

RCW 63.21.090 Designation of alternate entity to accept, store, retain, and dispose of found property. (1) Except as provided in subsection (2) of this section, a county, city, or town may designate an alternate department or governmental entity to accept, store, retain, and dispose of found property as required under this chapter, rather than the chief law enforcement officer or his or her designee, so long as the alternate department or governmental entity complies with the requirements and procedures under this chapter.

(2) Regardless of whether a county, city, or town designates an alternate department or governmental entity under subsection (1) of this section, the chief law enforcement officer or his or her designated representative is responsible for retaining any of the following types of property in accordance with the requirements of this chapter: A bank card; charge or credit card; cash; government-issued document, financial document, or legal document; firearm; evidence in a judicial or other official proceeding; or an item that is not legal for the finder to possess. A county, city, or town designating an alternate department or governmental entity under subsection (1) of this section shall establish procedures for ensuring these types of property are directed to the chief law enforcement officer or his or her designated representative. [2020 c 26 s 15.]

Intent—2020 c 26: "The legislature recognizes that proper storage and preservation of evidence, including maintaining chain of custody requirements, are critical to any successful investigation and prosecution. Unreported sexual assault kits are, therefore, most appropriately stored and preserved by law enforcement agencies. The legislature further recognizes that some agencies are facing storage capacity constraints. Agencies are currently responsible for storing found property, regardless if the property is associated with a criminal investigation. Therefore, the legislature hereby intends to provide flexibility for local governments to designate an alternate entity to store found property in order to allow those agencies with capacity issues to prioritize storage space for evidence and potential evidence in criminal investigations." [2020 c 26 s 9.]