
SENATE BILL 5482

State of Washington

64th Legislature

2015 Regular Session

By Senators Roach and Liias

Read first time 01/22/15. Referred to Committee on Government Operations & State Security.

1 AN ACT Relating to the disclosure of global positioning system
2 data by law enforcement officers; and reenacting and amending RCW
3 42.56.240.

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

5 **Sec. 1.** RCW 42.56.240 and 2013 c 315 s 2, 2013 c 190 s 7, and
6 2013 c 183 s 1 are each reenacted and amended to read as follows:

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

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

16 (2) Information revealing the identity of persons who are
17 witnesses to or victims of crime or who file complaints with
18 investigative, law enforcement, or penology agencies, other than the
19 commission, if disclosure would endanger any person's life, physical
20 safety, or property. If at the time a complaint is filed the
21 complainant, victim, or witness indicates a desire for disclosure or

1 nondisclosure, such desire shall govern. However, all complaints
2 filed with the commission about any elected official or candidate for
3 public office must be made in writing and signed by the complainant
4 under oath;

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

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

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

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

21 (7) Data from the electronic sales tracking system established in
22 RCW 69.43.165;

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

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

34 (10) The felony firearm offense conviction database of felony
35 firearm offenders established in RCW 43.43.822; ((and))

36 (11) The identity of a state employee or officer who has in good
37 faith filed a complaint with an ethics board, as provided in RCW
38 42.52.410, or who has in good faith reported improper governmental
39 action, as defined in RCW 42.40.020, to the auditor or other public
40 official, as defined in RCW 42.40.020; ((and))

1 (12) The following security threat group information collected
2 and maintained by the department of corrections pursuant to RCW
3 72.09.745: (a) Information that could lead to the identification of a
4 person's security threat group status, affiliation, or activities;
5 (b) information that reveals specific security threats associated
6 with the operation and activities of security threat groups; and (c)
7 information that identifies the number of security threat group
8 members, affiliates, or associates; and
9 (13) The global positioning system data that would indicate the
10 location of the residence of an employee or worker of a criminal
11 justice agency as defined in RCW 10.97.030.

--- END ---