

# FINAL BILL REPORT

## HB 2421

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Synopsis as Enacted

**Brief Description:** Exempting from public inspection specified information on correctional facilities.

**Sponsors:** By Representatives Morell, O'Brien, Wood, Lovick, Armstrong, Boldt, Cox, Jackley, Kagi and Haigh.

**House Committee on State Government**  
**Senate Committee on Human Services & Corrections**

### **Background:**

The Public Disclosure Act (PDA) requires all state and local agencies to make their records available for public inspection and copying, unless the record falls within a specified exemption.

Certain records relating to law enforcement agencies and penology agencies are exempt from public inspection and copying, such as:

- specific intelligence and investigative information compiled by investigative, law enforcement, and penology agencies, if non-disclosure is essential to law enforcement or the protection of a person's right to privacy;
- with some exceptions, information that reveals the identity of persons who file complaints with investigative, law enforcement, or penology agencies, if disclosure would endanger any person's life, physical safety, or property; and
- records relating to vulnerability assessments and response plans intended to prevent or mitigate criminal terrorist acts, if disclosure would likely threaten public safety.

The Department of Corrections is required to formulate written emergency procedures to respond to escapes, riots, rebellions, assaults, injuries, suicides, outbreaks of infectious disease, fires, acts of nature, and other major disturbances. The emergency plans must outline the responsibilities of jail facility staff, evacuation procedures, and placement of prisoners following their removal from a facility. There is no specific statutory exemption for these records.

### **Summary:**

Exempt from public inspection and copying are those portions of records containing specific and unique vulnerability assessments or specific and unique emergency and

escape response plans of city, county, or state adult or juvenile correctional facilities, the disclosure of which would likely threaten the security of the facility or individual safety.

**Votes on Final Passage:**

House 97 0

Senate 47 0 (Senate amended)

House 97 0 (House concurred)

**Effective:** June 13, 2002