

[9.94A.515. Table 2--Crimes included within each seriousness level \(Effective July 1, 2004\)](#)

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) |
| 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) |
| 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) 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)) Manufacture of methamphetamine (RCW 69.50.401(a)(1)(ii)) Over 18 and deliver heroin, methamphetamine, a narcotic from Schedule I or II, or flunitrazepam from Schedule IV to someone under 18 (RCW 69.50.406) Sexually Violent Predator Escape (RCW 9A.76.115) |
| IX | Assault of a Child 2 (RCW 9A.36.130) Controlled Substance Homicide (RCW 69.50.415) Explosive devices prohibited (RCW 70.74.180) Hit and Run--Death (RCW 46.52.020(4)(a)) Homicide by Watercraft, by being under the influence of intoxicating liquor or any drug (RCW 79A.60.050) Inciting Criminal Profiteering (RCW 9A.82.060(1)(b)) Malicious placement of an explosive 2 (RCW 70.74.270(2)) Over 18 and deliver narcotic from Schedule III, IV, or V or a |

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

VIII

Arson 1 (RCW 9A.48.020)
Deliver or possess with intent to deliver methamphetamine (RCW 69.50.401(a)(1)(ii))
Homicide by Watercraft, by the operation of any vessel in a reckless manner (RCW 79A.60.050)
Manslaughter 2 (RCW 9A.32.070)
Manufacture, deliver, or possess with intent to deliver amphetamine (RCW 69.50.401(a)(1)(ii))
Manufacture, deliver, or possess with intent to deliver heroin or cocaine (RCW 69.50.401(a)(1)(i))
Possession of Ephedrine or any of its Salts or Isomers or Salts of Isomers, Pseudoephedrine or any of its Salts or Isomers or Salts of Isomers, Pressurized Ammonia Gas, or Pressurized Ammonia Gas Solution with intent to manufacture methamphetamine (RCW 69.50.440)
Promoting Prostitution 1 (RCW 9A.88.070)
Selling for profit (controlled or counterfeit) any controlled substance (RCW 69.50.410)
Theft of Ammonia (RCW 69.55.010)
Vehicular Homicide, by the operation of any vehicle in a reckless manner (RCW 46.61.520)

VII

Burglary 1 (RCW 9A.52.020)
Child Molestation 2 (RCW 9A.44.086)
Civil Disorder Training (RCW 9A.48.120)
Dealing in depictions of minor engaged in sexually explicit conduct (RCW 9.68A.050)
Drive-by Shooting (RCW 9A.36.045)
Homicide by Watercraft, by disregard for the safety of others (RCW 79A.60.050)
Indecent Liberties (without forcible compulsion) (RCW 9A.44.100(1)(b) and (c))
Introducing Contraband 1 (RCW 9A.76.140)
Involving a minor in drug dealing (RCW 69.50.401(f))
Malicious placement of an explosive 3 (RCW 70.74.270(3))
Sending, bringing into state depictions of minor engaged in sexually explicit conduct (RCW 9.68A.060)
Unlawful Possession of a Firearm in the first degree (RCW 9.41.040(1)(a))
Use of a Machine Gun in Commission of a Felony (RCW 9.41.225)
Vehicular Homicide, by disregard for the safety of others (RCW 46.61.520)

VI

Bail Jumping with Murder 1 (RCW 9A.76.170(3)(a))
Bribery (RCW 9A.68.010)

Incest 1 (RCW 9A.64.020(1))
Intimidating a Judge (RCW 9A.72.160)
Intimidating a Juror/Witness (RCW 9A.72.110, 9A.72.130)
Malicious placement of an imitation device 2 (RCW 70.74.272(1)(b))
Manufacture, deliver, or possess with intent to deliver narcotics
 from Schedule I or II (except heroin or cocaine) or flunitrazepam
 from Schedule IV (RCW 69.50.401(a)(1)(i))
Rape of a Child 3 (RCW 9A.44.079)
Theft of a Firearm (RCW 9A.56.300)
Unlawful Storage of Ammonia (RCW 69.55.020)

