

SENATE BILL REPORT

SB 5139

As Reported By Senate Committee On:
Law & Justice, February 1, 1995

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: Senators Kohl, Smith, Long, Prentice, Winsley, Heavey, Prince, Franklin, Schow, West, Oke and Rasmussen.

Brief History:

Committee Activity: Law & Justice: 1/24/95, 2/1/95 [DPS].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 5139 be substituted therefor, and the substitute bill do pass.

Signed by Senators Smith, Chair; Hargrove, Haugen, Johnson, Long, McCaslin, Quigley, Roach and Schow.

Staff: Martin Lovinger (786-7443)

Background: It is felt that most law enforcement efforts aimed at preventing prostitution are directed at punishing prostitutes. However, the economic basis for prostitution lies in the demand for sexual services, often from persons who use motor vehicles in order to solicit and obtain those services.

The use of motor vehicles in patronizing prostitutes contributes to safety and other concerns in residential neighborhoods. It also negatively impacts commercial areas.

Summary of Substitute Bill: A law enforcement officer who arrests and takes into custody a person for patronizing a prostitute or patronizing a juvenile prostitute may impound the vehicle operated by that person if the vehicle was used in committing the crime.

Impoundments must be performed in accordance with current state towing and impoundment laws.

Substitute Bill Compared to Original Bill: The original bill set forth impoundment procedures that are different from those in the current state towing and impoundment laws.

Appropriation: None.

Fiscal Note: Available.

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

Testimony For: This bill addresses some serious traffic and safety concerns of residents and businesses in areas where prostitution is a problem. Prostitution is a blight on neighborhoods and impoundment of vehicles of those who patronize prostitutes is a helpful tool. Motor vehicles are at the center of the prostitution problem and impoundment is a good strategy to interdict this problem.

Testimony Against (original bill): The impoundment language unnecessarily sets up a new procedure which is different from that for all other impoundments in the state.

Testified: Senator Kohl, prime sponsor; Peter Clarke, legislative assistant to Seattle City Councilmember Margaret Pageler (pro); Bert Musgrove, community activist (pro); Clark Kimerer, Commander, Seattle Police Department (pro); Jody McDonald, community activist (pro); Jody Davis, Director, UP and OUT (pro); Rev. Doug Heck, Pastor, City Foursquare Church (pro); Stu Halsan, Washington Tow Truck Association (con-original bill).