

1/3/79

Introduced by:

PAUL BARDEN

NO. 79-53

MOTION NO. 3962

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2 A MOTION recognizing that the current
3 statutes defining and prohibiting
4 prostitution have been found to be
5 unconstitutional; directing staff
6 representatives of the County to work with
7 other jurisdictions and appropriate
8 organizations to urge the Washington State
9 Legislature to enact corrective legislation.
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11 WHEREAS, in early spring 1978, in Spokane, the United States
12 District Court ruled that the state statutes defining and
13 prohibiting prostitution were unconstitutional due to the
14 vagueness of key terms, and
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16 WHEREAS, the United States District Court found specifically
17 that the key term prohibiting sexual conduct, was so vague in its
18 legal meaning and practical application, as stated in RCW
19 9A.88.030, as to constitute unconstitutional use of police
20 powers, and
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22 WHEREAS, essentially on the same grounds the King County
23 Superior Court found the King County ordinance, prohibiting acts
24 of prostitution enacted under powers of the Home Rule Charter,
25 invalid, and
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27 WHEREAS, for a period of time there was no legal remedy in
28 King County to combat acts of prostitution, and
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30 WHEREAS, in May, 1978, the King County Council approved
31 Ordinance No. 3702 which remedied legal flaws found in the
32 previous ordinance which had been held to be invalid, and
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WHEREAS, King County, by virtue of its Home Rule powers and
the passage of Ordinance No. 3702 prohibits prostitution in
unincorporated King County and continues to vigorously combat the
crime, and

WHEREAS, other counties bound by state statute do not
presently have the legal authority to arrest alleged offenders
committing acts of prostitution, and

WHEREAS, the Washington State Legislature should be
encouraged to pass emergency legislation amending statutes

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1 pertaining to the prohibition of prostitution so that criminal
2 offenders on a county and statewide basis will be arrested for
3 the commission of crimes, and

4 WHEREAS, it is in the best interests of the citizens of King
5 County and the State of Washington that county staff representing
6 the interests of King County during the legislative session
7 enlist the support of other counties and appropriate
8 organizations to urge the Washington State Legislature to pass
9 appropriate legislation on an emergency basis,

10 NOW THEREFORE, BE IT MOVED by the Council of King County:

11 The current state statutes prohibiting acts of prostitution
12 have been found to be unconstitutionally vague. Staff
13 representatives of King County to the Washington State
14 Legislature are directed to seek the support of other
15 jurisdictions and appropriate organizations in urging the
16 Washington State Legislature to enact remedial legislation on an
17 emergency basis so that local jurisdictions can continue to
18 vigorously combat such crimes and arrest offenders.

19 PASSED this 15th day of January, 1979.

20
21 KING COUNTY COUNCIL
22 KING COUNTY, WASHINGTON

23 Ruby Chow
24 Chairman

25 ATTEST:

26 Dorothy M. Owens
27 Deputy Clerk of the Council
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