

# SENATE BILL REPORT

## SB 5466

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As Passed Senate, February 25, 2013

**Title:** An act relating to criminal history record information compliance audits.

**Brief Description:** Modifying criminal history record information compliance audit provisions.

**Sponsors:** Senators Carrell, Kohl-Welles and King; by request of Washington State Patrol.

**Brief History:**

**Committee Activity:** Human Services & Corrections: 2/05/13, 2/07/13 [DP].

Passed Senate: 2/25/13, 46-0.

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### SENATE COMMITTEE ON HUMAN SERVICES & CORRECTIONS

**Majority Report:** Do pass.

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

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

**Background:** The Washington State Patrol (WSP) is the central repository for criminal history record information for the state of Washington. Local criminal justice agencies are required by law to submit felony and gross misdemeanor arrest and disposition information to WSP, where it is included in a central database. The Criminal Records Privacy Act governs the disclosure and dissemination of criminal history information.

WSP must conduct annual audits to ensure all disposition reports have been received from local criminal justice agencies and added to its records. WSP provides each originating criminal justice agency with a report of dispositions that have been outstanding more than nine months since the date of arrest. The agency must respond within 45 days noting any discrepancies in the report. The results of compliance audits are published annually and distributed to legislative committees dealing with criminal justice issues.

**Summary of Bill:** In conducting its compliance audit, WSP must identify dispositions that have been outstanding a year or longer since the date of arrest. Outstanding dispositions must be researched by WSP staff or the originating criminal justice agency. Upon receipt of a list of outstanding dispositions from WSP, the criminal justice agency must respond within 60 days.

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*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.*

**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:** PRO: This is strictly a language clean-up bill. WSP has great responsibility for being the repository of criminal justice records. WSP has had to adapt procedures to conduct audits on those records. With changing procedures, changes in statutory language are needed.

**Persons Testifying:** PRO: Rob Huss, WSP.