

HOUSE BILL 1412

State of Washington

57th Legislature

2001 Regular Session

By Representatives Ahern, Gombosky, Dunn, Mielke, Cairnes, Lovick, Mulliken, Roach, Woods, Morell, Esser, Armstrong, Schoesler, Barlean, Benson, Schindler, Crouse, B. Chandler, Bush, O'Brien, Pflug, Cox, Pearson, Anderson, McMorris, G. Chandler, Lisk, Clements, Alexander and Conway

Read first time 01/25/2001. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to increasing penalties for sexually motivated  
2 crimes; reenacting and amending RCW 9.94A.310 and 9.94A.320; creating  
3 a new section; providing an effective date; and declaring an emergency.

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

5 **Sec. 1.** RCW 9.94A.310 and 2000 c 132 s 2 and 2000 c 28 s 11 are  
6 each reenacted and amended to read as follows:

7 (1) TABLE 1

8 Sentencing Grid

9 SERIOUSNESS

10 LEVEL	11 OFFENDER SCORE									
	0	1	2	3	4	5	6	7	8	9 or more

12  
13  
14 XVI Life Sentence without Parole/Death Penalty

15	XV	23y4m	24y4m	25y4m	26y4m	27y4m	28y4m	30y4m	32y10m36y	40y
16		240-	250-	261-	271-	281-	291-	312-	338-	370-
17		320	333	347	361	374	388	416	450	493
18										548

1											
2	XIV	14y4m	15y4m	16y2m	17y	17y11m	18y9m	20y5m	22y2m	25y7m	29y
3		123-	134-	144-	154-	165-	175-	195-	216-	257-	298-
4		220	234	244	254	265	275	295	316	357	397
5											
6	XIII	12y	13y	14y	15y	16y	17y	19y	21y	25y	29y
7		123-	134-	144-	154-	165-	175-	195-	216-	257-	298-
8		164	178	192	205	219	233	260	288	342	397
9											
10	XII	9y	9y11m	10y9m	11y8m	12y6m	13y5m	15y9m	17y3m	20y3m	23y3m
11		93-	102-	111-	120-	129-	138-	162-	178-	209-	240-
12		123	136	147	160	171	184	216	236	277	318
13											
14	XI	7y6m	8y4m	9y2m	9y11m	10y9m	11y7m	14y2m	15y5m	17y11m	20y5m
15		78-	86-	95-	102-	111-	120-	146-	159-	185-	210-
16		102	114	125	136	147	158	194	211	245	280
17											
18	X	5y	5y6m	6y	6y6m	7y	7y6m	9y6m	10y6m	12y6m	14y6m
19		51-	57-	62-	67-	72-	77-	98-	108-	129-	149-
20		68	75	82	89	96	102	130	144	171	198
21											
22	IX	3y	3y6m	4y	4y6m	5y	5y6m	7y6m	8y6m	10y6m	12y6m
23		31-	36-	41-	46-	51-	57-	77-	87-	108-	129-
24		41	48	54	61	68	75	102	116	144	171
25											
26	VIII	2y	2y6m	3y	3y6m	4y	4y6m	6y6m	7y6m	8y6m	10y6m
27		21-	26-	31-	36-	41-	46-	67-	77-	87-	108-
28		27	34	41	48	54	61	89	102	116	144
29											
30	VII	18m	2y	2y6m	3y	3y6m	4y	5y6m	6y6m	7y6m	8y6m
31		15-	21-	26-	31-	36-	41-	57-	67-	77-	87-
32		20	27	34	41	48	54	75	89	102	116
33											
34	VI	13m	18m	2y	2y6m	3y	3y6m	4y6m	5y6m	6y6m	7y6m
35		12+-	15-	21-	26-	31-	36-	46-	57-	67-	77-
36		14	20	27	34	41	48	61	75	89	102
37											

