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SUPREME COURT  
STATE OF WASHINGTON

80704-3

2007 OCT -3 P 1:42

NO. 60255-1-1

IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

DIVISION ONE  
CLERK

STATE OF WASHINGTON

RESPONDENT,

v.

JEFFREY S. BROOKS

PETITIONER,

FILED  
COURT OF APPEALS  
STATE OF WASHINGTON  
2007 SEP 26 AM 10:49

TITLE 12. RULE 12.4

MOTION FOR RECONSIDERATION OF DECISION DISMISSING

PETITIONERS PERSONAL RESTRAINT PETITION

PETITIONERS PERSONAL RESTRAINT PETITION

JEFFREY S. BROOKS

PETITIONER

ATTACHMENTS'

EXHIBIT A

CONSISTS OF FOUR PAGES; CONTAINING CHARGING DOCUMENTS FROM  
WHATCOM COUNTY SUPERIOR COURT NO.05-1-01763-8

EXHIBIT B

CONSISTS OF PAGES, 5 and 6. WHICH IS THE JUDGEMENT AND SENTENCE  
FROM WHATCOM COUNTY SUPERIOR COURT NO.05-1-01763-8.

EXHIBIT C

CONSISTS OF PAGE 7, WHICH CONTAINS TITLE 9A.28. AND 9A.28.020  
ANTICIPATORY OFFENSES.

COURT OF APPEALS DIVISION I  
OF THE STATE OF WASHINGTON

JEFFREY S. BROOKS,  
APPELLANT,

) No. 60255-1-I  
)  
) PERSONAL RESTRAINT PETITION  
) MOTION FOR RECONSIDERATION  
) AND OBJECTION TO RULING  
) PURSUANT TO RULES RAP- 12.4  
) and RAP 17.7

---

(1) IDENTITY OF MOVING PARTY

JEFFREY S. BROOKS, "APPELLANT" ASKS FOR RELIEF AS DESIGNATED IN PART 2.

(2) STATEMENT OF RELIEF SOUGHT

APPELLANT RESPECTFULLY MOVES THIS COURT TO REVIEW ITS EARLIER DECISION TO DISMISS BROOKS' PERSONAL RESTRAINT PETITION. ON THE GROUNDS THAT THIS COURT HAS COMMITTED AN OBVIOUS ERROR WHICH WOULD RENDER FURTHER PROCEEDINGS USELESS. APPELLANT IS ENTITLED TO RELIEF THAT IS CONSISTENT WITH RCW 9A.56.010(5) AND THE COURT OF APPEALS DECISION IN STATE V. ZAVALA-REYNOSO, 127 Wn.App. 119 110 P.3d 827.

(3) DECISION BELOW

ON THE 6th DAY OF SEPTEMBER, 2007; THE ACTING CHIEF JUDGE ORDERED APPELLANT'S PERSONAL RESTRAINT PETITION TO BE DISMISSED UNDER RAP 16.11 (b). THIS COURT INADVERTANTLY CONCLUDED THAT BROOKS WAS CONVICTED OF ROBBERY IN THE FIRST DEGREE, WHICH IS A CLASS A FELONY, RCW 9A.56.010 THAT HAS A STATUTORY MAXIMUM OF LIFE IMPRISONMENT BECAUSE APPELLANT IS NOT BARRED BY RCW ch 10.73 or RAP 16.4 (d); THIS MOTION IS PROPERLY BEFORE THIS COURT.

(4) ISSUES PRESENTED FOR REVIEW

APPELLANT ASSERTS THAT HE WAS CONVICTED OF "ATTEMPTED ROBBERY" IN THE FIRST DEGREE RCW 9A.28.020 and RCW 9A.56.200(1)(a), and RCW 9A.56.190 WHICH VIOLATION IS A CLASS B FELONY. APPELLANT WAS ALSO CONVICTED OF RESIDENTIAL BURGLARY RCW 9A.52.025(1); WHICH VIOLATION IS ALSO A CLASS B FELONY. APPELLANT WAS INADVERTANTLY SENTENCED TO A SENTENCE WHICH EXCEEDS HIS STATUTORY MAXIMUM; AND THEREFORE HAS A LEGALLY PROTECTED RIGHT TO A SENTENCE OF LESSER DURATION THAN THE ONE IMPOSED.

