.56.096(4))
27 Possession of Stolen Property 2 (RCW
28 9A.56.160)
29 Forgery (RCW 9A.60.020)
30 Taking Motor Vehicle Without Permission (RCW
31 9A.56.070)
32 Vehicle Prowl 1 (RCW 9A.52.095)
33 Attempting to Elude a Pursuing Police Vehicle
34 (RCW 46.61.024)
35 Malicious Mischief 2 (RCW 9A.48.080)
36 Reckless Burning 1 (RCW 9A.48.040)
37 Unlawful Issuance of Checks or Drafts (RCW
38 9A.56.060)

1 Unlawful Use of Food Stamps (RCW 9.91.140 (2)
2 and (3))
3 False Verification for Welfare (RCW
4 74.08.055)
5 Forged Prescription (RCW 69.41.020)
6 Forged Prescription for a Controlled
7 Substance (RCW 69.50.403)
8 Possess Controlled Substance that is a
9 Narcotic from Schedule III, IV, or V or
10 Non-narcotic from Schedule I-V (except
11 phencyclidine) (RCW 69.50.401(d))

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