

SENATE BILL REPORT

SB 5772

As Passed Senate, March 12, 1999

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 & Local Government: 2/18/99, 2/22/99 [DP].
Passed Senate, 3/12/99, 43-0.

SENATE COMMITTEE ON STATE & LOCAL GOVERNMENT

Majority Report: Do pass.

Signed by Senators Patterson, Chair; Gardner, Vice Chair; Haugen, Horn, Kline and McCaslin.

Staff: Sharon Swanson (786-7445)

Background: Persons attempting to escape from actual or threatened domestic violence or sexual assault frequently establish new addresses in order to prevent their assailants or probable assailants from finding them. The Address Confidentiality Program (ACP) allows state and local agencies to respond to requests for public records without disclosing the location of a victim of domestic violence or sexual assault, to enable interagency cooperation with the Secretary of State in providing address confidentiality, and to enable state and local agencies to accept a program participant's use of an address designated by the Secretary of State as a substitute mailing address.

The current law makes participant records public record if the participant is no longer in ACP.

Summary of Bill: The Secretary of State may not make any records in a program participant's file available for inspection or copying, other than the address designated by the Secretary of State, except under the following circumstances: (1) if requested by a law enforcement agency, to the law enforcement agency; (2) if directed by a court order, to a person identified in the order; or (3) to verify the participation of a specific program participant, in which case the secretary may only confirm information supplied by the requester.

Appropriation: None.

Fiscal Note: Requested on February 16, 1999.

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

Testimony For: Currently there are 2,000 participants involved in the address confidentiality program. Many of these people receive name changes, in an effort to rebuild their lives. Our records often reflect both their old and new identities. This bill would allow the ACP to keep participant records sealed after the person leaves the program. The Washington State Coalition Against Violence also supports this legislation.

Testimony Against: None.

Testified: PRO: Tracy Guerin, OSOS.