

HOUSE BILL 2716

State of Washington 58th Legislature 2004 Regular Session

By Representatives Simpson, D., Sullivan, Campbell, Simpson, G. and Kirby

Read first time 01/20/2004. Referred to Committee on Criminal Justice & Corrections.

1 AN ACT Relating to attempting to elude a pursuing police vehicle;
2 reenacting and amending RCW 9.94A.515; prescribing penalties; and
3 providing an effective date.

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

5 **Sec. 1.** RCW 9.94A.515 and 2003 c 335 s 5, 2003 c 283 s 33, 2003 c
6 267 s 3, 2003 c 250 s 14, 2003 c 119 s 8, 2003 c 53 s 56, and 2003 c 52
7 s 4 are each reenacted and amended to read as follows:

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	TABLE 2
	CRIMES INCLUDED WITHIN
	EACH SERIOUSNESS LEVEL
XVI	Aggravated Murder 1 (RCW 10.95.020)
XV	Homicide by abuse (RCW 9A.32.055)
	Malicious explosion 1 (RCW 70.74.280(1))

1 Murder 1 (RCW 9A.32.030)
2 XIV Murder 2 (RCW 9A.32.050)
3 Trafficking 1 (RCW 9A.40.100(1))
4 XIII Malicious explosion 2 (RCW
5 70.74.280(2))
6 Malicious placement of an explosive 1
7 (RCW 70.74.270(1))
8 XII Assault 1 (RCW 9A.36.011)
9 Assault of a Child 1 (RCW 9A.36.120)
10 Malicious placement of an imitation
11 device 1 (RCW 70.74.272(1)(a))
12 Rape 1 (RCW 9A.44.040)
13 Rape of a Child 1 (RCW 9A.44.073)
14 Trafficking 2 (RCW 9A.40.100(2))
15 XI Manslaughter 1 (RCW 9A.32.060)
16 Rape 2 (RCW 9A.44.050)
17 Rape of a Child 2 (RCW 9A.44.076)
18 X Child Molestation 1 (RCW 9A.44.083)
19 Indecent Liberties (with forcible
20 compulsion) (RCW
21 9A.44.100(1)(a))
22 Kidnapping 1 (RCW 9A.40.020)
23 Leading Organized Crime (RCW
24 9A.82.060(1)(a))
25 Malicious explosion 3 (RCW
26 70.74.280(3))
27 Sexually Violent Predator Escape
28 (RCW 9A.76.115)
29 IX Assault of a Child 2 (RCW 9A.36.130)
30 Explosive devices prohibited (RCW
31 70.74.180)
32 Hit and Run--Death (RCW
33 46.52.020(4)(a))
34 Homicide by Watercraft, by being
35 under the influence of intoxicating
36 liquor or any drug (RCW
37 79A.60.050)

1 Inciting Criminal Profiteering (RCW
2 9A.82.060(1)(b))
3 Malicious placement of an explosive 2
4 (RCW 70.74.270(2))
5 Robbery 1 (RCW 9A.56.200)
6 Sexual Exploitation (RCW 9.68A.040)
7 Vehicular Homicide, by being under
8 the influence of intoxicating
9 liquor or any drug (RCW
10 46.61.520)
11 VIII Arson 1 (RCW 9A.48.020)
12 Homicide by Watercraft, by the
13 operation of any vessel in a
14 reckless manner (RCW
15 79A.60.050)
16 Manslaughter 2 (RCW 9A.32.070)
17 Promoting Prostitution 1 (RCW
18 9A.88.070)
19 Theft of Ammonia (RCW 69.55.010)
20 Vehicular Homicide, by the operation
21 of any vehicle in a reckless
22 manner (RCW 46.61.520)
23 VII Burglary 1 (RCW 9A.52.020)
24 Child Molestation 2 (RCW 9A.44.086)
25 Civil Disorder Training (RCW
26 9A.48.120)
27 Dealing in depictions of minor
28 engaged in sexually explicit
29 conduct (RCW 9.68A.050)
30 Drive-by Shooting (RCW 9A.36.045)
31 Homicide by Watercraft, by disregard
32 for the safety of others (RCW
33 79A.60.050)
34 Indecent Liberties (without forcible
35 compulsion) (RCW 9A.44.100(1)
36 (b) and (c))

