

**INITIATIVE 965**

I, Sam Reed, Secretary of State of the State of Washington and custodian of its seal hereby certify that, according to the records on file in my office, the attached copy of Initiative Measure No. 965 to the People is a true and correct copy as it was received by this office.

1 AN ACT Relating to the death penalty; amending RCW 69.50.401,  
2 69.50.406, 29A.84.510, 29A.84.610, and 9.94A.518; reenacting and  
3 amending RCW 9.94A.515; adding a new section to Title 10 RCW; and  
4 prescribing penalties.

5 BE IT ENACTED BY THE PEOPLE OF THE STATE OF WASHINGTON:

6 **Sec. 1.** RCW 69.50.401 and 2005 c 218 s 1 are each amended to read  
7 as follows:

8 (1) Except as authorized by this chapter, it is unlawful for any  
9 person to import, manufacture, deliver, or possess with intent to  
10 manufacture or deliver, a controlled substance.

11 (2) Any person who violates this section with respect to:

12 (a) A controlled substance classified in Schedule I or II which is  
13 a narcotic drug or flunitrazepam, including its salts, isomers, and  
14 salts of isomers, classified in Schedule IV(~~(, is guilty of a class B~~  
15 ~~felony and upon conviction may be imprisoned for not more than ten~~  
16 ~~years, or (i) fined not more than twenty-five thousand dollars if the~~  
17 ~~crime involved less than two kilograms of the drug, or both such~~  
18 ~~imprisonment and fine; or (ii) if the crime involved two or more~~  
19 ~~kilograms of the drug, then fined not more than one hundred thousand~~

1 ~~dollars for the first two kilograms and not more than fifty dollars for~~  
2 ~~each gram in excess of two kilograms, or both such imprisonment and~~  
3 ~~fine));~~

4 (b) ~~Amphetamine, including its salts, isomers, and salts of~~  
5 ~~isomers, or methamphetamine, including its salts, isomers, and salts of~~  
6 ~~isomers((, is guilty of a class B felony and upon conviction may be~~  
7 ~~imprisoned for not more than ten years, or (i) fined not more than~~  
8 ~~twenty-five thousand dollars if the crime involved less than two~~  
9 ~~kilograms of the drug, or both such imprisonment and fine; or (ii) if~~  
10 ~~the crime involved two or more kilograms of the drug, then fined not~~  
11 ~~more than one hundred thousand dollars for the first two kilograms and~~  
12 ~~not more than fifty dollars for each gram in excess of two kilograms,~~  
13 ~~or both such imprisonment and fine. Three thousand dollars of the fine~~  
14 ~~may not be suspended. As collected, the first three thousand dollars~~  
15 ~~of the fine must be deposited with the law enforcement agency having~~  
16 ~~responsibility for cleanup of laboratories, sites, or substances used~~  
17 ~~in the manufacture of the methamphetamine, including its salts,~~  
18 ~~isomers, and salts of isomers. The fine moneys deposited with that law~~  
19 ~~enforcement agency must be used for such clean-up cost));~~

20 (c) ~~Any other controlled substance classified in Schedule I, II, or~~  
21 ~~III((, is guilty of a class C felony punishable according to chapter~~  
22 ~~9A.20 RCW));~~

23 (d) ~~A substance classified in Schedule IV, except flunitrazepam,~~  
24 ~~including its salts, isomers, and salts of isomers((, is guilty of a~~  
25 ~~class C felony punishable according to chapter 9A.20 RCW)); or~~

26 (e) ~~A substance classified in Schedule V((, is guilty of a class C~~  
27 ~~felony punishable according to chapter 9A.20 RCW)) shall be punished in~~  
28 ~~accordance with section 5 of this act.~~

29 **Sec. 2.** ~~RCW 69.50.406 and 2005 c 218 s 2 are each amended to read~~  
30 ~~as follows:~~