(5) STATEMENT OF THE CASE

- (A). On November 13th, 2005, Jeffrey S. Brooks was charged with three counts of "ATTEMPTED FIRST DEGREE ROBBERY" RCW 9A.28.020, RCW 9A.56.190, and RCW 9A.56.200(1)(a). Brooks was also charged with one count of residential burglary RCW 9A.52.025(1); RP-1,2, and 3.
- (B). On May 22nd, 2006, the state filed the first amended information, as follows Count I, II, and III Attempted First degree Robbery which is a class B Felony. In count IV the State charged Brooks with residential burglary also a class B felony. RP-2,3.
- (C). On October 18th, 2006 Brooks was convicted of three counts of "ATTEMPTED FIRST DEGREE ROBBERY" and one count of residential burglary. RP-5 and 6.
- (D). Brooks was sentenced to the statutory maximum of (120 months); which is the maximum term of confinement allowed for a class B felony. RP-6.

(E). Brooks was also sentenced to a term of 18 to 36 months of community custody. RP-6

(F). On June 22nd, 2007, Brooks filed a Motion pursuant to CrC 7.8 (b)(4) seeking post-conviction relief in Whatcom County Superior Court; No. 05-1-01763-8.

(G). On June 22nd, 2007, Whatcom county Superior court transferred Brooks' MOTION pursuant to CrR 7.8 (b)(4) to the Court of Appeals Division I pursuant to CrR 7.8 (C) (2); as a personal restraint petition.

(H). On September 6th, 2007; the court of appeals division I reviewed Brooks' PRP and wrongfully dismissed appellants PRP, Concluding that Brooks has no legally protected right to a lesser sentence.

(I). This Court wrongfully concluded that Brooks was convicted of FIRST DEGREE ROBBERY RCW 9A.56.200 (2) which is a class A felony with a statutory maximum of life.

(J). Brooks has a right to appeal a sentence outside the standard sentence range

### ARGUMENT

Jeffrey S. Brooks was convicted of three counts of attempted first degree robbery and one count of residential burglary in Whatcom County NO.05-1-01763-8. Because the first degree robbery was an attempted robbery in the first degree as set forth in 9A-28.020 Criminal attempt. RCW 9A.28.020 (3)(b) an attempt to commit a crime is a; (b) class B felony when the attempted crime is class A felony other than an offense listed in (a) of this subsection. Subection (a) does not include first degree attempted robbery; see also State v. Hendricks 139 Wn.2d 201; State v. Morley 134 Wn.2d 612; Personal Restraint of Hopkins 137 Wn2d 899 and Personal Restraint of Smith 139 Wa.App 746.

Brooks was sentenced to the statutory maximum of 120 months for a class B felony as set forth in the sentencing reform act of 1981 (SRA) with an additional 18 to 36 months of community custody with the combined term of 120 months confinement plus an additional 18 to 36 months community custody, Brooks recieved an exceptional sentence, RCW 9.94A.505(5) A court may not impose a sentence providing for a term of confinement or community supervision, community custody, or community placement which exceeds the statutory maximum for the crime as provided in chapter 9A.20 RCW. Brooks relies on ZAVALA-REYNOSO 127 Wn.App.119,110 P.3d 827 (2005) to support his argument Zavala-Reynoso was convicted of a class B felony. The sentencing Court therefor improperly imposed terms of confinement (114 months) and community custody (9 to 12 months) that when combined exceeded the statytory maximum of ten years

Zavala-Reynoso 127 Wn.App. at 124; likewise Brooks was convicted of a class B felony. The sentencing court improperly imposed terms of incarceration (120 months) and community custody (18 to 36 months) that when combined exceeds the statutory maximum of ten years. Under the circumstances Brooks does have a legally protected right to a lesser duration than the one imposed. RCW 9A.20.021 (1)(a). For the aforementioned assertions Brooks has established a valid legal basis for granting relief In re Pers. restraint of Rice 118 Wn.2d 876,885-86, 828 P.2d 1086 (1992). The United States Supreme Court has held that a defendant's Sixth Amendment right to trial by jury was violated when the trial court imposed a determinate sentence beyond the standard range for the charged offense based on additional findings of fact made by the court. In so doing, it noted that any fact (Other than the fact of a prior conviction) that "increases the penalty for a crime beyond the prescribed statutory maximum must be submitted to the jury, Blakely v. Wash. 542 U.S. 296, 124 S.Ct.2531, 159 L.Ed.2d 403 (2004).

