

Washington State Sex Offenses Related to FBI NIBRS Offense Codes

AUG2017

RCW	Offense	Element(s)	Victim	Offender	FBI Offense
9A.44.040 (Class A Felony)	Rape 1 st Degree	Sexual Intercourse; Forcible; Use or threat to use deadly weapon, or; Kidnaps, or; Inflicts physical injury, or; Feloniously enters building or vehicle			If opposite gender = Rape (11A); if same gender = Sodomy (11B) or Sexual Assault with Object (11C)
9A.44.050 (Class A Felony)	Rape 2 nd Degree	Sexual Intercourse; Forcible; Circumstances not constituting 1 st Degree	Includes victims incapable of giving consent, residents of treatment facilities, and vulnerable adults		If opposite gender = Rape (11A); if same gender = Sodomy (11B) or Sexual Assault with Object (11C)
9A.44.060 (Class C Felony)	Rape 3 rd Degree	Sexual Intercourse; Nonconsensual; Threat of substantial unlawful harm to victim's property rights			If opposite gender = Rape (11A); if same gender = Sodomy (11B) or Sexual Assault with Object (11C)
9A.44.073 (Class A Felony)	Rape of Child 1 st Degree	Sexual Intercourse	Less than age 12 years old	At least 24 months older than victim	If opposite gender = Rape (11A); if same gender = Sodomy (11B) or Sexual Assault with Object (11C)
9A.44.076 (Class A Felony)	Rape of Child 2 nd Degree	Sexual Intercourse	At least age 12 but less than age 14	At least 36 months older than victim	If opposite gender = Rape (11A); if same gender = Sodomy (11B) or Sexual Assault with Object (11C)
9A.44.079 (Class C Felony)	Rape of Child 3 rd Degree	Sexual Intercourse	At least age 14 but less than age 16	At least 48 months older than victim	If opposite gender = Rape (11A); if same gender = Sodomy (11B) or Sexual Assault with Object (11C)
9A.44.083 (Class A Felony)	Child Molestation 1 st Degree	Sexual Contact	Less than age 12	At least 36 months older than victim	Fondling (11D)
9A.44.086 (Class B Felony)	Child Molestation 2 nd Degree	Sexual Contact	At least age 12 but less than age 14	At least 36 months older than victim	Fondling (11D)
9A.44.089 (Class C Felony)	Child Molestation 3 rd Degree	Sexual Contact	At least age 14 but less than age 16	At least 48 months older than victim	Fondling (11D)
9A.44.093 (Class C Felony)	Sexual Misconduct with a Minor 1 st Degree	Sexual Intercourse	At least age 16 but less than age 18	At least 60 months older than victim	Statutory Rape (36B); Non-forcible sexual intercourse with a person who is under the statutory age of consent.
9A.44.096 (Gross Misdemeanor)	Sexual Misconduct with a Minor 2 nd Degree	Sexual Contact	At least age 16 but less than age 18	At least 60 months older than victim	Fondling (11D)
9A.44.100 (Class B Felony; Class A Felony if Forcible Compulsion)	Indecent Liberties	Sexual Contact	Includes victims incapable of giving consent, residents of treatment facilities, and vulnerable adults		Fondling (11D)
9A.64.020(1) (Class B Felony)	Incest 1 st Degree	Sexual Intercourse	Related to the offender as an ancestor, descendant, brother, or sister; includes stepchildren and adopted children if under age 18		Incest (36A); Non-forcible sexual intercourse between persons who are related to each other within the degrees wherein marriage is prohibited by law.
9A.64.020(2) (Class C Felony)	Incest 2 nd Degree	Sexual Contact			Fondling (11D)