



# The City of Seattle--Legislative Department

## REPORT OF COMMITTEE

Date Reported  
and Adopted

President:

Committee on

was referred the within Council Bill No.

that we have considered the same and respectfully recommend that the same:

Oversight                      eye

Regulation                      eye

Comptroller                      eye

Passed 9-0

Department

Committee Chair

Not used for  
some  
matters  
fold into  
other

ORDINANCE 121026

1  
2  
3 AN ORDINANCE prohibiting recording or transmitting images of another person's intimate areas;  
4 making it a gross misdemeanor to use any device to record or transmit images of a person's  
5 intimate areas taken while that person is in a public place without that person's consent; and  
6 adding a new Section to the Seattle Criminal Code.

7 WHEREAS, a practice has arisen whereby individuals record or transmit images of a person's, usually a  
8 woman's, intimate areas that are covered by clothing and that are generally considered to be  
9 private, while that person is in public place and without the person's consent; and

10 WHEREAS, individuals engaging the aforementioned practice do so for their own prurient interest or  
11 that of others; and

12 WHEREAS, on September 19, 2002, the Washington State Supreme Court issued its decision in State v.  
13 Glas, in which the court determined that RCW 9A.44.115, the state voyeurism statute, does not  
14 apply to acts of voyeurism committed in public places; and

15 WHEREAS, even when in public places, people in Seattle have a reasonable expectation of privacy in  
16 intimate areas of their bodies covered by clothing;

17 BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

18 Section 1. A new section 12A.10.120, is added to the Seattle Municipal Code as follows:

19 **12A.10.120** Voyeurism in Public Places

20 A. As used in this section:

21 1. "Public Place" means an area generally open to the public, regardless of whether it is privately  
22 owned, and includes, but is not limited to, streets, sidewalks, bridges, alleys, plazas, parks, driveways,  
23 parking lots, transit stations, monorail trains, buses, commuter trains, shelters, tunnels, and buildings,  
24 including stores and restaurants.

2. "Record" means to videotape, film, photograph, or record electronically.

3. "Transmit" means to send an image electronically.



1 4. "Intimate areas covered by clothing" does not include intimate areas visible through a person's  
2 clothing.

3 5. "Intimate areas" means any portion of a person's undergarments, pubic area, anus, buttocks,  
4 vulva, genitals, or female breast.

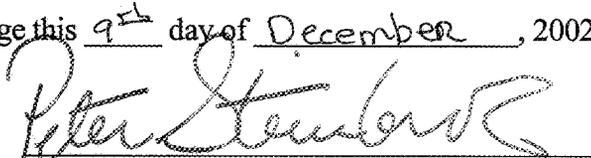
5 B. A person is guilty of Voyeurism in a Public Place if he or she intentionally records or  
6 transmits an image of another person's intimate areas covered by clothing and the image is taken while that  
7 person is in a public place and without that person's consent.

8 C. Voyeurism in a public place is a gross misdemeanor. In addition to any penalties the court  
9 may impose, the court may order the destruction of any recording made in violation of this section.

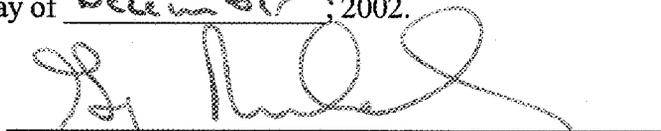
10 Section 2. Severability of provisions. If any provision of this ordinance or its application to any  
11 person or circumstance is held invalid, the remainder of this ordinance or the application of the terms  
12 and provisions to other persons or circumstances shall not be affected.

13 Section 3. This ordinance shall take effect and be in force thirty (30) days from and after its  
14 approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after  
15 presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

16 Passed by the City Council the 9<sup>th</sup> day of December, 2002, and signed by me in open  
17 session in authentication of its passage this 9<sup>th</sup> day of December, 2002.

