

SENATE BILL REPORT

SB 5570

As Passed Senate, March 7, 2003

Title: An act relating to communication with a minor for immoral purposes.

Brief Description: Expanding the crime of communicating with a minor for immoral purposes.

Sponsors: Senators Brown, Brandland, Kohl-Welles and Rasmussen; by request of Attorney General.

Brief History:

Committee Activity: Judiciary: 2/13/03, 2/20/03 [DP].

Passed Senate: 3/7/03, 49-0.

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators McCaslin, Chair; Esser, Vice Chair; Brandland, Hargrove, Haugen, Johnson, Kline, Roach and Thibaudeau.

Staff: Aldo Melchiori (786-7439)

Background: Over half of American homes are connected to the internet. While the internet is a very useful tool, it is also sometimes used by sex offenders to anonymously target and manipulate children. Sex offenders may mask their true identity, expose minors to sexually graphic images and communication, and "groom" their potential victims for an in-person meeting. To locate offenders illegally attempting to communicate with a child for immoral purposes, many law enforcement agencies employ adult detectives who pose as children online.

Communication with a Minor for Immoral Purposes is committed when a person communicates with a minor for the prohibited purpose. Prosecution for the offense may be problematic under the current statute, however, because the predator must be talking with an actual child to be in violation.

Summary of Bill: Communication with a Minor for Immoral Purposes may be committed by communicating with someone the offender believes to be a minor.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Predators are using the internet to target children; the internet is becoming the world's riskiest playground. These offenders can target large numbers of children without

even leaving their homes. Children often do not tell their parents for fear that their computer will be taken away.

Testimony Against: The state and federal constitutions protect free speech on the internet when real children are not involved or harmed. These offenders can be presently charged with attempt to commit sex crimes.

Testified: PRO: Senator Brown, prime sponsor; Christine Gregoire, Attorney General; Randy Carroll, Bellingham Police Dept.; Hush Birseneier, Pierce County Deputy Prosecutor; Leanne Shirley, Seattle Police Dept.; CON: Michael Hanrey, WACDL.