

SENATE BILL REPORT

SB 6719

As Reported By Senate Committee On:
Judiciary, February 2, 2006

Title: An act relating to the crime prevention and privacy compact.

Brief Description: Ratifying the crime prevention and privacy compact.

Sponsors: Senators Brandland, Kohl-Welles, McAuliffe, Shin, Rockefeller, Rasmussen, Schmidt, Stevens and Hargrove.

Brief History:

Committee Activity: Judiciary: 2/1/06, 2/2/06 [DP].

SENATE COMMITTEE ON JUDICIARY

Majority Report: Do pass.

Signed by Senators Kline, Chair; Weinstein, Vice Chair; Johnson, Ranking Minority Member; Carrell, Esser, McCaslin, Rasmussen and Thibaudeau.

Staff: Cindy Fazio (786-7405)

Background: The Joint Task Force on Criminal Background Check Processes (Task Force) was created by the passage of Engrossed Substitute House Bill 2556 during the 2004 legislative session and was extended an additional year during the 2005 legislative session (SHB 1681). The legislation required the Task Force to review and make recommendations regarding how to improve the state's criminal background check processes.

One of the Task Force's recommendations was to ratify the National Crime Prevention and Privacy Compact (Compact). The National Crime Prevention & Privacy Act was enacted in 1998. Under the Compact, the Federal Bureau of Investigation (FBI) and the states that have ratified the Compact agree to maintain detailed databases of their respective criminal history records and make them available to the federal government and to other compact states for authorized purposes.

The Compact provides a legal framework for the cooperative exchange between the FBI and participating states in providing criminal history information in a timely fashion to criminal history repositories of other states and the federal government. Additionally, the Compact provides for the establishment of a council to monitor operations and prescribe system rules for the effective and proper operation of the system. The FBI and each participating state will adhere to standards concerning record dissemination and use, response times, system security, data quality, and other standards, including those that enhance the accuracy and privacy of the records.

Summary of Bill: Washington will join the National Crime Prevention and Privacy Compact. The Washington State Patrol will serve as the state Compact officer for the

Compact. Once the Compact is adopted and in force, it will remain binding until the state enacts a statute specifically repealing the statute.

Appropriation: None.

Fiscal Note: Available.

Committee/Commission/Task Force Created: No.

Effective Date: July 1, 2007.

Testimony For: The joint task force created to study criminal records gives full support of this bill. It is important for Washington to join the federal compact program. We do want delayed implementation to give the Washington State Patrol time to prepare, and to not spend the money this session. This bill allows for the sharing of information and reduces duplication of the information. Requests for information will go to the state that holds the information. This opens up the criminal information from many more states. Agencies will be able to get criminal information for use in hiring decisions. This will ultimately protect vulnerable people: children, disabled adults, and others. Twenty-five states have joined the compact and eleven more have memorandums of understanding to implement the process. Having the information from multiple states will keep people with criminal backgrounds from being able to move out of state to avoid their background coming up in their employment. The bill does not change current law about who can access the information; it just facilitates the movement of the information.

Testimony Against: None.

Who Testified: PRO: Senator Jeanne Kohl-Welles, sponsor; Scott Smith, Chief of Police, Mountlake Terrace; Mary Neff, Manager, Criminal Records, Washington State Patrol.