1	V	9m	13m	15m	18m	2y2m	3y2m	4y	5y	6y	7y
2		6-	12+-	13-	15-	22-	33-	41-	51-	62-	72-
3		12	14	17	20	29	43	54	68	82	96
4	<hr/>										
5	IV	6m	9m	13m	15m	18m	2y2m	3y2m	4y2m	5y2m	6y2m
6		3-	6-	12+-	13-	15-	22-	33-	43-	53-	63-
7		9	12	14	17	20	29	43	57	70	84
8	<hr/>										
9	III	2m	5m	8m	11m	14m	20m	2y2m	3y2m	4y2m	5y
10		1-	3-	4-	9-	12+-	17-	22-	33-	43-	51-
11		3	8	12	12	16	22	29	43	57	68
12	<hr/>										
13	II		4m	6m	8m	13m	16m	20m	2y2m	3y2m	4y2m
14		0-90	2-	3-	4-	12+-	14-	17-	22-	33-	43-
15		Days	6	9	12	14	18	22	29	43	57
16	<hr/>										
17	I			3m	4m	5m	8m	13m	16m	20m	2y2m
18		0-60	0-90	2-	2-	3-	4-	12+-	14-	17-	22-
19		Days	Days	5	6	8	12	14	18	22	29
20	<hr/>										

21 Numbers in the first horizontal row of each seriousness category  
 22 represent sentencing midpoints in years(y) and months(m). Numbers in  
 23 the second and third rows represent standard sentence ranges in months,  
 24 or in days if so designated. 12+ equals one year and one day.

25 (2) For persons convicted of the anticipatory offenses of criminal  
 26 attempt, solicitation, or conspiracy under chapter 9A.28 RCW, the  
 27 standard sentence range is determined by locating the sentencing grid  
 28 sentence range defined by the appropriate offender score and the  
 29 seriousness level of the completed crime, and multiplying the range by  
 30 75 percent.

31 (3) The following additional times shall be added to the standard  
 32 sentence range for felony crimes committed after July 23, 1995, 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 one of the crimes  
 35 listed in this subsection as eligible for any firearm enhancements  
 36 based on the classification of the completed felony crime. If the  
 37 offender is being sentenced for more than one offense, the firearm  
 38 enhancement or enhancements must be added to the total period of  
 39 confinement for all offenses, regardless of which underlying offense is

1 subject to a firearm enhancement. If the offender or an accomplice was  
2 armed with a firearm as defined in RCW 9.41.010 and the offender is  
3 being sentenced for an anticipatory offense under chapter 9A.28 RCW to  
4 commit one of the crimes listed in this subsection as eligible for any  
5 firearm enhancements, the following additional times shall be added to  
6 the standard sentence range determined under subsection (2) of this  
7 section based on the felony crime of conviction as classified under RCW  
8 9A.28.020:

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

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

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

18 (d) If the offender is being sentenced for any firearm  
19 enhancements under (a), (b), and/or (c) of this subsection and the  
20 offender has previously been sentenced for any deadly weapon  
21 enhancements after July 23, 1995, under (a), (b), and/or (c) of this  
22 subsection or subsection (4)(a), (b), and/or (c) of this section, or  
23 both, all firearm enhancements under this subsection shall be twice the  
24 amount of the enhancement listed.

25 (e) Notwithstanding any other provision of law, all firearm  
26 enhancements under this section are mandatory, shall be served in total  
27 confinement, and shall run consecutively to all other sentencing  
28 provisions, including other firearm or deadly weapon enhancements, for  
29 all offenses sentenced under this chapter. However, whether or not a  
30 mandatory minimum term has expired, an offender serving a sentence  
31 under this subsection may be granted an extraordinary medical placement  
32 when authorized under RCW 9.94A.150(4).

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

38 (g) If the standard sentence range under this section exceeds the  
39 statutory maximum sentence for the offense, the statutory maximum

1 sentence shall be the presumptive sentence unless the offender is a  
2 persistent offender. If the addition of a firearm enhancement  
3 increases the sentence so that it would exceed the statutory maximum  
4 for the offense, the portion of the sentence representing the  
5 enhancement may not be reduced.

