FINAL BILL REPORT
SSB 6100

C 367 L 07
Synopsis as Enacted

Brief Description: Limiting the use of charitable donations in charging decisions.

Sponsors: Senate Committee on Judiciary (originally sponsored by Senators Kline and Brandland).

Senate Committee on Judiciary
House Committee on Judiciary

Background: Concern has been expressed regarding the propriety of some city practices that allow the city prosecuting attorney to dismiss or reduce misdemeanor charges based upon contributions to charitable organizations chosen by the prosecuting attorney. This practice is neither authorized nor prohibited by state law.

There are a number of state authorized funds supported by monies collected as part of criminal penalties, including: the Public Safety and Education Account, the Judicial Information Systems Account, the City General Fund, the City General Fund to Local Courts, the County Current Expense Fund, the County Current Expense Fund to Local Courts, the Death Investigations Account, the State Patrol Highway Account, and a County fund for support of crime victims and facilitation of testimony of victims and witnesses of crime. The monetary penalties going to these funds are ordered by a judge and disposition of money in these funds is subject to audit.

Summary: A city attorney, county prosecutor, or other prosecuting authority may not dismiss, amend, or agree not to file a criminal charge or traffic infraction in exchange for a contribution, donation, or payment to any person, corporation, or organization. Payments to any specific fund authorized by state statute, or collection of costs associated with actual supervision, treatment, or collection of restitution under a pretrial diversion program are permitted. Payment of costs of pretrial supervision are not prohibited.

A city attorney or prosecutor is not prohibited from the collection of costs associated with actual supervision.

Votes on Final Passage:

Senate   49   0
House   94   1   (House amended)
Senate   48   0   (Senate concurred)

Effective: July 22, 2007