
SENATE BILL 6217

State of Washington

63rd Legislature

2014 Regular Session

By Senators Roach, Hasegawa, Fain, and McCoy

Read first time 01/17/14. Referred to Committee on Governmental Operations.

1 AN ACT Relating to the disclosure of global positioning system data
2 by law enforcement officers; and reenacting 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 2013 c 315 s 2, 2013 c 190 s 7, and 2013
5 c 183 s 1 are each reenacted and amended to 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;

20 (6) The statewide gang database referenced in RCW 43.43.762;

21 (7) Data from the electronic sales tracking system established in
22 RCW 69.43.165;

23 (8) Information submitted to the statewide unified sex offender
24 notification and registration program under RCW 36.28A.040(6) by a
25 person for the purpose of receiving notification regarding a registered
26 sex offender, including the person's name, residential address, and e-
27 mail address;

28 (9) Personally identifying information collected by law enforcement
29 agencies pursuant to local security alarm system programs and vacation
30 crime watch programs. Nothing in this subsection shall be interpreted
31 so as to prohibit the legal owner of a residence or business from
32 accessing information regarding his or her residence or business;
33 ((and))

34 (10) The felony firearm offense conviction database of felony
35 firearm offenders established in RCW 43.43.822; ((and))

36 (11) The identity of a state employee or officer who has in good
37 faith filed a complaint with an ethics board, as provided in RCW

1 42.52.410, or who has in good faith reported improper governmental
2 action, as defined in RCW 42.40.020, to the auditor or other public
3 official, as defined in RCW 42.40.020; (~~and~~))

4 (12) The following security threat group information collected and
5 maintained by the department of corrections pursuant to RCW 72.09.745:

6 (a) Information that could lead to the identification of a person's
7 security threat group status, affiliation, or activities; (b)
8 information that reveals specific security threats associated with the
9 operation and activities of security threat groups; and (c) information
10 that identifies the number of security threat group members,
11 affiliates, or associates; and

12 (13) The global positioning system data that shows the residence of
13 an employee or worker of a criminal justice agency as defined in RCW
14 10.97.030. However, any information in a public record related to the
15 employee or worker arriving at an incident is not exempt from
16 disclosure under this subsection. For the purposes of this subsection,
17 "data that shows the residence" includes a three mile distance from the
18 employee or worker's residential address.

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