6 (4) The following additional times shall be added to the standard  
7 sentence range for felony crimes committed after July 23, 1995, if the  
8 offender or an accomplice was armed with a deadly weapon other than a  
9 firearm as defined in RCW 9.41.010 and the offender is being sentenced  
10 for one of the crimes listed in this subsection as eligible for any  
11 deadly weapon enhancements based on the classification of the completed  
12 felony crime. If the offender is being sentenced for more than one  
13 offense, the deadly weapon enhancement or enhancements must be added to  
14 the total period of confinement for all offenses, regardless of which  
15 underlying offense is subject to a deadly weapon enhancement. If the  
16 offender or an accomplice was armed with a deadly weapon other than a  
17 firearm as defined in RCW 9.41.010 and the offender is being sentenced  
18 for an anticipatory offense under chapter 9A.28 RCW to commit one of  
19 the crimes listed in this subsection as eligible for any deadly weapon  
20 enhancements, the following additional times shall be added to the  
21 standard sentence range determined under subsection (2) of this section  
22 based on the felony crime of conviction as classified under RCW  
23 9A.28.020:

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

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

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

33 (d) If the offender is being sentenced under (a), (b), and/or (c)  
34 of this subsection for any deadly weapon enhancements and the offender  
35 has previously been sentenced for any deadly weapon enhancements after  
36 July 23, 1995, under (a), (b), and/or (c) of this subsection or  
37 subsection (3)(a), (b), and/or (c) of this section, or both, all deadly  
38 weapon enhancements under this subsection shall be twice the amount of  
39 the enhancement listed.

1 (e) Notwithstanding any other provision of law, all deadly weapon  
2 enhancements under this section are mandatory, shall be served in total  
3 confinement, and shall run consecutively to all other sentencing  
4 provisions, including other firearm or deadly weapon enhancements, for  
5 all offenses sentenced under this chapter. However, whether or not a  
6 mandatory minimum term has expired, an offender serving a sentence  
7 under this subsection may be granted an extraordinary medical placement  
8 when authorized under RCW 9.94A.150(4).

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

14 (g) If the standard sentence range under this section exceeds the  
15 statutory maximum sentence for the offense, the statutory maximum  
16 sentence shall be the presumptive sentence unless the offender is a  
17 persistent offender. If the addition of a deadly weapon enhancement  
18 increases the sentence so that it would exceed the statutory maximum  
19 for the offense, the portion of the sentence representing the  
20 enhancement may not be reduced.

21 (5) The following additional times shall be added to the standard  
22 sentence range if the offender or an accomplice committed the offense  
23 while in a county jail or state correctional facility and the offender  
24 is being sentenced for one of the crimes listed in this subsection. If  
25 the offender or an accomplice committed one of the crimes listed in  
26 this subsection while in a county jail or state correctional facility,  
27 and the offender is being sentenced for an anticipatory offense under  
28 chapter 9A.28 RCW to commit one of the crimes listed in this  
29 subsection, the following additional times shall be added to the  
30 standard sentence range determined under subsection (2) of this  
31 section:

32 (a) Eighteen months for offenses committed under RCW  
33 69.50.401(a)(1) (i) or (ii) or 69.50.410;

34 (b) Fifteen months for offenses committed under RCW  
35 69.50.401(a)(1) (iii), (iv), and (v);

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

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

1 (6) An additional twenty-four months shall be added to the  
2 standard sentence range for any ranked offense involving a violation of  
3 chapter 69.50 RCW if the offense was also a violation of RCW 69.50.435  
4 or 9.94A.128.

5 (7) An additional two years shall be added to the standard  
6 sentence range for vehicular homicide committed while under the  
7 influence of intoxicating liquor or any drug as defined by RCW  
8 46.61.502 for each prior offense as defined in RCW 46.61.5055.

9 (8) An additional two years shall be added to the standard  
10 sentence range for the following felony crimes committed on or after  
11 July 1, 2001, with a finding of sexual motivation:

- 12 (a) Murder in the first degree;
- 13 (b) Murder in the second degree;
- 14 (c) Kidnapping in the first degree;
- 15 (d) Kidnapping in the second degree;
- 16 (e) Assault in the first degree;
- 17 (f) Assault in the second degree; and
- 18 (g) Burglary in the first degree.

