

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE HOUSE BILL 1200**

65th Legislature  
2017 Regular Session

Passed by the House April 17, 2017  
Yeas 95 Nays 0

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**Speaker of the House of Representatives**

Passed by the Senate April 12, 2017  
Yeas 49 Nays 0

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**President of the Senate**

Approved

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**Governor of the State of Washington**

CERTIFICATE

I, Bernard Dean, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1200** as passed by House of Representatives and the Senate on the dates hereon set forth.

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**Chief Clerk**

FILED

**Secretary of State  
State of Washington**

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**SUBSTITUTE HOUSE BILL 1200**

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AS AMENDED BY THE SENATE

Passed Legislature - 2017 Regular Session

**State of Washington                      65th Legislature                      2017 Regular Session**

**By** House Public Safety (originally sponsored by Representatives McCabe, Goodman, Klippert, Orwall, Hayes, Johnson, Griffey, Caldier, Dye, Sells, McDonald, Kilduff, and Smith)

READ FIRST TIME 02/13/17.

1            AN ACT Relating to the crime of voyeurism; amending RCW 9A.44.115  
2 and 13.40.070; reenacting and amending RCW 9.94A.515; and prescribing  
3 penalties.

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

5            **Sec. 1.** RCW 9A.44.115 and 2003 c 213 s 1 are each amended to  
6 read as follows:

7            (1) As used in this section:

8            (a) "Intimate areas" means any portion of a person's body or  
9 undergarments that is covered by clothing and intended to be  
10 protected from public view;

11            (b) "Photographs" or "films" means the making of a photograph,  
12 motion picture film, videotape, digital image, or any other recording  
13 or transmission of the image of a person;

14            (c) "Place where he or she would have a reasonable expectation of  
15 privacy" means:

16            (i) A place where a reasonable person would believe that he or  
17 she could disrobe in privacy, without being concerned that his or her  
18 undressing was being photographed or filmed by another; or

19            (ii) A place where one may reasonably expect to be safe from  
20 casual or hostile intrusion or surveillance;

1 (d) "Surveillance" means secret observation of the activities of  
2 another person for the purpose of spying upon and invading the  
3 privacy of the person;

4 (e) "Views" means the intentional looking upon of another person  
5 for more than a brief period of time, in other than a casual or  
6 cursory manner, with the unaided eye or with a device designed or  
7 intended to improve visual acuity.

8 (2)(a) A person commits the crime of voyeurism in the first  
9 degree if, for the purpose of arousing or gratifying the sexual  
10 desire of any person, he or she knowingly views, photographs, or  
11 films:

12 ((+a)) (i) Another person without that person's knowledge and  
13 consent while the person being viewed, photographed, or filmed is in  
14 a place where he or she would have a reasonable expectation of  
15 privacy; or

16 ((+b)) (ii) The intimate areas of another person without that  
17 person's knowledge and consent and under circumstances where the  
18 person has a reasonable expectation of privacy, whether in a public  
19 or private place.

20 ((+3)) (b) Voyeurism in the first degree is a class C felony.

21 (3)(a) A person commits the crime of voyeurism in the second  
22 degree if he or she intentionally photographs or films another person  
23 for the purpose of photographing or filming the intimate areas of  
24 that person with the intent to distribute or disseminate the  
25 photograph or film, without that person's knowledge and consent, and  
26 under circumstances where the person has a reasonable expectation of  
27 privacy, whether in a public or private place.

28 (b) Voyeurism in the second degree is a gross misdemeanor.

29 (c) Voyeurism in the second degree is not a sex offense for the  
30 purposes of sentencing or sex offender registration requirements  
31 under this chapter.

32 (4) This section does not apply to viewing, photographing, or  
33 filming by personnel of the department of corrections or of a local  
34 jail or correctional facility for security purposes or during  
35 investigation of alleged misconduct by a person in the custody of the  
36 department of corrections or the local jail or correctional facility.

37 (5) If a person is convicted of a violation of this section, the  
38 court may order the destruction of any photograph, motion picture  
39 film, digital image, videotape, or any other recording of an image  
40 that was made by the person in violation of this section.