18   
19 President \_\_\_\_\_ of the City Council

20 Approved by me this 20 day of December; 2002.

21   
22 \_\_\_\_\_  
23 Mayor

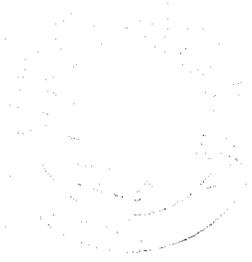


1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

Filed by me this 30<sup>th</sup> day of December, 2002.

  
\_\_\_\_\_  
City Clerk

(Seal)



---

**STATE OF WASHINGTON – KING COUNTY**

--ss.

---

153114  
City of Seattle, Clerk's Office

No. ORDINANCE IN FULL

**Affidavit of Publication**

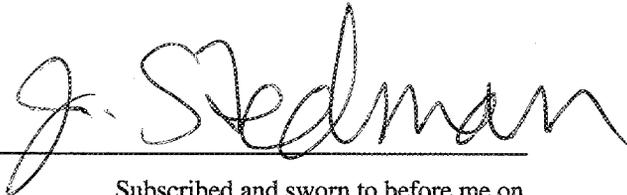
The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12<sup>th</sup> day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

CT:ORDINANCE 121026

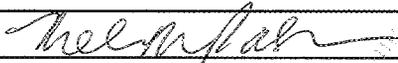
was published on

12/30/2002



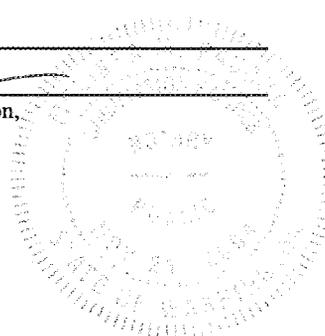
Subscribed and sworn to before me on

12/30/2002



Notary public for the State of Washington,  
residing in Seattle

Affidavit of Publication



# State of Washington, King County

## City of Seattle

### ORDINANCE 121026

AN ORDINANCE prohibiting recording or transmitting images of another person's intimate areas; making it a gross misdemeanor to use any device to record or transmit images of a person's intimate areas taken while that person is in a public place without that person's consent; and adding a new Section to the Seattle Criminal Code.

WHEREAS, a practice has arisen whereby individuals record or transmit images of a person's, usually a woman's intimate areas that are covered by clothing and that are generally considered to be private, while that person is in public place and without the person's consent; and

WHEREAS, individuals engaging the aforementioned practice do so for their own prurient interest or that of others; and

WHEREAS, on September 19, 2002, the Washington State Supreme Court issued its decision in *State v. Glas*, in which the court determined that RCW 9A 44.115, the state voyeurism statute, does not apply to acts of voyeurism committed in public places; and

WHEREAS, even when in public places, people in Seattle have a reasonable expectation of privacy in intimate areas of their bodies covered by clothing;

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. A new Section 12A.10.120, is added to the Seattle Municipal Code as follows:

#### 12A.10.120 Voyeurism in Public Places

##### A. As used in this section:

1. "Public Place" means an area generally open to the public, regardless of whether it is privately owned, and includes, but is not limited to, streets, sidewalks, bridges, alleys, plazas, parks, driveways, parking lots, transit stations, monorail trains, buses, commuter trains, shelters, tunnels, and buildings, including stores and restaurants.
2. "Record" means to videotape, film, photograph, or record electronically.
3. "Transmit" means to send an image electronically.
4. "Intimate areas covered by clothing" does not include intimate areas visible through a person's clothing.
5. "Intimate areas" means any portion of a person's undergarments, pubic area, anus, buttocks, vulva, genitals, or female breast.

B. A person is guilty of Voyeurism in a Public Place if he or she intentionally records or transmits an image of another person's intimate areas covered by clothing and the image is taken while that person is in a public place and without that person's consent.

C. Voyeurism in a public place is a gross misdemeanor. In addition to any penalties the court may impose, the court may order the destruction of any recording made in violation of this section.

Section 2. Severability of provisions. If any provision of this ordinance or its application to any person or circumstance is held invalid, the remainder of this ordinance or the application of the terms and provisions to other persons or circumstances shall not be affected.

Section 3. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 9th day of December, 2002, and signed by me in open