19 **Sec. 2.** RCW 9.94A.320 and 2000 c 225 s 5, 2000 c 119 s 17, and  
20 2000 c 66 s 2 are each reenacted and amended to read as follows:

21 TABLE 2

22 CRIMES INCLUDED WITHIN EACH SERIOUSNESS LEVEL

23	XVI	Aggravated Murder 1 (RCW 10.95.020)
24	XV	Homicide by abuse (RCW 9A.32.055)
25		Malicious explosion 1 (RCW 70.74.280(1))
26		Murder 1 (RCW 9A.32.030)
27	XIV	Murder 2 (RCW 9A.32.050)
28	XIII	Malicious explosion 2 (RCW 70.74.280(2))
29		Malicious placement of an explosive 1 (RCW
30		70.74.270(1))
31		<u>Rape 1 (RCW 9A.44.040)</u>
32		<u>Rape of a Child 1 (RCW 9A.44.073)</u>
33	XII	Assault 1 (RCW 9A.36.011)
34		Assault of a Child 1 (RCW 9A.36.120)

1 Malicious placement of an imitation device 1  
2 (RCW 70.74.272(1)(a))  
3 (~~Rape 1 (RCW 9A.44.040)~~  
4 ~~Rape of a Child 1 (RCW 9A.44.073))~~)  
5 Rape 2 (RCW 9A.44.050)  
6 Rape of a Child 2 (RCW 9A.44.076)

7 XI Child Molestation 1 (RCW 9A.44.083)  
8 Indecent Liberties (with forcible compulsion)  
9 (RCW 9A.44.100(1)(a))  
10 Manslaughter 1 (RCW 9A.32.060)  
11 (~~Rape 2 (RCW 9A.44.050)~~  
12 ~~Rape of a Child 2 (RCW 9A.44.076))~~)

13 X (~~Child Molestation 1 (RCW 9A.44.083)~~  
14 ~~Indecent Liberties (with forcible compulsion)~~  
15 ~~(RCW 9A.44.100(1)(a))~~)  
16 Kidnapping 1 (RCW 9A.40.020)  
17 Leading Organized Crime (RCW 9A.82.060(1)(a))  
18 Malicious explosion 3 (RCW 70.74.280(3))  
19 Manufacture of methamphetamine (RCW  
20 69.50.401(a)(1)(ii))  
21 Over 18 and deliver heroin, methamphetamine,  
22 a narcotic from Schedule I or II, or  
23 flunitrazepam from Schedule IV to  
24 someone under 18 (RCW 69.50.406)

25 IX Assault of a Child 2 (RCW 9A.36.130)  
26 Controlled Substance Homicide (RCW 69.50.415)  
27 Explosive devices prohibited (RCW 70.74.180)  
28 Homicide by Watercraft, by being under the  
29 influence of intoxicating liquor or any  
30 drug (RCW 79A.60.050)  
31 Inciting Criminal Profiteering (RCW  
32 9A.82.060(1)(b))  
33 Malicious placement of an explosive 2 (RCW  
34 70.74.270(2))  
35 Over 18 and deliver narcotic from Schedule  
36 III, IV, or V or a nonnarcotic, except  
37 flunitrazepam or methamphetamine, from



1 Schedule I-V to someone under 18 and 3  
2 years junior (RCW 69.50.406)  
3 Robbery 1 (RCW 9A.56.200)  
4 Sexual Exploitation (RCW 9.68A.040)  
5 Vehicular Homicide, by being under the  
6 influence of intoxicating liquor or any  
7 drug (RCW 46.61.520)

