
State Government Committee

HB 2316

Brief Description: Protecting personal information about judicial, law enforcement, and corrections officers from public disclosure.

Sponsors: Representatives Carrell, Kirby, Boldt, Cox, McDonald, Shabro, Schindler and Priest.

Brief Summary of Bill

- Exempts from the Public Disclosure Act any information that (1) is necessary for the effective operation of a judicial, law enforcement or corrections agency, and (2) could easily lead to discovery of the residential address or telephone number of a judicial, law enforcement or corrections officer or his or her immediate family.

Hearing Date: 1/13/04

Staff: Katie Blinn (786-7114).

Background:

The Public Disclosure Act (PDA) requires agencies to make available for public inspection and copying all public records unless the information falls within a specific exemption. The exemptions to the PDA are narrowly construed to promote a public policy of keeping the public informed. Exemptions are specific, and generally focus on personal privacy, personal safety, or vital governmental interests. Current exemptions include:

- Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy;
- The residential addresses and residential telephone numbers of employees or volunteers of a public agency which are held by any public agency in personnel records, public employment related records, volunteer rosters, or mailing lists of employees or volunteers; and
- Applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant.

A person's right to privacy is only violated if disclosure of the requested information would be considered highly offensive to a reasonable person, *and* the information is not of legitimate concern to the public. This privacy provision does not create an additional "privacy" exemption, but simply clarifies the extent of those exemptions that include a privacy provision.

Summary of Bill:

Added to the current exemption for personal information maintained in public agency employee files is an additional exemption for any information that (1) is necessary for the effective operation of a judicial, law enforcement or corrections agency, and (2) could easily lead to discovery of the residential address or telephone number of a judicial, law enforcement or corrections officer or his or her immediate family.

The exemption specifically states, "personal information about a judicial officer, law enforcement officer, or corrections officer, or the officer's immediate family, or any other information, that is necessary for the effective operation of an officer's agency or office and could easily lead to the discovery of the officer's or the officer's immediate family's residential address or residential telephone number."

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of session in which bill is passed.