
SENATE BILL 6076

State of Washington 60th Legislature 2007 Regular Session

By Senators McCaslin and Carrell

Read first time 02/19/2007. Referred to Committee on Judiciary.

1 AN ACT Relating to disclosure of investigative records of law
2 enforcement agencies; and amending RCW 42.56.240.

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

4 **Sec. 1.** RCW 42.56.240 and 2005 c 274 s 404 are each amended to
5 read as follows:

6 The following investigative, law enforcement, and crime victim
7 information is exempt from public inspection and copying under this
8 chapter:

9 (1) Specific intelligence information and specific investigative
10 records compiled by investigative, law enforcement, and penology
11 agencies, and state agencies vested with the responsibility to
12 discipline members of any profession, the nondisclosure of which is
13 essential to effective law enforcement or for the protection of any
14 person's right to privacy;

15 (2) Information revealing the identity of persons who are witnesses
16 to or victims of crime or who file complaints with investigative, law
17 enforcement, or penology agencies, other than the commission, if
18 disclosure would endanger any person's life, physical safety, or
19 property. If at the time a complaint is filed the complainant, victim,

1 or witness indicates a desire for disclosure or nondisclosure, such
2 desire shall govern. However, all complaints filed with the commission
3 about any elected official or candidate for public office must be made
4 in writing and signed by the complainant under oath;

5 (3) Any records of investigative reports prepared by any state,
6 county, municipal, or other law enforcement agency pertaining to sex
7 offenses contained in chapter 9A.44 RCW or sexually violent offenses as
8 defined in RCW 71.09.020, which have been transferred to the Washington
9 association of sheriffs and police chiefs for permanent electronic
10 retention and retrieval pursuant to RCW 40.14.070(2)(b);

11 (4) License applications under RCW 9.41.070; copies of license
12 applications or information on the applications may be released to law
13 enforcement or corrections agencies; (~~and~~)

14 (5) Information revealing the identity of child victims of sexual
15 assault who are under age eighteen. Identifying information means the
16 child victim's name, address, location, photograph, and in cases in
17 which the child victim is a relative or stepchild of the alleged
18 perpetrator, identification of the relationship between the child and
19 the alleged perpetrator; and

20 (6) Specific investigative records prepared by any state, county,
21 municipal, or other law enforcement agency pertaining to an incident
22 that has not led to an arrest, conviction, or other disposition adverse
23 to the subject, if more than one year has elapsed since the record was
24 prepared, and for which proceedings are no longer actively pending.

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