#### SECOND GROUND

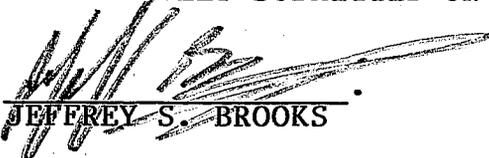
Because Brooks' crimes are "Anticipatory Offenses" as described in Chapter 9A.28.020(3)(b). Brooks' standard sentence range is determined by locating the sentencing grid sentence range defined by the appropriate offender score and seriousness level of the completed crime, and multiplying the range by 75 percent, Brooks scores at an offender score of 9+, with a seriousness level of IX which is (129 to 171 months) multiplied by 75 percent gives Brooks a range of (96.75 to 128.25 months) RCW 9A.94A.510(2).

Because Brooks' sentence range of 128.25 months exceeds his statutory maximum of 120 months, the statutory maximum sentence shall be the presumptive sentence RCW 9.94A.510(3)(g). In order for the court to give Brooks the statutory maximum of (120 months) confinement, plus (18 to 36 months) community custody the court must either vacate Brooks' sentence or give Brooks an exceptional sentence below the standard sentence range. Under 9.94A.030(6) "community custody range" means the minimum and maximum period of community custody ("included as part of a sentence") under RCW 9.94A.715, as established by the Commission of the Legislature under RCW 9.94A.850 for crimes committed on or after July, 1st, 2001. "Where a defendant is sentenced to the statutory maximum, and is also sentenced to community custody, the judgement and sentence should set forth the statutory maximum and clarify that the term of community custody cannot exceed that maximum State v. Sloan, 121 Wn.App.220 221, 87 P.3d 1214 (2004).

#### CONCLUSION

Because the court of appeals division I has committed an obvious error that would render further proceedings useless appellant respectfully asks this court to reverse the trial courts sentence and judgement with directions to resentence Brooks with a sentence that is consistent with the decision in ZAVALA-REYNOSO 127, Wn.App. 119,110 P.3d 827.

RESPECTFULLY SUBMITTED ON THIS 21, DAY OF SEPTEMBER, 2007.

  
JEFFREY S. BROOKS

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WHATCOM COUNTY  
WASHINGTON

BY \_\_\_\_\_

COPY

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR WHATCOM COUNTY

THE STATE OF WASHINGTON,

Plaintiff.

vs.

JEFFREY SCOTT BROOKS,

Defendant.

No.: 05-1-01763-8

INFORMATION FOR:

- ) ATTEMPTED ROBBERY IN THE
- ) FIRST DEGREE, COUNT I,
- ) ATTEMPTED ROBBERY IN THE
- ) FIRST DEGREE, COUNT II,
- ) ATTEMPTED ROBBERY IN THE
- ) FIRST DEGREE, COUNT III and
- ) RESIDENTIAL BURGLARY, COUNT
- ) IV

I, ELIZABETH GALLERY, Deputy Prosecuting Attorney in and for Whatcom County, State of Washington, comes now in the name and by the authority of the State of Washington and by this information do accuse JEFFREY SCOTT BROOKS with the crime(s) of ATTEMPTED ROBBERY IN THE FIRST DEGREE, COUNT I, ATTEMPTED ROBBERY IN THE FIRST DEGREE, COUNT II, ATTEMPTED ROBBERY IN THE FIRST DEGREE, COUNT III and RESIDENTIAL BURGLARY, COUNT IV, committed as follows:

then and there being in Whatcom County, Washington,

ATTEMPTED ROBBERY IN THE FIRST DEGREE, COUNT I

That on or about the 13th day of November, 2005, the said defendant, JEFFREY SCOTT BROOKS, then and there being in said county and state, with intent to commit theft, did unlawfully take personal property that the Defendant did not own from the person or in the presence of Wanda Sturman, against such person's will, by use or threatened use of immediate force, violence, or fear of injury to said person or the property of said person or the person or property of another, and in the commission of said crime and in immediate flight therefrom, the Defendant was armed with a deadly weapon and/or displayed what appeared to be a firearm or

INFORMATION - 1

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WHATCOM COUNTY  
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BY [Signature]

