RCW 10.97.060  Deletion of certain information, conditions.
Criminal history record information which consists of nonconviction
data only shall be subject to deletion from criminal justice agency
files which are available and generally searched for the purpose of
responding to inquiries concerning the criminal history of a named or
otherwise identified individual when two years or longer have elapsed
since the record became nonconviction data as a result of the entry of
a disposition favorable to the defendant, or upon the passage of three
years from the date of arrest or issuance of a citation or warrant for
an offense for which a conviction was not obtained unless the
defendant is a fugitive, or the case is under active prosecution
according to a current certification made by the prosecuting attorney.
Such criminal history record information consisting of
nonconviction data shall be deleted upon the request of the person who
is the subject of the record: PROVIDED, HOWEVER, That the criminal
justice agency maintaining the data may, at its option, refuse to make
the deletion if:
(1) The disposition was a deferred prosecution or similar
diversion of the alleged offender;
(2) The person who is the subject of the record has had a prior
conviction for a felony or gross misdemeanor;
(3) The individual who is the subject of the record has been
arrested for or charged with another crime during the intervening
period.
Nothing in this chapter is intended to restrict the authority of
any court, through appropriate judicial proceedings, to order the
modification or deletion of a record in a particular cause or
concerning a particular individual or event.  [1977 ex.s. c 314 s 6.]