8 VIII Arson 1 (RCW 9A.48.020)  
9 Deliver or possess with intent to deliver  
10 methamphetamine (RCW  
11 69.50.401(a)(1)(ii))  
12 Hit and Run--Death (RCW 46.52.020(4)(a))  
13 Homicide by Watercraft, by the operation of  
14 any vessel in a reckless manner (RCW  
15 79A.60.050)  
16 Manslaughter 2 (RCW 9A.32.070)  
17 Manufacture, deliver, or possess with intent  
18 to deliver amphetamine (RCW  
19 69.50.401(a)(1)(ii))  
20 Manufacture, deliver, or possess with intent  
21 to deliver heroin or cocaine (RCW  
22 69.50.401(a)(1)(i))  
23 Possession of Ephedrine, Pseudoephedrine, or  
24 Anhydrous Ammonia with intent to  
25 manufacture methamphetamine (RCW  
26 69.50.440)  
27 Promoting Prostitution 1 (RCW 9A.88.070)  
28 Selling for profit (controlled or  
29 counterfeit) any controlled substance  
30 (RCW 69.50.410)  
31 Theft of Anhydrous Ammonia (RCW 69.55.010)  
32 Vehicular Homicide, by the operation of any  
33 vehicle in a reckless manner (RCW  
34 46.61.520)

35 VII Burglary 1 (RCW 9A.52.020)  
36 Child Molestation 2 (RCW 9A.44.086)

1 Dealing in depictions of minor engaged in  
2 sexually explicit conduct (RCW  
3 9.68A.050)  
4 Drive-by Shooting (RCW 9A.36.045)  
5 Homicide by Watercraft, by disregard for the  
6 safety of others (RCW 79A.60.050)  
7 Indecent Liberties (without forcible  
8 compulsion) (RCW 9A.44.100(1) (b) and  
9 (c))  
10 Introducing Contraband 1 (RCW 9A.76.140)  
11 Involving a minor in drug dealing (RCW  
12 69.50.401(f))  
13 Malicious placement of an explosive 3 (RCW  
14 70.74.270(3))  
15 Sending, bringing into state depictions of  
16 minor engaged in sexually explicit  
17 conduct (RCW 9.68A.060)  
18 Unlawful Possession of a Firearm in the first  
19 degree (RCW 9.41.040(1)(a))  
20 Use of a Machine Gun in Commission of a  
21 Felony (RCW 9.41.225)  
22 Vehicular Homicide, by disregard for the  
23 safety of others (RCW 46.61.520)  
24 VI Bail Jumping with Murder 1 (RCW  
25 9A.76.170(2)(a))  
26 Bribery (RCW 9A.68.010)  
27 Incest 1 (RCW 9A.64.020(1))  
28 Intimidating a Judge (RCW 9A.72.160)  
29 Intimidating a Juror/Witness (RCW 9A.72.110,  
30 9A.72.130)  
31 Malicious placement of an imitation device 2  
32 (RCW 70.74.272(1)(b))  
33 Manufacture, deliver, or possess with intent  
34 to deliver narcotics from Schedule I or  
35 II (except heroin or cocaine) or  
36 flunitrazepam from Schedule IV (RCW  
37 69.50.401(a)(1)(i))  
38 Rape of a Child 3 (RCW 9A.44.079)  
39 Theft of a Firearm (RCW 9A.56.300)

1 Unlawful Storage of Anhydrous Ammonia (RCW  
2 69.55.020)

3 V Abandonment of dependent person 1 (RCW  
4 9A.42.060)

5 Advancing money or property for extortionate  
6 extension of credit (RCW 9A.82.030)

7 Bail Jumping with class A Felony (RCW  
8 9A.76.170(2)(b))

9 Child Molestation 3 (RCW 9A.44.089)

10 Criminal Mistreatment 1 (RCW 9A.42.020)

11 Custodial Sexual Misconduct 1 (RCW 9A.44.160)

12 Delivery of imitation controlled substance by  
13 person eighteen or over to person under  
14 eighteen (RCW 69.52.030(2))

15 Domestic Violence Court Order Violation (RCW  
16 10.99.040, 10.99.050, 26.09.300,  
17 26.10.220, 26.26.138, 26.50.110,  
18 26.52.070, or 74.34.145)

