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SUPREME COURT
STATE OF WASHINGTON

NO. 79371-9

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IN THE SUPREME COURT OF THE STATE OF WASHINGTON

STATE OF WASHINGTON, Respondent,

v.

MICHAEL BOYD, Petitioner

&

STATE OF WASHINGTON, Petitioner,

v.

LEE GILES and MAUREEN ELIZABETH WEAR, Respondents.

BRIEF OF AMICUS CURIAE
WASHINGTON ASSOCIATION OF PROSECUTING ATTORNEYS

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I. INTEREST OF AMICUS CURIAE

The Washington Association of Prosecuting Attorneys ("WAPA") represents the elected prosecuting attorneys of Washington State. Those persons are responsible by law for the prosecution of all felony cases in this state and of all gross misdemeanors and misdemeanors charged under state statutes. WAPA is interested in cases, such as this, because it agrees with the Legislature that "the prevention of sexual exploitation and abuse of children constitutes a government objective of surpassing importance." RCW 9.68A.001. WAPA fears that requiring the State to provide copies of images of minors engaging in sexually explicit conduct to defense counsel exacerbates the victimization of the children depicted and may discourage some of the victimized children or their families from reporting the offense to law enforcement.

II. ISSUE PRESENTED

Whether defendants have a right to have their attorneys obtain physical possession of child pornography, when such possession is a felony under RCW 9.68A.070?

III. ARGUMENT

A. THERE IS NO GENERAL CONSTITUTIONAL RIGHT TO DISCOVERY IN A CRIMINAL CASE

The defendants contend that their Sixth Amendment right to counsel¹ and the Fifth Amendment right to due process mandates that they receive copies of the child pornography that underlie the instant charges. The defendants support their claim by citing to cases that mandate the provision of counsel at public expense, that set out the standard for determining the effectiveness of counsel, and that require the disclosure of exculpatory evidence. See Respondent's Response Re: Discretionary Review (Feb. 1, 2007), at 7-9, and Supplemental Brief (Feb. 1, 2007), at 7, citing Strickland v. Washington, 466 U.S. 668, 104 S. Ct. 2052, 80 L. Ed. 2d 674 (1984); Brady v. Maryland, 373 U.S. 83, 83 S. Ct. 1194, 10 L. Ed. 2d 215 (1963); Gideon v. Wainwright, 372 U.S. 335, 83 S. Ct. 792, 9 L. Ed. 2d 799 (1963).

The prosecution has the duty under the Due Process Clause to insure that criminal trials are fair by disclosing evidence favorable to the defendant. Brady v. Maryland, supra. It does not follow from the prohibition against

¹Defendant Michael Boyd's brief asserts a Washington constitutional right to effective assistance of counsel in addition to a federal constitutional right. See Supplemental Brief of Petitioner, at 1. Boyd, however, does not specify which provision of the state constitution he is relying upon. Nor does Boyd make an effort to demonstrate that the state constitution provides greater protection than does the federal constitution. In fact, the only cases Boyd cites in his brief were all decided under the federal constitution.

concealing evidence favorable to the accused that a criminal defendant has a general constitutional right to discovery. Weatherford v. Bursey, 429 U.S. 545, 559, 97 S. Ct. 837, 51 L. Ed. 2d 30 (1977). To the contrary, neither the Fifth Amendment nor the Sixth Amendment require the prosecutor to share all the information in its files with the defendant prior to trial. See generally United States v. Ruiz, 536 U.S. 622, 628-29, 122 S. Ct. 2450, 153 L. Ed. 2d 586 (2002) (neither the Fifth nor Sixth Amendments require the prosecutor to share all useful information with the defendant); Pennsylvania v. Ritchie, 480 U.S. 39, 107 S. Ct. 989, 94 L. Ed. 2d 40 (1987) (neither the Fifth Amendment nor the Sixth Amendment require that the prosecution allow a defense attorney to rummage through sensitive child abuse information in search of potentially helpful information).

Today, discovery in the federal courts and most states is governed by court rule or statute. 4 W. LaFave, Criminal Procedure, § 20.2(b), at 830 (2d ed. 1999). Washington has adopted liberal rules of discovery, but these rules do not mandate granting every request made by a criminal defendant.

