
Appropriations Committee

HB 2584

Brief Description: Revising criteria for reimbursement to counties for extraordinary criminal justice costs.

Sponsors: Representatives Hatfield, Kessler, Blake, Buck, Rockefeller and Conway.

Brief Summary of Bill
<ul style="list-style-type: none">Changes the definition of the cases eligible for reimbursement of extraordinary criminal justice costs from aggravated murder to homicide.

Hearing Date: 1/29/04

Staff: Holly Lynde (786-7153).

Background:

A law enacted in 1999 provides counties assistance with extraordinary criminal justice costs. Assistance is provided for costs associated with aggravated first degree murder cases, which are a subset of homicide cases. Aggravated first degree murder is the only crime for which the death penalty may be imposed in Washington.

By January 1 of each year, counties may submit to the Office of Public Defense (OPD) an accounting of the costs involved in aggravated first degree murder cases during the prior calendar year. Eligible costs include those associated with investigation, prosecution (juries, expert witnesses, interpreters, etc.), or pre-trial incarceration.

Next the OPD, in consultation with the Washington Association of Prosecuting Attorneys and the Washington Association of Sheriffs and Police Chiefs, audits and prioritizes the petitions and submits a recommended list to the Legislature for funding consideration. The factors considered in prioritizing petitions include:

- the disproportionate impact relative to the county's budget;
- the efficient use of resources; and
- the county's ability to accommodate and anticipate the costs in its normal budget process.

An individual is guilty of aggravated first degree murder if, during the commission of the crime of murder in the first degree, one or more aggravating circumstances exist. These circumstances include the following:

- The victim was a law enforcement officer, corrections officer, or firefighter performing official duties;
- The person who committed the crime solicited the murder or was paid to commit murder; There was more than one victim as part of a common scheme or plan;
- The victim had taken out a restraining order against the person who committed the crime; or
- The crime was committed to cover up another crime.

Homicide is the killing of a human being by the act, procurement, or omission of another, death occurring at any time, and is either (1) murder, (2) homicide by abuse, (3) manslaughter, (4) excusable homicide, or (5) justifiable homicide.

Summary of Bill:

Counties are eligible for reimbursement of extraordinary criminal justice costs for all homicide cases, not just aggravated murder.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.