
State Government & Tribal Relations Committee

HB 1408

Brief Description: Protecting the personal information of juveniles from public disclosure.

Sponsors: Representatives Volz, Graham, Chase, Taylor, Rule, Dolan, Sutherland, Robertson, Caldier, Griffey, Jacobsen, Dent and Boehnke.

Brief Summary of Bill

- Expands public disclosure exemptions for child victims and witnesses to include the child's voice and to apply to children that are no longer living.

Hearing Date: 2/3/21

Staff: Jason Zolle (786-7124).

Background:

The Public Records Act and the Sunshine Committee.

The Public Records Act (PRA) generally requires state and local governmental entities to make many government records available to the public upon request. There are, however, over 500 statutory exemptions for certain records or information contained in records.

The Public Records Exemption Accountability Committee, known as the Sunshine Committee, periodically reviews these exemptions and provides recommendations as to whether specific exemptions should be continued, modified, or terminated. The Sunshine Committee meets in public and considers input from interested parties. By November 15 of each year, the Sunshine Committee provides a report to the Governor, the Attorney General, and the Legislature with its annual recommendations.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not part of the legislation nor does it constitute a statement of legislative intent.

In its 2018 and 2019 annual reports, the Sunshine Committee made several recommendations related to exemptions for records with information about child victims and witnesses. The 2019 annual report states, "After extensive discussion, the Sunshine Committee voted 5-3 to adopt the recommendation" to expand the public disclosure exemptions to include the child's voice and to apply to children that are no longer living.

Child Victim and Witness Records.

Certain investigative, law enforcement, and crime victim information is exempt from disclosure under the PRA and other statutes. For living child victims and witnesses, the name, address, and photographs of the victim or witness may not be disclosed by any law enforcement agency, prosecutor's office, or state agency without the permission of the child or the child's parents or guardians. There is an exception that allows this information to be disclosed to other law enforcement agencies, prosecutors, defense attorneys, and private or governmental agencies that provide services to the child victim or witness.

Summary of Bill:

The public disclosure exemptions for child victims and witnesses is expanded to include the child's voice and to apply to children who are no longer living.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.