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HOUSE BILL 1882

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State of Washington

54th Legislature

1995 Regular Session

By Representatives Stevens and Boldt

Read first time 02/13/95. Referred to Committee on Government Operations.

1 AN ACT Relating to an inspector general; and adding a new chapter  
2 to Title 43 RCW.

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

4 NEW SECTION. **Sec. 1.** Unless the context clearly requires  
5 otherwise, the definitions in this section apply throughout this  
6 chapter.

7 (1) "Chief" means the chief of the Washington state patrol.

8 (2) "Department" means the department of social and health  
9 services.

10 (3) "Oversight committee" means the joint legislative oversight  
11 committee created in section 3 of this act.

12 (4) "Patrol" means the Washington state patrol.

13 NEW SECTION. **Sec. 2.** (1) The position of inspector general is  
14 created as an officer of the patrol. The inspector general shall serve  
15 at the pleasure of and answer directly to the chief.

16 (2) The inspector general is responsible for oversight of the  
17 department, ensuring that the department operates according to state  
18 law and preserves individuals' due process. The primary focus of the

1 inspector general is to investigate allegations of improper family  
2 intervention and other allegations of improper action or coercion by  
3 the department.

4 (3) The inspector general may investigate allegations based on  
5 referrals received from employees working within the department, the  
6 secretary of the department, the office of the attorney general, or  
7 from a hotline established for the purpose of reporting alleged abuse  
8 by the department.

9 (4) The inspector general has full subpoena powers and access to  
10 case and personnel files of the department.

11 (5) If the inspector general finds specific incidence of  
12 impropriety, the inspector general may recommend that criminal charges  
13 be filed or the imposition of specific corrective action. The  
14 inspector general shall make recommendations to the oversight  
15 committee.

16 (6) The inspector general shall report to the oversight committee  
17 by June 1st and December 1st of each year on recommended changes to  
18 laws that would better protect children and families.

19 NEW SECTION. **Sec. 3.** (1) To preview reports of the inspector  
20 general, a new joint legislative oversight committee is created. The  
21 committee will consist of eight members, four from the house of  
22 representatives and four from the senate. The committee chair shall be  
23 selected by the majority party and the majority party shall have two  
24 members from each house.

25 (2) The oversight committee may adopt joint rules to implement  
26 section 2 of this act.

27 NEW SECTION. **Sec. 4.** (1) The inspector general shall be appointed  
28 by the chief solely on the basis of integrity and demonstrated ability  
29 in law enforcement management, public administration, and  
30 investigations. The inspector general shall have a minimum of five  
31 years of criminal investigative experience. The inspector general  
32 shall report to and be under the general supervision of the chief in  
33 all matters related to fraud and program integrity.

34 (2) The inspector general may be removed from office only by the  
35 chief.

36 (3) If the inspector general discovers that improper governmental  
37 action, as defined in RCW 42.40.020, has occurred during an

1 investigation with respect to an employee, such as an abuse of  
2 authority so as to impede or interfere with an investigation, then the  
3 inspector general may report the improper governmental action to the  
4 auditor under chapter 42.40 RCW.

5 NEW SECTION. **Sec. 5.** (1) It is the duty and responsibility of the  
6 inspector general to:

7 (a) Conduct, supervise, and coordinate investigations dealing with  
8 allegations of improper family intervention and other allegations of  
9 improper action or coercion by the department;

10 (b) Review proposed legislation and rules relating to investigation  
11 of alleged child abuse or neglect by the department;

12 (c) Recommend policy changes as they relate to investigations of  
13 child abuse and neglect conducted by the department; and

14 (d) Keep the oversight committee and the secretary of the  
15 department of social and health services informed by means of reports  
16 concerning improper family intervention or other improper action or  
17 coercion by the department.

18 (2) In carrying out the duties and responsibilities in this  
19 chapter, the inspector general shall refer all investigations in which  
20 the inspector general has found substantial evidence supporting a  
21 finding of a violation of federal or state criminal law to the  
22 oversight committee and to the appropriate prosecuting authority for  
23 possible criminal prosecution.

24 NEW SECTION. **Sec. 6.** The oversight committee shall establish a  
25 hotline to receive complaints of alleged abuse by the department of  
26 social and health services.

27 NEW SECTION. **Sec. 7.** Sections 1 through 6 of this act shall  
28 constitute a new chapter in Title 43 RCW.

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