

SENATE BILL REPORT

SB 6346

As Reported By Senate Committee On:
Judiciary, February 7, 2002

Title: An act relating to sexual exploitation of minors.

Brief Description: Including computer images in the definition of "visual or printed matter."

Sponsors: Senators Kline, Finkbeiner, Haugen, Roach, Kastama, Hochstatter, Keiser and Winsley.

Brief History:

Committee Activity: Judiciary: 2/6/02, 2/7/02 [DP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Kastama, Vice Chair; Costa, Hargrove, Johnson, Long, Poulsen, Roach, Thibaudeau and Zarelli.

Staff: Lidia Mori (786-7755)

Background: If a person, in the course of processing or producing visual or printed matter, has reasonable cause to believe the visual or printed matter submitted for processing or producing depicts a minor engaged in sexually explicit conduct, he or she must report it immediately to the proper law enforcement agency. Failure to do so is a gross misdemeanor.

For purposes of the chapter dealing with sexual exploitation of children, to "photograph" means to make a print, negative, slide, motion picture, or videotape. A "photograph" means any tangible item produced by photographing.

Summary of Bill: In a situation where a computer has been submitted either privately or commercially for repair, modification, or maintenance, and a person develops reasonable cause to believe the computer stores visual or printed matter that depicts a minor engaged in sexually explicit conduct, the person performing the repair, modification, or maintenance may report the incident to law enforcement. A person who makes such a report in good faith is immune from civil liability for making the report.

For purposes of the chapter dealing with sexual exploitation of children, to "photograph" means to make a print, negative, slide, digital image, motion picture, or videotape. A "photograph" means anything tangible or intangible produced by photographing.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: When the laws pertinent to this subject were enacted in 1984, we did not have digital images. This bill updates the code for purposes of reporting computer matter depicting minors in sexually explicit conduct.

Testimony Against: None.

Testified: Pat Sainsbury, King County Prosecutor's Office; Lonnie Johns Brown, Washington Coalition of Sexual Assault Programs.