B. THE CURRENT DISCOVERY RULE, CrR 4.7, REQUIRES DISCLOSURE OF EVIDENCE, NOT COPYING

The current discovery rule, CrR 4.7(a)(1), requires the State to “disclose” to the defendant a wide range of information. The rule contains no definition of the word “disclose,” so this word must be given its normal

dictionary meaning of “to reveal; make known”. Webster’s, New World Dictionary of the American Language, at 401 (2nd College Ed. 1976); see also, Roget’s International Thesaurus, at §§ 568.17, 557.8, 555.5, 556.4, 594.23, 505.10, 265.13, 488.4 (4th ed. 1977) (synonyms of the word disclose include: indicate, inform, manifest, reveal, say, testify, unclose and uncover). Early decisions interpreting the disclosure requirement reveal that the obligation “to disclose” does not include an obligation to provide copies² of police reports or other items specified in CrR 4.7(a)(1). See, e.g., State v. Coe, 101 Wn.2d 772, 785, 684 P.2d 668 (1984) (affirming the prosecuting attorney’s refusal to turn over major portions of the police reports generated in the investigation of the rapes; “Defendant has no right per se to obtain copies of the police reports.”).

One of the listed items that the State must reveal to defense counsel prior to trial is photographs and other tangible objects which were obtained from or which belonged to the defendant. CrR 4.7(a)(1)(v). In the instant case, that State has disclosed to the defendants the existence of the photographs, computer images, and videotapes containing images of children

²A review of a thesaurus reveals that the verb copy is not a synonym of the word disclose. Roget’s International Thesaurus, at §§ 574.20, 821.4, 91.3, 22.5, 572.9, 169.7, 103.7, 14.6, 24.8, 20.7, 602.19 (4th ed. 1977) (indicating that possible meanings for the verb “copy” are “art”, “borrow”, “duplicate”, “imitate”, “impersonate”, “remake”, “repeat”, “replicate”, “reproduce”, “resemble” and “write”).

engaging in sexually explicit conduct. The State has offered to provide defense counsel with access to these items. The access provided allows the law enforcement agency to maintain custody of the contraband while providing the defense attorney with the ability to consult with his client and any experts in a manner that protects the attorney-client privilege. WAPA contends that the State has fully complied with its obligations under CrR 4.7, and the burden is now upon the defendants to establish the most compelling of circumstances before a court enters an order directing the State to provide their counsel with contraband.

The defendants have rejected the tendered offer of facilities to inspect and examine the contraband photographs, computer files, and videotapes, insisting instead, that their counsel need a copy of the contraband that can be accessed at counsel's leisure. The defendants contend that these copies are required by our discovery rules. The defendants argue, therefore, that the trial court must provide them with the requested copies unless the State can establish that a protection order is required by law.

The defendants, however, can point to nothing in CrR 4.7 that requires the State to provide defendants with copies of benign photographs or other tangible evidence, much less with copies of illegal materials that are themselves unlawful to possess. While there may be reasons to amend the discovery rules to require the State to provide copies of photographs and

other materials to the defense, such a

rule should be adopted through the normal rule-making process. That process enables all interested and affected parties to participate in creating the rule. Foisting the rule upon courts and parties by judicial fiat could lead to unforeseen consequences.

In re Carlstad, 150 Wn.2d 583, 592 n. 4, 80 P.3d 587, (2003).

In addition to the lack of any language in the discovery rule mandating the duplication of photographs for defense counsel, the statute governing depictions of children engaged in sexually explicit conduct does not authorize prosecutors to provide copies to defense attorneys. See RCW 9.68A.110(4) (providing a defense to law enforcement officers and to certain mental health providers who possess unlawful images for certain specified purposes, but not establishing a defense for prosecuting attorneys or defense lawyers).³ The Legislature is currently considering a bill that reinforces the existing statutory restriction. HB 1760, which was read for the first time on January 26, 2007, provides that:

NEW SECTION. Sec. 1. A new section is added to chapter 9.68A RCW to read as follows:

(1) In any criminal proceeding, any photograph or visual or printed matter of a minor collected as evidence in a

³The prosecutors in the instant case have been operating under the same restrictions upon access to the contraband materials that the State is seeking to have imposed upon defense counsel. See Appendix D to the State's motion for Discretionary Review.

prosecution for RCW 9.68A.040 through 9.68A.070 shall remain in the care, custody, and control of the law enforcement agency or the court.

