

SENATE BILL REPORT

SSB 6133

As Passed Senate, February 6, 1996

Title: An act relating to powers of district and municipal court judges.

Brief Description: Making certain sentencing conditions set by local judges enforceable county-wide.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senator Fairley).

Brief History:

Committee Activity: Law & Justice: 1/23/96, 1/24/96 [DPS].
Passed Senate, 2/6/96, 49-0.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: That Substitute Senate Bill No. 6133 be substituted therefor, and the substitute bill do pass.

Signed by Senators Smith, Chair; Fairley, Vice Chair; Goings, Johnson, McCaslin and Schow.

Staff: Susan Carlson (786-7418)

Background: In some jurisdictions, specific areas are designated as areas of prostitution. When sentencing a defendant for a prostitution offense, the municipal or district court judge often includes a requirement that the defendant stay out of those designated areas of prostitution.

Questions have been raised as to whether a municipal judge can order a defendant to stay out of designated areas of prostitution that are outside the municipality. Also, law enforcement would like to have authority to arrest defendants they see in designated anti-prostitution areas in violation of the court order.

Summary of Bill: Conditions of release, suspension, or deferral by a municipal court prohibiting an offender from being present or remaining within any designated anti-prostitution emphasis area may specify prohibited areas of prostitution anywhere within any county that contains any portion of the city. District courts may specify prohibited areas of prostitution anywhere within the county. The conditions may be enforced by any law enforcement officer.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: The bill authorizes municipal courts to order a defendant to stay out of all designated prostitution areas in the county. This will discourage prostitution offenders from moving to a city a short distance away to avoid application of a municipal court order that only restricts their presence in prostitution areas in the city in which the court is located.

Testimony Against: None.

Testified: PRO: Senator Fairley, prime sponsor; Det. J.P. Covey, King Co. police; Robert Thompson, Des Moines Police Department.