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**SUBSTITUTE SENATE BILL 6397**

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**State of Washington**

**61st Legislature**

**2010 Regular Session**

**By** Senate Judiciary (originally sponsored by Senators Kline, Pflug, Oemig, McDermott, Eide, Kauffman, Shin, and McAuliffe)

READ FIRST TIME 02/05/10.

1       AN ACT Relating to viewing sexually explicit depictions of minors  
2 on the internet; amending RCW 9.68.001, 9.68A.110, 9.68A.011,  
3 9.68A.050, 9.68A.060, and 9.68A.070; reenacting and amending RCW  
4 9.94A.515; adding a new section to chapter 9.68A RCW; and prescribing  
5 penalties.

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

7       **Sec. 1.** RCW 9.68A.001 and 2007 c 368 s 1 are each amended to read  
8 as follows:

9       The legislature finds that the prevention of sexual exploitation  
10 and abuse of children constitutes a government objective of surpassing  
11 importance. The care of children is a sacred trust and should not be  
12 abused by those who seek commercial gain or personal gratification  
13 based on the exploitation of children.

14       The legislature further finds that the protection of children from  
15 sexual exploitation can be accomplished without infringing on a  
16 constitutionally protected activity. The definition of "sexually  
17 explicit conduct" and other operative definitions demarcate a line  
18 between protected and prohibited conduct and should not inhibit  
19 legitimate scientific, medical, or educational activities.

1 The legislature further finds that children engaged in sexual  
2 conduct for financial compensation are frequently the victims of sexual  
3 abuse. Approximately eighty to ninety percent of children engaged in  
4 sexual activity for financial compensation have a history of sexual  
5 abuse victimization. It is the intent of the legislature to encourage  
6 these children to engage in prevention and intervention services and to  
7 hold those who pay to engage in the sexual abuse of children  
8 accountable for the trauma they inflict on children.

9 The legislature further finds that due to the changing nature of  
10 technology, offenders are now able to access child pornography in  
11 different ways and in increasing quantities. By amending current  
12 statutes governing depictions of a minor engaged in sexually explicit  
13 conduct, it is the intent of the legislature to ensure that intentional  
14 viewing of and trading in child pornography over the internet is  
15 subject to a criminal penalty without limiting the scope of existing  
16 prohibitions on the possession of or dealing in child pornography,  
17 including the possession of electronic depictions of a minor engaged in  
18 sexually explicit conduct. It is also the intent of the legislature to  
19 clarify, in response to *State v. Sutherby*, 204 P.3d 916 (2009), and  
20 other recent case law, that each individual item of visual or printed  
21 matter constitutes a separate violation for purposes of determining the  
22 unit of prosecution under the statutes governing possession of and  
23 trading in depictions of a minor engaged in sexually explicit conduct.  
24 Furthermore, it is the intent of the legislature to set a different  
25 unit of prosecution for the new crime of viewing of depictions of a  
26 minor engaged in sexually explicit conduct such that each separate  
27 session of intentionally viewing over the internet of visual depictions  
28 or images of a minor engaged in sexually explicit conduct constitutes  
29 a separate offense.

30 **Sec. 2.** RCW 9.68A.110 and 2007 c 368 s 3 are each amended to read  
31 as follows:

32 (1) In a prosecution under RCW 9.68A.040, it is not a defense that  
33 the defendant was involved in activities of law enforcement and  
34 prosecution agencies in the investigation and prosecution of criminal  
35 offenses. Law enforcement and prosecution agencies shall not employ  
36 minors to aid in the investigation of a violation of RCW 9.68A.090 or

1 9.68A.100. This chapter does not apply to lawful conduct between  
2 spouses.

3 (2) In a prosecution under RCW 9.68A.050, 9.68A.060, 9.68A.070, or  
4 9.68A.080, it is not a defense that the defendant did not know the age  
5 of the child depicted in the visual or printed matter: PROVIDED, That  
6 it is a defense, which the defendant must prove by a preponderance of  
7 the evidence, that at the time of the offense the defendant was not in  
8 possession of any facts on the basis of which he or she should  
9 reasonably have known that the person depicted was a minor.