31 (1) ~~Any person eighteen years of age or over who violates RCW~~  
32 ~~69.50.401 by distributing a controlled substance listed in Schedules I~~  
33 ~~or II which is a narcotic drug or methamphetamine, including its salts,~~  
34 ~~isomers, and salts of isomers, or flunitrazepam, including its salts,~~  
35 ~~isomers, and salts of isomers, listed in Schedule IV, to a person under~~  
36 ~~eighteen years of age ((is guilty of a class A felony punishable by the~~  
37 ~~fine authorized by RCW 69.50.401(2) (a) or (b), by a term of~~  
38 ~~imprisonment of up to twice that authorized by RCW 69.50.401(2) (a) or~~

1 ~~(b), or by both)~~ shall be punished in accordance with section 5 of  
2 this act.

3 (2) Any person eighteen years of age or over who violates RCW  
4 69.50.401 by distributing any other controlled substance listed in  
5 Schedules I, II, III, IV, and V to a person under eighteen years of age  
6 who is at least three years his or her junior (~~(is guilty of a class B~~  
7 ~~felony punishable by the fine authorized by RCW 69.50.401(2) (c), (d),~~  
8 ~~or (e), by a term of imprisonment up to twice that authorized by RCW~~  
9 ~~69.50.401(2) (c), (d), or (e), or both~~) shall be punished in  
10 accordance with section 5 of this act.

11 **Sec. 3.** RCW 29A.84.510 and 2003 c 111 s 2121 are each amended to  
12 read as follows:

13 (1) On the day of any primary or general or special election, no  
14 person may, within a polling place, or in any public area within three  
15 hundred feet of any entrance to such polling place:

16 (a) Suggest or persuade or attempt to suggest or persuade any voter  
17 to vote for or against any candidate or ballot measure;

18 (b) Circulate cards or handbills of any kind;

19 (c) Solicit signatures to any kind of petition; or

20 (d) Engage in any practice which interferes with the freedom of  
21 voters to exercise their franchise or disrupts the administration of  
22 the polling place.

23 (2) No person may obstruct the doors or entries to a building in  
24 which a polling place is located or prevent free access to and from any  
25 polling place. Any sheriff, deputy sheriff, or municipal law  
26 enforcement officer shall prevent such obstruction, and may arrest any  
27 person creating such obstruction.

28 (3) No person may:

29 (a) Except as provided in RCW 29A.44.050, remove any ballot from  
30 the polling place before the closing of the polls; or

31 (b) Solicit any voter to show his or her ballot.

32 (4) No person other than an inspector or judge of election may  
33 receive from any voter a voted ballot or deliver a blank ballot to such  
34 elector.

35 (5) Any (~~(violation of)~~) person who violates this section (~~(is a~~  
36 ~~gross misdemeanor, punishable to the same extent as a gross misdemeanor~~  
37 ~~that is punishable under RCW 9A.20.021, and the person convicted may be~~

1 ~~ordered to pay the costs of prosecution))~~ shall be punished in  
2 accordance with section 5 of this act.

3 **Sec. 4.** RCW 29A.84.610 and 2003 c 111 s 2127 are each amended to  
4 read as follows:

5 A person (~~is guilty of a gross misdemeanor~~) who knowingly:  
6 (1) Deceives any voter in recording his or her vote by providing  
7 incorrect or misleading recording information or by providing faulty  
8 election equipment or records; or  
9 (2) Records the vote of any voter in a manner other than as  
10 designated by the voter(~~(-~~  
11 ~~Such a gross misdemeanor is punishable to the same extent as a~~  
12 ~~gross misdemeanor that is punishable under RCW 9A.20.021)) shall be  
13 punished in accordance with section 5 of this act.~~

