
Civil Rights & Judiciary Committee

ESSB 6086

Brief Description: Strengthening security for Washington state judicial officers and court personnel.

Sponsors: Senate Committee on Law & Justice (originally sponsored by Senators Dhingra, Conway, Cortes, Lias, Nobles, Orwall, Pedersen, Riccelli, Salomon and Wilson, C.; by request of Administrative Office of the Courts).

Brief Summary of Engrossed Substitute Bill

- Authorizes security personnel of the Administrative Office of the Courts to conduct threat assessments on behalf of judicial officers and to receive criminal history record information that includes nonconviction data to investigate any such threat.
- Authorizes bailiffs of the Supreme Court to conduct threat assessments on behalf of Supreme Court judicial officers rather than only for justices.

Hearing Date: 2/24/26

Staff: Matt Sterling (786-7289).

Background:

Criminal History Records.

Under the Washington State Criminal Records Privacy Act (Act), generally no criminal justice agency may disseminate criminal history record information pertaining to an arrest, detention, indictment, information, or other formal criminal charge made after December 31, 1977, unless the record disseminated states the disposition of the charge. However, the dissemination of conviction records is not restricted by law and any criminal history record information that pertains to an incident that occurred within the last 12 months for which a person is currently

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being processed by the criminal justice system may also be disseminated without restriction.

The dissemination of any criminal history record information that includes nonconviction data is restricted. Such nonconviction data may only be disseminated to:

- bailiffs of the Supreme Court for purposes exclusively related to investigating any person making a threat against a Supreme Court justice;
- a criminal justice agency to implement a statute, ordinance, executive order, or a court rule, decision, or order which expressly refers to records of arrest, charges, or allegations of criminal conduct or other nonconviction data;
- individuals and agencies pursuant to a contract with a criminal justice agency to provide services related to the administration of criminal justice;
- individuals and agencies for the express purpose of research, evaluative, or statistical activities pursuant to an agreement with a criminal justice agency; and
- the State Auditor solely for the express purpose of conducting a process compliance audit procedure and review of any deadly force investigation.

Every criminal justice agency that maintains and disseminates criminal history record information must maintain the following information for a minimum of one year for each dissemination of criminal history record:

- an indication of to whom the criminal history record information was disseminated;
- the date on which the information was disseminated;
- the individual to whom the information relates; and
- a brief description of the information disseminated.

The Act provides both civil and criminal penalties for the improper disclosure of information protected under the Act.

Any person may bring a civil action to enjoin any further improper disclosures of information. If the person is injured by the improper disclosure, they may bring an action for the recovery of damages and reasonable attorneys' fees. Improper disclosure of information under the Act constitutes a misdemeanor, and any person who discloses information in violation of the Act is guilty of a misdemeanor for each single violation. Any criminal prosecution does not affect the right of any person to bring a civil action.

Administrative Office of the Courts.

The Administrative Office of the Courts (AOC) provides support for Washington's courts by providing various services to the judicial branch, including developing operational budgets, evaluating judicial system functionality, compiling statewide court statistics, and providing continuing education for judges. The AOC operates under the direction of the Chief Justice of the Supreme Court and is managed by the State Court Administrator.

Summary of Bill:

AOC Court Security Personnel.

Court security personnel of the AOC are authorized to conduct threat assessments on behalf of judicial officers. Court security personnel are authorized to receive criminal history record information that includes nonconviction data for the exclusive purpose of the investigation of any threat against a judicial officer. Dissemination of criminal history records for any other purpose is prohibited. The AOC shall ensure that court security personnel are qualified by training and experience for these duties.

Founded threats must be referred to local law enforcement. Local law enforcement is authorized to report the outcome and any anticipated action to the court security personnel of the AOC.

Bailiffs of the Supreme Court.

Bailiffs of the Supreme Court are authorized to conduct threat assessments on behalf of Supreme Court judicial officers rather than only justices.

Definitions.

Judicial officer means any of the following:

- a justice, judge, commissioner, or magistrate of the:
 - United States Supreme Court, district court, court of appeals, or bankruptcy court; or
 - Washington Supreme Court, court of appeals, superior court, district court, or municipal court;
- an industrial appeals judge; or
- an administrative law judge.

Appropriation: None.

Fiscal Note: Available.

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