

SENATE BILL REPORT

SB 5501

As Passed Senate, March 8, 2005

Title: An act relating to subjecting juvenile court services employment applicants to lie detector tests.

Brief Description: Authorizing use of lie detector tests on juvenile court services employment applicants.

Sponsors: Senators Hargrove, Stevens, Delvin, Regala and Shin.

Brief History:

Committee Activity: Human Services & Corrections: 2/7/05, 2/14/05 [DP].

Passed Senate: 3/8/05, 44-1.

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland and Carrell.

Staff: Kiki Keizer (786-7430)

Background: In general, employers in Washington are not permitted to require employees or job applicants to take a polygraph, or similar test, as a condition of employment. The Washington State Patrol and several local law enforcement agencies may, however, and do require applicants to pass a psychological examination or polygraph test in order to be hired as law enforcement officers.

Summary of Bill: The law allowing law enforcement agencies to conduct a polygraph, or similar test, as a condition of employment is extended to allow county juvenile court services agencies to conduct a polygraph, or similar test, as a condition of employment.

Appropriation: None.

Fiscal Note: Not requested.

Committee/Commission/Task Force Created: No.

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

Testimony For: Juvenile probation officers have the power of arrest and are, therefore, considered law enforcement officers by many counties. Therefore, some counties have been doing polygraphs of applicants for jobs in the juvenile court system under law enforcement's authority to perform such tests. The unions have not opposed this testing. However, not all juvenile courts are interpreting the statute that allows law enforcement to do pre-employment polygraphs to allow juvenile courts to perform polygraphs or similar tests.

Allowing juvenile courts to perform polygraphs and other tests on applicants for employment ensures that the best applicants are hired and that the children served by the juvenile courts are protected. Polygraphs are used to screen for indicators that particular applicants might not be well-suited for work in criminal justice. Persons who are unwilling to sit for a polygraph or similar test don't have to apply for law enforcement or juvenile justice jobs and are free to withdraw their applications.

Testimony Against: None.

Who Testified: PRO: Pete Peterson, Washington Association of Juvenile Court Administrators.