

**SENATE BILL REPORT**

**SB 5186**

**AS REPORTED BY COMMITTEE ON LAW & JUSTICE, FEBRUARY 5, 1993**

**Brief Description:** Prohibiting the luring of minors or incompetent persons into vehicles or structures.

**SPONSORS:** Senators von Reichbauer, A. Smith, McCaslin, Prentice, Gaspard, Hargrove, Quigley, Winsley and Erwin

**SENATE COMMITTEE ON LAW & JUSTICE**

**Majority Report:** That Substitute Senate Bill No. 5186 be substituted therefor, and the substitute bill do pass.

Signed by Senators A. Smith, Chairman; Quigley, Vice Chairman; Hargrove, McCaslin, Nelson, Niemi, Rinehart, Roach, and Spanel.

**Staff:** Tom McBride (786-7448)

**Hearing Dates:** January 29, 1993; February 5, 1993

**BACKGROUND:**

Sexual offenses are set forth in the Washington Criminal Code and include rape of a child, child molestation, communicating with a minor for immoral purposes, and assault of a child, as well as other offenses.

Police receive numerous reports that strangers have attempted to order or entice children into cars. This occurs outside of schools, on public streets, etc.

**SUMMARY:**

The original bill was not considered.

**EFFECT OF PROPOSED SUBSTITUTE:**

The new crime of "luring" is created. A person is guilty of luring when he or she, without consent from the guardian or parent, requests or persuades a child or incompetent person to 1) enter an area that is obscured from or inaccessible to the public, and 2) he or she is unknown to the child or incompetent person.

It is a defense to "luring" if the person acts reasonably under the circumstances and does not intend to harm the child or incompetent person. The defense must be proven by the defendant by a preponderance of the evidence. Luring is a class C felony.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** none requested

**TESTIMONY FOR:**

The new crime is a necessary tool to enable police and prosecutors to combat the increased number of incidents where a stranger tries to get a child into a car or other area.

**TESTIMONY AGAINST:** None

**TESTIFIED:** Craig C. Sarver, WSCPO (pro); Mike Patrick, WSCPO (pro); Donna Deleno, Washington Coalition of Sexual Assault Programs (pro); Mike Redman, WAPA