

IN THE SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,

Respondent,

v.

SHANNON B. BLAKE,

Petitioner.

NO. 96873-0

ORDER  
AMENDING  
OPINION

It is hereby ordered that the majority opinion of Gordon McCloud, J., filed February 25, 2021, in the above entitled case is amended as indicated below. All references are to the slip opinion.

On page 24, line 5 of footnote 13, after “communities).” delete “But the interpretive rule of legislative acquiescence bars us from disregarding that body’s failure to amend the drug possession statute for the last 40 years.” and insert:

But the “fundamental objective” of statutory interpretation is “to ascertain and carry out the Legislature’s intent.” *Dep’t of Ecology v. Campbell & Gwinn, LLC*, 146 Wn.2d 1, 9, 43 P.3d 4 (2002). And the legislature has made its intent clear by its failure to amend the drug possession statute for the last 40 years.

On page 27, line 1, after “(1982)).” delete “But the history summarized above shows that the ‘issue’ of interpreting RCW 69.59.4013’s as a strict liability statute can no longer be ‘resolved’


by this court ‘on statutory grounds.’” and insert:


But any attempt to resolve the “issue” of interpreting RCW 69.50.4013 as a strict liability statute by reading into it a silent mens rea element would run afoul of the “fundamental objective” of statutory interpretation: “to ascertain and carry out the Legislature’s intent.” *Dep’t of Ecology v. Campbell & Gwinn, LLC*, 146 Wn.2d 1, 9, 43 P.3d 4 (2002).

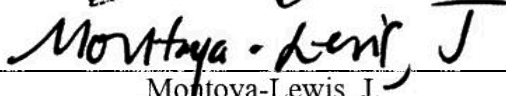
DATED this 20th day of April, 2021.

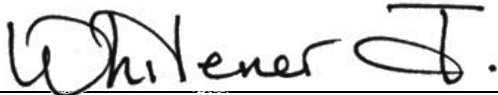
  
CHIEF JUSTICE

APPROVED:

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Gordon McCloud, J.

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Yu, J.

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Montoya-Lewis, J.

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Whitener, J.