(2) Notwithstanding any other statute or court rule, a court shall deny, in any criminal proceeding, any request by the defendant to copy, photograph, duplicate, or otherwise reproduce any photograph or visual or printed matter of a minor collected as evidence in a prosecution for RCW 9.68A.040 through 9.68A.070, so long as the law enforcement agency or the court makes the evidence reasonably available to the defendant.

(3) For the purposes of this section, the evidence shall be deemed to be reasonably available to the defendant if the law enforcement agency or the court provides ample opportunity at the law enforcement agency's facility or at the court for inspection, viewing, and examination of the evidence by the defendant, his or her attorney, and any individual the defendant may seek to qualify to furnish expert testimony at trial.

No bill has been introduced that would expand the affirmative defense contained in RCW 9.68A.110(4) to defense lawyers.

The absence of specific language in CrR 4.7 requiring the State to provide copies of the unlawful images to defense counsel does not preclude the trial court from exercising its discretion to grant the defendants' request. CrR 4.7(d) and (e) allows the trial court to grant access to a defendant of items that are in the possession of someone other than the prosecuting attorney and to items that are not specifically listed in CrR 4.7(a). The granting of such a request, however, requires the defendant to establish that the requested access is: (1) material to the preparation of his defense; (2) is

reasonable; and (3) any embarrassment from the disclosure is not outweighed by its usefulness to the defendant. CrR 4.7(e); State v. Blackwell, 120 Wn.2d 822, 845 P.2d 1017 (1993).

When considering defense discovery requests that exceed the requirements of CrR 4.7(a), our courts have been solicitous of the privacy interests of victims. Thus, before defendants can ask a rape victim for the names of her former sex partners the defendant must demonstrate a high degree of relevance in the evidence and must establish a high degree of materiality to his defense. State v. Gonzalez, 110 Wn.2d 738, 747-48, 757 P.2d 925 (1988). A lesser showing is insufficient because it would otherwise deter rape victims from reporting the offense and from testifying at trial.

Similarly, before a defendant can obtain access to a victim's medical or counseling records, the defendant must make a particularized factual showing that information useful to the defense is likely to be found in the records. State v. Diemel, 81 Wn. App. 464, 914 P.2d 779, review denied, 130 Wn.2d 1008 (1996). A mere claim that the contents of the files might lead to other evidence or may contain information critical to the defense is not sufficient to compel a court to make an in camera inspection. Id., at 468-69.

Our courts, moreover, will not compel a psychological examination of a victim or witness unless the defendant can demonstrate a compelling

reason for such an examination. State v. Demos, 94 Wn.2d 733, 619 P.2d 968 (1980); State v. Israel, 91 Wn. App. 846, 963 P.2d 897 (1998). Under this standard, requests based upon the complaining witnesses' prior mental history, the witnesses' central role in the prosecution, and the lack of corroborating evidence, were all properly rejected. Demos, 94 Wn.2d at 738; Israel, 91 Wn. App. at 851-52; State v. Tobias, 53 Wn. App. 635, 637-38, 769 P.2d 868 (1989); State v. Braxton, 20 Wn. App. 489, 492-93, 580 P.2d 1116 (1978), review denied, 91 Wn.2d 1018 (1979).

These holdings by our court are consistent with the strong right of privacy enshrined in our constitution. See Const. art. I, § 7. These holdings are also consistent with Const. art. I, § 35's mandate to accord "due dignity and respect" to victims of crimes. These holdings are also consistent with the Legislature's directive that child victims and child witnesses of crimes are treated with "sensitivity, courtesy, and special care". RCW 7.69A.010. Finally, these holdings give life to the Legislature's fervent wish that all crime victims, survivors of victims, and witnesses of crimes with dignity, respect, courtesy, and sensitivity, and that the rights extended to them are honored and protected by law enforcement agencies, prosecutors and judges in a manner no less vigorous than the protections afforded criminal defendants. RCW 7.69.010.

Other courts asked to allow defendant's discovery in excess of their rules or statutes, also require an exceptionally high initial showing if granting the request intrudes upon the privacy rights of a crime victim, a victim's survivor, or a witness of a crime. See, e.g., State v. Muscari, 807 A.2d 407, 417-18 (Vermont 2002) (defendant must demonstrate good cause before gaining access to a crime scene controlled by a third party); People v. Chard, 808 P.2d 351 (Colo. 1991) (a criminal defendant may only compel an involuntary medical examination of a victim under the most compelling of circumstances).