1 Introducing Contraband 1 (RCW
2 9A.76.140)
3 Malicious placement of an explosive 3
4 (RCW 70.74.270(3))
5 Sending, bringing into state depictions
6 of minor engaged in sexually
7 explicit conduct (RCW
8 9.68A.060)
9 Unlawful Possession of a Firearm in
10 the first degree (RCW
11 9.41.040(1))
12 Use of a Machine Gun in Commission
13 of a Felony (RCW 9.41.225)
14 Vehicular Homicide, by disregard for
15 the safety of others (RCW
16 46.61.520)
17 VI Bail Jumping with Murder 1 (RCW
18 9A.76.170(3)(a))
19 Bribery (RCW 9A.68.010)
20 Incest 1 (RCW 9A.64.020(1))
21 Intimidating a Judge (RCW
22 9A.72.160)
23 Intimidating a Juror/Witness (RCW
24 9A.72.110, 9A.72.130)
25 Malicious placement of an imitation
26 device 2 (RCW 70.74.272(1)(b))
27 Rape of a Child 3 (RCW 9A.44.079)
28 Theft of a Firearm (RCW 9A.56.300)
29 Unlawful Storage of Ammonia (RCW
30 69.55.020)
31 V Abandonment of dependent person 1
32 (RCW 9A.42.060)
33 Advancing money or property for
34 extortionate extension of credit
35 (RCW 9A.82.030)
36 Bail Jumping with class A Felony
37 (RCW 9A.76.170(3)(b))

1 Child Molestation 3 (RCW 9A.44.089)
2 Criminal Mistreatment 1 (RCW
3 9A.42.020)
4 Custodial Sexual Misconduct 1 (RCW
5 9A.44.160)
6 Domestic Violence Court Order
7 Violation (RCW 10.99.040,
8 10.99.050, 26.09.300, 26.10.220,
9 26.26.138, 26.50.110, 26.52.070,
10 or 74.34.145)
11 Extortion 1 (RCW 9A.56.120)
12 Extortionate Extension of Credit
13 (RCW 9A.82.020)
14 Extortionate Means to Collect
15 Extensions of Credit (RCW
16 9A.82.040)
17 Incest 2 (RCW 9A.64.020(2))
18 Kidnapping 2 (RCW 9A.40.030)
19 Perjury 1 (RCW 9A.72.020)
20 Persistent prison misbehavior (RCW
21 9.94.070)
22 Possession of a Stolen Firearm (RCW
23 9A.56.310)
24 Rape 3 (RCW 9A.44.060)
25 Rendering Criminal Assistance 1
26 (RCW 9A.76.070)
27 Sexual Misconduct with a Minor 1
28 (RCW 9A.44.093)
29 Sexually Violating Human Remains
30 (RCW 9A.44.105)
31 Stalking (RCW 9A.46.110)
32 Taking Motor Vehicle Without
33 Permission 1 (RCW 9A.56.070)
34 IV Arson 2 (RCW 9A.48.030)
35 Assault 2 (RCW 9A.36.021)
36 Assault by Watercraft (RCW
37 79A.60.060)

1 Attempting to Elude a Pursuing Police
2 Vehicle (RCW 46.61.024)
3 Bribing a Witness/Bribe Received by
4 Witness (RCW 9A.72.090,
5 9A.72.100)
6 Cheating 1 (RCW 9.46.1961)
7 Commercial Bribery (RCW
8 9A.68.060)
9 Counterfeiting (RCW 9.16.035(4))
10 Endangerment with a Controlled
11 Substance (RCW 9A.42.100)
12 Escape 1 (RCW 9A.76.110)
13 Hit and Run--Injury (RCW
14 46.52.020(4)(b))
15 Hit and Run with Vessel--Injury
16 Accident (RCW 79A.60.200(3))
17 Identity Theft 1 (RCW 9.35.020(2))
18 Indecent Exposure to Person Under
19 Age Fourteen (subsequent sex
20 offense) (RCW 9A.88.010)
21 Influencing Outcome of Sporting
22 Event (RCW 9A.82.070)
23 Malicious Harassment (RCW
24 9A.36.080)
25 Residential Burglary (RCW
26 9A.52.025)
27 Robbery 2 (RCW 9A.56.210)
28 Theft of Livestock 1 (RCW 9A.56.080)
29 Threats to Bomb (RCW 9.61.160)
30 Trafficking in Stolen Property 1 (RCW
31 9A.82.050)
32 Unlawful factoring of a credit card or
33 payment card transaction (RCW
34 9A.56.290(4)(b))
35 Unlawful transaction of health
36 coverage as a health care service
37 contractor (RCW 48.44.016(3))

1 Unlawful transaction of health
2 coverage as a health maintenance
3 organization (RCW 48.46.033(3))
4 Unlawful transaction of insurance
5 business (RCW 48.15.023(3))
6 Unlicensed practice as an insurance
7 professional (RCW 48.17.063(3))
8 Use of Proceeds of Criminal
9 Profiteering (RCW 9A.82.080 (1)
10 and (2))
11 Vehicular Assault, by being under the
12 influence of intoxicating liquor or
13 any drug, or by the operation or
14 driving of a vehicle in a reckless
15 manner (RCW 46.61.522)
16 Willful Failure to Return from
17 Furlough (RCW 72.66.060)
18 III Abandonment of dependent person 2
19 (RCW 9A.42.070)
20 Assault 3 (RCW 9A.36.031)
21 Assault of a Child 3 (RCW 9A.36.140)
22 Bail Jumping with class B or C Felony
23 (RCW 9A.76.170(3)(c))
24 Burglary 2 (RCW 9A.52.030)
25 Communication with a Minor for
26 Immoral Purposes (RCW
27 9.68A.090)
28 Criminal Gang Intimidation (RCW
29 9A.46.120)
30 Criminal Mistreatment 2 (RCW
31 9A.42.030)
32 Custodial Assault (RCW 9A.36.100)
33 Escape 2 (RCW 9A.76.120)
34 Extortion 2 (RCW 9A.56.130)
35 Harassment (RCW 9A.46.020)
36 Intimidating a Public Servant (RCW
37 9A.76.180)

