
HOUSE BILL 1361

State of Washington

54th Legislature

1995 Regular Session

By Representatives Robertson, Costa, Cody, Delvin, Chappell, Hickel, Smith, McMahan and Honeyford

Read first time 01/23/95. Referred to Committee on Law and Justice.

1 AN ACT Relating to electronic facsimile transmission of arrest
2 warrants; and amending RCW 10.31.060.

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

4 **Sec. 1.** RCW 10.31.060 and 1971 c 81 s 48 are each amended to read
5 as follows:

6 Whenever any person or persons (~~shall~~) have been indicted or
7 accused on oath of any public offense, or thereof convicted, and a
8 warrant of arrest (~~shall have~~) has been issued, the magistrate
9 issuing such warrant, or any justice of the supreme court, or any judge
10 of either the court of appeals or superior court may indorse thereon an
11 order signed by him or her and authorizing the service thereof by
12 telegraph (~~or~~) teletype, or electronic facsimile transmission, and
13 thereupon such warrant and order may be sent by telegraph (~~or~~)
14 teletype, or electronic facsimile transmission to any marshal, sheriff,
15 constable, or (~~policeman~~) police officer, and on the receipt of the
16 telegraphic (~~or~~) teletype, or facsimile copy thereof by any such
17 officer, (~~he~~) the officer shall have the same authority and be under
18 the same obligations to arrest, take into custody, and detain the
19 (~~said~~) person or persons, as if the (~~said~~) original warrant of

1 arrest, with the proper direction for the service thereof, duly
2 indorsed thereon, had been placed in his or her hands, and the ((said))
3 telegraphic ((~~or~~)), teletype, or facsimile copy shall be entitled to
4 full faith and credit, and have the same force and effect in all courts
5 and places as the original((~~but~~)). However, prior to indictment and
6 conviction, no such order shall be made by any officer, unless in his
7 or her judgment there is probable cause to believe the ((said)) accused
8 person or persons to be guilty of the offense charged: PROVIDED, That
9 the making of such order by any such officer ((~~aforesaid,~~)) shall be
10 prima facie evidence of the regularity thereof, and of all the
11 proceedings prior thereto. The original warrant and order, or a copy
12 thereof, certified by the officer making the order, shall be preserved
13 in the telegraph office or police agency from which the same is sent,
14 and in telegraphing ((~~or~~)), teletyping, or transmitting by facsimile
15 the same, the original or the ((said)) certified copy may be used.

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