The additional discovery that the defendants are seeking here, copies of depictions of minors engaged in sexually explicit conduct, requires at least the same degree of sensitivity as the discovery of medical and counseling records, former sex partners, and compelled examinations, since the duplication of the contraband depictions and its dissemination to defense counsel promotes the very activity that society condemns and exposes the child victims to the real possibility that the photographs will reach an additional audience.⁴ This real possibility makes this type of supplemental

⁴While WAPA fervently hopes that every officer of the court would comply with all protection order, obey all laws relating to sexual activity, and never mishandle a photograph, the reality is occasionally otherwise. See, e.g., In re Lynch, 114 Wn.2d 598, 789 P.2d 752 (1990) (deputy prosecuting attorney disciplined for mishandling a photograph of an undercover officer); Worley v. Alabama State Bar, 572 So.2d 1239 (Ala. 1990) (indicating that the attorney had possessed pornographic photographs); Wagers v. Kentucky Bar Ass'n, 973 S.W.2d 845

discovery even more intrusive than a compelled physical exam. As noted by the United States Supreme Court in New York v. Ferber, 456 U.S. 747, 760 n. 10, 102 S. Ct. 3348, 73 L. Ed. 2d, 1113 (1982):

Pornography poses an even greater threat to the child victim than does sexual abuse or prostitution. Because the child's actions are reduced to a recording, the pornography may haunt him in future years, long after the original misdeed took place. A child who has posed for a camera must go through life knowing that the record is circulating within the mass distribution system for child pornography.

When images are digitized, such as many of the images at issue in the instant cases, the harm, as noted by Congress is exacerbated:

Distributing child pornography through computers is particularly harmful because it can reach an almost limitless audience. Because of its wide dissemination and instantaneous transmission, computer-assisted trafficking is also more difficult for law enforcement officials to investigate and prosecute. Additionally, the increasing use of computers to transmit child pornography substantially increases the likelihood that this material will be viewed by, and thus harm,

(Kentucky 1998) (attorney disbarred due to child pornography conviction); In re Wood, 265 Ind. 616, 358 N.E.2d 128 (1976) (attorney disciplined for taking nude photos of female clients in his office in exchange for legal representation; photos served attorney's personal interest as well as that of another client who wanted the photos). No matter how familiar a judge is with a particular attorney's professional reputation as an advocate, it is unlikely that the judge will have knowledge of the attorney's sexual proclivities. See, e.g., State v. Jackson, 46 Wn. App. 360, 365, 730 P.2d 1361 (1986) (reputation for sexual morality will generally not be admissible because an individual's sexual activity, "is normally an intimate, private affair not known to the community"). Finally, the possibility always exists that a reputable attorney will be deceived about the character of his or her subordinates. See, e.g., In re Malone, 107 Wn.2d 263, 728 P.2d 1029 (1986) (an attorney's bookkeeper's forgeries and manipulations contributed to the attorney's failure to exercise responsibility for trust funds in his charge).

children. Finally, the Committee notes with particular concern the fact that pedophiles may use a child's fascination with computer technology as a lure to drag children into sexual relationships.

H.R. Rep. 104-90 (on Sex Crimes Against Children Prevention Act of 1995).

Certainly, more than claims of counsel's convenience, a desire to access the materials outside normal working hours, and a generalized concern that the sanctity of the attorney-client relationship might be invaded if counsel does not have his own copies⁵ is required to justify this additional invasion of the victims' privacy. At the very least, defense counsel has to demonstrate the most compelling of circumstances and must demonstrate with specificity how limiting access to the contraband at the law enforcement facilities will actually harm the defendants' ability to present a defense, before any court should direct that their defense attorneys be given personal copies of the images in violation of RCW 9.68A.070. See, e.g., United States v. Horn, 187 F.3d 781, 792 (8th Cir. 1999) (providing defense counsel and defense experts with access to the pornographic materials is a sufficient replacement for copies absent a showing of prejudice); United States v. Kimbrough, 69 F.3d 723, 731 (5th Cir. 1995) (finding no abuse of discretion in refusing to require government to allow defendant to copy child

