

SENATE BILL REPORT

2SHB 2929

As Reported By Senate Committee On:
Law & Justice, February 27, 1998

Title: An act relating to financial assistance to cities, towns, and counties for the investigation of extraordinary crimes.

Brief Description: Providing financial assistance to local governments for investigating extraordinary crimes.

Sponsors: House Committee on Appropriations (originally sponsored by Representatives Sterk, Sheahan, Costa, O'Brien, Conway and Gombosky).

Brief History:

Committee Activity: Law & Justice: 2/23/98, 2/27/98 [DPA-WM].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass as amended and be referred to Committee on Ways & Means.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Fairley, Hargrove, Kline, Long, McCaslin, Stevens, Thibaudeau and Zarelli.

Staff: Harry Steinmetz (786-7421)

Background: Under current law, the Attorney General has concurrent authority and power to investigate crimes and initiate prosecutions upon the request or with the agreement of the local county prosecutors, the Governor, or the majority of the committee with oversight of the Organized Crime Intelligence Unit. The request or agreement must be in writing and an agreement on payments of all costs must occur before any prosecution by the Attorney General.

The costs of investigating extraordinary crimes, such as a serial killer, can be staggering. The Director of Administrative Services for the Spokane Police Department estimates the joint task force set up with the Spokane County Sheriff's Department will cost over \$2 million on an annual basis. With the costs split roughly equally between the two departments, it will account for approximately 1 percent of the Spokane Police Department's and approximately 5 percent of the sheriff's budget. Such extraordinary costs were not originally figured into the budgets.

Summary of Amended Bill: The extraordinary criminal investigations assistance account is created in the state treasury. The amount is funded by an appropriation from the general fund. Money in the account may be spent only after appropriation.

Money from the account must be used to reimburse the extraordinary salary costs incurred by local law enforcement in the investigation of extraordinary crimes. Cities, towns, and counties may submit claims to the Criminal Justice Training Commission, but the claims

must be limited to the costs of law enforcement officer salaries. The commission must forward all claims to the Washington Association of Sheriffs and Police Chiefs (WASPC). The WASPC reviews the claims and recommends to the commission how much, if any, should be paid on the claims.

The WASPC must hold a public meeting to establish procedures and criteria for paying claims. Procedures must include the time frame for evaluating claims, documentation required in a claim, and processing and prioritizing of claims when funds in the account are insufficient. The WASPC must also identify the types of extraordinary criminal investigations for which a claim may be made. The WASPC's criteria for reimbursement must take into consideration the nature of the crime, cost of investigation, size of the jurisdiction, and ability of the jurisdiction to pay.

The commission must disburse reimbursements in the amount recommended by the WASPC. The commission may withhold recommended reimbursements only if: (a) there are insufficient funds in the account; (b) the commission believes the claim is fraudulent; or (c) the commission believes the claim was not reviewed according to the WASPC criteria.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: This bill would start to redress the burden that extraordinary crimes place on the smaller jurisdictions. This would allow the Attorney General to provide an additional means to help. The bill was originally funded by fines collected on criminal cases.

Testimony Against: There is no money available for this bill. The only way the Attorney General would be able to make funds available would be to cut staff and/or services. The Attorney General already provides prosecution and investigation assistance when asked.

Testified: PRO: Representative Sterk, prime sponsor; CON: Elaine Rose, Attorney General's office.