
SENATE BILL 6011

State of Washington

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By Senators Dhingra, Cortes, Kauffman, Lovick, Nobles, Pedersen, and Riccelli

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1 AN ACT Relating to the authority of court of appeals bailiffs to
2 assess threats to court of appeals judicial officers and staff
3 members; amending RCW 10.97.050; and adding a new section to chapter
4 2.06 RCW.

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

6 NEW SECTION. **Sec. 1.** A new section is added to chapter 2.06 RCW
7 to read as follows:

8 (1) Bailiffs of the court of appeals are authorized to conduct
9 threat assessments on behalf of court of appeals judicial officers
10 and staff members. The court of appeals shall ensure that court of
11 appeals bailiffs are qualified by training and experience if they
12 perform these duties.

13 (2) Bailiffs of the court of appeals are authorized to receive
14 criminal history record information that includes nonconviction data
15 for purposes exclusively related to the investigation of any person
16 making a threat as defined in RCW 9A.04.110 against a court of
17 appeals judicial officer or staff member. Dissemination or use of
18 criminal history records or nonconviction data for purposes other
19 than authorized in this section is prohibited.

20 (3) Founded threats investigated under this section must be
21 referred to local law enforcement for further action. Local law

1 enforcement is authorized to report the outcome and any anticipated
2 action to bailiffs of the court of appeals.

3 **Sec. 2.** RCW 10.97.050 and 2024 c 303 s 2 are each amended to
4 read as follows:

5 (1) Conviction records may be disseminated without restriction.

6 (2) Any criminal history record information which pertains to an
7 incident that occurred within the last twelve months for which a
8 person is currently being processed by the criminal justice system,
9 including the entire period of correctional supervision extending
10 through final discharge from parole, when applicable, may be
11 disseminated without restriction.

12 (3) Criminal history record information which includes
13 nonconviction data may be disseminated by a criminal justice agency
14 to another criminal justice agency for any purpose associated with
15 the administration of criminal justice, or in connection with the
16 employment of the subject of the record by a criminal justice or
17 juvenile justice agency, except as provided under RCW 13.50.260. A
18 criminal justice agency may respond to any inquiry from another
19 criminal justice agency without any obligation to ascertain the
20 purpose for which the information is to be used by the agency making
21 the inquiry.

22 (4) Criminal history record information which includes
23 nonconviction data may be disseminated by a criminal justice agency
24 to implement a statute, ordinance, executive order, or a court rule,
25 decision, or order which expressly refers to records of arrest,
26 charges, or allegations of criminal conduct or other nonconviction
27 data and authorizes or directs that it be available or accessible for
28 a specific purpose.

29 (5) Criminal history record information which includes
30 nonconviction data may be disseminated to individuals and agencies
31 pursuant to a contract with a criminal justice agency to provide
32 services related to the administration of criminal justice. Such
33 contract must specifically authorize access to criminal history
34 record information, but need not specifically state that access to
35 nonconviction data is included. The agreement must limit the use of
36 the criminal history record information to stated purposes and insure
37 the confidentiality and security of the information consistent with
38 state law and any applicable federal statutes and regulations.

1 (6) Criminal history record information which includes
2 nonconviction data may be disseminated to individuals and agencies
3 for the express purpose of research, evaluative, or statistical
4 activities pursuant to an agreement with a criminal justice agency.
5 Such agreement must authorize the access to nonconviction data, limit
6 the use of that information which identifies specific individuals to
7 research, evaluative, or statistical purposes, and contain provisions
8 giving notice to the person or organization to which the records are
9 disseminated that the use of information obtained therefrom and
10 further dissemination of such information are subject to the
11 provisions of this chapter and applicable federal statutes and
12 regulations, which shall be cited with express reference to the
13 penalties provided for a violation thereof.

14 (7) Criminal history record information that includes
15 nonconviction data may be disseminated to the state auditor solely
16 for the express purpose of conducting a process compliance audit
17 procedure and review of any deadly force investigation pursuant to
18 RCW 43.101.460. Dissemination or use of nonconviction data for
19 purposes other than authorized in this subsection is prohibited.

20 (8) Criminal history record information that includes
21 nonconviction data may be disseminated to bailiffs of the supreme
22 court solely for the express purpose of investigations under RCW
23 2.04.260 and to bailiffs of the court of appeals solely for the
24 express purpose of investigations under section 1 of this act.
25 Dissemination or use of nonconviction data for purposes other than
26 authorized in this subsection is prohibited.

27 (9) Every criminal justice agency that maintains and disseminates
28 criminal history record information must maintain information
29 pertaining to every dissemination of criminal history record
30 information except a dissemination to the effect that the agency has
31 no record concerning an individual. Information pertaining to
32 disseminations shall include:

33 (a) An indication of to whom (agency or person) criminal history
34 record information was disseminated;

35 (b) The date on which the information was disseminated;

36 (c) The individual to whom the information relates; and

37 (d) A brief description of the information disseminated.

38 The information pertaining to dissemination required to be
39 maintained shall be retained for a period of not less than one year.

1 (10) In addition to the other provisions in this section allowing
2 dissemination of criminal history record information, RCW 4.24.550
3 governs dissemination of information concerning offenders who commit
4 sex offenses as defined by RCW 9.94A.030. Criminal justice agencies,
5 their employees, and officials shall be immune from civil liability
6 for dissemination on criminal history record information concerning
7 sex offenders as provided in RCW 4.24.550.

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