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HOUSE BILL 2696

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State of Washington

54th Legislature

1996 Regular Session

By Representatives Sheahan, Dellwo, Foreman, Appelwick, Hickel, Brown, Sterk, Kessler, Delvin, Conway, L. Thomas, Patterson, Chandler, Cody, Clements, Schoesler, Dyer, Costa, Sherstad, K. Schmidt, Quall, Skinner, Cole, Hankins, Scott, Radcliff, Ballasiotes, Morris, Pennington, Dickerson, Talcott, Chopp, Mastin, Murray, Romero, Scheuerman, Lambert, Grant, Huff, Ogden, Wolfe, Cairnes, Carrell, Hymes, Regala, Johnson, Rust, Elliot, D. Schmidt, Keiser, Hargrove, Linville, Poulsen, Mason, Backlund, Thompson and Benton

Read first time 01/16/96. Referred to Committee on Children & Family Services.

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

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) "Improper action" means a crime, civil offense, administrative  
11 violation, coercion, or other improper act committed by the department  
12 or its employees or agents with respect to family interventions or  
13 other activities of the department.

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

15 NEW SECTION. **Sec. 2.** (1) The position of inspector general is  
16 created as an officer of the patrol at the rank of lieutenant. The  
17 inspector general shall be appointed by the chief.

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

7 (3) The inspector general has full subpoena powers and access to  
8 case and personnel files of the department.

9 NEW SECTION. **Sec. 3.** The speaker of the house of representatives  
10 and the president of the senate shall convene a joint meeting of the  
11 law and justice committees and the children and family services  
12 committees, or their successors, every December to review reports and  
13 recommendations of the inspector general.

14 NEW SECTION. **Sec. 4.** (1) The inspector general shall:

15 (a) Conduct, supervise, and coordinate investigations dealing with  
16 allegations of improper actions;

17 (b) Establish a hotline to receive complaints of alleged improper  
18 actions;

19 (c) Review proposed legislation and rules relating to the  
20 investigation by the department of alleged child abuse or neglect;

21 (d) Recommend policy changes as they relate to the investigation by  
22 the department of child abuse and neglect;

23 (e) Keep the law and justice committees and the children and family  
24 services committees, or their successors, of the house of  
25 representatives and the senate, and the secretary of the department  
26 informed by means of reports concerning improper actions; and

27 (f) Refer all investigations in which the inspector general has  
28 found substantial evidence supporting a finding of a violation of  
29 federal or state criminal law to the appropriate prosecuting authority  
30 for possible criminal prosecution.

31 (2) If the inspector general discovers that an employee has taken  
32 improper governmental action, as defined in RCW 42.40.020, the  
33 inspector general may report the improper governmental action to the  
34 auditor under chapter 42.40 RCW.

35 NEW SECTION. **Sec. 5.** To the extent that prior to the effective  
36 date of this act the department has performed the investigative duties

1 given by this chapter to the inspector general, the department shall no  
2 longer perform those duties and the department's appropriation in the  
3 omnibus appropriations act shall be reduced accordingly.

4 NEW SECTION. **Sec. 6.** If specific funding for purposes of this  
5 act, referencing this act by bill or chapter number, is not provided by  
6 June 30, 1996, in the omnibus appropriations act, this act is null and  
7 void.

8 NEW SECTION. **Sec. 7.** Sections 1 through 5 of this act shall  
9 constitute a new chapter in Title 43 RCW.

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