

# SENATE BILL REPORT

## SB 6167

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As Reported by Senate Committee On:  
Human Services & Corrections, February 2, 2012

**Title:** An act relating to criminal identification system information for entities providing emergency shelter, interim housing, or transitional housing.

**Brief Description:** Regarding criminal identification system information for entities providing emergency shelter, interim housing, or transitional housing.

**Sponsors:** Senators Kohl-Welles, Padden, Roach and Chase.

**Brief History:**

**Committee Activity:** Human Services & Corrections: 1/20/12, 2/02/12 [DPS].

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** That Substitute Senate Bill No. 6167 be substituted therefor, and the substitute bill do pass.

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

**Staff:** Shani Bauer (786-7468)

**Background:** The Washington State Patrol (WSP) is authorized to disclose conviction records at no cost when it relates to an authorized purpose concerning developmentally disabled persons, vulnerable adults, and minor children. Information may be disclosed to:

- a business, organization, or individual person regarding a person seeking employment with a vulnerable population;
- the Washington Educator Standards board regarding a person seeking a certificate; and
- a law enforcement agency, the attorney general, a prosecuting authority, or the Department of Social and Health Services regarding any person that may aid in the investigation and prosecution of an abuse case or to protect an adult or child from further abuse.

In the context of the statute, a business or organization is defined as a person; business; or organization licensed in this state, any agency of the state, or other governmental entity that educates, trains, treats, supervises, houses, or provides recreation to developmentally

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disabled persons, vulnerable adults, or children under sixteen years of age, or that provides child day care, early learning, or early learning childhood education services, including but not limited to public housing authorities, school districts, and educational service districts.

**Summary of Bill (Recommended Substitute):** WSP is authorized to disclose conviction records of a prospective client or resident at no cost upon the request of a business or organization that qualifies as a nonprofit organization under the internal revenue code and that provides emergency shelter or transitional housing for children, persons with developmental disabilities, vulnerable adults. A client or resident is defined as a child, person with developmental disabilities, or vulnerable adult applying for housing assistance from a business or organization.

**EFFECT OF CHANGES MADE BY HUMAN SERVICES & CORRECTIONS COMMITTEE (Recommended Substitute):** The exemption from paying a fee to access criminal background information about a potential resident or client is limited to businesses or organizations that qualify as nonprofit organizations under the internal revenue code. The terms interim housing and low-income are removed from the exemption to reduce confusion. Clarifying changes are made to the statute for purposes of readability.

**Appropriation:** None.

**Fiscal Note:** Available.

[OFM requested 10-year cost projection pursuant to I-960.]

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

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

**Staff Summary of Public Testimony on Original Bill:** PRO: Shelter providers are already utilizing the WSP system to conduct background checks for employees and residents. They did not realize they are required to pay \$10 per search when they use the system to conduct a background search for a potential resident. Shelters would be impacted approximately \$5,000 per year if they are required to pay for these checks, which are crucial to ensuring the safety of other residents. One background check uncovered that a potential resident was a convicted arsonist. In another instance, a well-spoken gentleman was identified as being found not guilty by reason of insanity of murder and was potentially very dangerous. The shelters do not use a criminal background as an automatic disqualifier. In many instances, the check is used to identify whether the person has been honest about their past and is therefore ready to change their life.

**Persons Testifying:** PRO: Flo Beaumon, Danielle Wise, Catholic Community Services of King County.