1 Introducing Contraband 2 (RCW
2 9A.76.150)
3 Malicious Injury to Railroad Property
4 (RCW 81.60.070)
5 Patronizing a Juvenile Prostitute
6 (RCW 9.68A.100)
7 Perjury 2 (RCW 9A.72.030)
8 Possession of Incendiary Device (RCW
9 9.40.120)
10 Possession of Machine Gun or Short-
11 Barreled Shotgun or Rifle (RCW
12 9.41.190)
13 Promoting Prostitution 2 (RCW
14 9A.88.080)
15 Securities Act violation (RCW
16 21.20.400)
17 Tampering with a Witness (RCW
18 9A.72.120)
19 Telephone Harassment (subsequent
20 conviction or threat of death)
21 (RCW 9.61.230(2))
22 Theft of Livestock 2 (RCW 9A.56.083)
23 Trafficking in Stolen Property 2 (RCW
24 9A.82.055)
25 Unlawful Imprisonment (RCW
26 9A.40.040)
27 Unlawful possession of firearm in the
28 second degree (RCW 9.41.040(2))
29 Vehicular Assault, by the operation or
30 driving of a vehicle with disregard
31 for the safety of others (RCW
32 46.61.522)
33 Willful Failure to Return from Work
34 Release (RCW 72.65.070)
35 II Computer Trespass 1 (RCW
36 9A.52.110)
37 Counterfeiting (RCW 9.16.035(3))

1 Escape from Community Custody
2 (RCW 72.09.310)
3 Health Care False Claims (RCW
4 48.80.030)
5 Identity Theft 2 (RCW 9.35.020(3))
6 Improperly Obtaining Financial
7 Information (RCW 9.35.010)
8 Malicious Mischief 1 (RCW
9 9A.48.070)
10 Possession of Stolen Property 1 (RCW
11 9A.56.150)
12 Theft 1 (RCW 9A.56.030)
13 Theft of Rental, Leased, or Lease-
14 purchased Property (valued at one
15 thousand five hundred dollars or
16 more) (RCW 9A.56.096(5)(a))
17 Trafficking in Insurance Claims (RCW
18 48.30A.015)
19 Unlawful factoring of a credit card or
20 payment card transaction (RCW
21 9A.56.290(4)(a))
22 Unlawful Practice of Law (RCW
23 2.48.180)
24 Unlicensed Practice of a Profession or
25 Business (RCW 18.130.190(7))
26 I ((~~Attempting to Elude a Pursuing~~
27 ~~Police Vehicle (RCW 46.61.024))~~)
28 False Verification for Welfare (RCW
29 74.08.055)
30 Forgery (RCW 9A.60.020)
31 Fraudulent Creation or Revocation of a
32 Mental Health Advance Directive
33 (RCW 9A.60.060)
34 Malicious Mischief 2 (RCW
35 9A.48.080)
36 Mineral Trespass (RCW 78.44.330)

1 Possession of Stolen Property 2 (RCW
2 9A.56.160)
3 Reckless Burning 1 (RCW 9A.48.040)
4 Taking Motor Vehicle Without
5 Permission 2 (RCW 9A.56.075)
6 Theft 2 (RCW 9A.56.040)
7 Theft of Rental, Leased, or Lease-
8 purchased Property (valued at two
9 hundred fifty dollars or more but
10 less than one thousand five
11 hundred dollars) (RCW
12 9A.56.096(5)(b))
13 Transaction of insurance business
14 beyond the scope of licensure
15 (RCW 48.17.063(4))
16 Unlawful Issuance of Checks or Drafts
17 (RCW 9A.56.060)
18 Unlawful Possession of Fictitious
19 Identification (RCW 9A.56.320)
20 Unlawful Possession of Instruments of
21 Financial Fraud (RCW
22 9A.56.320)
23 Unlawful Possession of Payment
24 Instruments (RCW 9A.56.320)
25 Unlawful Possession of a Personal
26 Identification Device (RCW
27 9A.56.320)
28 Unlawful Production of Payment
29 Instruments (RCW 9A.56.320)
30 Unlawful Trafficking in Food Stamps
31 (RCW 9.91.142)
32 Unlawful Use of Food Stamps (RCW
33 9.91.144)
34 Vehicle Prowl 1 (RCW 9A.52.095)

35 NEW SECTION. **Sec. 2.** This act takes effect July 1, 2004.

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