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SENATE BILL 5721

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State of Washington

62nd Legislature

2011 Regular Session

By Senators Swecker, Delvin, and Hewitt

Read first time 02/09/11. Referred to Committee on Government Operations, Tribal Relations & Elections.

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        ~~((e))~~ (b) For use in court proceedings upon the written order of  
2 the court in which the proceedings are conducted; or

3        ~~((d))~~ (c) 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 kidnapping offense as defined in RCW 9A.44.128 or a sex offense as  
9 defined in RCW 9.94A.030, may be disseminated as provided in RCW  
10 4.24.550, 9A.44.130, 9A.44.140, 10.01.200, 43.43.540, 43.43.745,  
11 46.20.187, 70.48.470, 72.09.330, and section 401, chapter 3, Laws of  
12 1990.

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