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HOUSE BILL 2458

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State of Washington

56th Legislature

2000 Regular Session

By Representatives Ballasiotes, Koster, B. Chandler, Cairnes, O'Brien, Bush, Schoesler, Talcott, Pflug, Esser, Benson, Lovick and Mulliken

Read first time 01/17/2000. Referred to Committee on State Government.

1 AN ACT Relating to public records requests from incarcerated  
2 individuals; and amending RCW 42.17.270.

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

4 **Sec. 1.** RCW 42.17.270 and 1987 c 403 s 4 are each amended to read  
5 as follows:

6 (1) Except as provided in subsection (2) of this section, public  
7 records shall be available for inspection and copying, and agencies  
8 shall, upon request for identifiable public records, make them promptly  
9 available to any person. Agencies shall not distinguish among persons  
10 requesting records, and such persons shall not be required to provide  
11 information as to the purpose for the request except to establish  
12 whether inspection and copying would violate RCW 42.17.260(~~(+5)~~) (9)  
13 or other statute which exempts or prohibits disclosure of specific  
14 information or records to certain persons. Agency facilities shall be  
15 made available to any person for the copying of public records except  
16 when and to the extent that this would unreasonably disrupt the  
17 operations of the agency. Agencies shall honor requests received by  
18 mail for identifiable public records unless exempted by provisions of  
19 this chapter.

1       (2) An agency shall not make public records available to an  
2 individual incarcerated in a federal, state, or local correctional  
3 facility, including such a facility located outside the state of  
4 Washington or operated by a private contractor. Nothing in this  
5 subsection prevents an incarcerated individual from exercising his or  
6 her constitutionally protected rights, including the right to obtain  
7 exculpatory evidence in a criminal prosecution.

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