V

Abandonment of dependent person 1 (RCW 9A.42.060)
Advancing money or property for extortionate extension of credit
 (RCW 9A.82.030)
Bail Jumping with class A Felony (RCW 9A.76.170(3)(b))
Child Molestation 3 (RCW 9A.44.089)
Criminal Mistreatment 1 (RCW 9A.42.020)
Custodial Sexual Misconduct 1 (RCW 9A.44.160)
Delivery of imitation controlled substance by person eighteen or
 over to person under eighteen (RCW 69.52.030(2))
Domestic Violence Court Order Violation (RCW 10.99.040, 10.99.050,
 26.09.300, 26.10.220, 26.26.138, 26.50.110, 26.52.070, or
 74.34.145)
Extortion 1 (RCW 9A.56.120)
Extortionate Extension of Credit (RCW 9A.82.020)
Extortionate Means to Collect Extensions of Credit (RCW 9A.82.040)
Incest 2 (RCW 9A.64.020(2))
Kidnapping 2 (RCW 9A.40.030)
Perjury 1 (RCW 9A.72.020)
Persistent prison misbehavior (RCW 9.94.070)
Possession of a Stolen Firearm (RCW 9A.56.310)
Rape 3 (RCW 9A.44.060)
Rendering Criminal Assistance 1 (RCW 9A.76.070)
Sexual Misconduct with a Minor 1 (RCW 9A.44.093)
Sexually Violating Human Remains (RCW 9A.44.105)
Stalking (RCW 9A.46.110)
Taking Motor Vehicle Without Permission 1 (RCW 9A.56.070(1))

IV

Arson 2 (RCW 9A.48.030)
Assault 2 (RCW 9A.36.021)
Assault by Watercraft (RCW 79A.60.060)
Bribing a Witness/Bribe Received by Witness (RCW 9A.72.090,
 9A.72.100)
Cheating 1 (RCW 9.46.1961)
Commercial Bribery (RCW 9A.68.060)
Counterfeiting (RCW 9.16.035(4))
Endangerment with a Controlled Substance (RCW 9A.42.100)
Escape 1 (RCW 9A.76.110)
Hit and Run--Injury (RCW 46.52.020(4)(b))
Hit and Run with Vessel--Injury Accident (RCW 79A.60.200(3))
Identity Theft 1 (RCW 9.35.020(2)(a))
Indecent Exposure to Person Under Age Fourteen (subsequent sex
 offense) (RCW 9A.88.010)
Influencing Outcome of Sporting Event (RCW 9A.82.070)

Knowingly Trafficking in Stolen Property (RCW 9A.82.050(2))
Malicious Harassment (RCW 9A.36.080)
Manufacture, deliver, or possess with intent to deliver narcotics
from Schedule III, IV, or V or nonnarcotics from Schedule I-V
(except marijuana, amphetamine, methamphetamines, or
flunitrazepam) (RCW 69.50.401(a)(1)(iii) through (v))
Residential Burglary (RCW 9A.52.025)
Robbery 2 (RCW 9A.56.210)
Theft of Livestock 1 (RCW 9A.56.080)
Threats to Bomb (RCW 9.61.160)
Use of Proceeds of Criminal Profiteering (RCW 9A.82.080(1) and (2))
Vehicular Assault, by being under the influence of intoxicating
liquor or any drug, or by the operation or driving of a vehicle
in a reckless manner (RCW 46.61.522)
Willful Failure to Return from Furlough (*RCW 72.66.060)

