
**Public Safety & Emergency Preparedness
Committee**

SB 5184

Brief Description: Evaluating the need for a digital forensic crime lab.

Sponsors: Senators Brandland, Hobbs, McAuliffe, Regala, Stevens, Pflug, Hewitt, King, Swecker and Roach; by request of Attorney General.

Brief Summary of Bill

- Requires the Washington State Patrol and the Office of the Attorney General to convene a workgroup to study the need for a virtual digital forensic lab in Washington.

Hearing Date: 3/17/09

Staff: Yvonne Walker (786-7841)

Background:

The Washington State Patrol (WSP) is a general authority Washington law enforcement agency. Its primary function is the detection and apprehension of persons committing infractions or violating the traffic or criminal laws. The WSP Forensic Laboratory provides a wide range of forensic science expertise to city, county, and state law enforcement officers, assisting agencies at crime scenes, preparing evidence for trial, and providing expert testimony. The WSP hosts the only digital forensics lab in Washington. Digital forensics involves the collection, preservation, and examination of evidence that is stored or transmitted from computers or other digital devices.

The Office of the Attorney General (AG) is generally responsible for representing the state in all cases in which the state is interested, defending actions against any state employee acting in his official capacity, and instituting and prosecuting all actions and proceedings that may be necessary in the execution of the duties of any state officer.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Summary of Bill:

The WSP and the AG must convene a workgroup to study the need for a virtual digital forensic lab. The workgroup's study must include reviewing and evaluating the costs and effectiveness of state-of-the-art technologies used by digital forensic labs in other states. The workgroup must also consider the advantages and disadvantages of regional and centralized digital forensic labs, and the merits of staffing such labs exclusively with uniformed officers or a mix of law enforcement and civilian personnel. The workgroup must seek input from the computer software industry and representatives of existing digital forensic labs to determine how to:

- best centralize forensic analysis of electronic devices and computers;
- expedite the review of digital forensic evidence;
- increase the expertise of forensic examiners;
- allow investigating officers to conduct basic searches for information and images remotely; and
- consolidate the custody of all digital forensic evidence in a central repository so that it may be remotely accessed by law enforcement agencies.

The workgroup must report on its recommendations regarding the establishment of a virtual digital forensic lab to the Legislature by October 30, 2009.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.