14 NEW SECTION. **Sec. 5.** A new section is added to Title 10 RCW to  
15 read as follows:

- 16 (1) If a person violates RCW 69.50.401, 69.50.406, 29A.84.510, or  
17 29A.84.610, the prosecuting attorney shall file written notice of a  
18 special sentencing proceeding to determine whether or not the death  
19 penalty should be imposed when there is reason to believe that there  
20 are not sufficient mitigating circumstances to merit leniency.  
21 (2) The notice of special sentencing proceeding shall be filed and  
22 served on the defendant or the defendant's attorney within thirty days  
23 after the defendant's arraignment unless the court, for good cause  
24 shown, extends or reopens the period for filing and service of the  
25 notice. Except with the consent of the prosecuting attorney, during  
26 the period in which the prosecuting attorney may file the notice of  
27 special sentencing proceeding, the defendant may not tender a plea of  
28 guilty to the charge against him or her, nor may the court accept a  
29 plea of guilty to the charge.  
30 (3) If a notice of special sentencing proceeding is not filed and  
31 served as provided in this section, the prosecuting attorney may not  
32 request the death penalty.

33 **Sec. 6.** RCW 9.94A.515 and 2006 c 277 s 6, 2006 c 228 s 9, 2006 c  
34 191 s 2, 2006 c 139 s 2, 2006 c 128 s 3, and 2006 c 73 s 12 are each  
35 reenacted and amended to read as follows:

TABLE 2  
CRIMES INCLUDED WITHIN  
EACH SERIOUSNESS LEVEL

1

- XVI Aggravated Murder 1 (RCW 10.95.020)
- Deceptive, incorrect vote recording (RCW 29A.84.610)
- Deliver or possess with intent to deliver methamphetamine (RCW 69.50.401(2)(b))
- Manufacture of methamphetamine (RCW 69.50.401(2)(b))
- Manufacture, deliver, or possess with intent to deliver amphetamine (RCW 69.50.401(2)(b))
- Manufacture, deliver, or possess with intent to deliver marijuana (RCW 69.50.401(2)(c))
- Manufacture, deliver, or possess with intent to deliver narcotics from Schedule I or II or flunitrazepam from Schedule IV (RCW 69.50.401(2)(a))
- Manufacture, deliver, or possess with intent to deliver narcotics from Schedule III, IV, or V or nonnarcotics from Schedule I through V (except marijuana, amphetamine, methamphetamines, or flunitrazepam) (RCW 69.50.401(2)(c) through (e))
- 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)
- Over 18 and deliver narcotic from Schedule III, IV, or V or a nonnarcotic, except flunitrazepam or methamphetamine, from Schedule I through V to someone under 18 and 3 years junior (RCW 69.50.406)
- Prohibited practices as to ballots (RCW 29A.84.510)

2

- XV Homicide by abuse (RCW 9A.32.055)

Malicious explosion 1 (RCW  
70.74.280(1))

1 Murder 1 (RCW 9A.32.030)

XIV Murder 2 (RCW 9A.32.050)

2 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))

3 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))

4 XI Manslaughter 1 (RCW 9A.32.060)

Rape 2 (RCW 9A.44.050)

Rape of a Child 2 (RCW 9A.44.076)

5 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))

Sexually Violent Predator Escape  
(RCW 9A.76.115)

6 IX Abandonment of Dependent Person 1  
(RCW 9A.42.060)

Assault of a Child 2 (RCW 9A.36.130)

Criminal Mistreatment 1 (RCW  
9A.42.020)

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))

1

Malicious placement of an explosive 2  
(RCW 70.74.270(2))  
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)

Homicide by Watercraft, by the  
operation of any vessel in a  
reckless manner (RCW  
79A.60.050)

Manslaughter 2 (RCW 9A.32.070)

Promoting Prostitution 1 (RCW  
9A.88.070)

Theft of Ammonia (RCW 69.55.010)

Vehicular Homicide, by the operation  
of any vehicle in a reckless manner  
(RCW 46.61.520)

2

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)

Malicious placement of an explosive 3  
(RCW 70.74.270(3))

Negligently Causing Death By Use of a  
Signal Preemption Device (RCW  
46.37.675)

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))