10 (3) In a prosecution under RCW 9.68A.040, 9.68A.090, 9.68A.101, or  
11 9.68A.102, it is not a defense that the defendant did not know the  
12 alleged victim's age: PROVIDED, That it is a defense, which the  
13 defendant must prove by a preponderance of the evidence, that at the  
14 time of the offense, the defendant made a reasonable bona fide attempt  
15 to ascertain the true age of the minor by requiring production of a  
16 driver's license, marriage license, birth certificate, or other  
17 governmental or educational identification card or paper and did not  
18 rely solely on the oral allegations or apparent age of the minor.

19 (4) In a prosecution under RCW 9.68A.050, 9.68A.060, or 9.68A.070,  
20 it shall be an affirmative defense that the defendant was a law  
21 enforcement officer or a person specifically authorized, in writing, to  
22 assist a law enforcement officer and acting at the direction of a law  
23 enforcement officer in the process of conducting an official  
24 investigation of a sex-related crime against a minor, or that the  
25 defendant was providing individual case treatment as a recognized  
26 medical facility or as a psychiatrist or psychologist licensed under  
27 Title 18 RCW.

28 (5) In a prosecution under RCW 9.68A.050, 9.68A.060, or 9.68A.070,  
29 the state is not required to establish the identity of the alleged  
30 victim.

31 (6) In a prosecution under RCW 9.68A.070 and section 7 of this act,  
32 it shall be an affirmative defense that:

33 (a) The defendant was employed or enrolled at or conducting  
34 research in partnership or in cooperation with any institution of  
35 higher education as defined in RCW 28B.07.020 or 28B.10.016, and:

36 (i) He or she was engaged in a research activity;

37 (ii) The research activity was specifically approved prior to the

1 possession or viewing activity being conducted in writing by a person,  
2 or other such entity vested with the authority to grant such approval  
3 by the institution of higher learning; and

4 (iii) Viewing or possessing the visual or printed matter is an  
5 essential component of the authorized research; or

6 (b) The defendant was an employee of the Washington state  
7 legislature engaged in research at the request of a member of the  
8 legislature and:

9 (i) The request for research is made prior to the possession or  
10 viewing activity being conducted in writing by a member of the  
11 legislature;

12 (ii) The research is directly related to a legislative activity;  
13 and

14 (iii) Viewing or possessing the visual or printed matter is an  
15 essential component of the requested research and legislative activity.

16 (c) Nothing in this section authorizes otherwise unlawful viewing  
17 or possession of visual or printed matter depicting a minor engaged in  
18 sexually explicit conduct.

19 **Sec. 3.** RCW 9.68A.011 and 2002 c 70 s 1 are each amended to read  
20 as follows:

21 Unless the context clearly indicates otherwise, the definitions in  
22 this section apply throughout this chapter.

23 (1) An "internet session" means a period of time during which an  
24 internet user, using a specific internet protocol address visits or is  
25 logged into an internet site for a sequential and uninterrupted period  
26 of time.

27 (2) To "photograph" means to make a print, negative, slide, digital  
28 image, motion picture, or videotape. A "photograph" means anything  
29 tangible or intangible produced by photographing.

30 ~~((+2))~~ (3) "Visual or printed matter" means ~~((any))~~ a photograph  
31 or other material that contains a reproduction of a photograph.

32 ~~((+3))~~ (4) "Sexually explicit conduct" means actual or simulated:

33 (a) Sexual intercourse, including genital-genital, oral-genital,  
34 anal-genital, or oral-anal, whether between persons of the same or  
35 opposite sex or between humans and animals;

36 (b) Penetration of the vagina or rectum by any object;

37 (c) Masturbation;

1 (d) Sadomasochistic abuse for the purpose of sexual stimulation of  
2 the viewer;

3 (e) (~~Exhibition~~) Depiction of the genitals or unclothed pubic or  
4 rectal areas of any minor, or the unclothed breast of a female minor,  
5 for the purpose of sexual stimulation of the viewer. For the purposes  
6 of this subsection (4)(e), it is not necessary that the minor know that  
7 he or she is participating in the described conduct, or any aspect of  
8 it;

9 (f) Defecation or urination for the purpose of sexual stimulation  
10 of the viewer; and

11 (g) Touching of a person's clothed or unclothed genitals, pubic  
12 area, buttocks, or breast area for the purpose of sexual stimulation of  
13 the viewer.

14 ((+4)) (5) "Minor" means any person under eighteen years of age.

15 ((+5)) (6) "Live performance" means any play, show, skit, dance,  
16 or other exhibition performed or presented to or before an audience of  
17 one or more, with or without consideration.