1       **Sec. 2.** RCW 13.40.070 and 2013 c 179 s 3 are each amended to  
2 read as follows:

3       (1) Complaints referred to the juvenile court alleging the  
4 commission of an offense shall be referred directly to the  
5 prosecutor. The prosecutor, upon receipt of a complaint, shall screen  
6 the complaint to determine whether:

7       (a) The alleged facts bring the case within the jurisdiction of  
8 the court; and

9       (b) On a basis of available evidence there is probable cause to  
10 believe that the juvenile did commit the offense.

11       (2) If the identical alleged acts constitute an offense under  
12 both the law of this state and an ordinance of any city or county of  
13 this state, state law shall govern the prosecutor's screening and  
14 charging decision for both filed and diverted cases.

15       (3) If the requirements of subsections (1)(a) and (b) of this  
16 section are met, the prosecutor shall either file an information in  
17 juvenile court or divert the case, as set forth in subsections (5),  
18 (6), and (8) of this section. If the prosecutor finds that the  
19 requirements of subsection (1)(a) and (b) of this section are not  
20 met, the prosecutor shall maintain a record, for one year, of such  
21 decision and the reasons therefor. In lieu of filing an information  
22 or diverting an offense a prosecutor may file a motion to modify  
23 community supervision where such offense constitutes a violation of  
24 community supervision.

25       (4) An information shall be a plain, concise, and definite  
26 written statement of the essential facts constituting the offense  
27 charged. It shall be signed by the prosecuting attorney and conform  
28 to chapter 10.37 RCW.

29       (5) Except as provided in RCW 13.40.213 and subsection (7) of  
30 this section, where a case is legally sufficient, the prosecutor  
31 shall file an information with the juvenile court if:

32       (a) An alleged offender is accused of a class A felony, a class B  
33 felony, an attempt to commit a class B felony, a class C felony  
34 listed in RCW 9.94A.411(2) as a crime against persons or listed in  
35 RCW 9A.46.060 as a crime of harassment, or a class C felony that is a  
36 violation of RCW 9.41.080 or 9.41.040(2)(a)(~~(iii)~~) (iv); or

37       (b) An alleged offender is accused of a felony and has a criminal  
38 history of any felony, or at least two gross misdemeanors, or at  
39 least two misdemeanors; or

1 (c) An alleged offender has previously been committed to the  
2 department; or

3 (d) An alleged offender has been referred by a diversion unit for  
4 prosecution or desires prosecution instead of diversion; or

5 (e) An alleged offender has three or more diversion agreements on  
6 the alleged offender's criminal history; or

7 (f) A special allegation has been filed that the offender or an  
8 accomplice was armed with a firearm when the offense was committed.

9 (6) Where a case is legally sufficient the prosecutor shall  
10 divert the case if the alleged offense is a misdemeanor or gross  
11 misdemeanor or violation and the alleged offense is the offender's  
12 first offense or violation. If the alleged offender is charged with a  
13 related offense that must or may be filed under subsections (5) and  
14 (8) of this section, a case under this subsection may also be filed.

15 (7) Where a case is legally sufficient to charge an alleged  
16 offender with:

17 (a) Either prostitution or prostitution loitering and the alleged  
18 offense is the offender's first prostitution or prostitution  
19 loitering offense, the prosecutor shall divert the case; or

20 (b) Voyeurism in the second degree, the offender is under  
21 seventeen years of age, and the alleged offense is the offender's  
22 first voyeurism in the second degree offense, the prosecutor shall  
23 divert the case, unless the offender has received two diversions for  
24 any offense in the previous two years.

25 (8) Where a case is legally sufficient and falls into neither  
26 subsection (5) nor (6) of this section, it may be filed or diverted.  
27 In deciding whether to file or divert an offense under this section  
28 the prosecutor shall be guided only by the length, seriousness, and  
29 recency of the alleged offender's criminal history and the  
30 circumstances surrounding the commission of the alleged offense.

31 (9) Whenever a juvenile is placed in custody or, where not placed  
32 in custody, referred to a diversion interview, the parent or legal  
33 guardian of the juvenile shall be notified as soon as possible  
34 concerning the allegation made against the juvenile and the current  
35 status of the juvenile. Where a case involves victims of crimes  
36 against persons or victims whose property has not been recovered at  
37 the time a juvenile is referred to a diversion unit, the victim shall  
38 be notified of the referral and informed how to contact the unit.

