

# SENATE BILL REPORT

## SB 5192

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As Reported By Senate Committee On:  
Judiciary, January 30, 2007  
Ways & Means, February 21, 2007

**Title:** An act relating to the powers and funding of the forensic investigations council.

**Brief Description:** Modifying the powers and funding of the forensic investigations council.

**Sponsors:** Senators Hatfield, Brandland, Sheldon and Delvin.

**Brief History:**

**Committee Activity:** Judiciary: 1/30/07 [DP].  
Ways & Means: 2/14/07, 2/21/07 [DP, w/oRec].

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### SENATE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass.

Signed by Senators Kline, Chair; Tom, Vice Chair; McCaslin, Ranking Minority Member; Carrell, Hargrove, Murray, Roach and Weinstein.

**Staff:** Lidia Mori (786-7755)

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### SENATE COMMITTEE ON WAYS & MEANS

**Majority Report:** Do pass.

Signed by Senators Prentice, Chair; Fraser, Vice Chair, Capital Budget Chair; Pridemore, Vice Chair, Operating Budget; Brandland, Fairley, Hatfield, Hobbs, Keiser, Kohl-Welles, Oemig, Rasmussen, Regala, Rockefeller, Schoesler and Tom.

**Minority Report:** That it be referred without recommendation.

Signed by Senators Zarelli, Ranking Minority Member; Carrell, Honeyford and Parlette.

**Staff:** Richard Ramsey (786-7412)

**Background:** The Washington State Forensic Investigations Council is a 12 member committee appointed by the Governor to oversee death investigations as part of the state's criminal justice system. The Council authorizes expenditures from the Council's Death Investigations Account for the purpose of assisting local jurisdictions in the investigation of multiple deaths involving unanticipated, extraordinary, and catastrophic events, or involving multiple jurisdictions. The Council also oversees the Washington State Patrol Bureau of

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

Forensic Laboratory Services (Bureau) and actively prepares and approves the Bureau's budget prior to submission to the Office of Financial Management.

The Bureau provides a wide range of forensic science expertise to city, county, and state law enforcement officers, assisting agencies at crime scenes, preparing evidence for trial, and providing expert testimony. The Bureau coordinates the efforts of the State's Breath Alcohol Test Program, Drug Evaluation and Classification Program, six crime laboratories, the Latent Print Laboratory, and the State Toxicology Laboratory.

The Department of Health's (DOH) Center for Health Statistics (CHS) has maintained the state's system of vital records and statistics since 1907. The term "vital record" includes all birth certificates, marriage certificates, divorce certificates, fetal death certificates, and death certificates. The DOH is required by statute to charge a \$17 fee for certified copies of records and \$8 for a search of files when no copy is made. Certified copies of vital records can be obtained from the CHS or local health jurisdictions (LHJs). A portion of each fee collected is paid to the DOH for the purpose of maintaining the state vital records system. In addition, \$5 of each current fee imposed is dedicated to the Death Investigations Account for purpose of funding of the state toxicology laboratory, county autopsy costs, and the state forensic investigations council, among other things.

**Summary of Bill:** The Washington State Forensic Investigations Council may spend a maximum of \$25,000 per biennium from the Death Investigations Account for the purpose of assisting local jurisdictions in need of forensic anthropology services or other testing to determine the identity of human remains. The Council must adopt rules for the purpose of authorizing this expenditure. The state and local fee for all certified copies of vital records is increased by \$3 to \$20. Of the current fee imposed, the portion dedicated to the Death Investigations Account is increased by \$3 to \$8 of each fee imposed for the issuance of a certified copy of a vital record.

**Appropriation:** None.

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

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

**Staff Summary of Public Testimony (Judiciary):** PRO: There have been numerous cases, including one in Pacific county, that would have benefitted from forensic services such as would be provided under this bill. Even rural areas need this help. Drugs that weren't seen before are now turning up and different screening is necessary. The services this bill would allow for closure to be brought to the families who have lost loved ones. In Washington, a toxicology report is obtained within a relatively good turnaround time. This bill allows counties like that of Senator Hatfield's to call in a forensic anthropologist when those services are needed.

**Persons Testifying (Judiciary):** PRO: Senator Hatfield, prime sponsor; Dave McEachran, Prosecuting Attorney, Whatcom County; Barry Logan, Washington State Patrol, Director of Forensic Laboratory Services Bureau.

**Staff Summary of Public Testimony (Ways & Means):** PRO: Local governments need the funds provided by this bill to address extraordinary need – you've never heard of "CSI Skamokawa." The Death Investigations Account was created in 1983 and the last increase was in 1997. The vast majority of the account is used to fund the state toxicology lab where the caseload had increased by 63 percent in the last ten years and the cases have become much more complex. The Governor's budget spends down the fund balance in the account and additional resources are needed.

**Persons Testifying (Ways & Means):** PRO: Senator Hatfield, prime sponsor; Debbie Wilke, Washington Association of County Officials, Forensics Investigation Council, Washington Association Of Coroners and Medical Examiners.