

2SHB 1281 - S COMM AMD

By Committee on Law & Justice

ADOPTED 4/13/2015

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** The legislature finds that sexual abuse
4 and exploitation of children robs victims of their childhood and
5 irrevocably interferes with their emotional and psychological
6 development. Victims of child pornography often experience severe and
7 lasting harm from the permanent memorialization of the crimes
8 committed against them. Child victims endure depression, withdrawal,
9 anger, and other psychological disorders. Victims also experience
10 feelings of guilt and responsibility for the sexual abuse as well as
11 feelings of betrayal, powerlessness, worthlessness, and low self-
12 esteem. Each and every time such an image is viewed, traded, printed,
13 or downloaded, the child in that image is victimized again.

14 The legislature finds that the expansion of the internet and
15 computer-related technologies have led to a dramatic increase in the
16 availability of child pornography by simplifying how it can be
17 created, distributed, and collected. Investigators and prosecutors
18 report dramatic increases in the number and violent character of the
19 sexually abusive images of children being trafficked through the
20 internet. Between 2005 and 2009, the national center for missing and
21 exploited children's child victim identification program has seen a
22 four hundred thirty-two percent increase in child pornography films
23 and files submitted for identification of the children depicted. The
24 United States department of justice estimates that pornographers have
25 recorded the abuse of more than one million children in the United
26 States alone. Furthermore, a well-known study conducted by crimes
27 against children research center for the national center for missing
28 and exploited children concluded that an estimated forty percent of
29 those who possess child pornography have also directly victimized a
30 child and fifteen percent have attempted to entice a child over the
31 internet.

32 The legislature finds that due to a lack of dedicated resources,
33 only two percent of known child exploitation offenders are being

1 investigated. The legislature finds that additional funding sources
2 are needed to ensure that law enforcement agencies can adequately
3 investigate and prosecute offenders and victims can receive necessary
4 services, including mental health treatment. Finally, the legislature
5 finds that offenders convicted of crimes relating to child
6 pornography should bear the high cost of investigations and
7 prosecutions of these crimes and also the cost of providing services
8 to victims.

9 NEW SECTION. **Sec. 2.** A new section is added to chapter 9.68A
10 RCW to read as follows:

11 (1) In addition to penalties set forth in RCW 9.68A.070, a person
12 who is convicted of violating RCW 9.68A.070 shall be assessed a fee
13 of one thousand dollars for each depiction or image of visual or
14 printed matter that constitutes a separate conviction.

15 (2) Fees assessed under this section shall be collected by the
16 clerk of the court and remitted to the state treasurer for deposit
17 into the child rescue fund created in section 3 of this act.

18 NEW SECTION. **Sec. 3.** A new section is added to chapter 9.68A
19 RCW to read as follows:

20 (1) The child rescue fund is created in the custody of the state
21 treasurer. All receipts from fees collected under section 2 of this
22 act must be deposited into the fund.

23 (2) Only the attorney general for the state of Washington or the
24 attorney general's designee may authorize expenditures from the fund.

25 (3) The attorney general or his or her designee must make any
26 expenditures from the fund according to the following schedule:

27 (a) Twenty-five percent of receipts for grants to child advocacy
28 centers, as defined in RCW 26.44.020; and

29 (b) Seventy-five percent of receipts for grants to the Washington
30 internet crimes against children task force for use in investigations
31 and prosecutions of crimes against children.

32 (4) The fund is subject to the allotment procedures under chapter
33 43.88 RCW, but an appropriation is not required for expenditures."

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1 On page 1, line 1 of the title, after "minors;" strike the
2 remainder of the title and insert "adding new sections to chapter
3 9.68A RCW; creating a new section; and prescribing penalties."

EFFECT: Changes name of account created from the "internet crimes
against children account" to the "child rescue fund."

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