
SUBSTITUTE SENATE BILL 6428

State of Washington 61st Legislature 2010 Regular Session

By Senate Government Operations & Elections (originally sponsored by Senators Kline, Swecker, and Fairley)

READ FIRST TIME 02/04/10.

1 AN ACT Relating to personal information used to identify a person
2 filing a complaint with an agency; and amending RCW 42.56.240.

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

4 **Sec. 1.** RCW 42.56.240 and 2008 c 276 s 202 are each amended to
5 read as follows:

6 The following investigative, law enforcement, and crime victim
7 information is exempt from public inspection and copying under this
8 chapter:

9 (1) Specific intelligence information and specific investigative
10 records compiled by investigative, law enforcement, and penology
11 agencies, and state agencies vested with the responsibility to
12 discipline members of any profession, the nondisclosure of which is
13 essential to effective law enforcement or for the protection of any
14 person's right to privacy;

15 (2) Information revealing the identity of persons who are witnesses
16 to or victims of crime or who file complaints with investigative, law
17 enforcement, or penology agencies, other than the commission, if
18 disclosure would endanger any person's life, physical safety, or
19 property. If at the time a complaint is filed the complainant, victim,

1 or witness indicates a desire for disclosure or nondisclosure, such
2 desire shall govern. However, all complaints filed with the commission
3 about any elected official or candidate for public office must be made
4 in writing and signed by the complainant under oath. For the purposes
5 of this subsection only, an "investigative agency" includes any
6 department in an agency whose official duties include investigating
7 complaints and taking steps to remedy the issue raised if the
8 investigation shows a remedy is warranted;

9 (3) Any records of investigative reports prepared by any state,
10 county, municipal, or other law enforcement agency pertaining to sex
11 offenses contained in chapter 9A.44 RCW or sexually violent offenses as
12 defined in RCW 71.09.020, which have been transferred to the Washington
13 association of sheriffs and police chiefs for permanent electronic
14 retention and retrieval pursuant to RCW 40.14.070(2)(b);

15 (4) License applications under RCW 9.41.070; copies of license
16 applications or information on the applications may be released to law
17 enforcement or corrections agencies;

18 (5) Information revealing the identity of child victims of sexual
19 assault who are under age eighteen. Identifying information means the
20 child victim's name, address, location, photograph, and in cases in
21 which the child victim is a relative or stepchild of the alleged
22 perpetrator, identification of the relationship between the child and
23 the alleged perpetrator; and

24 (6) The statewide gang database referenced in RCW 43.43.762.

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