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SENATE BILL 5244

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State of Washington

62nd Legislature

2011 Regular Session

By Senators Fraser, Nelson, and Delvin

Read first time 01/19/11. Referred to Committee on Government Operations, Tribal Relations & Elections.

1 AN ACT Relating to law enforcement crime prevention efforts  
2 regarding security alarm systems and crime watch programs for  
3 residential and commercial locations; and reenacting and amending RCW  
4 42.56.240.

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

6 **Sec. 1.** RCW 42.56.240 and 2010 c 266 s 2 and 2010 c 182 s 5 are  
7 each reenacted and amended to read as follows:

8 The following investigative, law enforcement, and crime victim  
9 information is exempt from public inspection and copying under this  
10 chapter:

11 (1) Specific intelligence information and specific investigative  
12 records compiled by investigative, law enforcement, and penology  
13 agencies, and state agencies vested with the responsibility to  
14 discipline members of any profession, the nondisclosure of which is  
15 essential to effective law enforcement or for the protection of any  
16 person's right to privacy;

17 (2) Information revealing the identity of persons who are witnesses  
18 to or victims of crime or who file complaints with investigative, law  
19 enforcement, or penology agencies, other than the commission, if

1 disclosure would endanger any person's life, physical safety, or  
2 property. If at the time a complaint is filed the complainant, victim,  
3 or witness indicates a desire for disclosure or nondisclosure, such  
4 desire shall govern. However, all complaints filed with the commission  
5 about any elected official or candidate for public office must be made  
6 in writing and signed by the complainant under oath;

7 (3) Any records of investigative reports prepared by any state,  
8 county, municipal, or other law enforcement agency pertaining to sex  
9 offenses contained in chapter 9A.44 RCW or sexually violent offenses as  
10 defined in RCW 71.09.020, which have been transferred to the Washington  
11 association of sheriffs and police chiefs for permanent electronic  
12 retention and retrieval pursuant to RCW 40.14.070(2)(b);

13 (4) License applications under RCW 9.41.070; copies of license  
14 applications or information on the applications may be released to law  
15 enforcement or corrections agencies;

16 (5) Information revealing the identity of child victims of sexual  
17 assault who are under age eighteen. Identifying information means the  
18 child victim's name, address, location, photograph, and in cases in  
19 which the child victim is a relative or stepchild of the alleged  
20 perpetrator, identification of the relationship between the child and  
21 the alleged perpetrator;

22 (6) The statewide gang database referenced in RCW 43.43.762;

23 (7) Data from the electronic sales tracking system established in  
24 RCW 69.43.165; (~~and~~)

25 (8) Information submitted to the statewide unified sex offender  
26 notification and registration program under RCW 36.28A.040(6) by a  
27 person for the purpose of receiving notification regarding a registered  
28 sex offender, including the person's name, residential address, and e-  
29 mail address; and

30 (9) Information collected by law enforcement agencies pursuant to  
31 local security alarm system ordinances or programs and vacation crime  
32 watch programs. Nothing in this subsection shall be interpreted so as  
33 to prohibit the legal owner of a residence or business from accessing  
34 information regarding his or her residence or business.

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