

HOUSE BILL REPORT

ESSB 5139

As Reported By House Committee On:

Law & Justice

Title: An act relating to persons who patronize prostitutes.

Brief Description: Authorizing law enforcement officers to impound the vehicles of persons who are patronizing prostitutes.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Kohl, Smith, Long, Prentice, Winsley, Heavey, Prince, Franklin, Schow, West, Oke and Rasmussen).

Brief History:

Committee Activity:

Law & Justice: 2/14/96, 2/16/96 [DP].

HOUSE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass. Signed by 16 members: Representatives Sheahan, Chairman; Delvin, Vice Chairman; Hickel, Vice Chairman; Dellwo, Ranking Minority Member; Costa, Assistant Ranking Minority Member; Carrell; Chappell; Cody; Lambert; McMahan; Morris; Murray; Robertson; Smith; Sterk and Veloria.

Staff: Edie Adams (786-7180).

Background: It is a misdemeanor offense for a person to patronize a prostitute and a class C felony for a person to patronize a juvenile prostitute.

A person is guilty of patronizing a prostitute if he or she (1) pays a fee, under a prior understanding, as compensation for another person having engaged in sexual conduct with him or her; (2) pays a fee to another person with the understanding that the person will engage in sexual conduct; or (3) solicits another person to engage in sexual conduct in exchange for a fee.

A person is guilty of patronizing a juvenile prostitute if that person engages in, or offers or agrees to engage in, sexual conduct with a minor in return for a fee.

Under current law, when a law enforcement officer arrests the driver of a vehicle, the officer may take custody of the vehicle and provide for its removal to a place of

safety. A person whose vehicle has been impounded may redeem the vehicle by paying the costs of towing and storage. In addition, the person may request a hearing in district court to determine the validity of the impoundment.

Summary of Bill: A law enforcement officer who arrests and takes into custody a person suspected of patronizing a prostitute or patronizing a juvenile prostitute may impound any vehicle used by the person arrested in the commission of the crime if the person arrested is the owner of the vehicle.

Impoundments are to be performed in accordance with current state law on towing and impoundment.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: This bill is needed to help decrease the demand for prostitution and alleviate the impact of prostitution on neighborhoods. People use their vehicles to cruise areas for prostitutes. The threat of misdemeanor criminal sanctions is not immediate enough. We need to hit the pocketbooks of people patronizing prostitutes. Portland authorizes impoundment of vehicles and has had tremendous success.

Testimony Against: None.

Testified: Senator Jeanne Kohl, prime sponsor; Bruce Rooney and Bert Musgrove, citizens (pro); Ted Inkley, Seattle City Attorney's Office (pro); Captain John Mason, Sergeant Mike Nelson, and Leo Poort, Seattle Police Department (pro); and Roberta Lynch, Spokane Valley Chamber of Commerce (pro).