

5770-S

Sponsor(s): Senate Committee on Human Services & Corrections
(originally sponsored by Senators Stevens and Thibaudeau)

Brief Title: Protecting child records.

SB 5770-S - DIGEST

(DIGEST AS ENACTED)

Declares that, consistent with the provisions of chapter 42.17 RCW and applicable federal law, the secretary, or the secretary's designee, shall disclose information regarding the abuse or neglect of a child, the investigation of the abuse or neglect, and any services related to the abuse or neglect of a child if any one of the following factors is present:

(1) The subject of the report has been charged in an accusatory instrument with committing a crime related to a report maintained by the department in its case and management information system;

(2) The investigation of the abuse or neglect of the child by the department or the provision of services by the department has been publicly disclosed in a report required to be disclosed in the course of their official duties, by a law enforcement agency or official, a prosecuting attorney, any other state or local investigative agency or official, or by a judge of the superior court;

(3) There has been a prior knowing, voluntary public disclosure by an individual concerning a report of child abuse or neglect in which such individual is named as the subject of the report; or

(4) The child named in the report has died and the child's death resulted from abuse or neglect or the child was in the care of, or receiving services from the department at the time of death or within twelve months before death.

VETO MESSAGE ON SB 5770-S

May 9, 1997

To the Honorable President and Members,
The Senate of the State of Washington
Ladies and Gentlemen:

I am returning herewith, without my approval as to section 1, Substitute Senate Bill No. 5770 entitled:

"AN ACT Relating to the confidentiality of child welfare records;"

Substitute Senate Bill No. 5770 modifies the confidentiality laws covering child welfare records to require greater disclosure of information. It is similar to my original executive request legislation, which was intended to aid in the investigation of child deaths in Washington.

Section 1 of SSB 5770, the intent section, makes strong statements beyond the scope of the bill, and beyond my original intent. I am concerned that it may lead to unintended invasions of

privacy in deeply personal and sensitive matters.

For this reason, I have vetoed section 1 of Substitute Senate Bill No. 5770.

With the exception of section 1, I am approving Substitute Senate Bill No. 5770.

Respectfully submitted,
Gary Locke
Governor