

RESOLUTION NO. 077276

BEFORE THE BOARD OF WHITMAN COUNTY COMMISSIONERS

IN THE MATTER OF the action of the adoption for the Whitman County Policy Requesting Public Records;

WHEREAS, this policy is necessary to be compliant with legal regulations,

WHEREAS, this action is necessary and in the best interest of Whitman County and its citizens,

NOW, THEREFORE, IT IS HEREBY RESOLVED by this Board that the above is approved as the attached **POL-0415-HR Requesting Public Records**

Dated this 21st day of December 2015 and effective as of January 1, 2016.

BOARD OF COUNTY COMMISSIONERS
OF WHITMAN COUNTY, WASHINGTON

Dean Kinzer
Dean Kinzer, Chairman

Arthur D. Swannack
Arthur D Swannack, Commissioner

Michael Largent
Michael Largent, Commissioner

ATTEST:

Maribeth Becker
Maribeth Becker, CMC
Clerk of the Board

Effective Date: 12/21/15

POLICY

Cancels: Res. 070275

Approved by: BOCC

See Also:

Res. # 077276

POL-0415 –HR

REQUESTING PUBLIC RECORDS

Unless otherwise stated in a union contract, this policy applies to all county agencies.

Definitions:

County agency - Every elective office, department, division, bureau, board, commission, or other local public entity within Whitman County's governmental structure that is or shall be subject to the provisions of the Public Records Act Chapter 42.56 RCW including advisory groups comprised of volunteers appointed to make recommendations to elected officials and excluding the County Law Library.

Personal Data – Any information concerning a citizen that, because of name, identifying number, mark or description, can be readily associated with a particular individual including information contained in printouts, forms, written analysis or evaluations.

Personal Identifying Data – Social security number, date of birth or mother's maiden name.

Public record - Any writing containing information relating to the conduct of government or the performance of any County function prepared, owned, used or retained by any County agency regardless of physical form or characteristics. For purposes of this chapter public record does not include court case files.

Electronic record – Any public record which is stored or maintained in machine-readable file format.

Writing – Handwriting, typewriting, printing, photostating, photographing and every other means of recording any form of communication or representation including, but not limited to, letters, words, pictures, sounds, or symbols or combination thereof and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.

1. Whitman County Complies with Public Record Laws

The purpose of this Chapter is to provide rules by which the County implements and ensures compliance with the provisions of the Washington Public Records Act, Chapter 42.56 RCW, and other applicable laws relating to the nonexempt public records in custody or and/or maintained by Whitman County. This Policy does not apply to public records of the State of Washington, such as the records of the Administrative Office of the Courts (AOC), the Washington State Patrol (WSP), the Department of

Licensing (DOL) and the Department of Corrections (DOC), that may be available to the County's employees by virtue of digital connectivity.

The provisions of this Chapter shall be liberally interpreted and construed to promote full access to the County's public records in order to assure continuing public confidence in government: provided, that when making public records available the County shall prevent unreasonable invasions of privacy, shall protect public records from damage or disorganization, and shall prevent excessive interference with essential government functions.

2. Public Records Shall be Provided to the Public

Public records shall be made available for public inspection and copying pursuant to this Chapter, except as otherwise provided by law.

Access to public records does not include access to County computer systems or terminals except for those terminals, if any, which may be specifically designated for public use.

Whitman County employees are under no obligation to create documents in the course of fulfilling a request. Nor are they required to perform research, retrieve data, provide analysis, information or any report relating to the conduct of County business when no document exists that is responsive to the request.

3. Information Exempt from Disclosure Shall Not be Released

The County shall publish and maintain a list of laws, other than those specifically set forth in the Public Records Act, that the County believes exempt or otherwise prohibit disclosure of public records or information contained in public records. Public records and information exempt from disclosure, in whole or in part, under the Public Records Act or any other law are exempt from disclosure under this Chapter whether or not such exemption is on any list of exemptions published and maintained by the County.

4. Public Records Officer(s) Shall be Designated

A Public Records Officer, or designee, shall serve as the point of contact for members of the public who request disclosure of public records. Each Public Records Officer shall be responsible for implementation of and compliance with this Chapter and the Public Records Act. Each Public Records Officer shall make his/her name and contact information available to the public in a way reasonably calculated to provide notice to the public, including posting in administrative offices, on the County's web site and, and at the discretion of the Public Records Officer, in selected County publications.

