
Civil Rights & Judiciary Committee

HB 2056

Brief Description: Concerning information sharing and limited investigative authority of supreme court bailiffs.

Sponsors: Representatives Goodman and Cheney; by request of Administrative Office of the Courts.

Brief Summary of Bill

- Authorizing bailiffs of the Washington Supreme Court to conduct threat assessments on behalf of Supreme Court justices and to receive criminal history record information that includes nonconviction data for any purpose associated with the investigation of a threat against a justice.

Hearing Date: 1/9/24

Staff: Matt Sterling (786-7289).

Background:

Generally, no criminal justice agency may disseminate criminal history record information pertaining to an arrest, detention, indictment, information, or other formal criminal charge made after December 31, 1977, unless the record disseminated states the disposition of the charge. However, the dissemination of conviction records is not restricted by law and any criminal history record information that pertains to an incident that occurred within the last 12 months for which a person is currently being processed by the criminal justice system may also be disseminated without restriction.

The dissemination of any criminal history record information that includes nonconviction data is restricted. Such nonconviction data may only be disseminated to:

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.

- a criminal justice agency to implement a statute, ordinance, executive order, or a court rule, decision, or order which expressly refers to records of arrest, charges, or allegations of criminal conduct or other nonconviction data;
- individuals and agencies pursuant to a contract with a criminal justice agency to provide services related to the administration of criminal justice;
- individuals and agencies for the express purpose of research, evaluative, or statistical activities pursuant to an agreement with a criminal justice agency; and
- the State Auditor solely for the express purpose of conducting a process compliance audit procedure and review of any deadly force investigation.

Every criminal justice agency that maintains and disseminates criminal history record information must maintain the following information for a minimum of one year for each dissemination of criminal history record:

- an indication of to whom the criminal history record information was disseminated;
- the date on which the information was disseminated;
- the individual to whom the information relates; and
- a brief description of the information disseminated.

Summary of Bill:

Bailiffs of the Washington Supreme Court are authorized to conduct threat assessments on behalf of Supreme Court justices and to receive criminal history record information that includes nonconviction data for any purpose associated with the investigation of any person making a threat against a supreme court justice. Dissemination or use of criminal history records or nonconviction data for purposes other than authorized by law is prohibited. Founded threats investigated under this section must be referred to local law enforcement for further action. Local law enforcement is authorized to report the outcome and any anticipated action to bailiffs of the Supreme Court.

The Supreme Court must ensure that Supreme Court bailiffs are qualified by training and experience.

Appropriation: None.

Fiscal Note: Requested on January 4, 2024.

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