18 **Sec. 4.** RCW 9.68A.050 and 1989 c 32 s 3 are each amended to read  
19 as follows:

20 A person who:

21 (1) Knowingly develops, duplicates, publishes, prints,  
22 disseminates, exchanges, finances, attempts to finance, or sells  
23 ((any)) a visual or printed matter that depicts a minor engaged in an  
24 act of sexually explicit conduct; or

25 (2) Possesses with intent to develop, duplicate, publish, print,  
26 disseminate, exchange, or sell ((any)) a visual or printed matter that  
27 depicts a minor engaged in an act of sexually explicit conduct  
28 is guilty of a class C felony punishable under chapter 9A.20 RCW.

29 (3) For the purposes of this section, each depiction or image of  
30 visual or printed matter constitutes a separate offense.

31 **Sec. 5.** RCW 9.68A.060 and 1989 c 32 s 4 are each amended to read  
32 as follows:

33 (1) A person who knowingly sends or causes to be sent, or brings or  
34 causes to be brought, into this state for sale or distribution, ((any))  
35 a visual or printed matter that depicts a minor engaged in sexually

1 explicit conduct is guilty of a class C felony punishable under chapter  
2 9A.20 RCW.

3 (2) For the purposes of this section, each depiction or image of  
4 visual or printed matter constitutes a separate offense.

5 **Sec. 6.** RCW 9.68A.070 and 2006 c 139 s 3 are each amended to read  
6 as follows:

7 (1) A person who knowingly possesses a visual or printed matter  
8 depicting a minor engaged in sexually explicit conduct is guilty of a  
9 class B felony.

10 (2) For the purposes of this section, each depiction or image of  
11 visual or printed matter constitutes a separate offense.

12 NEW SECTION. **Sec. 7.** A new section is added to chapter 9.68A RCW  
13 to read as follows:

14 (1) A person who intentionally views over the internet visual or  
15 printed matter depicting a minor engaged in sexually explicit conduct  
16 is guilty of a class B felony. For the purposes of determining whether  
17 a person intentionally viewed over the internet a visual or printed  
18 matter depicting a minor engaged in sexually explicit conduct, the  
19 trier of fact shall consider the title, text, and content of the visual  
20 or printed matter, as well as the internet history, search terms,  
21 thumbnail images, downloading activity, expert computer forensic  
22 testimony, number of visual or printed matter depicting minors engaged  
23 in sexually explicit conduct, defendant's access to and control over  
24 the electronic device and its contents upon which the visual or printed  
25 matter was found, or any other relevant evidence. The state must prove  
26 beyond a reasonable doubt that the viewing was initiated by the user of  
27 the computer where the viewing occurred.

28 (2) For the purposes of this section, each separate internet  
29 session of intentionally viewing over the internet visual or printed  
30 matter depicting a minor engaged in sexually explicit conduct  
31 constitutes a separate offense.

32 **Sec. 8.** RCW 9.94A.515 and 2008 c 108 s 23 and 2008 c 38 s 1 are  
33 each reenacted and amended to read as follows:

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))  
Murder 1 (RCW 9A.32.030)
- XIV Murder 2 (RCW 9A.32.050)  
Trafficking 1 (RCW 9A.40.100(1))
- XIII Malicious explosion 2 (RCW 70.74.280(2))  
Malicious placement of an explosive 1 (RCW 70.74.270(1))
- XII Assault 1 (RCW 9A.36.011)  
Assault of a Child 1 (RCW 9A.36.120)  
Malicious placement of an imitation device 1 (RCW 70.74.272(1)(a))  
Rape 1 (RCW 9A.44.040)  
Rape of a Child 1 (RCW 9A.44.073)  
Trafficking 2 (RCW 9A.40.100(2))
- XI Manslaughter 1 (RCW 9A.32.060)  
Rape 2 (RCW 9A.44.050)  
Rape of a Child 2 (RCW 9A.44.076)
- X Child Molestation 1 (RCW 9A.44.083)  
Criminal Mistreatment 1 (RCW 9A.42.020)  
Indecent Liberties (with forcible compulsion) (RCW 9A.44.100(1)(a))  
Kidnapping 1 (RCW 9A.40.020)  
Leading Organized Crime (RCW 9A.82.060(1)(a))  
Malicious explosion 3 (RCW 70.74.280(3))