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
FOR WHATCOM COUNTY

|                          |   |                             |
|--------------------------|---|-----------------------------|
| THE STATE OF WASHINGTON, | ) | No.: 05-1-01763-8           |
|                          | ) |                             |
| Plaintiff.               | ) | FIRST AMENDED               |
|                          | ) | INFORMATION FOR:            |
| vs.                      | ) |                             |
|                          | ) | ATTEMPTED ROBBERY IN THE    |
| JEFFREY SCOTT BROOKS,    | ) | FIRST DEGREE, COUNT I,      |
|                          | ) | ATTEMPTED ROBBERY IN THE    |
| Defendant.               | ) | FIRST DEGREE, COUNT II,     |
|                          | ) | ATTEMPTED ROBBERY IN THE    |
|                          | ) | FIRST DEGREE, COUNT III and |
|                          | ) | RESIDENTIAL BURGLARY, COUNT |
|                          | ) | IV                          |

I, ELIZABETH GALLERY, Deputy Prosecuting Attorney in and for Whatcom County, State of Washington, comes now in the name and by the authority of the State of Washington and by this information do accuse **JEFFREY SCOTT BROOKS** with the crime(s) of ATTEMPTED ROBBERY IN THE FIRST DEGREE, COUNT I, ATTEMPTED ROBBERY IN THE FIRST DEGREE, COUNT II, ATTEMPTED ROBBERY IN THE FIRST DEGREE, COUNT III and RESIDENTIAL BURGLARY, COUNT IV, committed as follows:

then and there being in Whatcom County, Washington,

ATTEMPTED ROBBERY IN THE FIRST DEGREE, COUNT I

That on or about the 13th day of November, 2005, the said defendant, JEFFREY SCOTT BROOKS, then and there being in said county and state, with intent to commit theft, to-wit: did unlawfully take personal property that the Defendant did not own from the person or in the presence of Wanda Sturman, against such person's will, by use or threatened use of immediate force, violence, or fear of injury to said person or the property of said person or the person or property of another, and in the commission of said crime and in immediate flight therefrom, the Defendant displayed what appeared to be a firearm or other deadly weapon upon Wanda

INFORMATION - 1

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1 Sturman, did do an act which was a substantial step towards the commission of that crime, in  
2 violation of RCW 9A.28.020 and 9A.56.200(1)(a) and 9A.56.190, which violation is a Class B  
3 Felony;

5 **ATTEMPTED ROBBERY IN THE FIRST DEGREE, COUNT II**

6 That on or about the 13th day of November, 2005, the said defendant, JEFFREY SCOTT  
7 BROOKS, then and there being in said county and state, with intent to commit theft, to-wit: did  
8 unlawfully take personal property that the Defendant did not own from the person or in the  
9 presence of Marcus Hays, against such person's will, by use or threatened use of immediate  
10 force, violence, or fear of injury to said person or the property of said person or the person or  
11 property of another, and in the commission of said crime and in immediate flight therefrom, the  
12 Defendant displayed what appeared to be a firearm or other deadly weapon and/or inflicted  
13 bodily injury upon Marcus Hays, did do an act which was a substantial step towards the  
14 commission of that crime, in violation of RCW 9A.28.020 And 9A.56.200(1)(A) And  
15 9A.56.190, which violation is a Class B Felony;

17 **ATTEMPTED ROBBERY IN THE FIRST DEGREE, COUNT III**

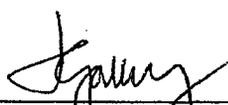
18 That on or about the 13th day of November, 2005, the said defendant, JEFFREY SCOTT  
19 BROOKS, then and there being in said county and state, with intent to commit theft, to-wit: did  
20 unlawfully take personal property that the Defendant did not own from the person or in the  
21 presence of Erika Thorsen, against such person's will, by use or threatened use of immediate  
22 force, violence, or fear of injury to said person or the property of said person or the person or  
23 property of another, and in the commission of said crime and in immediate flight therefrom, the  
24 Defendant displayed what appeared to be a firearm or other deadly weapon, did do an act which  
25 was a substantial step towards the commission of that crime, in violation of RCW 9A.28.020 and  
26 9A.56.200(1)(a) and 9A.56.190, which violation is a Class B Felony;

29 **RESIDENTIAL BURGLARY, COUNT IV**

30 That on or about the 13th day of November, 2005, the said defendant, JEFFREY SCOTT  
31 BROOKS, then and there being in said county and state, with intent to commit a crime against a  
32 person or property therein, entered or remained unlawfully in the dwelling of Marcus Hays and  
33 Erika Thorsen, located at 904 Newell Street, in violation of RCW 9A.52.025(1), which violation  
34 is a Class B Felony;

37  
38 contrary to the form of the Statute in such cases made and provided and against the peace and  
39 dignity of the State of Washington.

