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**SUBSTITUTE HOUSE BILL 2465**

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**State of Washington 66th Legislature 2020 Regular Session**

**By** House Civil Rights & Judiciary (originally sponsored by Representative Gildon)

AN ACT Relating to collecting and publishing information regarding prosecutorial filing policies and practices; and adding a new chapter to Title 10 RCW.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

NEW SECTION. **Sec.**  (1) All elected city attorneys, who are elected in accordance with the charter or code governing the respective municipalities, and all county prosecutors that receive over 5,000 adult felony and misdemeanor referrals annually shall:

(a) Track the number and types of adult felony and misdemeanor referrals received from law enforcement agencies;

(b) Track the number and types of adult felony and misdemeanor cases where charges are filed;

(c) Track the number and types of adult felony and misdemeanor cases where charges are not filed;

(d) Provide an annual summary, including a narrative explanation, describing the trends in adult felony and misdemeanor referrals and charges, as well as the reasons for not charging cases, with reference to the types of cases where charges are filed or not filed;

(e) Provide a copy of any filing standards or policies developed or used by the city attorney or county prosecuting attorney and his or her agents with respect to adult felonies and misdemeanors; and

(f) Submit all information collected and developed under (a) through (d) of this subsection and any other information required by the office of the attorney general under subsection (2) of this section in accordance with the policies and deadlines established by the office of the attorney general.

(g) Nothing in this subsection (1) shall require the disclosure of attorney work product.

(2) The office of the attorney general shall collect information from the elected city attorneys and county prosecuting attorneys regarding criminal referrals and charges in accordance with subsection (1) of this section. The office of the attorney general shall develop additional policies for the purposes of carrying out this section, including: Requiring information tracked under subsection (1)(a) through (c) of this section to include information as the type of criminal conduct, including, but not limited to, applicable classification, violent and nonviolent offenses, sex offenses, property offenses, drug offenses, and other appropriate categories; requiring information to be provided in a certain format; establishing deadlines for submitting the information, including on a monthly, quarterly, or annual basis, as deemed appropriate by the office of the attorney general; and establishing other policies necessary for carrying out the requirements of this section.

(3) The office of the attorney general shall collect and compile the information required under this section and publish an annual report on its web site by February 28th, which must include the information collected from the previous calendar year.

NEW SECTION. **Sec.**  Section 1 of this act constitutes a new chapter in Title 10 RCW.

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