1 Sexually Violent Predator Escape  
2 (RCW 9A.76.115)  
3 IX Abandonment of Dependent Person 1  
4 (RCW 9A.42.060)  
5 Assault of a Child 2 (RCW 9A.36.130)  
6 Explosive devices prohibited (RCW  
7 70.74.180)  
8 Hit and Run--Death (RCW  
9 46.52.020(4)(a))  
10 Homicide by Watercraft, by being  
11 under the influence of intoxicating  
12 liquor or any drug (RCW  
13 79A.60.050)  
14 Inciting Criminal Profiteering (RCW  
15 9A.82.060(1)(b))  
16 Malicious placement of an explosive 2  
17 (RCW 70.74.270(2))  
18 Robbery 1 (RCW 9A.56.200)  
19 Sexual Exploitation (RCW 9.68A.040)  
20 Vehicular Homicide, by being under  
21 the influence of intoxicating liquor  
22 or any drug (RCW 46.61.520)  
23 VIII Arson 1 (RCW 9A.48.020)  
24 Homicide by Watercraft, by the  
25 operation of any vessel in a  
26 reckless manner (RCW  
27 79A.60.050)  
28 Manslaughter 2 (RCW 9A.32.070)  
29 Promoting Commercial Sexual Abuse  
30 of a Minor (RCW 9.68A.101)  
31 Promoting Prostitution 1 (RCW  
32 9A.88.070)  
33 Theft of Ammonia (RCW 69.55.010)  
34 Vehicular Homicide, by the operation  
35 of any vehicle in a reckless manner  
36 (RCW 46.61.520)  
37 VII Burglary 1 (RCW 9A.52.020)



1 Child Molestation 2 (RCW 9A.44.086)  
2 Civil Disorder Training (RCW  
3 9A.48.120)  
4 Dealing in depictions of minor engaged  
5 in sexually explicit conduct (RCW  
6 9.68A.050)  
7 Drive-by Shooting (RCW 9A.36.045)  
8 Homicide by Watercraft, by disregard  
9 for the safety of others (RCW  
10 79A.60.050)  
11 Indecent Liberties (without forcible  
12 compulsion) (RCW 9A.44.100(1)  
13 (b) and (c))  
14 Introducing Contraband 1 (RCW  
15 9A.76.140)  
16 Malicious placement of an explosive 3  
17 (RCW 70.74.270(3))  
18 Negligently Causing Death By Use of a  
19 Signal Preemption Device (RCW  
20 46.37.675)  
21 Sending, bringing into state depictions  
22 of minor engaged in sexually  
23 explicit conduct (RCW 9.68A.060)  
24 Unlawful Possession of a Firearm in  
25 the first degree (RCW 9.41.040(1))  
26 Use of a Machine Gun in Commission  
27 of a Felony (RCW 9.41.225)  
28 Vehicular Homicide, by disregard for  
29 the safety of others (RCW  
30 46.61.520)  
31 VI Bail Jumping with Murder 1 (RCW  
32 9A.76.170(3)(a))  
33 Bribery (RCW 9A.68.010)  
34 Incest 1 (RCW 9A.64.020(1))  
35 Intimidating a Judge (RCW 9A.72.160)  
36 Intimidating a Juror/Witness (RCW  
37 9A.72.110, 9A.72.130)

1 Malicious placement of an imitation  
2 device 2 (RCW 70.74.272(1)(b))  
3 Possession of Depictions of a Minor  
4 Engaged in Sexually Explicit  
5 Conduct (RCW 9.68A.070)  
6 Rape of a Child 3 (RCW 9A.44.079)  
7 Theft of a Firearm (RCW 9A.56.300)  
8 Unlawful Storage of Ammonia (RCW  
9 69.55.020)  
10 V Abandonment of Dependent Person 2  
11 (RCW 9A.42.070)  
12 Advancing money or property for  
13 extortionate extension of credit  
14 (RCW 9A.82.030)  
15 Bail Jumping with class A Felony  
16 (RCW 9A.76.170(3)(b))  
17 Child Molestation 3 (RCW 9A.44.089)  
18 Criminal Mistreatment 2 (RCW  
19 9A.42.030)  
20 Custodial Sexual Misconduct 1 (RCW  
21 9A.44.160)  
22 Domestic Violence Court Order  
23 Violation (RCW 10.99.040,  
24 10.99.050, 26.09.300, 26.10.220,  
25 26.26.138, 26.50.110, 26.52.070,  
26 or 74.34.145)  
27 Driving While Under the Influence  
28 (RCW 46.61.502(6))  
29 Extortion 1 (RCW 9A.56.120)  
30 Extortionate Extension of Credit (RCW  
31 9A.82.020)  
32 Extortionate Means to Collect  
33 Extensions of Credit (RCW  
34 9A.82.040)  
35 Incest 2 (RCW 9A.64.020(2))  
36 Kidnapping 2 (RCW 9A.40.030)  
37 Perjury 1 (RCW 9A.72.020)