41 DATED THIS 22<sup>nd</sup> day of May, 2006  
42 ~~November, 2005.~~

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46   
47 ELIZABETH GALLERY, WSBA #18800, Deputy Prosecuting Attorney  
48 in and for Whatcom County, State of Washington  
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STATE OF WASHINGTON )  
 )  
COUNTY OF WHATCOM )      ss.

I, Elizabeth Gallery, being first duly sworn on oath, depose and say: that I am a duly appointed and acting Deputy Prosecuting Attorney in and for Whatcom County, State of Washington. I have read the foregoing information, know the contents thereof and the same is true as I verily believe.

Elizabeth Gallery  
ELIZABETH GALLERY, #18800  
Deputy Prosecuting Attorney

SUBSCRIBED AND SWORN to before me this 22 day of May, 2006 ~~November, 2005~~.

Therese N Anderson  
NOTARY PUBLIC in and for the  
State of Washington. My commission  
expires on: May 29, 2006

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FILED IN OPEN COURT  
10-18 2006  
WHATCOM COUNTY CLERK

*jp*  
Deputy

ORIGINAL

SUPERIOR COURT OF WASHINGTON  
COUNTY OF WHATCOM

STATE OF WASHINGTON, Plaintiff,  
vs.  
JEFFREY SCOTT BROOKS, Defendant.  
DOB: May 10, 1964

No. 05-1-01763-8

JUDGMENT AND SENTENCE (FJS)

*JDSwc*

PRISON  
[XX] CLERK'S ACTION REQUIRED-para 4.1 (LFO'S),  
4.3 (NCO)

I. HEARING

1.1 A sentencing hearing was held and the defendant, Jeffrey Scott Brooks, the defendant's lawyer, Carl Munson, and the Deputy Prosecuting Attorney, Elizabeth Gallery, were present.

II. FINDINGS

There being no reason why judgment should not be pronounced, the Court FINDS:

2.1 CURRENT OFFENSE(S): The defendant was found guilty on October 4, 2006 by JURY - VERDICT of:

| COUNT | CRIME                                 | RCW   | DATE OF CRIME     |
|-------|---------------------------------------|---|-------------------|
| I     | ATTEMPTED ROBBERY IN THE FIRST DEGREE | 9A.28.020 and 9A.56.200(1)(a) and 9A.56.190 | November 13, 2005 |
| II    | ATTEMPTED ROBBERY IN THE FIRST DEGREE | 9A.28.020 and 9A.56.200(1)(a) and 9A.56.190 | November 13, 2005 |
| III   | ATTEMPTED ROBBERY IN THE FIRST DEGREE | 9A.28.020 and 9A.56.200(1)(a) and 9A.56.190 | November 13, 2005 |
| IV    | RESIDENTIAL BURGLARY                  | 9A.52.025(1)                                | November 13, 2005 |

as charged in the Amended Information.

2.2 CRIMINAL HISTORY (RCW 9.94A.525):

| CRIME                               | DATE OF SENTENCE | SENTENCING COURT<br>(County & State) | A or J | TYPE OF CRIME |
|-------------------------------------|------------------|--------------------------------------|--------|---------------|
| SEE ATTACHED CRIMINAL HISTORY SHEET |                  |                                      |        |               |

- Additional criminal history is attached in Appendix 2.2. *Exhibit A*
- The defendant committed a current offense while on community placement (adds one point to score). RCW 9.94A.525
- The court finds that the following prior convictions are one offense for purposes of determining the offender score (RCW 9.94A.525):
- The following prior convictions are not counted as points but as enhancements pursuant to RCW 46.61.520:

2.3 SENTENCING DATA:

| COUNT NO. | OFFENDER SCORE | SERIOUSNESS LEVEL | STANDARD RANGE ACTUAL CONFINEMENT<br>(not including enhancements) | PLUS Enhancements * | TOTAL ACTUAL CONFINEMENT<br>(standard range including enhancements) | COMMUNITY CUSTODY RANGE (Only applicable for crimes committed no or after July 1, 2000. For crimes committed prior to July 1, 2000 see paragraph 6(3).) | MAXIMUM TERM    |
|-----------|----------------|-------------------|---|---------------------|---|---|-----------------|
| I         | 9              | IX                | 96.75-128.25  |                     | 120 months  | 18 to 36 months   | 10 yrs/\$20,000 |
| II        | 9              | IX                | 96.75-128.25  |                     | 120 months  | 18 to 36 months   | 10 yrs/\$20,000 |
| III       | 9              | IX                | 96.75 - 128.25  |                     | 120 months  | 18 to 36 months   | 10 yrs/\$20,000 |
| IV        | 9              | IV                | 63 - 84 months  |                     | 84 months   | 18 to 36 months   | 10 yrs/\$20,000 |

\*(F) Firearm, (D) Other deadly weapons, (V) VUCSA in a protected zone, (VH) Veh. Hom, see RCW 46.61.520, (JP) Juvenile present, (SM) Sexual Motivation, RCW 9.94A.533(8).

