

2 **ESHB 2769** - S COMM AMD
3 By Committee on Law & Justice

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5 Strike everything after the enacting clause and insert the
6 following:

7 "NEW SECTION. **Sec. 1.** (1) The attorney general in cooperation
8 with the office of crime victims advocacy shall develop and make
9 available to all state employees, agencies, and institutions of higher
10 education by September 1, 1998, a policy that:

11 (a) Provides that when an agency or institution of higher education
12 has reasonable cause to believe, based on an internal agency reporting
13 process or any investigation, that a crime against a person has been
14 perpetrated by a state employee and that such crime involves conduct
15 occurring in, or related to, the workplace, the agency or institution
16 of higher education must report the incident to the office of crime
17 victims advocacy within a reasonable time, not to exceed seven days;

18 (b) Provides that when an agency or institution of higher education
19 has reasonable cause to believe, based on an internal agency reporting
20 process or any investigation, that a crime not constituting a crime
21 against a person has been perpetrated by a state employee and that such
22 crime involves conduct occurring in, or related to, the workplace, the
23 agency or institution of higher education must report the incident to
24 the attorney general within a reasonable time, not to exceed ten days;

25 (c) Provides procedures for an agency or institution of higher
26 education to report directly to law enforcement or the local prosecutor
27 when the agency or institution of higher education has reasonable cause
28 to believe, based on an internal agency reporting process or any
29 investigation, that a crime has been perpetrated by a state employee
30 involving conduct occurring in, or related to, the workplace and that
31 the crime poses a substantial risk to the public;

32 (d) Provides that the agency or institution of higher education
33 shall forward any information uncovered in the investigation to the
34 agency it is reporting to; and

35 (e) Informs employees of the services and resources available to
36 victims from the office of crime victims advocacy.

1 (2) "Crimes against persons" are those crimes listed as crimes
2 against persons in RCW 9.94A.440.

3 NEW SECTION. **Sec. 2.** (1) The attorney general shall develop and
4 make available to its employees, by September 1, 1998, a policy that,
5 when receiving a report from a state agency or institution of higher
6 education under section 1 of this act:

7 (a) Provides procedures for investigating and reporting incidents
8 that are reported;

9 (b) Requires the attorney general to work with the state agency or
10 institution of higher education in resolving the incident;

11 (c) Requires that the attorney general will act in a manner that
12 protects the victim, the citizens of the state, and the state; and

13 (d) Requires the attorney general to report to a law enforcement
14 agency or local prosecutor all instances of crimes that are not crimes
15 against persons. "Crimes against persons" are those crimes listed as
16 crimes against persons in RCW 9.94A.440.

17 (2) The attorney general shall report annually to the legislature
18 on the number of reports it has received from state agencies. The
19 attorney general shall submit copies of the report to the speaker of
20 the house of representatives and the minority leader of the house of
21 representatives, the majority and minority leaders of the senate, and
22 the governor. The report shall provide the following information: The
23 name of the agency which originated the report; the type of crime; what
24 services if any were offered to the victim; the results of any
25 investigation undertaken by an agency; the costs incurred by the agency
26 for investigating and adjudicating, including settling, the incident,
27 and whether the crime was reported to law enforcement. The report
28 shall not divulge the identify of, or any identifying information
29 about, the victim or alleged perpetrator.

30 NEW SECTION. **Sec. 3.** (1) The office of crime victims advocacy
31 shall provide technical assistance to the attorney general in the
32 development of the policies. The office shall provide any employees
33 subject to the policies with referrals to needed crime victim services
34 and resources.

35 (2) The office shall report quarterly to the legislature on the
36 number of reports it has received from state agencies. The office
37 shall submit copies of the report to the speaker of the house of

1 representatives and the minority leader of the house of
2 representatives, the majority and minority leaders of the senate, and
3 the governor. The report shall provide the following information: The
4 name of the agency which originated the report; the type of crime; what
5 services if any were offered to the victim; the results of any
6 investigation undertaken by an agency; the costs incurred by the agency
7 for investigating and adjudicating, including settling, the incident,
8 and whether the incident was reported to law enforcement. The report
9 shall not divulge the identity of, or any identifying information
10 about, the victim or alleged perpetrator.

11 NEW SECTION. **Sec. 4.** Sections 1 and 3 of this act are each added
12 to chapter 41.04 RCW. Section 2 of this act is added to chapter 43.10
13 RCW.

14 NEW SECTION. **Sec. 5.** If specific funding for the purposes of this
15 act, referencing this act by bill or chapter number, is not provided by
16 June 30, 1998, in the omnibus appropriations act, this act is null and
17 void."

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21 On page 1, line 1 of the title, after "employees;" strike the
22 remainder of the title and insert "adding new sections to chapter 41.04
23 RCW; adding a new section to chapter 43.10 RCW; and creating a new
24 section."

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