

**SENATE BILL REPORT**

**SB 6055**

**AS REPORTED BY COMMITTEE ON LAW & JUSTICE, JANUARY 22, 1992**

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

**SPONSORS:** Senators Nelson, Madsen and Newhouse

**SENATE COMMITTEE ON LAW & JUSTICE**

**Majority Report:** That Substitute Senate Bill No. 6055 be substituted therefor, and the substitute bill do pass.

Signed by Senators Nelson, Chairman; Erwin, M. Kreidler, Madsen, Newhouse, Rasmussen, and A. Smith.

**Staff:** Jon Carlson (786-7459)

**Hearing Dates:** January 22, 1992

**BACKGROUND:**

At present, the forensic scientists (criminologists) 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 criminologist 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 criminologist in the laboratory, which creates a backlog of work. Legislation is recommended which would help reduce the amount of time a criminologist spends in court testifying with regard to cases involving controlled substances.

**SUMMARY:**

The original bill was not considered.

**EFFECT OF PROPOSED SUBSTITUTE:**

The results of a controlled substance analysis performed by the Crime Laboratory system of the State Patrol may be presented as 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 criminologist conducting the analysis.

The defendant may subpoena the criminologist who conducted the analysis to testify at the preliminary hearing and trial at no cost. The defendant must give notice to the director of the crime laboratory system 30 days prior to issuing the subpoena.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** available

**TESTIMONY FOR:**

This measure will allow the State Patrol's criminologists to spend more time in the laboratory and thus help reduce the work backlog.

**TESTIMONY AGAINST:** None

**TESTIFIED:** Tim Erickson, Washington State Patrol