

# SENATE BILL REPORT

## HB 1030

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As Reported by Senate Committee On:  
Human Services & Corrections, March 17, 2009

**Title:** An act relating to exempting special commitment center security information from disclosure under the public records act.

**Brief Description:** Concerning the exemption of the special commitment center under the public records act.

**Sponsors:** Representatives Appleton, Chandler, Hunt, Lias, Angel, Hope, Dammeier and Moeller; by request of Department of Social and Health Services.

**Brief History:** Passed House: 2/23/09, 94-0.

**Committee Activity:** Human Services & Corrections: 3/13/09, 3/17/09 [DP].

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** Do pass.

Signed by Senators Hargrove, Chair; Regala, Vice Chair; Stevens, Ranking Minority Member; Brandland, Carrell, Kauffman and McAuliffe.

**Staff:** Kevin Black (786-7747)

**Background:** The Public Records Act requires government agencies to disclose records to the public unless the records fall within an exemption. One such exemption applies to portions of records containing specific and unique vulnerability assessments, emergency plans, and escape response plans at a city, county, or state adult or juvenile correctional facility. To be exempt, the disclosure must pose a substantial likelihood that the safety of the correctional facility or any individual would be threatened.

**Summary of Bill:** Records containing specific and unique vulnerability assessments, emergency plans, or escape response plans at the Special Commitment Center (SCC) are exempt from public disclosure as long as the disclosure of these records would pose a substantial likelihood that, if disclosed, the safety of the SCC or any individual would be threatened.

**Appropriation:** None.

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*This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.*

**Fiscal Note:** Available.

**Committee/Commission/Task Force Created:** No.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.

**Staff Summary of Public Testimony:** PRO: Some of the most dangerous offenders in Washington are housed at the Special Commitment Center. They are planful and cunning. This bill simply protects sensitive security documents from disclosure. It is important to protect the means we are using to make the Special Commitment Center a safe place.

**Persons Testifying:** PRO: Kelly Cunningham, Henry Richards, Special Commitment Center.