

Chair Valdez, Vice Chair Lekanoff, and Members of the Committee,

**We urge you to schedule HB 1956 for a hearing as soon as possible.** This legislation would protect sensitive prison records from being released through the Public Records Act. Current law allows the Washington Department of Corrections (DOC) to release sensitive, highly personal records to anyone who requests them, posing a real and present danger to currently and formerly incarcerated people. The case for protecting these records is clear: a federal judge has [held that releasing these records likely violates federal and state law](#). These records have been protected by Washington state jails, other state prison systems, and the federal prison system for years without controversy. Release of sensitive records will hurt public safety by putting current and formerly incarcerated people in danger. **The Legislature must pass HB 1956 this session to protect our community and the state from further liability.**

Over the past year, multiple actors have submitted Public Records Act requests to DOC that explicitly target the sensitive records of vulnerable people in prison, especially transgender people with disabilities. These requests have been made by people connected to an anti-trans hate group, media companies, and others. [Disability Rights Washington and the ACLU filed a lawsuit](#) to prevent the release of these records, and a federal judge has imposed a preliminary injunction. **But these records are only being held temporarily for a small number of people, the state must act to avoid further liability and protect this information for all.**

Releasing sensitive prison records could make anyone who has been to prison the target of assault, harassment, retaliation, and discrimination. For example, under current law people in prison can learn whether another person is a confidential informant, putting them at risk of assault or death. Members of the public can request body scanner images to inspect the naked bodies of the people housed at Washington Corrections Center for Women. Anti-trans hate groups can post an online registry of all transgender people who have been to Washington prisons. Perpetrators of sexual assault can request records to learn whether they were identified by their victims in what victims were told by DOC policy and staff were “confidential” interviews. Landlords and employers can learn whether a tenant or employee is disabled, transgender, gay, or has mental health conditions. These and countless other examples show how limitless disclosure puts people at risk of violence, harassment, discrimination, and the psychological trauma of having their most private information available to any member of the public upon request.

If passed, HB 1956 would provide legislative protection to sensitive records in DOC’s possession, **reinstating privacy protections that were previously part of the Public Records Act and are consistent with national best practices.** From its creation in 1972 until 1989, the Public Records Act explicitly protected the “personal information of... prisoners, probationers, and parolees.” The Legislature eliminated this protection as part of a well-meaning effort to allow DOC to share treatment records with community mental health providers. Unlike prison records, records about incarcerated people in Washington state jails have been strictly confidential under state law for decades without controversy. Beyond Washington, several states and the federal government protect prison records.

This legislation will protect the dignity, privacy, and safety of currently and formerly incarcerated Washingtonians. It will have an outsized impact by providing necessary protections for racial and ethnic minorities who are over-represented in Washington state prisons, people with disabilities and health issues, and LGBTQ+ people. **For all of these reasons, we urge you to schedule HB 1956 for hearing as soon as possible.**

We, the undersigned, urge the legislature to pass this legislation during the 2022 legislative session.

Sincerely,

1. ACLU of Washington
2. API Chaya
3. Beyond These Walls
4. Coalition Ending Gender-Based Violence
5. Collective Justice
6. Columbia Legal Services
7. Disability Rights Washington
8. FOTi (Families of the Incarcerated)
9. Freedom Education Project Puget Sound
10. Free Them All WA
11. Gender Justice League
12. GSBA - Washington's LGBTQ+ Chamber
13. Ingersoll Gender Center
14. Legal Voice
15. Look2Justice
16. MOMI--Mothers of the Mentally Ill
17. National Council of Jewish Women (NCJW)  
WA state
18. Non-Binary, Gender Non-Conforming, and  
Allies Student Association at Seattle  
University School of Law
19. Northwest Community Bail Fund
20. Northwest Progressive Institute
21. Olympic Community Action Programs
22. Pacific Islander Health Board of Washington
23. Planned Parenthood Alliance Advocates -  
Washington
24. Prison Mathematics Project
25. QueerDoc
26. QLaw Association of Washington
27. Seattle CritLib
28. TeamChild
29. University Beyond Bars
30. UTOPIA WASHINGTON
31. Washington Association of Criminal Defense  
Lawyers
32. Washington Black Lives Matter Alliance
33. Washington Community Alliance
34. Washington Defender Association
35. Washington State Coalition Against  
Domestic Violence
36. WA State Community Action Partnership
1. Anne Hundley, 22nd LD
2. Catherine West, 43th LD
3. Carrie Freshour, 37th LD
- 4.Carolynn Davies
5. Chanel Rhymes, 28th LD
6. Cindy J. Robinson, 30th LD
7. Cynthia Fisher, 49th LD
8. Dani Rowland, 48th LD
9. Dani Shapiro, 37th LD
10. Deann Alcantara-Thompson
11. Emily Thuma, 27th LD
12. Emma D, 43rd LD
13. Evelyn Chow, 37th LD
14. Florence Sum, 47th LD
15. Gillian Harkins, 34th LD
16. Hailey Ockinga, 27th LD
17. Hannah Mason, 37th LD
18. Jen Dana-Farley, 41st LD
19. Joel Strom
20. Julia Doherty, 43rd LD
21. Karla M Davis, 21st LD
22. Kay Nelson, 26th LD
23. Kay Nugent, 43th LD
24. Kehaulani Walker, 42nd LD
25. Kelly Johnson, 37th LD
26. Laura Ellsworth, 49th LD
27. Laurie Dawson, 35th LD
28. Noreen Light, 22nd LD
29. Matt Goldenberg, PsyD, 22th LD
30. Mindy Woods, 21st LD
31. Paige Hardy, 27th LD
32. Paula Crews Bond
33. Rachel Page, 37th LD
34. Ruth A Utnage, 33rd LD
35. Sid Jordan, 27th LD
36. Tash Hansen-Day, 27th LD
37. Victoria Kroeger, 5th LD
38. Wendy Schindler, 44th LD