- A. The Clerk of the Board of County Commissioners is the Public Records Officer for the Board of County Commissioners.
- B. Unless otherwise designated by the Board of County Commissioners, the Chair of each county agency, bureau, committee, board and commission shall act as the Public Records Officer.

Requests for contacting the Chair(s) may be made to the Whitman County Commissioners' Office or to the corresponding county department.

- C. Unless otherwise designated, each elected official and department head is the Public Records Officer for the offices and departments of Whitman County.
- D. The Public Records Officer for the superior court judge shall be the Superior Court Administrator.
- E. The Public Records Officer for the district court judges shall be the District Court Administrator.
- F. An alternate Public Records Officer shall be designated by each appointing authority to act when the designated Public Records Officer is absent or otherwise unavailable to act.

5. Public Records Requests --How and Where to Make Them

A request for public records shall be directed to the Public Records Officer for the office or department having custody or control of the requested records. If the location of records is unknown, then the request may be made to the Board of County Commissioners.

In order to avoid confusion, a request for public records should be made in writing and include the following information:

1. The requester's name, mailing address, and telephone number;
2. The date of the request;
3. A clear indication that the document is a "Public Records Request;"
4. Whether the request is to inspect the public records or for copies of public records, or both;
5. A clear description of the public records requested for inspection and/or copying and the office or department having custody of the public records;
6. Whether the request is for printed or digital copies of the public record.

The Public Records Officer may ask that any verbal request be put in writing, but the requestor is not required to do so. The individual responding to the request shall make a record of the request containing the information listed above and retain that record in accordance with state retention laws.

Whitman County maintains a record of all public records requests, verbal and written

The County shall develop and maintain forms to facilitate public record requests.

Requests for inspection or copying of public records maintained by an agency of the State of Washington or another government agency must be made to such agency and will be subject to that agency's rules and regulations, including required forms and fees.

6. Record Requests Shall be Made During Regular Business Hours

Public records shall be inspected at the offices of the elected official or departments having custody or control of the records. Public records shall be available for inspection during the regular office hours excluding legal holidays: provided, that there is no obligation to allow inspection immediately upon demand. A Public Records Officer may request that the person seeking to inspect public records schedule an appointment for inspection.

Consistent with other demands and resources, each County agency may adopt policies and prevent the fulfilling of public records requests from causing excessive interference with the essential functions of said agency.

The public should contact each office to determine office hours available.

7. Public Records Officers Shall Respond to Requests

The Public Records Officer shall, to the extent practicable, assist requesters in identifying the public records sought.

There is no obligation to allow inspection or provide a copy of a public record on demand.

Within five business days after receiving a public record request, the Public Records Officer shall respond to the request in writing. The Public Officer shall make one or more of the following responses:

1. The request for inspection of public records is approved and whether an appointment for inspection needs to be scheduled by the requester;
2. The request for copies of public records is approved and the copies of all requested records are enclosed with the response;
3. The request has been received by the Public Records Officer, that additional time is needed to respond to the request, and stating a reasonable estimate of the time required to respond;
4. The request has been received by the Public Records Officer and the records shall be provided on a partial or installment basis as the records are identified, located, assembled and/or made ready for inspection or copying; or
5. The request is denied, in whole or in part, whether by withholding a requested record or redacting a requested record, stating the specific exemption(s) prohibiting disclosure and a brief explanation of how the exemption applies to each withheld and redacted record (See Exemption Log).

The Public Records Officer shall immediately notify the requester if, after responding to a request for public records and approving the request, the Public Records Officer identifies requested public records or information that are exempt from disclosure.

The Public Records Officer shall also notify the requestor if, after responding with the request, he/she becomes aware of additional responsive documents existing at the time of the request.

Additional time to respond to a request may be needed and based upon the County's need to:

1. Clarify the intent of the request;

2. Identify, locate, assemble and/or make the records ready for inspection or disclosure;
3. Notify third persons or agencies affected by the request; or
4. Determine whether any of the records or information requested is exempt from disclosure and whether a denial should be made as to all or part of the request.

If a requester fails to clarify the request within fourteen calendar days after receiving a response from the Public Records Officers seeking clarification, the Public Records Officer need not respond further to the request.

