

SENATE BILL REPORT

SB 5934

As Reported by Senate Committee On:
Judiciary, February 24, 2009

Title: An act relating to conveyances used in prostitution-related offenses.

Brief Description: Concerning conveyances used in prostitution-related offenses. [Revised for 1st Substitute: Concerning vehicle impoundment.]

Sponsors: Senators Kohl-Welles, Keiser, Kline, Kauffman, McCaslin and Shin.

Brief History:

Committee Activity: Judiciary: 2/20/09, 2/24/09 [DPS].

SENATE COMMITTEE ON JUDICIARY

Majority Report: That Substitute Senate Bill No. 5934 be substituted therefor, and the substitute bill do pass.

Signed by Senators Kline, Chair; Regala, Vice Chair; McCaslin, Ranking Minority Member; Carrell, Hargrove, Kohl-Welles, Roach and Tom.

Staff: Brandon Roché (786-7405)

Background: The Legislature established the Prostitution Prevention and Intervention Program in 1995 to provide programs to help people leave or avoid prostitution. The programs are funded by fees paid by those convicted of, or given deferred prosecutions for, violating prostitution-related laws. Although the fund was created in 1995, the first programs were not funded until 2008 due to the slow accumulation of funds in the account.

Prostitution-related offenses include promoting or patronizing prostitution, and commercial sexual abuse of a minor.

Summary of Bill: The bill as referred to committee not considered.

Summary of Bill (Recommended Substitute): A vehicle used in a prostitution-related offense may be impounded by an arresting law enforcement officer if the person arrested is the owner of the car or it is a rental car. In either case, the the person must have a previous conviction for a prostitution-related offense. Furthermore, communities may designate

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certain areas where vehicles are subject to impoundment for prostitution-related offenses regardless of whether the person arrested has a previous conviction for such an offense.

In addition to the applicable impoundment, towing, and storage fees, the owner of the impounded vehicle must pay a \$500 fine before the vehicle is released from impoundment. The \$500 fine is to be deposited in the Prostitution Prevention and Intervention Account.

If the owner of the vehicle substantially prevails in any proceeding to contest the validity of the impoundment, the owner is entitled to a full refund of all fees and fines paid. The refund is to be paid by the impounding agency.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: PRO: The point of this is that prostitution offenses are not always caught but they can have a really deleterious effect on young people's lives. We know there are certain corridors where people cruise in cars looking to patronize prostitutes. What we're trying to do here is, without incarcerating, give law enforcement the option to deal with these crimes, to use the economic underpinning of how the crime is committed. This has been something we've been working on for about a year. There are three types of prostitution: massage parlor-based, internet-based, and street-based. This aims at the street-based prostitution. This activity has a tremendous negative effect on economic development. This is another tool for law enforcement to deal with the customer side of the issue.

Persons Testifying: PRO: Senator Kohl-Welles, prime sponsor; Doug Levy, Cities of Kent and Federal Way; Steve Strachan, Kent Police Chief; Jim Graddon, SeaTac Police Chief; Jim Blanchard, Auburn Youth Services.