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HOUSE BILL 2896

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State of Washington                      61st Legislature                      2010 Regular Session

By Representatives O'Brien, Maxwell, Pearson, Ericks, and Hasegawa

Read first time 01/18/10. Referred to Committee on State Government & Tribal Affairs.

1            AN ACT Relating to law enforcement burglar alarm program  
2 information; 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 2008 c 276 s 202 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;

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) The statewide gang database referenced in RCW 43.43.762; and

21 (7) Information collected by law enforcement agencies pursuant to  
22 local burglar alarm ordinances or programs, including (a) information  
23 that identifies those residences or businesses that operate an  
24 intrusion alarm system, (b) the registration number used by a  
25 monitoring company to report an alarm activation to law enforcement,  
26 and (c) whether the business or residence has or has not been  
27 designated for nonresponse by law enforcement to an alarm activation.  
28 Nothing in this subsection shall be interpreted so as to prohibit the  
29 legal owner of a residence or business from accessing information  
30 regarding his or her residence or business, including whether the  
31 residence or business has been designated for nonresponse.

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