

# HOUSE BILL REPORT

## HB 1864

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As Reported By House Committee On:  
Judiciary

**Title:** An act relating to accelerant detection dogs.

**Brief Description:** Affording accelerant detection dogs the same protection as police dogs.

**Sponsors:** Representatives Finkbeiner, Dyer, Horn, L. Johnson, Orr, Brumsickle, Cothorn, Springer, Mastin, Brough, Long, King and R. Meyers.

**Brief History:**

Reported by House Committee on:  
Judiciary, March 2, 1993, DP.

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### HOUSE COMMITTEE ON JUDICIARY

**Majority Report:** Do pass. Signed by 17 members:  
Representatives Appelwick, Chair; Ludwig, Vice Chair;  
Padden, Ranking Minority Member; Ballasiotes, Assistant  
Ranking Minority Member; Campbell; Chappell; Forner;  
Johanson; Locke; Long; Mastin; H. Myers; Riley; Schmidt;  
Scott; Tate; and Wineberry.

**Staff:** Patricia Shelledy (786-7149).

**Background:** The state fire marshal may use an "accelerant detection dog" in an arson investigation to detect whether an accelerant was used to set the fire. Unlike police dogs, which help police investigate crimes or apprehend suspects, accelerant detection dogs are not protected by a criminal statute which prohibits injuring or killing a police dog. A person is guilty of harming a police dog if the person maliciously injures, disables, shoots, or kills a dog that the person knows or has reason to know is a police dog. The dog does not have to be engaged in police work when the person injures or kills the dog. Harming a police dog is a class C felony.

**Summary of Bill:** Accelerant detection dogs used by the state fire marshal in arson investigations to detect accelerants used to set fires are protected by the criminal statute which prohibits injuring or killing police dogs. If a person maliciously injures, disables, shoots, or kills an accelerant detection dog when the person knows or has reason

to know the dog is an accelerant detection dog, the person is guilty of a class C felony. The dog does not have to be engaged in accelerant detection when the person injures or kills the dog. A definition of "accelerant detection dog" is provided.

**Fiscal Note:** Not requested.

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

**Testimony For:** The Washington Administrative Code impairs protecting accelerant detection dogs, because the Washington Administrative Code requires the handler to be a police officer, not a fire marshal. The accelerant detection dogs are very important in arson investigations and need protection.

**Testimony Against:** None.

**Witnesses:** Representative Finkbeiner, prime sponsor (pro); and Randy Todd, Fire Chief, City of Redmond (pro).