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SENATE BILL 5184

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State of Washington

61st Legislature

2009 Regular Session

By Senators Brandland, Hobbs, McAuliffe, Regala, Stevens, Pflug, Hewitt, King, Swecker, and Roach; by request of Attorney General

Read first time 01/15/09. Referred to Committee on Judiciary.

1 AN ACT Relating to evaluating the need for a digital forensic crime  
2 lab; and creating a new section.

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

4 NEW SECTION. **Sec. 1.** (1) The legislature finds that there is a  
5 growing incidence of crimes committed against Washington residents,  
6 especially against children that involve the use of electronic  
7 technologies, including computers and the internet. Currently, law  
8 enforcement's ability to investigate and prosecute technology-involved  
9 crimes and online child sex predators is significantly limited by the  
10 lack of computer forensic capabilities.

11 (2) Therefore, in the interest of promoting the safety of our  
12 children and communities, providing better investigative tools for law  
13 enforcement and prosecutors, and to hold online child sex predators  
14 accountable, the legislature directs the Washington state patrol and  
15 the office of the attorney general to convene a work group to study the  
16 need for a virtual digital forensic lab in the state of Washington.  
17 The work group shall review state-of-the-art technologies as utilized  
18 by existing digital forensic labs in other states, and evaluate their  
19 cost and effectiveness. The work group shall also consider the

1 relative advantages and disadvantages of regional and centralized  
2 digital forensic labs, and the merits of staffing such labs exclusively  
3 with uniformed officers or a mix of law enforcement and civilian  
4 personnel.

5 (3) In order to accomplish these objectives, the work group shall  
6 seek input from the computer software industry and representatives of  
7 existing digital forensic labs as how to best centralize forensic  
8 analysis of electronic devices and computers, expedite the review of  
9 digital forensic evidence, increase the expertise and specialization of  
10 forensic examiners, allow investigating officers to conduct basic  
11 searches for information and images remotely, and consolidate the  
12 custody of all digital forensic evidence in a central repository so  
13 that it may be remotely accessed by all law enforcement agencies across  
14 the state.

15 (4) The work group shall report back to the legislature by October  
16 30, 2009, and make recommendations regarding the advisability of  
17 establishing a Washington lab that would employ newly designed  
18 technologies focused specifically on the needs of the state of  
19 Washington.

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