If the Public Records Officer does not respond in writing within five working days after receipt of a request for public records, the requester shall be entitled to request review by either the Public Record Officer's elected official or department head.

If the Public Records Officer provides an estimate of the time required to respond to the request and the requester believes the amount of time stated is not reasonable, then the requester may request that the Public Record Officer's elected official or department head review the estimate of time.

When a request for public records is received that concerns a subject known to involve litigation that is pending, threatened or anticipated, the Public Records Officer shall promptly notify the Prosecuting Attorney of the request.

8. Copying and Delivery Fees May Apply

Whitman County may not charge fees concerning the following circumstances:

1. No fee will be charged for the inspection of a public record.
2. No fee will be charged for locating public records in response to a request.
3. No fee will be charged for searching for public records or preparing an index of exempt documents.

The following fees are allowable for charge to the requestor:

1. A reasonable fee will be charged to reimburse the County for the costs of providing copies. The Public Records Officer may waive the fee on the basis that the expense of processing the payment exceeds the costs of providing the copies.
2. A reasonable fee shall be charged to reimburse the County for the cost of delivering copies of public records to a requester, including the cost of packaging the copies for delivery and the cost of postage or delivery service.
3. Any request for which the response will be more than 100 pages of documents, oversized documents, color photographs or reproductions, tape recordings and computer disks may be sent to a private copying service for copying, in which case the copying fee shall be the actual charge imposed for copying, plus applicable taxes and shipping costs.
4. The Public Records Officer may require that all copying and delivery fees be paid in advance of the release of the copies.
5. Statutory Charges. The fee for searching records, research, and/or providing a copy of a public record may be set by statute. Where the state or federal law sets a fee, that fee will be charged.

Court papers (RCW 3.62.060), duplication of electronic tapes of a court proceeding (RCW 3.62.060); traffic accident reports (RCW 46.52.085); and criminal history information (RCW 10.97.100) are examples.

6. Unless a fee is fixed by another federal, state or county ordinance, a reasonable fee may be imposed for providing records. Such charges shall not exceed the amount necessary to reimburse the County. Fee information may be obtained through the appropriate Public Records Officer(s).
7. The Public Records Officer may require a deposit in an amount not to exceed ten percent of the estimated cost of providing requested public records. If the Public Records Officer responds to a request on a partial or installment basis, the requester shall be charged for each part or installment responding to the request. If a partial or installment response is not paid for, claimed or reviewed by the requester, the Public Records officer is not obligated to fulfill the balance of the request.

9. Records Shall be Protected

Each Public Records Officer shall, to the extent practicable, insure that records requested are not misplaced or misfiled by members of the public during inspections and not removed from the County office. Original public records shall not be released to the public, except in the use of a professional copier.

No person shall knowingly alter, disorganize, deface or destroy public records of the agency.

The Public Records Officer is authorized to promulgate policies to ensure, to the extent practicable, that requested records are not removed from the premises nor portions thereof removed by members of the public.

If a public record request is made at a time when a record exists, but the record is scheduled for destruction in the near future, the Public Records Officer shall direct that the record be retained until the request is resolved.

10. Providing Backup and Security Copies is Not Required

In order to prevent excessive interference with essential functions of the County, the County shall not search backup or security systems for copies of public records when the originals of such records have been identified, located and are available for inspection and/or copying.

11. Denials of Records are Subject to Appeal

Any person who objects to the denial of a request for a public record may petition in writing the elected official or department head of the agency delivering the information. The elected official or department head shall respond within two business days of receipt of the petition.

A requester's administrative remedies shall not be deemed exhausted until the appropriate elected official has made a written decision.

The County shall be deemed to have made a final decision denying a request for public records only after a review conducted under this section has been completed.

12. Records May be Provided in an Electronic Format

The County produces and maintains data in various electronic machine-readable formats to maximize efficiency in fulfilling its basic public service functions. These electronic records relate to the operation and conduct of County government and typically include such things as financial data, property records, property assessment records, filed documents, maps, etc.

Electronic records are public records subject to disclosure under the Public Records Act and this Chapter, unless exempt from disclosure under state or federal law or the request is for proprietary data which the County has obtained under a licensing agreement that does not permit disclosure to third parties.

