
HOUSE BILL 1723

State of Washington

64th Legislature

2015 Regular Session

By Representatives Hayes, Hurst, Harmsworth, Takko, Rodne, Griffey, Pettigrew, and Wilson

Read first time 01/27/15. Referred to Committee on Public Safety.

1 AN ACT Relating to allowing booking photographs and electronic
2 images at jails to be open to the public; and amending RCW 70.48.100.

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

4 **Sec. 1.** RCW 70.48.100 and 2014 c 225 s 105 are each amended to
5 read as follows:

6 (1) A department of corrections or chief law enforcement officer
7 responsible for the operation of a jail shall maintain a jail
8 register, open to the public, into which shall be entered in a timely
9 basis:

10 (a) The name of each person confined in the jail with the hour,
11 date and cause of the confinement; ~~((and))~~

12 (b) The hour, date and manner of each person's discharge; and

13 (c) Booking photographs of each person after charges have been
14 filed.

15 (2) Except as provided in subsection (3) of this section the
16 records of a person confined in jail shall be held in confidence and
17 shall be made available only to criminal justice agencies as defined
18 in RCW 43.43.705; or

19 (a) ~~((For use in inspections made pursuant to RCW 70.48.070;~~
20 ~~(b)))~~ In jail certification proceedings;

1 ~~((e))~~ (b) For use in court proceedings upon the written order
2 of the court in which the proceedings are conducted;

3 ~~((d))~~ (c) To the Washington association of sheriffs and police
4 chiefs;

5 ~~((e))~~ (d) To the Washington institute for public policy,
6 research and data analysis division of the department of social and
7 health services, higher education institutions of Washington state,
8 Washington state health care authority, state auditor's office,
9 caseload forecast council, office of financial management, or the
10 successor entities of these organizations, for the purpose of
11 research in the public interest. Data disclosed for research purposes
12 must comply with relevant state and federal statutes; or

13 ~~((f))~~ (e) Upon the written permission of the person.

14 (3)(a) Law enforcement may use booking photographs of a person
15 arrested or confined in a local or state penal institution to assist
16 them in conducting investigations of crimes.

17 (b) Photographs and information concerning a person convicted of
18 a kidnapping offense as defined in RCW 9A.44.128 or a sex offense as
19 defined in RCW 9.94A.030, may be disseminated as provided in RCW
20 4.24.550, 9A.44.130, 9A.44.140, 10.01.200, 43.43.540, 43.43.745,
21 46.20.187, 70.48.470, 72.09.330, and section 401, chapter 3, Laws of
22 1990.

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