

**FINAL BILL REPORT**

**SSB 6055**

**C 129 L 92**

**SYNOPSIS AS ENACTED**

**Brief Description:** Providing for the use as evidence the reports by or testimony from forensic scientists of the state's crime laboratory.

**SPONSORS:** Senate Committee on Law & Justice (originally sponsored by Senators Nelson, Madsen and Newhouse)

**SENATE COMMITTEE ON LAW & JUSTICE**

**HOUSE COMMITTEE ON JUDICIARY**

**BACKGROUND:**

The forensic scientists employed by the State Patrol's Crime Laboratory spend an excessive amount of their time testifying in court on cases involving the analysis of controlled substances. There is no law which requires a court to accept a signed analytical report as evidence in a case. The forensic scientist who performs the analysis can be required to appear in court in order to present the evidence contained in the report. This results in less time spent by the forensic scientist in the laboratory, resulting in a backlog of work. Legislation is recommended which would help reduce the amount of time a forensic scientist spends in court testifying with regard to cases involving controlled substances.

**SUMMARY:**

The results of a controlled substance analysis performed by the Crime Laboratory system of the State Patrol may be presented as prima facie evidence in a prosecution by means of a certified copy of the report signed by the supervisor of the State Patrol's Crime Laboratory or the forensic scientist conducting the analysis.

The defendant or a prosecutor may subpoena the forensic scientist who conducted the analysis to testify at the preliminary hearing and trial at no cost to the defendant, if the subpoena is issued at least 10 days prior to the trial date.

A State Patrol Crime Laboratory analysis fee of \$100 is charged to adults convicted of a crime or minors adjudicated as juvenile offenders in those cases in which an analysis is performed. The court may suspend payment of all or part of the fee if it finds that the person is unable to pay.

The fee is collected by the clerk of the court and forwarded to the state general fund, to be used only for crime laboratories. The clerk may retain \$5 to defray the costs of collection.

**VOTES ON FINAL PASSAGE:**

Senate	38	3	
House	96	0	(House amended)
Senate	47	0	(Senate concurred)

**EFFECTIVE:** June 11, 1992