

SENATE BILL REPORT

HB 1715

As Reported by Senate Committee On:
Human Services & Corrections, March 28, 2013

Title: An act relating to exemption of information contained in the department of corrections' security threat group database.

Brief Description: Allowing the department of corrections to exempt information contained in the internal database on security threat group data from dissemination under the public records act.

Sponsors: Representatives Klippert, Goodman and Moscoso; by request of Department of Corrections.

Brief History: Passed House: 3/12/13, 95-0.

Committee Activity: Human Services & Corrections: 3/26/13, 3/28/13 [DPA].

SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

Majority Report: Do pass as amended.

Signed by Senators Pearson, Vice Chair; Darneille, Ranking Member; Baumgartner, Hargrove, Harper and Padden.

Staff: Shani Bauer (786-7468)

Background: The Special Investigations Services Unit (SISU) of the Department of Corrections (DOC) collects, evaluates, collates, and analyzes data and special investigative information concerning the existence, activities, and operation of security threat groups, drugs, and violence within DOC facilities. SISU gathers intelligence and trains other correctional officers on offenders and possible gang affiliation.

The Security Threat Group (STG) at DOC is a system to identify and monitor the movement and activities of offenders and offender groups who pose a potential threat to the security or safety of employees, contract staff, volunteers, visitors, other offenders, criminal justice partners, and the community. The Headquarters STG maintains a centralized database which contains specific information pertaining to offenders who pose a security threat. Access to the STG database is restricted to authorized DOC employees. Authorized field employees have access to the database to add documentation or validation information concerning an offender. All other DOC employees have access to limited information from the database.

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.

Upon request, an agency must make its public records available for public inspection and copying unless the records fall within a specific statutory exemption. The current list of exemptions does not include information contained in DOC's STG database.

Summary of Bill (Recommended Amendments): The special investigations unit within DOC may collect, evaluate, collate, and analyze data and specific investigative information concerning security threat groups, drugs, and violence within DOC facilities and the participants involved. The STG database is established as a centralized database within DOC to store compiled data. The database may only be used to store information directly related to an offender's STG affiliation or affiliations and activities. The STG database and all its contents are confidential and exempt from public disclosure under RCW 42.56.

EFFECT OF CHANGES MADE BY HUMAN SERVICES & CORRECTIONS COMMITTEE (Recommended Amendments): The STG database must only contain information directly related to an offender's STG affiliation or affiliations and activities. A cross-reference is created in chapter 42.56 RCW.

Appropriation: None.

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 on House Bill: PRO: Gang violence is a significant problem in DOC. The incidence of violence increased from 18 to 22 percent within the last decade. Half of all violence in DOC involves a participant in the STG database. DOC puts a lot of effort into tracking and compiling information in the database. Gang members use the public disclosure process to gain information to identify and target gang members. This bill is needed to protect staff and other offenders.

OTHER: The public records act addresses the types of records that are confidential but not the location where those records are stored. We would like an amendment to describe the type of records to be confidential, not the location of the records in the database.

Persons Testifying: PRO: Representative Klippert, prime sponsor; Dan Pacholke, DOC.

OTHER: Rowland Thompson, Allied Daily Newspapers.