1 Persistent prison misbehavior (RCW  
2 9.94.070)  
3 Physical Control of a Vehicle While  
4 Under the Influence (RCW  
5 46.61.504(6))  
6 Possession of a Stolen Firearm (RCW  
7 9A.56.310)  
8 Rape 3 (RCW 9A.44.060)  
9 Rendering Criminal Assistance 1  
10 (RCW 9A.76.070)  
11 Sexual Misconduct with a Minor 1  
12 (RCW 9A.44.093)  
13 Sexually Violating Human Remains  
14 (RCW 9A.44.105)  
15 Stalking (RCW 9A.46.110)  
16 Taking Motor Vehicle Without  
17 Permission 1 (RCW 9A.56.070)  
18 IV Arson 2 (RCW 9A.48.030)  
19 Assault 2 (RCW 9A.36.021)  
20 Assault 3 (of a Peace Officer with a  
21 Projectile Stun Gun) (RCW  
22 9A.36.031(1)(h))  
23 Assault by Watercraft (RCW  
24 79A.60.060)  
25 Bribing a Witness/Bribe Received by  
26 Witness (RCW 9A.72.090,  
27 9A.72.100)  
28 Cheating 1 (RCW 9.46.1961)  
29 Commercial Bribery (RCW 9A.68.060)  
30 Counterfeiting (RCW 9.16.035(4))  
31 Endangerment with a Controlled  
32 Substance (RCW 9A.42.100)  
33 Escape 1 (RCW 9A.76.110)  
34 Hit and Run--Injury (RCW  
35 46.52.020(4)(b))  
36 Hit and Run with Vessel--Injury  
37 Accident (RCW 79A.60.200(3))

1 Identity Theft 1 (RCW 9.35.020(2))  
2 Indecent Exposure to Person Under  
3 Age Fourteen (subsequent sex  
4 offense) (RCW 9A.88.010)  
5 Influencing Outcome of Sporting Event  
6 (RCW 9A.82.070)  
7 Malicious Harassment (RCW  
8 9A.36.080)  
9 Residential Burglary (RCW  
10 9A.52.025)  
11 Robbery 2 (RCW 9A.56.210)  
12 Theft of Livestock 1 (RCW 9A.56.080)  
13 Threats to Bomb (RCW 9.61.160)  
14 Trafficking in Stolen Property 1 (RCW  
15 9A.82.050)  
16 Unlawful factoring of a credit card or  
17 payment card transaction (RCW  
18 9A.56.290(4)(b))  
19 Unlawful transaction of health  
20 coverage as a health care service  
21 contractor (RCW 48.44.016(3))  
22 Unlawful transaction of health  
23 coverage as a health maintenance  
24 organization (RCW 48.46.033(3))  
25 Unlawful transaction of insurance  
26 business (RCW 48.15.023(3))  
27 Unlicensed practice as an insurance  
28 professional (RCW  
29 48.17.063(~~(3)~~)(2))  
30 Use of Proceeds of Criminal  
31 Profiteering (RCW 9A.82.080 (1)  
32 and (2))  
33 Vehicular Assault, by being under the  
34 influence of intoxicating liquor or  
35 any drug, or by the operation or  
36 driving of a vehicle in a reckless  
37 manner (RCW 46.61.522)



1 Negligently Causing Substantial Bodily  
2 Harm By Use of a Signal  
3 Preemption Device (RCW  
4 46.37.674)  
5 Organized Retail Theft 1 (RCW  
6 9A.56.350(2))  
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 Retail Theft with Extenuating  
16 Circumstances 1 (RCW  
17 9A.56.360(2))  
18 Securities Act violation (RCW  
19 21.20.400)  
20 Tampering with a Witness (RCW  
21 9A.72.120)  
22 Telephone Harassment (subsequent  
23 conviction or threat of death)  
24 (RCW 9.61.230(2))  
25 Theft of Livestock 2 (RCW 9A.56.083)  
26 Theft with the Intent to Resell 1 (RCW  
27 9A.56.340(2))  
28 Trafficking in Stolen Property 2 (RCW  
29 9A.82.055)  
30 Unlawful Imprisonment (RCW  
31 9A.40.040)  
32 Unlawful possession of firearm in the  
33 second degree (RCW 9.41.040(2))  
34 Vehicular Assault, by the operation or  
35 driving of a vehicle with disregard  
36 for the safety of others (RCW  
37 46.61.522)

