

HOUSE BILL REPORT

HB 1181

As Passed Legislature

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: By Representatives Ericks, O'Brien, Lovick, Ormsby, McDonald, Haler and Wallace.

Brief History:

Committee Activity:

Public Safety & Emergency Preparedness: 1/22/07, 2/1/07 [DP];

Finance: 2/21/07, 3/2/07 [DP].

Floor Activity:

Passed House: 3/14/07, 83-13.

Passed Senate: 4/12/07, 46-1.

Passed Legislature.

Brief Summary of Bill

- Authorizes the Washington State Forensic Investigations Council to spend funds from the Death Investigations Account to assist local jurisdictions in securing forensic anthropology services or other testing to determine the identity of human remains.
- Increases the fee for obtaining certified copies of vital records.

HOUSE COMMITTEE ON PUBLIC SAFETY & EMERGENCY PREPAREDNESS

Majority Report: Do pass. Signed by 4 members: Representatives O'Brien, Chair; Hurst, Vice Chair; Goodman and Lovick.

Minority Report: Do not pass. Signed by 3 members: Representatives Pearson, Ranking Minority Member; Ross, Assistant Ranking Minority Member and Ahern.

Staff: Yvonne Walker (786-7841).

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.

HOUSE COMMITTEE ON FINANCE

Majority Report: Do pass. Signed by 6 members: Representatives Hunter, Chair; Hasegawa, Vice Chair; Conway, Ericks, McIntire and Santos.

Minority Report: Do not pass. Signed by 3 members: Representatives Orcutt, Ranking Minority Member; Condotta, Assistant Ranking Minority Member and Roach.

Staff: Mark Matteson (786-7145).

Background:

Washington State Forensic Investigations Council.

The Washington State Forensic Investigations Council (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 Forensic Laboratory Services (Bureau) and 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.

Vital Records.

The Department of Health's (DOH) Center for Health Statistics (CHS), have maintained the state's system of vital records and statistics since 1907. The term "vital record" includes all records of: birth certificates, death certificates, fetal certificates, marriage certificates, dissolutions (divorce certificates), annulments, and legal separations. The DOH is required by statute to charge a \$17 fee for certified copies of vital 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.

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 the purpose of funding the state toxicology laboratory, county autopsy costs, and the state forensic investigations council, among other things.

Summary of Bill:

Washington State Forensic Investigations Council.

The 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 securing 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.

Vital Records.

The state and local fee for all certified copies of vital records is increased to \$20. Of the current fee imposed, the portion dedicated to the Death Investigations Account is increased to \$8 of each fee imposed for the issuance of a certified copy of a vital record.

Appropriation: None.

Fiscal Note: Available.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony: (Public Safety & Emergency Preparedness)

(In support) Any time a county coroner is called upon to determine the cause of death of a person, to prevent an epidemic or to solve a crime, funding must be provided for investigations and training purposes. For many small cities and rural counties, without funding from the Death Investigations Account, homicide investigations could not get the kind of attention that they need. Many times funding from the Council could mean the difference in whether a case will be solved or not.

Three years ago there was a multiple homicide that took place in Pacific County. With the help of funding from the Council, the sheriff's office was able to contact and get help from other counties. This would not have been possible otherwise.

Many times the bodies of missing persons are often found in remote areas. The Council's funding helps counties to be able to get reimbursed for doing autopsies. That is why when bodies and evidence are found, sufficient resources must be made available to law enforcement agencies in order to do investigations.

Fees dedicated to the Death Investigations Account have not been increased for the last four years.

(Opposed) None.

Staff Summary of Public Testimony: (Finance)

(In support) At major crime scenes investigations must be done correctly the first time. Most police departments in our state don't have resources to investigate the crime scene properly. There is a significant need for resources, and the improvements in technology and forensic science make crime investigation more expensive. This bill is essential to ensure that our smaller agencies get the resources they need in order to deal with this very delicate subject in a respectful and professional way.

The Death Investigations Account and Forensic Investigations Council handles deaths from criminal acts and everyday demise. Funds are used for the state toxicology laboratory and

reimbursements to counties for up to 40 percent of the cost of autopsies. There is also a small allotment for death investigations training. Every nickel is squeezed because fees have not been increased since 1997. Now, 10 years later, if we maintain the current level of funding, in another four years we will be operating in the red. Because of factors such as population and crime increases and more complex crimes, costs have risen while funds have not.

(Opposed) None.

Persons Testifying: (Public Safety & Emergency Preparedness) Representative Ericks, prime sponsor; Sheriff John Didion, Pacific County; Greg Sandstrom, Kitsap County Coroner; Mary Miller, Families and Friends of Missing Persons; and Debbie Wilke, Washington Association of County Officials.

Persons Testifying: (Finance) Representative Ericks, prime sponsor; and Debbie Wilke, Washington Association of County Officials.

Persons Signed In To Testify But Not Testifying: (Public Safety & Emergency Preparedness) None.

Persons Signed In To Testify But Not Testifying: (Finance) None.