

CERTIFICATION OF ENROLLMENT

**SUBSTITUTE SENATE BILL 5654**

Chapter 355, Laws of 2006

59th Legislature  
2006 Regular Session

CRIMINAL JUSTICE OFFICIALS--PERSONAL INFORMATION

EFFECTIVE DATE: 6/7/06

Passed by the Senate March 7, 2006  
YEAS 46 NAYS 0

BRAD OWEN

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**President of the Senate**

Passed by the House February 28, 2006  
YEAS 97 NAYS 0

FRANK CHOPP

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**Speaker of the House of Representatives**

Approved March 30, 2006.

CERTIFICATE

I, Thomas Hoemann, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5654** as passed by the Senate and the House of Representatives on the dates hereon set forth.

THOMAS HOEMANN

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**Secretary**

FILED

March 30, 2006 - 3:35 p.m.

CHRISTINE GREGOIRE

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**Governor of the State of Washington**

**Secretary of State  
State of Washington**

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**SUBSTITUTE SENATE BILL 5654**

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AS AMENDED BY THE HOUSE

Passed Legislature - 2006 Regular Session

**State of Washington                      59th Legislature                      2006 Regular Session**

**By** Senate Committee on Judiciary (originally sponsored by Senators  
Prentice, Esser, Oke and Kohl-Welles)

READ FIRST TIME 02/25/05.

1            AN ACT Relating to the privacy of personal information of criminal  
2 justice officials; amending RCW 4.24.680 and 4.24.700; creating a new  
3 section; and prescribing penalties.

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

5            NEW SECTION.    **Sec. 1.** The legislature finds that the dissemination  
6 of personally identifying information as proscribed in RCW 4.24.680 is  
7 not in the public interest.

8            **Sec. 2.** RCW 4.24.680 and 2002 c 336 s 1 are each amended to read  
9 as follows:

10            (~~A person or organization shall not, with the intent to harm or  
11 intimidate, sell, trade, give, publish, distribute, or otherwise  
12 release the residential address, residential telephone number,  
13 birthdate, or social security number of any law enforcement related,  
14 corrections officer related, or court related employee or volunteer, or  
15 someone with a similar name, and categorize them as such, without the  
16 express written permission of the employee or volunteer unless  
17 specifically exempted by law or court order.))~~

1       (1) A person shall not knowingly make available on the world wide  
2 web the personal information of a peace officer, corrections person,  
3 justice, judge, commissioner, public defender, or prosecutor if the  
4 dissemination of the personal information poses an imminent and serious  
5 threat to the peace officer's, corrections person's, justice's,  
6 judge's, commissioner's, public defender's, or prosecutor's safety or  
7 the safety of that person's immediate family and the threat is  
8 reasonably apparent to the person making the information available on  
9 the world wide web to be serious and imminent.

10       (2) It is not a violation of this section if an employee of a  
11 county auditor or county assessor publishes personal information, in  
12 good faith, on the web site of the county auditor or county assessor in  
13 the ordinary course of carrying out public functions.

14       (3) For the purposes of this section:

15       (a) "Commissioner" means a commissioner of the superior court,  
16 court of appeals, or supreme court.

17       (b) "Corrections person" means any employee or volunteer who by  
18 state, county, municipal, or combination thereof, statute has the  
19 responsibility for the confinement, care, management, training,  
20 treatment, education, supervision, or counseling of those whose civil  
21 rights have been limited in some way by legal sanction.

22       (c) "Immediate family" means a peace officer's, corrections  
23 person's, justice's, judge's, commissioner's, public defender's, or  
24 prosecutor's spouse, child, or parent and any other adult who lives in  
25 the same residence as the person.

26       (d) "Judge" means a judge of the United States district court, the  
27 United States court of appeals, the United States magistrate, the  
28 United States bankruptcy court, and the Washington court of appeals,  
29 superior court, district court, or municipal court.

30       (e) "Justice" means a justice of the United States supreme court or  
31 Washington supreme court.

32       (f) "Personal information" means a peace officer's, corrections  
33 person's, justice's, judge's, commissioner's, public defender's, or  
34 prosecutor's home address, home telephone number, pager number, social  
35 security number, home e-mail address, directions to the person's home,  
36 or photographs of the person's home or vehicle.

37       (g) "Prosecutor" means a county prosecuting attorney, a city

1 attorney, the attorney general, or a United States attorney and their  
2 assistants or deputies.

3 (h) "Public defender" means a federal public defender, or other  
4 public defender, and his or her assistants or deputies.

5 **Sec. 3.** RCW 4.24.700 and 2002 c 336 s 3 are each amended to read  
6 as follows:

7 ~~((Any law enforcement related, corrections officer related, or~~  
8 ~~court related employee or volunteer who suffers damages as a result of~~  
9 ~~a person or organization selling, trading, giving, publishing,~~  
10 ~~distributing, or otherwise releasing the residential address,~~  
11 ~~residential telephone number, birthdate, or social security number of~~  
12 ~~the employee or volunteer in violation of RCW 4.24.680 may bring an~~  
13 ~~action against the person or organization in court for actual damages~~  
14 ~~sustained, plus attorneys' fees and costs.))~~

15 Any person whose personal information is made available on the  
16 world wide web as described in RCW 4.24.680(1) who suffers damages as  
17 a result of such conduct may bring an action against the person or  
18 organization who makes such information available, for actual damages  
19 sustained plus damages in an amount not to exceed one thousand dollars  
20 for each day the personal information was made available on the world  
21 wide web, and reasonable attorneys' fees and costs.

22 NEW SECTION. **Sec. 4.** If any provision of this act or its  
23 application to any person or circumstance is held invalid, the  
24 remainder of the act or the application of the provision to other  
25 persons or circumstances is not affected.

Passed by the Senate March 7, 2006.  
Passed by the House February 28, 2006.  
Approved by the Governor March 30, 2006.  
Filed in Office of Secretary of State March 30, 2006.