- Additional current offense sentencing data is attached in Appendix 2.3.
- 2.4  EXCEPTIONAL SENTENCE. Substantial and compelling reasons exist which justify an exceptional sentence:
- 2.5 ABILITY TO PAY LEGAL FINANCIAL OBLIGATIONS. The court has considered the total amount owing, the defendant's past, present and future ability to pay legal financial obligations, including the defendant's financial resources and the likelihood that the defendant's status will change. The court finds that the defendant has the ability or likely future ability to pay the legal financial obligations imposed herein. RCW 9.94A.753
- The following extraordinary circumstances exist that make restitution inappropriate (RCW 9.94A.753):
- 

- 2.6 For violent offenses, most serious offenses, or armed offenders recommended sentencing agreements or plea agreements are as follows:

III. JUDGMENT

- 3.1 The defendant is GUILTY of the Counts and Charges listed in Paragraph 2.1 and Appendix 2.1.

Judgment and Sentence (JS) (Felony)  
 (RCW 9.94A.500, .505) WPF CR 84.0400 (6/2002)  
 JEFFREY SCOTT BROOKS

ANNOTATED REVISED CODE OF WASHINGTON  
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\*\*\* STATUTES CURRENT THROUGH 2004 REGULAR SESSION \*\*\*  
 \*\*\* ANNOTATIONS CURRENT THROUGH JULY 2004 ANNOTATION SERVICE \*\*\*

TITLE 9A. WASHINGTON CRIMINAL CODE  
 CHAPTER 9A.28. ANTICIPATORY OFFENSES

GO TO REVISED CODE OF WASHINGTON ARCHIVE DIRECTORY

Rev. Code Wash. (ARCW) § 9A.28.020 (2004)

§ 9A.28.020. Criminal attempt

(1) A person is guilty of an attempt to commit a crime if, with intent to commit a specific crime, he or she does any act which is a substantial step toward the commission of that crime.

(2) If the conduct in which a person engages otherwise constitutes an attempt to commit a crime, it is no defense to a prosecution of such attempt that the crime charged to have been attempted was, under the attendant circumstances, factually or legally impossible of commission.

(3) An attempt to commit a crime is a:

(a) Class A felony when the crime attempted is murder in the first degree, murder in the second degree, arson in the first degree, child molestation in the first degree, indecent liberties by forcible compulsion, rape in the first degree, rape in the second degree, rape of a child in the first degree, or rape of a child in the second degree;

(b) Class B felony when the crime attempted is a class A felony other than an offense listed in (a) of this subsection;

(c) Class C felony when the crime attempted is a class B felony;

(d) Gross misdemeanor when the crime attempted is a class C felony;

(e) Misdemeanor when the crime attempted is a gross misdemeanor or misdemeanor.

**HISTORY:** 2001 2nd sp.s. c 12 § 354; 1994 c 271 § 101; 1981 c 203 § 3; 1975 1st ex.s. c 260 § 9A.28.020.

**NOTES:**

INTENT -- SEVERABILITY -- EFFECTIVE DATES -- 2001 2ND SP.S. C 12: See notes following *RCW 71.09.250*.

APPLICATION -- 2001 2ND SP.S. C 12 § § 301-363: See note following *RCW 9.94A.030*.

PURPOSE -- 1994 C 271: "The purpose of chapter 271, Laws of 1994 is to make certain technical corrections and correct oversights discovered only after unanticipated circumstances have arisen. These changes are necessary to give full expression to the original intent of the legislature." [1994 c 271 § 1.]

SEVERABILITY -- 1994 C 271: "If any provision of this act or its application to any person or circumstance is held invalid, the remainder of the act or the application of the provision to other persons or circumstances is not affected." [1994 c 271 § 1103.]

EFFECT OF AMENDMENTS.