
ENGROSSED SUBSTITUTE HOUSE BILL 2769

State of Washington

55th Legislature

1998 Regular Session

By House Committee on Law & Justice (originally sponsored by Representatives Clements, Sheahan, Zellinsky, Wensman, McMorris, Honeyford, Lisk, Sterk, Lambert and Mulliken)

Read first time 02/06/98. Referred to Committee on .

1 AN ACT Relating to reporting felonies committed by state employees;
2 adding new sections to chapter 41.04 RCW; adding a new section to
3 chapter 43.10 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** (1) Each state agency and institution of
6 higher education shall develop and make available to all employees, by
7 September 1, 1998, a policy that:

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

16 (b) Provides that when the agency or institution of higher
17 education has reasonable cause to believe, based on an internal agency
18 reporting process or any investigation, that a crime not constituting
19 a crime against a person has been perpetrated by a state employee and

1 that such crime involves conduct occurring in, or related to, the
2 workplace, the agency or institution of higher education must report
3 the incident to the attorney general within a reasonable time, not to
4 exceed ten days;

5 (c) Provides procedures for an agency or institution of higher
6 education to, within its discretion, report directly to law enforcement
7 or the local prosecutor when the agency or institution of higher
8 education has reasonable cause to believe, based on an internal agency
9 reporting process or any investigation, that a crime has been
10 perpetrated by a state employee involving conduct occurring in, or
11 related to, the workplace and that the crime poses a substantial risk
12 to the public;

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

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

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

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

24 (a) Provides procedures for investigating, reporting, and resolving
25 incidents that are reported;

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

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

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

34 (2) The attorney general shall report annually to the legislature
35 on the number of reports it has received from state agencies. The
36 attorney general shall submit copies of the report to the speaker of
37 the house of representatives, the majority and minority leaders of the
38 senate, and the governor. The report shall provide the following

1 information: The name of the agency which originated the report; the
2 type of crime; what services if any were offered to the victim; the
3 results of any investigation undertaken by an agency; the costs
4 incurred by the agency for investigating and adjudicating, including
5 settling, the incident, and whether the crime was reported to law
6 enforcement. The report shall not divulge the identify of, or any
7 identifying information about, the victim or alleged perpetrator.

8 NEW SECTION. **Sec. 3.** (1) The office of crime victims advocacy
9 shall provide technical assistance to agencies in the development of
10 their policies. The office shall provide any employees subject to the
11 policies with referrals to needed crime victim services and resources.

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

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

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

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