19 Extortion 1 (RCW 9A.56.120)

20 Extortionate Extension of Credit (RCW  
21 9A.82.020)

22 Extortionate Means to Collect Extensions of  
23 Credit (RCW 9A.82.040)

24 Incest 2 (RCW 9A.64.020(2))

25 Kidnapping 2 (RCW 9A.40.030)

26 Perjury 1 (RCW 9A.72.020)

27 Persistent prison misbehavior (RCW 9.94.070)

28 Possession of a Stolen Firearm (RCW  
29 9A.56.310)

30 Rape 3 (RCW 9A.44.060)

31 Rendering Criminal Assistance 1 (RCW  
32 9A.76.070)

33 Sexual Misconduct with a Minor 1 (RCW  
34 9A.44.093)

35 Sexually Violating Human Remains (RCW  
36 9A.44.105)

37 Stalking (RCW 9A.46.110)

38 IV Arson 2 (RCW 9A.48.030)

1 Assault 2 (RCW 9A.36.021)  
2 Assault by Watercraft (RCW 79A.60.060)  
3 Bribing a Witness/Bribe Received by Witness  
4 (RCW 9A.72.090, 9A.72.100)  
5 Commercial Bribery (RCW 9A.68.060)  
6 Counterfeiting (RCW 9.16.035(4))  
7 Escape 1 (RCW 9A.76.110)  
8 Hit and Run--Injury (RCW 46.52.020(4)(b))  
9 Hit and Run with Vessel--Injury Accident (RCW  
10 79A.60.200(3))  
11 Indecent Exposure to Person Under Age  
12 Fourteen (subsequent sex offense) (RCW  
13 9A.88.010)  
14 Influencing Outcome of Sporting Event (RCW  
15 9A.82.070)  
16 Knowingly Trafficking in Stolen Property (RCW  
17 9A.82.050(2))  
18 Malicious Harassment (RCW 9A.36.080)  
19 Manufacture, deliver, or possess with intent  
20 to deliver narcotics from Schedule III,  
21 IV, or V or nonnarcotics from Schedule  
22 I-V (except marijuana, amphetamine,  
23 methamphetamines, or flunitrazepam) (RCW  
24 69.50.401(a)(1) (iii) through (v))  
25 Residential Burglary (RCW 9A.52.025)  
26 Robbery 2 (RCW 9A.56.210)  
27 Theft of Livestock 1 (RCW 9A.56.080)  
28 Threats to Bomb (RCW 9.61.160)  
29 Use of Proceeds of Criminal Profiteering (RCW  
30 9A.82.080 (1) and (2))  
31 Vehicular Assault (RCW 46.61.522)  
32 Willful Failure to Return from Furlough (RCW  
33 72.66.060)  
34 III Abandonment of dependent person 2 (RCW  
35 9A.42.070)  
36 Assault 3 (RCW 9A.36.031)  
37 Assault of a Child 3 (RCW 9A.36.140)  
38 Bail Jumping with class B or C Felony (RCW  
39 9A.76.170(2)(c))

1 Burglary 2 (RCW 9A.52.030)  
2 Communication with a Minor for Immoral  
3 Purposes (RCW 9.68A.090)  
4 Criminal Gang Intimidation (RCW 9A.46.120)  
5 Criminal Mistreatment 2 (RCW 9A.42.030)  
6 Custodial Assault (RCW 9A.36.100)  
7 Delivery of a material in lieu of a  
8 controlled substance (RCW 69.50.401(c))  
9 Escape 2 (RCW 9A.76.120)  
10 Extortion 2 (RCW 9A.56.130)  
11 Harassment (RCW 9A.46.020)  
12 Intimidating a Public Servant (RCW 9A.76.180)  
13 Introducing Contraband 2 (RCW 9A.76.150)  
14 Maintaining a Dwelling or Place for  
15 Controlled Substances (RCW  
16 69.50.402(a)(6))  
17 Malicious Injury to Railroad Property (RCW  
18 81.60.070)  
19 Manufacture, deliver, or possess with intent  
20 to deliver marijuana (RCW  
21 69.50.401(a)(1)(iii))  
22 Manufacture, distribute, or possess with  
23 intent to distribute an imitation  
24 controlled substance (RCW 69.52.030(1))  
25 Patronizing a Juvenile Prostitute (RCW  
26 9.68A.100)  
27 Perjury 2 (RCW 9A.72.030)  
28 Possession of Incendiary Device (RCW  
29 9.40.120)  
30 Possession of Machine Gun or Short-Barreled  
31 Shotgun or Rifle (RCW 9.41.190)  
32 Promoting Prostitution 2 (RCW 9A.88.080)  
33 Recklessly Trafficking in Stolen Property  
34 (RCW 9A.82.050(1))  
35 Securities Act violation (RCW 21.20.400)  
36 Tampering with a Witness (RCW 9A.72.120)  
37 Telephone Harassment (subsequent conviction  
38 or threat of death) (RCW 9.61.230)  
39 Theft of Livestock 2 (RCW 9A.56.080)

