
HOUSE BILL 2115

State of Washington

61st Legislature

2009 Regular Session

By Representative O'Brien

1 AN ACT Relating to allowing booking photographs and electronic
2 images at jails to be open to the public; and amending RCW 70.48.100.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

4 **Sec. 1.** RCW 70.48.100 and 1990 c 3 s 130 are each amended to read
5 as follows:

6 (1) A department of corrections or chief law enforcement officer
7 responsible for the operation of a jail shall maintain a jail register,
8 open to the public, into which shall be entered in a timely basis:

9 (a) The name of each person confined in the jail with the hour,
10 date and cause of the confinement; (~~and~~)

11 (b) The hour, date and manner of each person's discharge; and

12 (c) Booking photographs or electronic images.

13 (2) Except as provided in subsection (3) of this section the
14 records of a person confined in jail shall be held in confidence and
15 shall be made available only to criminal justice agencies as defined in
16 RCW 43.43.705; or

17 (a) For use in inspections made pursuant to RCW 70.48.070;

18 (b) In jail certification proceedings;

1 (c) For use in court proceedings upon the written order of the
2 court in which the proceedings are conducted; or

3 (d) Upon the written permission of the person.

4 (3)(a) Law enforcement may use booking photographs of a person
5 arrested or confined in a local or state penal institution to assist
6 them in conducting investigations of crimes.

7 (b) Photographs and information concerning a person convicted of a
8 sex offense as defined in RCW 9.94A.030 may be disseminated as provided
9 in RCW 4.24.550, 9A.44.130, 9A.44.140, 10.01.200, 43.43.540, 43.43.745,
10 46.20.187, 70.48.470, 72.09.330, and section 401, chapter 3, Laws of
11 1990.

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