⁵The defendants' pleadings indicate that the defendants are all incarcerated pending trial. Thus, discussions between them and their lawyers regarding the images at issue will be conducted at governmental facilities regardless of whether their lawyers have personal copies of the contraband or must utilize the originals.

pornography pictures when the government gave defendant ample access to the pictures; declining to find that “Rule 16 provides such contraband can be distributed to, or copied by, the defense”); Rogers v. State, 113 S.W.3d 452, 458-59 (Tex. App. 2003) (defendant’s discovery needs were adequately met by providing defense counsel and defense expert with access to the computer hard drive and images at the sheriff’s office); State v. Ross, 792 So.2d 699 (Fla. App. 2001) (defendant’s counsel not entitled to copies of the photo images where the defense counsel did not demonstrate any prejudice or harm from having to review the images while the images were in the State’s control and custody).

The cases to the contrary cited by defendants Giles and Wear do not require a different result. In Cervantes v. Cates, 206 Ariz. 178, 76 P.3d 449, 451 (2003), the Arizona Supreme Court rested its decision upon the plain language of its discovery rule. Arizona Rule of Criminal Procedure 15.1(c), the relevant discovery rule, specifically provided for the copying of the evidence.⁶ Thus, contrary to the instant case, the burden in Cervantes was

⁶Arizona Rule of Criminal Procedure 15.1(c) that was in effect when Cervantes was decided provided, in pertinent part, that

The prosecutor, upon written request, shall . . . make available to the defendant for examination, testing and reproduction any specified items contained in the list submitted under Rule 15.1(a)(4).

Cervantes, 76 P.3d at 182.

upon the prosecution to justify a deviation from the rule. Subsequent to the release of the Cervantes decision, a new provision was added to Arizona Rule of Criminal Procedure 15.1 that substantially curtailed the future copying of child pornography.⁷ This amendment, like CrR 4.7(e), places a substantial

The version of Rule 15.1(a)(4) in effect at the time, referred to a list of “all papers, documents, photographs or tangible objects which the prosecutor will use at trial or which were obtained from or purportedly belong to the defendant.” Cervantes, 76 P.3d at 182.

⁷Arizona Rules of Criminal Procedure 15.1(j) provides that

j. Reproduction or release for inspection of items prohibited by Title 13, Chapter 35.1. Except as provided below, nothing in this rule shall be construed to require the prosecutor to reproduce or release for testing or examination any items listed in Rule 15.1(b) (5) if the production or possession of the items is otherwise prohibited by Title 13, Chapter 35.1. The prosecutor shall make such items reasonably available for inspection with such conditions as are necessary to protect the rights of victims. Upon a substantial showing by a defendant that reproduction or release for examination or testing of any particular item is required for the effective investigation or presentation of a defense, such as for expert analysis, the court may require reproduction or release for examination or testing of that item, subject to such terms and conditions as are necessary to protect the rights of victims, to document the chain of custody, and to protect physical evidence. Reproduction of or release for examination and testing of such items shall be subject, in addition to such other terms and conditions as are ordered by the court in any particular case, to the following restrictions: (1) the item shall not be further reproduced or distributed except as allowed in the court's order; (2) the item shall only be viewed or possessed by the persons listed in the court's order; (3) the item shall not be possessed by or viewed by the defendant outside the direct supervision of defense counsel, advisory counsel, or defense expert; (4) the item must first be delivered to defense counsel or advisory counsel, or if expressly permitted by order of the court, to a specified defense expert; (5) defense counsel or advisory counsel shall be accountable to the court for any violation of the court order or this Rule; and (6) the item shall be returned to the prosecutor by a deadline ordered by

burden upon defense attorneys to establish a specific need for copies of the images.

The situation in State v. Second Judicial District Court of the State of Nevada, 120 Nev. 254, 89 P.3d 663 (2004), was similar to that in Arizona. The discovery statute at issue, NRS 174.235(1)(c), specifically provided, in pertinent part, that

Except as otherwise provided in NRS 174.233 to 174.295, inclusive, at the request of a defendant, the prosecuting attorney shall permit the defendant to inspect and to copy or photograph any:

...

(c) Books, papers, documents, tangible objects, or copies thereof, which the prosecuting attorney intends to introduce during the case in chief of the state and which are within the possession, custody or control of the state, the existence of which is known, or by the exercise of due diligence may become known, to the prosecuting attorney.