1 Willful Failure to Return from Work  
2 Release (RCW 72.65.070)  
3 II Computer Trespass 1 (RCW  
4 9A.52.110)  
5 Counterfeiting (RCW 9.16.035(3))  
6 Escape from Community Custody  
7 (RCW 72.09.310)  
8 Failure to Register as a Sex Offender  
9 (second or subsequent offense)  
10 (RCW 9A.44.130(11)(a))  
11 Health Care False Claims (RCW  
12 48.80.030)  
13 Identity Theft 2 (RCW 9.35.020(3))  
14 Improperly Obtaining Financial  
15 Information (RCW 9.35.010)  
16 Malicious Mischief 1 (RCW  
17 9A.48.070)  
18 Organized Retail Theft 2 (RCW  
19 9A.56.350(3))  
20 Possession of Stolen Property 1 (RCW  
21 9A.56.150)  
22 Possession of a Stolen Vehicle (RCW  
23 9A.56.068)  
24 Retail Theft with Extenuating  
25 Circumstances 2 (RCW  
26 9A.56.360(3))  
27 Theft 1 (RCW 9A.56.030)  
28 Theft of a Motor Vehicle (RCW  
29 9A.56.065)  
30 Theft of Rental, Leased, or Lease-  
31 purchased Property (valued at one  
32 thousand five hundred dollars or  
33 more) (RCW 9A.56.096(5)(a))  
34 Theft with the Intent to Resell 2 (RCW  
35 9A.56.340(3))  
36 Trafficking in Insurance Claims (RCW  
37 48.30A.015)

1 Unlawful factoring of a credit card or  
2 payment card transaction (RCW  
3 9A.56.290(4)(a))  
4 Unlawful Practice of Law (RCW  
5 2.48.180)  
6 Unlicensed Practice of a Profession or  
7 Business (RCW 18.130.190(7))  
8 Voyeurism (RCW 9A.44.115)  
9 I Attempting to Elude a Pursuing Police  
10 Vehicle (RCW 46.61.024)  
11 False Verification for Welfare (RCW  
12 74.08.055)  
13 Forgery (RCW 9A.60.020)  
14 Fraudulent Creation or Revocation of a  
15 Mental Health Advance Directive  
16 (RCW 9A.60.060)  
17 Malicious Mischief 2 (RCW  
18 9A.48.080)  
19 Mineral Trespass (RCW 78.44.330)  
20 Possession of Stolen Property 2 (RCW  
21 9A.56.160)  
22 Reckless Burning 1 (RCW 9A.48.040)  
23 Taking Motor Vehicle Without  
24 Permission 2 (RCW 9A.56.075)  
25 Theft 2 (RCW 9A.56.040)  
26 Theft of Rental, Leased, or Lease-  
27 purchased Property (valued at two  
28 hundred fifty dollars or more but  
29 less than one thousand five  
30 hundred dollars) (RCW  
31 9A.56.096(5)(b))  
32 Transaction of insurance business  
33 beyond the scope of licensure  
34 (RCW 48.17.063(((4))))  
35 Unlawful Issuance of Checks or Drafts  
36 (RCW 9A.56.060)



1 Unlawful Possession of Fictitious  
2 Identification (RCW 9A.56.320)  
3 Unlawful Possession of Instruments of  
4 Financial Fraud (RCW 9A.56.320)  
5 Unlawful Possession of Payment  
6 Instruments (RCW 9A.56.320)  
7 Unlawful Possession of a Personal  
8 Identification Device (RCW  
9 9A.56.320)  
10 Unlawful Production of Payment  
11 Instruments (RCW 9A.56.320)  
12 Unlawful Trafficking in Food Stamps  
13 (RCW 9.91.142)  
14 Unlawful Use of Food Stamps (RCW  
15 9.91.144)  
16 Vehicle Prowl 1 (RCW 9A.52.095)

--- **END** ---