
SENATE BILL 5137

State of Washington

68th Legislature

2023 Regular Session

By Senators Dhingra and Muzzall; by request of Attorney General

Prefiled 01/04/23.

1 AN ACT Relating to a missing and murdered indigenous women and
2 people cold case investigations unit; adding a new section to chapter
3 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.** FINDINGS. The legislature finds that:

6 (1) American Indian and Alaska Native women experience violence
7 at much higher rates than the national average. A recent federal
8 study reported that Native American women are murdered at rates
9 greater than 10 times the national average. Many of these crimes,
10 however, are often unsolved or even unreported because there are also
11 very high rates of disappearance for Native American women;

12 (2) The national center for disease control reports that homicide
13 is the sixth-leading cause of death for indigenous women and girls
14 and the third-leading cause of death for indigenous men;

15 (3) The legislature established the Washington state missing and
16 murdered indigenous women and people task force in the attorney
17 general's office to address the crisis, and in 2022 the task force
18 unanimously recommended the legislature establish and fully fund a
19 cold case investigations unit in the attorney general's office that
20 can offer assistance to law enforcement agencies with jurisdiction

1 over unsolved cold cases involving missing and murdered indigenous
2 women and people;

3 (4) Cold cases vary in scope, but may include unsolved homicides,
4 sexual offenses, sexually motivated offenses, missing persons, and
5 cases of unidentified remains;

6 (5) Cold cases may include cases in which the investigating
7 agency is not actively working the case and has suspended the
8 investigation;

9 (6) Most law enforcement agencies in Washington state do not have
10 dedicated cold case units, and can benefit from assistance from the
11 attorney general's office;

12 (7) When cases go cold, family members of native and indigenous
13 women and girls often continue to search for their loved one using
14 their own resources;

15 (8) The attorney general's office has dedicated significant time
16 and resources towards working with families of missing and murdered
17 indigenous women and people to build trust and engagement;

18 (9) The homicide investigation tracking system (HITS) program
19 within the attorney general's office tracks and investigates
20 homicides and rapes. HITS partners with Washington law enforcement
21 agencies to collect, analyze, link, and then provide law enforcement
22 with information that will facilitate the resolution of violent
23 crimes and speed the apprehension and prosecution of violent
24 criminals. Typically, in every calendar year, HITS will respond to
25 almost 800 requests for assistance or information. The investigators
26 who work in HITS also provide expertise to the local and national
27 jurisdictions on homicide and rape investigations;

28 (10) A cold case unit should use a culturally attuned, trauma-
29 informed, and family and victim-centered approach in assisting local
30 law enforcement agencies; and

31 (11) A cold case investigation unit will expand resources
32 available to law enforcement, coroners, and other agencies.

33 NEW SECTION. **Sec. 2.** A new section is added to chapter 43.10
34 RCW to read as follows:

35 CREATION. (1) Subject to the availability of amounts appropriated
36 for this specific purpose, there is hereby created a cold case
37 investigations unit within the office of the attorney general for the
38 primary purpose of assisting federal, municipal, county, and tribal

1 law enforcement agencies to solve cold cases involving missing and
2 murdered indigenous women and people.

3 (2) The cold case investigations unit shall work with the
4 homicide investigations tracking system within the attorney general's
5 office to assist federal, municipal, county, and tribal law
6 enforcement agencies.

7 (3) The cold case investigations unit shall prioritize assistance
8 to jurisdictions that do not have sufficient resources to investigate
9 cold cases.

10 (4) The cold case investigations unit shall include an advocate
11 or case navigator whose primary function is to work with and maintain
12 regular, consistent, and confidential communication with families of
13 missing and murdered indigenous women and people, and to convey
14 information between the investigators and families using culturally
15 appropriate and trauma-informed practices.

16 (5) Nothing in this section alters the attorney general's
17 concurrent authority to investigate and prosecute crimes.

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