Thus, the discovery statute placed the burden of establishing good cause for deviating from the copy upon the prosecution. It was reasonable for the Nevada Court to presume that since the legislature enacted both the discovery statute and the child pornography laws, the legislature intended them to act in unison and the discovery statute creates a shield from state prosecution for possession of child pornography for prosecutors and defense attorneys who

the court.

act in conformity with the statute. This same presumption can not be applied in Washington, as CrR 4.7 does not require the prosecutor to either provide copies of photographs and other tangible items to the defense or to provide defense counsel with an opportunity to copy the photographs and other tangible items that the prosecutor intends to use at trial.

In Westerfield v. Superior Court of San Diego County, 99 Cal. App. 4th 994, 121 Cal. Rptr. 2d 402 (2002), the child pornography statute at issue specifically authorized prosecutors to duplicate and distribute images of child pornography “in the prosecution of criminal offenses.” California Penal Code § 311.1(b). The court reasoned from this language that the legislature was authorizing the prosecutor to prepare copies for defense counsel when ordered to do so to assist the defense counsel in preparing her case. The Washington statute has no similar exemption for prosecutors, and the deputy prosecuting attorneys in the instant case are complying with the same restrictions that the trial judge imposed upon defendant Michael Boyd’s attorney.

Quickly upon the heels of the California Appellate Court’s decision in Westerfield, the legislature enacted a statute that limited the disclosure of images in child pornography cases.⁸ That statute is, in some ways, more

⁸California Penal Code § 1054.10 states that:

restrictive than the requirements placed upon defense counsel in the Boyd case in that defense counsel cannot show the images to his or her client during pre-trial preparation, absent a showing of good cause.

IV. CONCLUSION

The defendants in the instant case have not demonstrated good cause for receiving copies of the depictions of minors engaged in sexually explicit conduct. Thus, the protective order in the Boyd case should be affirmed and the order requiring the State to provide Giles and Wear with copies of the contraband should be reversed.

Respectfully submitted this 7th day of February, 2007.



Pamela B. Loginsky, WSBA No. 18096
Staff Attorney

(a) Except as provided in subdivision (b), no attorney may disclose or permit to be disclosed to a defendant, members of the defendant's family, or anyone else copies of child pornography evidence, unless specifically permitted to do so by the court after a hearing and a showing of good cause.

(b) Notwithstanding subdivision (a), an attorney may disclose or permit to be disclosed copies of child pornography evidence to persons employed by the attorney or to persons appointed by the court to assist in the preparation of a defendant's case if that disclosure is required for that preparation. Persons provided this material by an attorney shall be informed by the attorney that further dissemination of the material, except as provided by this section, is prohibited.



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Make a Contribution to a 501(c)3 or a 170(c)1 non-profit organization

- This contribution form will override your existing contributions. To change your existing charities, or update donation amounts, please completely fill out the fields below. To pledge to the CFD please use Charity Code 316854.
- You may donate to a charity not listed in the guide by using the "Write In" section on this form. CFD policy requires that you provide the: charity name, tax ID #, address, email, and telephone number.
- Please attach additional forms if needed.

Charity	CFD Charity Code	Monthly Payroll Donation	One Time Payroll Donation	Donation Made By Check
1.		\$	\$	\$
2.		\$	\$	\$
3.		\$	\$	\$
4. CFD Non-Specified	316854	\$	\$	\$

Write-in Charity

Monthly Payroll Donation \$	One-time Payroll Donation \$	Donation made by check \$	
Organization Name		EIN or Tax ID #	
Address	City	State	Zip
Phone	Email	Website	

Payment Information

Payroll Deduction

Monthly payroll deductions will begin at the start of the new calendar year. Your one-time donation will be made at the start of the new calendar year. \$2 minimum donation required.

Personal Check (please choose one of the following options)

- Check made to specific charity
 Check made to CFD for chosen charity(ies)
 Check made to CFD General Fund

Write the Charity Code(s) on the memo line. The check will be divided among the charities as indicated. Or make separate checks payable to each charity receiving a donation. **Please staple all checks to this form.**

Employee Authorization

I understand that once started, my monthly payroll deduction will continue automatically unless changed by completing a new Contribution Form, or cancelled by checking the box above or by written notice to the CFD office. In signing this form I acknowledge that all contributions I have made in the past will be replaced. I hereby authorize the State of Washington to deduct the amount indicated from my pay provided that the amount deducted will be remitted on a regular basis in support of the charities of the Washington State Combined Fund Drive as specified above.

