

FINAL BILL REPORT

HB 1505

C 300 L 19
Synopsis as Enacted

Brief Description: Concerning confidential information of child victims of sexual assault.

Sponsors: Representatives Klippert, Kraft and Appleton.

House Committee on Public Safety
Senate Committee on Law & Justice

Background:

The Public Records Act (PRA) requires state and local agencies to make their written records available to the public for inspection and copying upon request, unless an exemption applies. The stated policy of the PRA favors disclosure and requires narrow application of the statutory exemptions.

Certain investigative, law enforcement, and crime victim information is exempt from disclosure under the PRA. Information revealing the identity of children who are victims of sexual assault is covered under the exemption. Such information includes the victim's name, address, location, photograph, and in cases in which the child victim is a relative or stepchild of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator.

In addition, the Criminal Records Privacy Act (CRPA) contains restrictions on the disclosure of information regarding child victims of sexual assault by criminal justice agencies. These restrictions mirror the exemptions under the PRA; however, the information may be disclosed with the permission of the child victim or his or her legal guardian.

Summary:

The exemption from and restrictions on disclosure are modified to include identifying information of both alleged and proven child victims of sexual assault.

The following information is also exempt from disclosure under the PRA and restricted from disclosure under the CRPA:

- information revealing the specific details that describe an alleged or proven child victim of sexual assault; and

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- contact information of an alleged or proven child victim, including phone numbers, email addresses, social media profiles, and usernames and passwords.

The restrictions under the CRPA are modified to require the permission of both the child victim and his or her legal guardian before disclosing information. In addition, the disclosure restrictions do not apply to court documents or other materials admitted in open judicial proceedings.

Votes on Final Passage:

House	97	0	
Senate	48	0	(Senate amended)
House	90	0	(House concurred)

Effective: July 28, 2019