

HOUSE BILL REPORT

HB 2115

As Reported by House Committee On:
Public Safety & Emergency Preparedness

Title: An act relating to allowing booking photographs and electronic images at jails to be open to the public.

Brief Description: Allowing booking photographs and electronic images at jails to be open to the public.

Sponsors: Representative O'Brien.

Brief History:

Committee Activity:

Public Safety & Emergency Preparedness: 2/17/09. 2/18/09 [DPS]; 1/22/10 [DP2S].

Brief Summary of Second Substitute Bill

- Requires each county and city jail to include booking photographs as part of its jail register.

HOUSE COMMITTEE ON PUBLIC SAFETY & EMERGENCY PREPAREDNESS

Majority Report: The second substitute bill be substituted therefor and the second substitute bill do pass. Signed by 7 members: Representatives Hurst, Chair; O'Brien, Vice Chair; Pearson, Ranking Minority Member; Klippert, Assistant Ranking Minority Member; Goodman, Kirby and Ross.

Minority Report: Do not pass. Signed by 1 member: Representative Appleton.

Staff: Yvonne Walker (786-7841).

Background:

Each city and county jail located in Washington is required to maintain a jail register which is open to the public. The law enforcement officer who is charged with being responsible for the operation of the jail must enter, on a timely basis, the name of each person held in

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confinement, the reason for confinement, when the person was confined, and the time and the manner in which the person was discharged.

Generally, all other records regarding a person confined in jail are confidential and may only be released to a criminal justice agency or upon the written consent of the person being confined. Law enforcement may use the booking photographs of a person arrested and confined in a jail or prison to assist in conducting criminal investigations. Certain information and photographs of persons convicted of a sex offense may be released to the public for community protection purposes.

Summary of Second Substitute Bill:

Each county and city jail must include booking photographs or electronic images of each person confined in jail as part of its jail register.

Various technical changes are made, including the deletion of a provision of the act that was repealed by the Legislature in 1987, and adding the authorization to release records relating to kidnappers which is consistent with current statute under RCW 4.24.550.

Second Substitute Bill Compared to Original Bill:

Two technical amendments are made which include the following:

- eliminating a statutory provision (RCW 70.48.070) which was repealed by the Legislature in 1987 (C 462 §23 of the Laws of 1987). This statute used to refer to an agency called the Corrections Standards Board (board). That board was eliminated on January 1, 1988, and its functions were transferred to the Juvenile Rehabilitation Administration and the Department of Corrections; and
- authorizing information relating to kidnappers to be disseminated for community protection purposes. Under RCW 4.24.550, public agencies are already authorized to release information regarding both sex offenders and kidnapping offenders.

However, under the County and City Jails Act, sex offender information is authorized for release but kidnapping offenses were left out of the statute.

Appropriation: None.

Fiscal Note: Available.

Effective Date of Second Substitute Bill: The bill takes effect 90 days after adjournment of the session in which the bill is passed.

Staff Summary of Public Testimony:

See House Bill Report in 2009.

Persons Testifying: See House Bill Report in 2009.

Persons Signed In To Testify But Not Testifying: See House Bill Report in 2009.