

RCW 9.68A.190 Criminal proceedings—Depictions of minors engaged in sexually explicit conduct—Depictions distributed to defense counsel or expert witnesses prior to June 7, 2012—Distribution of depictions under color of law not a defense. Any depiction of a minor engaged in sexually explicit conduct, in any format and including any fabricated depictions, distributed as discovery to defense counsel or an expert witness prior to June 7, 2012, shall either be returned to the law enforcement agency that investigated the criminal charges or destroyed, if the case is no longer pending in superior court. If the case is still pending, the depiction shall be returned to the superior court judge assigned to the case or the presiding judge. The court shall order either the destruction of the depiction or the safekeeping of the depiction if it will be used at trial.

It is not a defense to violations of this chapter for crimes committed after December 31, 2012, that the initial receipt of the depictions was done under the color of law through the discovery process. [2024 c 88 s 6; 2012 c 135 s 4.]