39 (10) The responsibilities of the prosecutor under subsections (1)  
40 through (9) of this section may be performed by a juvenile court

1 probation counselor for any complaint referred to the court alleging  
2 the commission of an offense which would not be a felony if committed  
3 by an adult, if the prosecutor has given sufficient written notice to  
4 the juvenile court that the prosecutor will not review such  
5 complaints.

6 (11) The prosecutor, juvenile court probation counselor, or  
7 diversion unit may, in exercising their authority under this section  
8 or RCW 13.40.080, refer juveniles to mediation or victim offender  
9 reconciliation programs. Such mediation or victim offender  
10 reconciliation programs shall be voluntary for victims.

11 **Sec. 3.** RCW 9.94A.515 and 2016 c 213 s 5, 2016 c 164 s 13, and  
12 2016 c 6 s 1 are each reenacted and amended to read as follows:

13 TABLE 2

14 CRIMES INCLUDED WITHIN EACH  
15 SERIOUSNESS LEVEL

- 16 XVI Aggravated Murder 1 (RCW 10.95.020)
- 17 XV Homicide by abuse (RCW 9A.32.055)
- 18 Malicious explosion 1 (RCW  
19 70.74.280(1))
- 20 Murder 1 (RCW 9A.32.030)
- 21 XIV Murder 2 (RCW 9A.32.050)
- 22 Trafficking 1 (RCW 9A.40.100(1))
- 23 XIII Malicious explosion 2 (RCW  
24 70.74.280(2))
- 25 Malicious placement of an explosive 1  
26 (RCW 70.74.270(1))
- 27 XII Assault 1 (RCW 9A.36.011)
- 28 Assault of a Child 1 (RCW 9A.36.120)
- 29 Malicious placement of an imitation  
30 device 1 (RCW 70.74.272(1)(a))
- 31 Promoting Commercial Sexual Abuse of  
32 a Minor (RCW 9.68A.101)
- 33 Rape 1 (RCW 9A.44.040)
- 34 Rape of a Child 1 (RCW 9A.44.073)
- 35 Trafficking 2 (RCW 9A.40.100(3))

1 XI Manslaughter 1 (RCW 9A.32.060)  
2 Rape 2 (RCW 9A.44.050)  
3 Rape of a Child 2 (RCW 9A.44.076)  
4 Vehicular Homicide, by being under the  
5 influence of intoxicating liquor or  
6 any drug (RCW 46.61.520)  
7 Vehicular Homicide, by the operation of  
8 any vehicle in a reckless manner  
9 (RCW 46.61.520)  
10 X Child Molestation 1 (RCW 9A.44.083)  
11 Criminal Mistreatment 1 (RCW  
12 9A.42.020)  
13 Indecent Liberties (with forcible  
14 compulsion) (RCW  
15 9A.44.100(1)(a))  
16 Kidnapping 1 (RCW 9A.40.020)  
17 Leading Organized Crime (RCW  
18 9A.82.060(1)(a))  
19 Malicious explosion 3 (RCW  
20 70.74.280(3))  
21 Sexually Violent Predator Escape (RCW  
22 9A.76.115)  
23 IX Abandonment of Dependent Person 1  
24 (RCW 9A.42.060)  
25 Assault of a Child 2 (RCW 9A.36.130)  
26 Explosive devices prohibited (RCW  
27 70.74.180)  
28 Hit and Run—Death (RCW  
29 46.52.020(4)(a))  
30 Homicide by Watercraft, by being under  
31 the influence of intoxicating liquor  
32 or any drug (RCW 79A.60.050)  
33 Inciting Criminal Profiteering (RCW  
34 9A.82.060(1)(b))