At the option of the Public Records Officer, electronic records may be printed and provided in paper format. The electronic record may also be provided in the digital format in which the record is maintained by the County. The County does not have the obligation to convert an electronic record to a digital format that is different than the format maintained by the County.

Fees for providing electronic records in electronic form shall be based on the actual cost of the media used to provide the records. Overhead for information system acquisition and maintenance shall not be included in such fees.

13. A Request Form and Copies of this Policy Are Available

Copies of this Chapter and public records request forms shall be available to and provided to the public, without cost, at each County office. Electronic copies shall be made available to the public on the County's website.

14. Denials of Exempted Records May Occur

Each County agency has the right to determine that a public record requested in accordance with the procedures outlined in this policy is exempt under the provisions of the Washington Public Records Act or other law (See Appendix A).

Each County agency reserves the right to delete identifying details when it makes available or publishes any public record, in any cases when there is a reason to believe that disclosure or such details would be an invasion of personal privacy protected by the Washington Public Records Act or other law.

Public Records Officers should read the exemptions for public records and consult the lists of provisions that exempt or prohibit disclosure of documents or information on public records on a regular basis. Listed below are some of the subjects of exemptions which may present concerns regarding disclosure. This list is not exhaustive and shall not be construed to mean all the items are automatically exempt from disclosure. Any denial of a request for public records should refer directly to the reference under

state or federal laws. If a request concerns any of the following topics, the Public Records Officer should closely examine the request and the applicable statutes which may prohibit or restrict access and consult with the Prosecuting Attorney prior to responding to a public records request:

- Job application materials;
- Residential addresses and personal phone numbers of employees and volunteers;
- Personnel files of current and retired employees and volunteers, whether or not such files include disciplinary action;
- Private communications of current and former employees;
- Taxpayer information that is private, such as income information;
- Investigative records compiled by law enforcement, probation officers and code enforcement officers;
- Identity of witnesses to crimes or persons who file complaints with investigation and law enforcement agencies, including the sheriff, prosecuting attorney and code enforcement officers;
- Test questions, scoring keys or information for employment examinations;
- Real estate appraisals made for an agency relative to the acquisition or sale of property;
- Valuable designs, formulae, drawings and research data;
- Preliminary drafts, notes, recommendations in which opinions are expressed as part of the deliberative process;
- Attorney work product pertaining to pending, threatened or completed litigation;
- Records, maps or other information identifying the location of archeological sites;
- Complaints and investigative records compiled in connection with claims of discrimination in employment;
- Credit card numbers;
- Records prepared to prevent, mitigate or respond to criminal terrorist acts;
- Information regarding the infrastructure and security of computer and telecommunication networks;
- Medical records and information;
- Information pertaining to victims of crime;
- Information regarding organized crime;
- Traffic accident reports prepared by citizens;
- Industrial insurance claim files and records; and
- Identity of child victims of sexual assault.

15 Whitman County Maintains an Exemption From Record Indexing

The Board of County Commissioners finds that Whitman County government is comprised of many branches, boards, departments, divisions, subdivisions, agencies, offices, commissions and many other County entities that maintain separate and distinct recordkeeping systems. The records are voluminous, diverse, complex, and are stored in incompatible databases. Indexing of these records would be overwhelmingly costly to the Whitman County taxpayers, while substantially interfering with effective and timely County office operations. As a result, it would be unduly burdensome, if not physically impossible to develop an index of those records identified in RCW 42.56.070(3) or as the statute may be amended in the future.

No Whitman County agency is required to maintain an index of public records conforming to the requirements of RCW 42.56.070(3) or as the statute may be amended in the future.

Any index maintained by a County agency shall be made available for public inspection and copying unless exempt from disclosure or made confidential by law.

