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WACO Affiliate Submitting Proposal: Prosecuting Attorneys

Brief Description of Issue: Amending criminal laws to provide that database DNA will be drawn for all persons arrested for a felony, once the court has found probable cause.

Please describe, in as much detail as necessary, the problem that has been identified, the suggested solution, and the expected outcome should the issue be taken up. Please also include legislative drafting language. Please include relevant facts, figures and statistics as appropriate.

DNA samples taken from convicted felons have solved numerous violent and sexual crimes. Crime solving can be increased by adding samples taken from felony arrestees. The database is private and sample inclusion is not known to the public, the sample does include personal or medical information. The sample can be struck from the database if the person is acquitted or charges dismissed. The state of Virginia has solved many rape cases using samples taken from residential burglars.

Impact on WACO Affiliates:

Assessor: Click here to enter text.

Auditor: Click here to enter text.

Clerk:

Coroner: Click here to enter text.

Prosecutor: We will receive strong evidence in unsolved cases.

Sheriff: Will have more evidence for investigations, but will have to draw the samples (cheek swab) upon booking of felons. Treasurer: Click here to enter text.

Impact on the public: More effective government action and increased safety for individual victims by prosecution of repeat felons.

Does this issue have a fiscal impact on counties? (Check all that apply)

Increased revenue to counties

Decreased revenue to counties

Increased costs to counties

Decreased costs to counties

No county fiscal impact Tough to analyze fiscal impact, the program runs on state dollars at the crime labs, we already spend investigative resources on these unsolved cases, but we will solve more and thus have to spend to prosecute the cases.

Does this issue require state expenditure of funds? yes

If Yes, approximately how much, and provide from what source: Several hundred thousand at the Crime Lab.

Does this issue require a change to the RCW? yes

If Yes, please provide the appropriate RCW Title, Chapter and Section to be created, amended or deleted: attached

Has this issue been presented to the Legislature before? yes

If Yes, please provide as much detail as is available, including year, bill number, result, etc.: last year this proposal failed based upon opposition to taking the sample before conviction

If this issue is taken up by WACO, are there specific legislators that WACO should contact regarding the issue? yes.

If Yes, please list which legislators and their position on the issue:
Senator Fraser and Representative Darneille.

Has this issue been presented to other WACO Members? yes.

If Yes, please list which WACO members and their position on the issue:
Sheriffs - I believe support?

Is your affiliate willing and able to spend time in Olympia during the session to meet with legislators, and testify to this issue in Legislative committee hearings? yes.

If WACO acts on the request, what individuals/entities are likely to agree with WACO's position on the issue: WASPC, WSP, WACOPS, WCSAP, WCCVA

If WACO acts on the request, what individuals/entities are likely to disagree with WACO's position on the issue, and why? Public Defense, ACLU, individual legislators.

Submitted by,

NAME: Russ Hauge.

AFFILIATE TITLE: Prosecuting Attorney

DATE SUBMITTED: September 15, 2011

THIS SECTION FOR WACO LEGISLATIVE COMMITTEE USE ONLY

Legislative Committee Action: _____

Date: _____

Approved by: _____