- Use of a Machine Gun in Commission  
of a Felony (RCW 9A.41.225)
- Vehicular Homicide, by disregard for  
the safety of others (RCW  
46.61.520)
- 1 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))  
Possession of Depictions of a Minor  
Engaged in Sexually Explicit  
Conduct (RCW 9.68A.070)  
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)
- 2 V Abandonment of Dependent Person 2  
(RCW 9A.42.070)  
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 2 (RCW  
9A.42.030)  
Custodial Sexual Misconduct 1 (RCW  
9A.44.160)  
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)  
Driving While Under the Influence  
(RCW 46.61.502(6))  
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)  
Physical Control of a Vehicle While  
Under the Influence (RCW  
46.61.504(6))  
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)  
IV Arson 2 (RCW 9A.48.030)  
Assault 2 (RCW 9A.36.021)  
Assault 3 (of a Peace Officer with a  
Projectile Stun Gun) (RCW  
9A.36.031(1)(h))  
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))

Indecent Exposure to Person Under  
Age Fourteen (subsequent sex  
offense) (RCW 9A.88.010)

Influencing Outcome of Sporting Event  
(RCW 9A.82.070)

Malicious Harassment (RCW  
9A.36.080)

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)

Trafficking in Stolen Property 1 (RCW  
9A.82.050)

Unlawful factoring of a credit card or  
payment card transaction (RCW  
9A.56.290(4)(b))

Unlawful transaction of health  
coverage as a health care service  
contractor (RCW 48.44.016(3))

Unlawful transaction of health  
coverage as a health maintenance  
organization (RCW 48.46.033(3))

Unlawful transaction of insurance  
business (RCW 48.15.023(3))

Unlicensed practice as an insurance  
professional (RCW 48.17.063(3))

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 Animal Cruelty 1 (Sexual Conduct or  
Contact) (RCW 16.52.205(3))

Assault 3 (Except Assault 3 of a Peace  
Officer With a Projectile Stun  
Gun) (RCW 9A.36.031 except  
subsection (1)(h))

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)  
Custodial Assault (RCW 9A.36.100)  
Cyberstalking (subsequent conviction  
or threat of death) (RCW  
9.61.260(3))  
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)  
Malicious Injury to Railroad Property  
(RCW 81.60.070)  
Negligently Causing Substantial Bodily  
Harm By Use of a Signal  
Preemption Device (RCW  
46.37.674)  
Organized Retail Theft 1 (RCW  
9A.56.350(2))  
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)  
~~((Retail))~~ Retail Theft with  
Extenuating Circumstances 1  
(RCW 9A.56.360(2))  
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(2))

Theft of Livestock 2 (RCW 9A.56.083)

Theft with the Intent to Resell 1 (RCW 9A.56.340(2))

Trafficking in Stolen Property 2 (RCW 9A.82.055)

Unlawful Imprisonment (RCW 9A.40.040)

Unlawful possession of firearm in the second degree (RCW 9.41.040(2))

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)

1

II Computer Trespass 1 (RCW 9A.52.110)

Counterfeiting (RCW 9.16.035(3))

Escape from Community Custody (RCW 72.09.310)

Failure to Register as a Sex Offender (second or subsequent offense) (RCW 9A.44.130(10)(a))

Health Care False Claims (RCW 48.80.030)

Identity Theft 2 (RCW 9.35.020(3))

Improperly Obtaining Financial Information (RCW 9.35.010)

Malicious Mischief 1 (RCW 9A.48.070)

Organized Retail Theft 2 (RCW 9A.56.350(3))

Possession of Stolen Property 1 (RCW 9A.56.150)

~~((Retail))~~ Retail Theft with Extenuating Circumstances 2 (RCW 9A.56.360(3))

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(5)(a))

Theft with the Intent to Resell 2 (RCW 9A.56.340(3))