1 Malicious placement of an explosive 2  
2 (RCW 70.74.270(2))  
3 Robbery 1 (RCW 9A.56.200)  
4 Sexual Exploitation (RCW 9.68A.040)  
5 VIII Arson 1 (RCW 9A.48.020)  
6 Commercial Sexual Abuse of a Minor  
7 (RCW 9.68A.100)  
8 Homicide by Watercraft, by the  
9 operation of any vessel in a reckless  
10 manner (RCW 79A.60.050)  
11 Manslaughter 2 (RCW 9A.32.070)  
12 Promoting Prostitution 1 (RCW  
13 9A.88.070)  
14 Theft of Ammonia (RCW 69.55.010)  
15 VII Air bag diagnostic systems (causing  
16 bodily injury or death) (RCW  
17 46.37.660(2)(b))  
18 Air bag replacement requirements  
19 (causing bodily injury or death)  
20 (RCW 46.37.660(1)(b))  
21 Burglary 1 (RCW 9A.52.020)  
22 Child Molestation 2 (RCW 9A.44.086)  
23 Civil Disorder Training (RCW  
24 9A.48.120)  
25 Dealing in depictions of minor engaged  
26 in sexually explicit conduct 1  
27 (RCW 9.68A.050(1))  
28 Drive-by Shooting (RCW 9A.36.045)  
29 Homicide by Watercraft, by disregard  
30 for the safety of others (RCW  
31 79A.60.050)  
32 Indecent Liberties (without forcible  
33 compulsion) (RCW 9A.44.100(1)  
34 (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 Manufacture or import counterfeit,  
6 nonfunctional, damaged, or  
7 previously deployed air bag  
8 (causing bodily injury or death)  
9 (RCW 46.37.650(1)(b))  
10 Negligently Causing Death By Use of a  
11 Signal Preemption Device (RCW  
12 46.37.675)  
13 Sale, install, (~~for~~) or reinstall  
14 counterfeit, nonfunctional,  
15 damaged, or previously deployed  
16 airbag (RCW 46.37.650(2)(b))  
17 Sending, bringing into state depictions  
18 of minor engaged in sexually  
19 explicit conduct 1 (RCW  
20 9.68A.060(1))  
21 Unlawful Possession of a Firearm in the  
22 first degree (RCW 9.41.040(1))  
23 Use of a Machine Gun in Commission  
24 of a Felony (RCW 9.41.225)  
25 Vehicular Homicide, by disregard for  
26 the safety of others (RCW  
27 46.61.520)  
28 VI Bail Jumping with Murder 1 (RCW  
29 9A.76.170(3)(a))  
30 Bribery (RCW 9A.68.010)  
31 Incest 1 (RCW 9A.64.020(1))  
32 Intimidating a Judge (RCW 9A.72.160)  
33 Intimidating a Juror/Witness (RCW  
34 9A.72.110, 9A.72.130)  
35 Malicious placement of an imitation  
36 device 2 (RCW 70.74.272(1)(b))

1 Possession of Depictions of a Minor  
2 Engaged in Sexually Explicit  
3 Conduct 1 (RCW 9.68A.070(1))  
4 Rape of a Child 3 (RCW 9A.44.079)  
5 Theft of a Firearm (RCW 9A.56.300)  
6 Unlawful Storage of Ammonia (RCW  
7 69.55.020)  
8 V Abandonment of Dependent Person 2  
9 (RCW 9A.42.070)  
10 Advancing money or property for  
11 extortionate extension of credit  
12 (RCW 9A.82.030)  
13 Air bag diagnostic systems (RCW  
14 46.37.660(2)(c))  
15 Air bag replacement requirements  
16 (RCW 46.37.660(1)(c))  
17 Bail Jumping with class A Felony  
18 (RCW 9A.76.170(3)(b))  
19 Child Molestation 3 (RCW 9A.44.089)  
20 Criminal Mistreatment 2 (RCW  
21 9A.42.030)  
22 Custodial Sexual Misconduct 1 (RCW  
23 9A.44.160)  
24 Dealing in Depictions of Minor  
25 Engaged in Sexually Explicit  
26 Conduct 2 (RCW 9.68A.050(2))  
27 Domestic Violence Court Order  
28 Violation (RCW 10.99.040,  
29 10.99.050, 26.09.300, 26.10.220,  
30 26.26.138, 26.50.110, 26.52.070, or  
31 74.34.145)  
32 Driving While Under the Influence  
33 (RCW 46.61.502(6))  
34 Extortion 1 (RCW 9A.56.120)  
35 Extortionate Extension of Credit (RCW  
36 9A.82.020)