Required Signature	Your name and email will be sent to your chosen charity(ies) unless you mark the circle below. <input type="radio"/> I wish to remain anonymous
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Thank you for your participation in the CFD! Your donations will make a World of Difference in our community.

Please give this form to your CFD volunteer to be sent to:
CFD, P.O. Box 47500, Olympia WA 98504

The follow codes are provided to assist you in filling out the Combined Fund Drive contribution form.
 You will find that the codes are listed in alphabetical order.

County Codes

Adams	01	Franklin	11	Lewis	21	Snohomish	31
Asotin	02	Garfield	12	Lincoln	22	Spokane	32
Benton	03	Grant	13	Mason	23	Stevens	33
Chelan	04	Grays Harbor	14	Okanogan	24	Thurston	34
Clallam	05	Island	15	Pacific	25	Wahkiakum	35
Clark	06	Jefferson	16	Pend Oreille	26	Walla Walla	36
Columbia	07	King	17	Pierce	27	Whatcom	37
Cowlitz	08	Kitsap	18	San Juan	28	Whitman	38
Douglas	09	Kittitas	19	Skagit	29	Yakima	39
Ferry	10	Klickitat	20	Skamania	30		

Agency Codes

ACB	165	DFI	102	HCA	107	Olympic College	662	SIB	126
AGR	495	DFW	477	HCQA	302	OMWBE	147	SIRTI	377
APA	87	DIS	155	HECB	343	OPD	56	Skagit Valley CC	674
ART	387	DNR	490	HFC	148	OSA	35	SLC	40
ATG	100	DOC	310	Highline CC	652	OST	90	South Puget Sound CC	675
Bates Tech	695	DOH	303	HRC	185	PAB	122	SPI	350
Bellevue CC	627	DOL	240	HUM	120	PARKS	465	Spokane CC	676
Bellingham Tech	694	DOP	111	IAC	467	PDC	82	SRB	250
Big Bend CC	629	DOR	140	INA	86	Peninsula College	665	St. Cons. Comm.	471
BPC	205	DOT	405	IND	190	PERC	275	STS	228
BTA	142	DRS	124	INS	160	Pierce College	637	SUP	45
CAA	119	DSB	315	JLARC	14	PLI	462	Tacoma CC	678
Cascadia CC	634	DSHS	300	JLS	38	Port of Olympia	4	TESC	376
Centralia College	632	DVA	305	JTC	13	PRT	130	TIB	407
CFC	101	ECY	461	Lake Washington Tech	692	RDC	91	TOB	304
CHA	118	EDA	106	LAW	46	Renton Tech	693	TRC	410
CJC	50	Edmonds CC	610	LCB	195	REP	11	UTC	215
CJT	227	EHO	468	LEAP	20	Retirees	1	UW	360
Clark College	635	ERFC	104	LEOFF	341	SAO	95	Walla Walla CC	683
Clover Park Tech	696	ES	540	LNI	235	SBCTC	352	Wenatchee Valley CC	686
COA	48	Everett CC	605	LOT	116	SBE	345	WFTECB	354
Columbia Basin College	639	EWB	395	Lower Columbia CC	657	SDA	944	Whatcom CC	621
COS	99	EWU	370	LTC	15	Seattle, City of	3	WHCFA	599
CRAB	406	FIC	167	LTG	80	Seattle CC	670	WHEFA	346
CRG	460	FIR	220	MAR	408	SHA	7	WHS	390
CTC	550	GA	150	MIL	245	SEC	85	WSP	225
CTCS	699	GMB	117	MRC	144	SEN	12	WSU	365
CTED	103	GMHB	476	NTSB	2	SFB	351	WWU	380
CWU	375	GOV	75	OAC	55	SFD	353	Yakima CC	691
DAHP	355	Grays Harbor College	648	OAH	110	SGC	325		
DEL	357	Green River CC	649	OFM	105	Shoreline CC	672		

**Thank you for *Making a World of Difference* with the
 Combined Fund Drive!**