1 Unlawful Imprisonment (RCW 9A.40.040)  
2 Unlawful possession of firearm in the second  
3 degree (RCW 9.41.040(1)(b))  
4 Unlawful Use of Building for Drug Purposes  
5 (RCW 69.53.010)  
6 Willful Failure to Return from Work Release  
7 (RCW 72.65.070)

8 II Computer Trespass 1 (RCW 9A.52.110)  
9 Counterfeiting (RCW 9.16.035(3))  
10 Create, deliver, or possess a counterfeit  
11 controlled substance (RCW 69.50.401(b))  
12 Escape from Community Custody (RCW 72.09.310)  
13 Health Care False Claims (RCW 48.80.030)  
14 Malicious Mischief 1 (RCW 9A.48.070)  
15 Possession of controlled substance that is  
16 either heroin or narcotics from Schedule  
17 I or II or flunitrazepam from Schedule  
18 IV (RCW 69.50.401(d))  
19 Possession of phencyclidine (PCP) (RCW  
20 69.50.401(d))  
21 Possession of Stolen Property 1 (RCW  
22 9A.56.150)  
23 Theft 1 (RCW 9A.56.030)  
24 Theft of Rental, Leased, or Lease-purchased  
25 Property (valued at one thousand five  
26 hundred dollars or more) (RCW  
27 9A.56.096(4))  
28 Trafficking in Insurance Claims (RCW  
29 48.30A.015)  
30 Unlawful Practice of Law (RCW 2.48.180)  
31 Unlicensed Practice of a Profession or  
32 Business (RCW 18.130.190(7))

33 I Attempting to Elude a Pursuing Police Vehicle  
34 (RCW 46.61.024)  
35 False Verification for Welfare (RCW  
36 74.08.055)  
37 Forged Prescription (RCW 69.41.020)

1 Forged Prescription for a Controlled  
2 Substance (RCW 69.50.403)  
3 Forgery (RCW 9A.60.020)  
4 Malicious Mischief 2 (RCW 9A.48.080)  
5 Possess Controlled Substance that is a  
6 Narcotic from Schedule III, IV, or V or  
7 Non-narcotic from Schedule I-V (except  
8 phencyclidine or flunitrazepam) (RCW  
9 69.50.401(d))  
10 Possession of Stolen Property 2 (RCW  
11 9A.56.160)  
12 Reckless Burning 1 (RCW 9A.48.040)  
13 Taking Motor Vehicle Without Permission (RCW  
14 9A.56.070)  
15 Theft 2 (RCW 9A.56.040)  
16 Theft of Rental, Leased, or Lease-purchased  
17 Property (valued at two hundred fifty  
18 dollars or more but less than one  
19 thousand five hundred dollars) (RCW  
20 9A.56.096(4))  
21 Unlawful Issuance of Checks or Drafts (RCW  
22 9A.56.060)  
23 Unlawful Use of Food Stamps (RCW 9.91.140 (2)  
24 and (3))  
25 Vehicle Prowl 1 (RCW 9A.52.095)

26 NEW SECTION. **Sec. 3.** This act shall be known as the sex offender  
27 safety act.

28 NEW SECTION. **Sec. 4.** This act is necessary for the immediate  
29 preservation of the public peace, health, or safety, or support of the  
30 state government and its existing public institutions, and takes effect  
31 July 1, 2001.

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