1 Extortionate Means to Collect  
2 Extensions of Credit (RCW  
3 9A.82.040)  
4 Incest 2 (RCW 9A.64.020(2))  
5 Kidnapping 2 (RCW 9A.40.030)  
6 Manufacture or import counterfeit,  
7 nonfunctional, damaged, or  
8 previously deployed air bag (RCW  
9 46.37.650(1)(c))  
10 Perjury 1 (RCW 9A.72.020)  
11 Persistent prison misbehavior (RCW  
12 9.94.070)  
13 Physical Control of a Vehicle While  
14 Under the Influence (RCW  
15 46.61.504(6))  
16 Possession of a Stolen Firearm (RCW  
17 9A.56.310)  
18 Rape 3 (RCW 9A.44.060)  
19 Rendering Criminal Assistance 1 (RCW  
20 9A.76.070)  
21 Sale, install, ~~((for))~~ or reinstall  
22 counterfeit, nonfunctional,  
23 damaged, or previously deployed  
24 airbag (RCW 46.37.650(2)(c))  
25 Sending, Bringing into State Depictions  
26 of Minor Engaged in Sexually  
27 Explicit Conduct 2 (RCW  
28 9.68A.060(2))  
29 Sexual Misconduct with a Minor 1  
30 (RCW 9A.44.093)  
31 Sexually Violating Human Remains  
32 (RCW 9A.44.105)  
33 Stalking (RCW 9A.46.110)  
34 Taking Motor Vehicle Without  
35 Permission 1 (RCW 9A.56.070)  
36 IV Arson 2 (RCW 9A.48.030)

1 Assault 2 (RCW 9A.36.021)  
2 Assault 3 (of a Peace Officer with a  
3 Projectile Stun Gun) (RCW  
4 9A.36.031(1)(h))  
5 Assault by Watercraft (RCW  
6 79A.60.060)  
7 Bribing a Witness/Bribe Received by  
8 Witness (RCW 9A.72.090,  
9 9A.72.100)  
10 Cheating 1 (RCW 9.46.1961)  
11 Commercial Bribery (RCW 9A.68.060)  
12 Counterfeiting (RCW 9.16.035(4))  
13 Endangerment with a Controlled  
14 Substance (RCW 9A.42.100)  
15 Escape 1 (RCW 9A.76.110)  
16 Hit and Run—Injury (RCW  
17 46.52.020(4)(b))  
18 Hit and Run with Vessel—Injury  
19 Accident (RCW 79A.60.200(3))  
20 Identity Theft 1 (RCW 9.35.020(2))  
21 Indecent Exposure to Person Under Age  
22 Fourteen (subsequent sex offense)  
23 (RCW 9A.88.010)  
24 Influencing Outcome of Sporting Event  
25 (RCW 9A.82.070)  
26 Malicious Harassment (RCW  
27 9A.36.080)  
28 Possession of Depictions of a Minor  
29 Engaged in Sexually Explicit  
30 Conduct 2 (RCW 9.68A.070(2))  
31 Residential Burglary (RCW 9A.52.025)  
32 Robbery 2 (RCW 9A.56.210)  
33 Theft of Livestock 1 (RCW 9A.56.080)  
34 Threats to Bomb (RCW 9.61.160)

1 Trafficking in Stolen Property 1 (RCW  
2 9A.82.050)  
3 Unlawful factoring of a credit card or  
4 payment card transaction (RCW  
5 9A.56.290(4)(b))  
6 Unlawful transaction of health coverage  
7 as a health care service contractor  
8 (RCW 48.44.016(3))  
9 Unlawful transaction of health coverage  
10 as a health maintenance  
11 organization (RCW 48.46.033(3))  
12 Unlawful transaction of insurance  
13 business (RCW 48.15.023(3))  
14 Unlicensed practice as an insurance  
15 professional (RCW 48.17.063(2))  
16 Use of Proceeds of Criminal  
17 Profiteering (RCW 9A.82.080 (1)  
18 and (2))  
19 Vehicle Prowling 2 (third or subsequent  
20 offense) (RCW 9A.52.100(3))  
21 Vehicular Assault, by being under the  
22 influence of intoxicating liquor or  
23 any drug, or by the operation or  
24 driving of a vehicle in a reckless  
25 manner (RCW 46.61.522)  
26 Viewing of Depictions of a Minor  
27 Engaged in Sexually Explicit  
28 Conduct 1 (RCW 9.68A.075(1))  
29 Willful Failure to Return from Furlough  
30 (RCW 72.66.060)  
31 III Animal Cruelty 1 (Sexual Conduct or  
32 Contact) (RCW 16.52.205(3))  
33 Assault 3 (Except Assault 3 of a Peace  
34 Officer With a Projectile Stun Gun)  
35 (RCW 9A.36.031 except subsection  
36 (1)(h))  
37 Assault of a Child 3 (RCW 9A.36.140)

