

HOUSE BILL REPORT

SB 5772

As Reported By House Committee On:
State Government

Title: An act relating to confidentiality of records of participants in programs for victims of domestic violence or sexual assault.

Brief Description: Strengthening confidentiality for victims of domestic violence.

Sponsors: Senators Gardner, T. Sheldon, Rasmussen, Swecker, Prentice, Costa, McCaslin, Wojahn, Spanel, Goings and Oke; by request of Secretary of State.

Brief History:

Committee Activity:

State Government: 3/31/99, 4/2/99 [DP].

Brief Summary of Bill

- Records of former participants of the Address Confidentiality Program are no longer subject to disclosure.

HOUSE COMMITTEE ON STATE GOVERNMENT

Majority Report: Do pass. Signed by 8 members: Representatives McMorris, Republican Co-Chair; Romero, Democratic Co-Chair; Campbell, Republican Vice Chair; Miloscia, Democratic Vice Chair; Dunshee; Haigh; Lambert and D. Schmidt.

Staff: Scott MacColl (786-7106).

Background:

The Address Confidentiality Program (ACP) is designed to help persons attempting to escape from actual or threatened domestic violence or sexual assault. These persons establish new addresses in order to prevent their abusers from finding them by using a substitute mailing address through the Office of the Secretary of State.

The ACP protects abused people's records from public disclosure as long as they are participants in the program. However, records must be disclosed if requested by a

law enforcement agency, under a court order, when a person's certification in the program is canceled, or to verify the participation of a specific program participant, but only to confirm information supplied by the requestor.

Cancellation from the program results from a participant legally changing his or her name; a change in the participant's address without notification to the Secretary of State; if mail forwarded by the Secretary of State is returned as undeliverable; or if a program applicant applies using false information.

Summary of Bill:

Records of program participants, whose certification has been canceled, are no longer subject to public disclosure when they leave the program.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: Information from participants who used to be in the ACP is available to disclosure under the current law. These records contain social security information, name and address changes, and other information which is court sealed, but is subject to disclosure when they leave the program. The ACP is an excellent tool for abused people. We need to close the loophole to protect those who have left the program.

Testimony Against: None.

Testified: Suzanne Brown, Washington Coalition of Sexual Assault Programs; and Margaret McKinney, Office of the Secretary of State, Address Confidentiality Program.