- Trafficking in Insurance Claims (RCW 48.30A.015)
- Unlawful factoring of a credit card or payment card transaction (RCW 9A.56.290(4)(a))
- Unlawful Practice of Law (RCW 2.48.180)
- Unlicensed Practice of a Profession or Business (RCW 18.130.190(7))
- Voyeurism (RCW 9A.44.115)
- I Attempting to Elude a Pursuing Police Vehicle (RCW 46.61.024)
- False Verification for Welfare (RCW 74.08.055)
- Forgery (RCW 9A.60.020)
- Fraudulent Creation or Revocation of a Mental Health Advance Directive (RCW 9A.60.060)
- Malicious Mischief 2 (RCW 9A.48.080)
- Mineral Trespass (RCW 78.44.330)
- Possession of Stolen Property 2 (RCW 9A.56.160)
- Reckless Burning 1 (RCW 9A.48.040)
- Taking Motor Vehicle Without Permission 2 (RCW 9A.56.075)
- 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(5)(b))
- Transaction of insurance business beyond the scope of licensure (RCW 48.17.063(4))
- Unlawful Issuance of Checks or Drafts (RCW 9A.56.060)
- Unlawful Possession of Fictitious Identification (RCW 9A.56.320)
- Unlawful Possession of Instruments of Financial Fraud (RCW 9A.56.320)
- Unlawful Possession of Payment Instruments (RCW 9A.56.320)

Unlawful Possession of a Personal  
Identification Device (RCW  
9A.56.320)  
Unlawful Production of Payment  
Instruments (RCW 9A.56.320)  
Unlawful Trafficking in Food Stamps  
(RCW 9.91.142)  
Unlawful Use of Food Stamps (RCW  
9.91.144)  
Vehicle Prowl 1 (RCW 9A.52.095)

1       **Sec. 7.** RCW 9.94A.518 and 2003 c 53 s 57 are each amended to read  
2 as follows:

TABLE 4  
DRUG OFFENSES  
INCLUDED WITHIN EACH  
SERIOUSNESS LEVEL

3 III Any felony offense under chapter 69.50  
RCW with a deadly weapon  
special verdict under RCW  
9.94A.602  
Controlled Substance Homicide (RCW  
69.50.415)  
Delivery of imitation controlled  
substance by person eighteen or  
over to person under eighteen  
(RCW 69.52.030(2))  
Involving a minor in drug dealing  
(RCW 69.50.4015)  
~~((Manufacture of methamphetamine  
(RCW 69.50.401(2)(b))  
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)  
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)))~~

Possession of Ephedrine,  
Pseudoephedrine, or Anhydrous  
Ammonia with intent to  
manufacture  
methamphetamine (RCW  
69.50.440)

Selling for profit (controlled or  
counterfeit) any controlled  
substance (RCW 69.50.410)

1

II Create, deliver, or possess a counterfeit  
controlled substance (RCW  
69.50.4011)

~~((Deliver or possess with intent to  
deliver methamphetamine (RCW  
69.50.401(2)(b))))~~

Delivery of a material in lieu of a  
controlled substance (RCW  
69.50.4012)

Maintaining a Dwelling or Place for  
Controlled Substances (RCW  
69.50.402(1)(f))

~~((Manufacture, deliver, or possess with  
intent to deliver amphetamine  
(RCW 69.50.401(2)(b))~~

~~Manufacture, deliver, or possess with  
intent to deliver narcotics from  
Schedule I or II or flunitrazepam  
from Schedule IV (RCW  
69.50.401(2)(a))~~

~~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(2) (c) through (e))))~~

Manufacture, distribute, or possess with  
intent to distribute an imitation  
controlled substance (RCW  
69.52.030(1))

2

I Forged Prescription (RCW 69.41.020)  
Forged Prescription for a Controlled  
Substance (RCW 69.50.403)

~~((Manufacture, deliver, or possess with  
intent to deliver marijuana (RCW  
69.50.401(2)(c))))~~

Possess Controlled Substance that is a  
Narcotic from Schedule III, IV, or  
V or Nonnarcotic from Schedule I-  
V (RCW 69.50.4013)

Possession of Controlled Substance  
that is either heroin or narcotics  
from Schedule I or II (RCW  
69.50.4013)

Unlawful Use of Building for Drug  
Purposes (RCW 69.53.010)

**--- END ---**