1 Bail Jumping with class B or C Felony  
2 (RCW 9A.76.170(3)(c))  
3 Burglary 2 (RCW 9A.52.030)  
4 Communication with a Minor for  
5 Immoral Purposes (RCW  
6 9.68A.090)  
7 Criminal Gang Intimidation (RCW  
8 9A.46.120)  
9 Custodial Assault (RCW 9A.36.100)  
10 Cyberstalking (subsequent conviction or  
11 threat of death) (RCW 9.61.260(3))  
12 Escape 2 (RCW 9A.76.120)  
13 Extortion 2 (RCW 9A.56.130)  
14 Harassment (RCW 9A.46.020)  
15 Intimidating a Public Servant (RCW  
16 9A.76.180)  
17 Introducing Contraband 2 (RCW  
18 9A.76.150)  
19 Malicious Injury to Railroad Property  
20 (RCW 81.60.070)  
21 Mortgage Fraud (RCW 19.144.080)  
22 Negligently Causing Substantial Bodily  
23 Harm By Use of a Signal  
24 Preemption Device (RCW  
25 46.37.674)  
26 Organized Retail Theft 1 (RCW  
27 9A.56.350(2))  
28 Perjury 2 (RCW 9A.72.030)  
29 Possession of Incendiary Device (RCW  
30 9.40.120)  
31 Possession of Machine Gun or Short-  
32 Barreled Shotgun or Rifle (RCW  
33 9.41.190)  
34 Promoting Prostitution 2 (RCW  
35 9A.88.080)

1 Retail Theft with Special Circumstances  
2 1 (RCW 9A.56.360(2))  
3 Securities Act violation (RCW  
4 21.20.400)  
5 Tampering with a Witness (RCW  
6 9A.72.120)  
7 Telephone Harassment (subsequent  
8 conviction or threat of death) (RCW  
9 9.61.230(2))  
10 Theft of Livestock 2 (RCW 9A.56.083)  
11 Theft with the Intent to Resell 1 (RCW  
12 9A.56.340(2))  
13 Trafficking in Stolen Property 2 (RCW  
14 9A.82.055)  
15 Unlawful Hunting of Big Game 1 (RCW  
16 77.15.410(3)(b))  
17 Unlawful Imprisonment (RCW  
18 9A.40.040)  
19 Unlawful Misbranding of Food Fish or  
20 Shellfish 1 (RCW 69.04.938(3))  
21 Unlawful possession of firearm in the  
22 second degree (RCW 9.41.040(2))  
23 Unlawful Taking of Endangered Fish or  
24 Wildlife 1 (RCW 77.15.120(3)(b))  
25 Unlawful Trafficking in Fish, Shellfish,  
26 or Wildlife 1 (RCW  
27 77.15.260(3)(b))  
28 Unlawful Use of a Nondesignated  
29 Vessel (RCW 77.15.530(4))  
30 Vehicular Assault, by the operation or  
31 driving of a vehicle with disregard  
32 for the safety of others (RCW  
33 46.61.522)  
34 Willful Failure to Return from Work  
35 Release (RCW 72.65.070)

1 II Commercial Fishing Without a License  
2 1 (RCW 77.15.500(3)(b))  
3 Computer Trespass 1 (RCW 9A.90.040)  
4 Counterfeiting (RCW 9.16.035(3))  
5 Electronic Data Service Interference  
6 (RCW 9A.90.060)  
7 Electronic Data Tampering 1 (RCW  
8 9A.90.080)  
9 Electronic Data Theft (RCW 9A.90.100)  
10 Engaging in Fish Dealing Activity  
11 Unlicensed 1 (RCW 77.15.620(3))  
12 Escape from Community Custody  
13 (RCW 72.09.310)  
14 Failure to Register as a Sex Offender  
15 (second or subsequent offense)  
16 (RCW 9A.44.130 prior to June 10,  
17 2010, and RCW 9A.44.132)  
18 Health Care False Claims (RCW  
19 48.80.030)  
20 Identity Theft 2 (RCW 9.35.020(3))  
21 Improperly Obtaining Financial  
22 Information (RCW 9.35.010)  
23 Malicious Mischief 1 (RCW 9A.48.070)  
24 Organized Retail Theft 2 (RCW  
25 9A.56.350(3))  
26 Possession of Stolen Property 1 (RCW  
27 9A.56.150)  
28 Possession of a Stolen Vehicle (RCW  
29 9A.56.068)  
30 Retail Theft with Special Circumstances  
31 2 (RCW 9A.56.360(3))  
32 Scrap Processing, Recycling, or  
33 Supplying Without a License  
34 (second or subsequent offense)  
35 (RCW 19.290.100)

