
HOUSE BILL 1760

State of Washington 60th Legislature 2007 Regular Session

By Representatives McDonald, O'Brien, Pearson and Morrell

Read first time 01/26/2007. Referred to Committee on Judiciary.

1 AN ACT Relating to prohibiting the reproduction of certain evidence
2 collected in prosecutions for sexual exploitation of children; and
3 adding a new section to chapter 9.68A RCW.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** A new section is added to chapter 9.68A RCW
6 to read as follows:

7 (1) In any criminal proceeding, any photograph or visual or printed
8 matter of a minor collected as evidence in a prosecution for RCW
9 9.68A.040 through 9.68A.070 shall remain in the care, custody, and
10 control of the law enforcement agency or the court.

11 (2) Notwithstanding any other statute or court rule, a court shall
12 deny, in any criminal proceeding, any request by the defendant to copy,
13 photograph, duplicate, or otherwise reproduce any photograph or visual
14 or printed matter of a minor collected as evidence in a prosecution for
15 RCW 9.68A.040 through 9.68A.070, so long as the law enforcement agency
16 or the court makes the evidence reasonably available to the defendant.

17 (3) For the purposes of this section, the evidence shall be deemed
18 to be reasonably available to the defendant if the law enforcement
19 agency or the court provides ample opportunity at the law enforcement

1 agency's facility or at the court for inspection, viewing, and
2 examination of the evidence by the defendant, his or her attorney, and
3 any individual the defendant may seek to qualify to furnish expert
4 testimony at trial.

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