III

Abandonment of dependent person 2 (RCW 9A.42.070)
Assault 3 (RCW 9A.36.031)
Assault of a Child 3 (RCW 9A.36.140)
Bail Jumping with class B or C Felony (RCW 9A.76.170(3)(c))
Burglary 2 (RCW 9A.52.030)
Communication with a Minor for Immoral Purposes (RCW 9.68A.090)
Criminal Gang Intimidation (RCW 9A.46.120)
Criminal Mistreatment 2 (RCW 9A.42.030)
Custodial Assault (RCW 9A.36.100)
Delivery of a material in lieu of a controlled substance (RCW
69.50.401(c))
Escape 2 (RCW 9A.76.120)
Extortion 2 (RCW 9A.56.130)
Harassment (RCW 9A.46.020)
Intimidating a Public Servant (RCW 9A.76.180)
Introducing Contraband 2 (RCW 9A.76.150)
Maintaining a Dwelling or Place for Controlled Substances (RCW
69.50.402(a)(6))
Malicious Injury to Railroad Property (RCW 81.60.070)
Manufacture, deliver, or possess with intent to deliver marijuana
(RCW 69.50.401(a)(1)(iii))
Manufacture, distribute, or possess with intent to distribute an
imitation controlled substance (RCW 69.52.030(1))
Patronizing a Juvenile Prostitute (RCW 9.68A.100)
Perjury 2 (RCW 9A.72.030)
Possession of Incendiary Device (RCW 9.40.120)
Possession of Machine Gun or Short-Barreled Shotgun or Rifle (RCW
9.41.190)
Promoting Prostitution 2 (RCW 9A.88.080)
Recklessly Trafficking in Stolen Property (RCW 9A.82.050(1))
Securities Act violation (RCW 21.20.400)
Tampering with a Witness (RCW 9A.72.120)
Telephone Harassment (subsequent conviction or threat of death)
(RCW 9.61.230)
Theft of Livestock 2 (RCW 9A.56.080)
Unlawful Imprisonment (RCW 9A.40.040)
Unlawful possession of firearm in the second degree (RCW
9.41.040(1)(b))
Unlawful Use of Building for Drug Purposes (RCW 69.53.010)

Vehicular Assault, by the operation or driving of a vehicle with
disregard for the safety of others (RCW 46.61.522)
Willful Failure to Return from Work Release (*RCW 72.65.070)

II

Computer Trespass 1 (RCW 9A.52.110)
Counterfeiting (RCW 9.16.035(3))
Create, deliver, or possess a counterfeit controlled substance (RCW
69.50.401(b))
Escape from Community Custody (RCW 72.09.310)
Health Care False Claims (RCW 48.80.030)
Identity Theft 2 (RCW 9.35.020(2)(b))
Improperly Obtaining Financial Information (RCW 9.35.010)
Malicious Mischief 1 (RCW 9A.48.070)
Possession of controlled substance that is either heroin or
narcotics from Schedule I or II or flunitrazepam from Schedule IV
(RCW 69.50.401(d))
Possession of phencyclidine (PCP) (RCW 69.50.401(d))
Possession of Stolen Property 1 (RCW 9A.56.150)
Theft 1 (RCW 9A.56.030)
Theft of Rental, Leased, or Lease-purchased Property (valued at one
thousand five hundred dollars or more) (RCW 9A.56.096(4))
Trafficking in Insurance Claims (RCW 48.30A.015)
Unlawful Practice of Law (RCW 2.48.180)
Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))

I

Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)
False Verification for Welfare (RCW 74.08.055)
Forged Prescription (RCW 69.41.020)
Forged Prescription for a Controlled Substance (RCW 69.50.403)
Forgery (RCW 9A.60.020)
Malicious Mischief 2 (RCW 9A.48.080)
Possess Controlled Substance that is a Narcotic from Schedule III,
IV, or V or Non-narcotic from Schedule I-V (except phencyclidine
or flunitrazepam) (RCW 69.50.401(d))
Possession of Stolen Property 2 (RCW 9A.56.160)
Reckless Burning 1 (RCW 9A.48.040)
Taking Motor Vehicle Without Permission 2 (RCW 9A.56.070(2))
Theft 2 (RCW 9A.56.040)
Theft of Rental, Leased, or Lease-purchased Property (valued at two
hundred fifty dollars or more but less than one thousand five
hundred dollars) (RCW 9A.56.096(4))
Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)
Unlawful Use of Food Stamps (RCW 9.91.140(2) and (3))
Vehicle Prowl 1 (RCW 9A.52.095)