1 Theft 1 (RCW 9A.56.030)  
2 Theft of a Motor Vehicle (RCW  
3 9A.56.065)  
4 Theft of Rental, Leased, Lease-  
5 purchased, or Loaned Property  
6 (valued at five thousand dollars or  
7 more) (RCW 9A.56.096(5)(a))  
8 Theft with the Intent to Resell 2 (RCW  
9 9A.56.340(3))  
10 Trafficking in Insurance Claims (RCW  
11 48.30A.015)  
12 Unlawful factoring of a credit card or  
13 payment card transaction (RCW  
14 9A.56.290(4)(a))  
15 Unlawful Participation of Non-Indians  
16 in Indian Fishery (RCW  
17 77.15.570(2))  
18 Unlawful Practice of Law (RCW  
19 2.48.180)  
20 Unlawful Purchase or Use of a License  
21 (RCW 77.15.650(3)(b))  
22 Unlawful Trafficking in Fish, Shellfish,  
23 or Wildlife 2 (RCW  
24 77.15.260(3)(a))  
25 Unlicensed Practice of a Profession or  
26 Business (RCW 18.130.190(7))  
27 Voyeurism 1 (RCW 9A.44.115)  
28 I Attempting to Elude a Pursuing Police  
29 Vehicle (RCW 46.61.024)  
30 False Verification for Welfare (RCW  
31 74.08.055)  
32 Forgery (RCW 9A.60.020)  
33 Fraudulent Creation or Revocation of a  
34 Mental Health Advance Directive  
35 (RCW 9A.60.060)  
36 Malicious Mischief 2 (RCW 9A.48.080)

1 Mineral Trespass (RCW 78.44.330)  
2 Possession of Stolen Property 2 (RCW  
3 9A.56.160)  
4 Reckless Burning 1 (RCW 9A.48.040)  
5 Spotlighting Big Game 1 (RCW  
6 77.15.450(3)(b))  
7 Suspension of Department Privileges 1  
8 (RCW 77.15.670(3)(b))  
9 Taking Motor Vehicle Without  
10 Permission 2 (RCW 9A.56.075)  
11 Theft 2 (RCW 9A.56.040)  
12 Theft of Rental, Leased, Lease-  
13 purchased, or Loaned Property  
14 (valued at seven hundred fifty  
15 dollars or more but less than five  
16 thousand dollars) (RCW  
17 9A.56.096(5)(b))  
18 Transaction of insurance business  
19 beyond the scope of licensure  
20 (RCW 48.17.063)  
21 Unlawful Fish and Shellfish Catch  
22 Accounting (RCW 77.15.630(3)(b))  
23 Unlawful Issuance of Checks or Drafts  
24 (RCW 9A.56.060)  
25 Unlawful Possession of Fictitious  
26 Identification (RCW 9A.56.320)  
27 Unlawful Possession of Instruments of  
28 Financial Fraud (RCW 9A.56.320)  
29 Unlawful Possession of Payment  
30 Instruments (RCW 9A.56.320)  
31 Unlawful Possession of a Personal  
32 Identification Device (RCW  
33 9A.56.320)  
34 Unlawful Production of Payment  
35 Instruments (RCW 9A.56.320)

1 Unlawful Releasing, Planting,  
2 Possessing, or Placing Deleterious  
3 Exotic Wildlife (RCW  
4 77.15.250(2)(b))  
5 Unlawful Trafficking in Food Stamps  
6 (RCW 9.91.142)  
7 Unlawful Use of Food Stamps (RCW  
8 9.91.144)  
9 Unlawful Use of Net to Take Fish 1  
10 (RCW 77.15.580(3)(b))  
11 Unlawful Use of Prohibited Aquatic  
12 Animal Species (RCW  
13 77.15.253(3))  
14 Vehicle Prowl 1 (RCW 9A.52.095)  
15 Violating Commercial Fishing Area or  
16 Time 1 (RCW 77.15.550(3)(b))

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