

# HOUSE BILL ANALYSIS

## HB 2458

**Title:** AN ACT Relating to public records requests from incarcerated individuals.

**Brief Description:** Denying prisoners access to public records.

**Sponsors:** Ballasiotes, Koster.

### BRIEF SUMMARY

- Prohibits agencies from making public records available to prisoners.

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### HOUSE STATE GOVERNMENT COMMITTEE

**Staff:** Jim Morishima (786-7191)

#### BACKGROUND:

Initiative 276, approved by the voters in 1972, requires that state agencies make all public records available for public inspection and copying unless they fall within certain statutory exceptions. The provisions requiring public records disclosure must be interpreted liberally and the exceptions narrowly in order to effectuate a general policy favoring disclosure.

#### SUMMARY:

Agencies must not make public records available to an individual incarcerated in a federal, state, or local correctional facility. This includes facilities located outside of Washington and facilities operated by private contractors. Prisoners are not prohibited from exercising their constitutional right to obtain exculpatory evidence in a criminal prosecution.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.