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ENGROSSED SENATE BILL 5014

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State of Washington

61st Legislature

2009 Regular Session

By Senators McAuliffe, Hargrove, Brandland, and Stevens; by request of Department of Social and Health Services

Read first time 01/12/09. Referred to Committee on Human Services & Corrections.

1 AN ACT Relating to exempting special commitment center and private  
2 detention facility security information from disclosure under the  
3 public records act; and amending RCW 42.56.420.

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

5 **Sec. 1.** RCW 42.56.420 and 2005 c 274 s 422 are each amended to  
6 read as follows:

7 The following information relating to security is exempt from  
8 disclosure under this chapter:

9 (1) Those portions of records assembled, prepared, or maintained to  
10 prevent, mitigate, or respond to criminal terrorist acts, which are  
11 acts that significantly disrupt the conduct of government or of the  
12 general civilian population of the state or the United States and that  
13 manifest an extreme indifference to human life, the public disclosure  
14 of which would have a substantial likelihood of threatening public  
15 safety, consisting of:

16 (a) Specific and unique vulnerability assessments or specific and  
17 unique response or deployment plans, including compiled underlying data  
18 collected in preparation of or essential to the assessments, or to the  
19 response or deployment plans; and

1 (b) Records not subject to public disclosure under federal law that  
2 are shared by federal or international agencies, and information  
3 prepared from national security briefings provided to state or local  
4 government officials related to domestic preparedness for acts of  
5 terrorism;

6 (2) Those portions of records containing specific and unique  
7 vulnerability assessments or specific and unique emergency and escape  
8 response plans at a city, county, or state adult or juvenile  
9 correctional facility, secure facility for persons civilly confined  
10 under chapter 71.09 RCW, or private detention facility, the public  
11 disclosure of which would have a substantial likelihood of threatening  
12 the security of a city, county, or state adult or juvenile correctional  
13 facility, secure facility for persons civilly confined under chapter  
14 71.09 RCW, private detention facility, or any individual's safety;

15 (3) Information compiled by school districts or schools in the  
16 development of their comprehensive safe school plans under RCW  
17 28A.320.125, to the extent that they identify specific vulnerabilities  
18 of school districts and each individual school;

19 (4) Information regarding the infrastructure and security of  
20 computer and telecommunications networks, consisting of security  
21 passwords, security access codes and programs, access codes for secure  
22 software applications, security and service recovery plans, security  
23 risk assessments, and security test results to the extent that they  
24 identify specific system vulnerabilities; and

25 (5) The security section of transportation system safety and  
26 security program plans required under RCW 35.21.228, 35A.21.300,  
27 36.01.210, 36.57.120, 36.57A.170, and 81.112.180.

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