

**WAC 137-70-040 Reimbursable impacts/rates—Criminal justice costs.** Reimbursement shall be restricted to fully documented law enforcement, prosecutorial, judicial and jail facility costs, as defined herein, at the actual costs of the submitting jurisdiction, not to exceed the following rates:

(1) Law enforcement costs are costs incurred by any political subdivision in apprehending escapees, in investigating crimes committed by state institutional inmates including pretrial investigations within or outside the institution, or in providing security for inmates outside the jail facility. These costs are reimbursable at the following rates: \$23.96 per hour.

(2) If an escape or investigation results in the filing of a criminal complaint, the impacted political subdivision shall be entitled to attorney costs associated with the prosecution and/or defense of the filed action. These costs are reimbursable at the following maximum rates: \$57.32 per hour.

(3) Reimbursement for judicial costs incurred as a result of the filing of a criminal complaint shall be limited to judges, court reporters, transcript typing or preparation, witness fees and jury fees. These costs are reimbursable at the following maximum rates:

(a) Judges - \$57.32 per hour. These costs shall include the services of court clerks and bailiffs.

(b) Court reporters - \$24.71 per hour.

(c) Transcript typing services - \$4.79 per page.

(d) Expert witnesses - \$80.43 per hour.

(e) Witness fees/nonexpert - Jury fees - Reimbursable at the rate established by the local governmental legislative authority up to a maximum of \$36.11 per day.

(4) Jail facility costs resulting from the escape or criminal complaint shall be reimbursed at the rates established by OFM.

(5) Coroner - Where an inmate dies as a result of criminal activity of another inmate, coroner costs incurred by a local jurisdiction may be reimbursed up to a maximum amount established by the department as reasonable.

(6) Medical costs - Where an inmate is in the custody of a local jurisdiction as a result of a crime committed while incarcerated in a state institution, extraordinary medical costs, beyond the routine medical services of the jail, may be reimbursed at the discretion of the department. Counties, cities, and towns shall notify the department prior to incurring expenses for extraordinary medical expenses, where practicable, to allow the department an opportunity to provide the necessary medical care directly.

[Statutory Authority: RCW 72.01.090, 72.72.040. WSR 06-02-002, § 137-70-040, filed 12/21/05, effective 1/21/06. Statutory Authority: RCW 34.04.025. WSR 89-12-003 (Order 89-04), § 137-70-040, filed 5/25/89. Statutory Authority: RCW 72.72.040. WSR 87-22-064 (Order 87-04), § 137-70-040, filed 11/3/87; WSR 87-14-044 (Order 87-02), § 137-70-040, filed 6/30/87; WSR 87-03-029 (Order 86-07), § 137-70-040, filed 1/14/87; WSR 86-02-053 (Order 85-13), § 137-70-040, filed 12/31/85. Statutory Authority: Chapter 72.72 RCW. WSR 85-12-020 (Order 85-08), § 137-70-040, filed 5/29/85, effective 7/1/85. Statutory Authority: RCW 72.72.040. WSR 84-11-033 (Order 84-06), § 137-70-040, filed 5/14/84. Statutory Authority: Chapter 34.04 RCW. WSR 83-24-058 (Order 83-13), § 137-70-040, filed 12/6/83. Statutory Authority: Chap-

ter 72.72 RCW. WSR 82-17-044 (Order 82-10), § 137-70-040, filed  
8/16/82.]