Appendix A

Exemption and Prohibition Statutes Not Listed in Chapter 42.56 RCW

Washington State Statutes

Citation Records

RCW 1.08.027	Code reviser drafting services
RCW 2.64.111	Documents regarding discipline/retirement of judges
RCW 2.64.113	Confidentiality - violations
RCW 4.24.550	Information on sex offenders to public
RCW 4.24.601	Trade secrets and confidential research, development or commercial information
RCW 4.24.611	Trade secrets, confidential research, development or commercial info. concerning products or business methods
RCW 4.92.210	Information in centralized risk management claim tracking system
RCW 5.60.060	Privileged communications
RCW 5.60.070	Court-ordered mediation records
RCW 7.07.070	Mediation communications
RCW 7.68.140	Victims' compensation claims
RCW 7.69A.030(4)	Child victims and witnesses – protection of identity
RCW 7.69A.050	Rights of child victims and witnesses – addresses
RCW 7.75.050	Records of Dispute Resolution Centers
RCW 7.88.020 & .30	Financial institution compliance review documents
RCW 9.51.050	Disclosing transaction of grand jury
RCW 9.51.060	Disclosure of grand jury deposition
RCW 9.02.100	Reproductive privacy
RCW 9A.82.170	Financial institution records – wrongful disclosure
RCW 9.73.230	Name of confidential informants in written report on wire tapping
RCW 9.94A.610(1)(b)	Names of witnesses notified when drug offenders released
RCW 9.94A.612(1)	Names of victims, next of kin, or witnesses who are notified when prisoner escapes on parole, or released
RCW 9.94A.745	Records of the interstate Commission for Adult Offender Supervision that would adversely affect personal privacy rights or proprietary interests
RCW 9.94A.885	Info. Regarding victims, survivors of victims or witnesses that are sent clemency hearing notices may not be released to offender
RCW 9.98.260	Info. Regarding victims, survivors of victims or witnesses that are sent pardon hearing notices may not be released to offender
RCW 10.27.090	Grand jury testimony/evidence
RCW 10.27.160	Grand jury reports – release to public only by judicial order
RCW 10.29.030	Organized crime special inquiry judge
RCW 10.29.090	Records of special inquiry judge proceedings
RCW 10.52.100	Records identifying child victim of sexual assault
RCW 10.77.210	Records of persons committed for criminal insanity

- RCW 10.97 RCW Privacy of criminal records, including criminal history info. on arrests, detention, indictment, or other formal criminal charges made after 12/31/77 unless dispositions are included
- RCW 10.101.020 Information given by persons to determine eligibility for indigent defense
- RCW 11.110.075 Instrument creating a charitable trust, possibly only if the instrument creates a trust for both charitable and non-charitable purposes
- RCW 13.04.155 Information on juvenile conviction by adult criminal court given to school principle
- RCW 13.24.011 Records of the Interstate Compact for Juveniles that would adversely affect personal privacy rights or proprietary interests
- RCW 13.32A.090 Crisis residential centers notice to parent about child
- RCW 13.34.115 Court dependency proceedings
- RCW 13.40.150 Sources of confidential information in dispositional hearings on juvenile offenses
- RCW 13.40.215 Info. about victims, next of kin, or witnesses requesting notice of release of juvenile convicted of violent sex offense or stalking
- RCW 13.40.217 Juveniles adjudicated of sex offenses – release of information
- RCW 13.50.010 Maintenance of and access to juvenile records
- RCW 13.50.050 Juvenile offenders
- RCW 13.50.100 Juvenile/children records not relating to offenses
- RCW 13.60.020 Missing children information
- RCW 13.70.090 Citizen juvenile review board – confidentiality
- RCW 15.19.080 Info. on purchases, sales or production of ginseng by individual growers of dealers
- RCW 15.86.110 Business records the Dept. of Agriculture obtains regarding organic food products
- RCW 15.54.362 Info. Regarding business operations contained in reports on commercial fertilizer
- RCW 15.58.060(1) (c) Business info. of a proprietary nature regarding pesticide formulas
- RCW 15.58.065(2) Privileged or confidential commercial or financial information, trade secrets re. pesticides
- RCW 15.65.510 Information on agricultural marketing agreements
- RCW 15.86.110 Business records obtained by Dept. of Agriculture regarding organic food products
- RCW 17.24.061(2) Trade secrets or commercial or financial info. obtained by Dept. of Agriculture re. insect pests, noxious weeds, or organisms affecting plant life
- RCW 18.04.405 Confidentiality of information gained by CPA
- RCW 18.19.060 Notification to clients by counselors
- RCW 18.19.180 Confidential communications with counselors
- RCW 18.20.120 Identity of individual or name of boarding homes from boarding home licensing records
- RCW 18.20.390 Information and documents created, collected and maintained by a quality assurance committee
- RCW 18.39.510(1) Complaints against embalmers and funeral directors
- RCW 18.46.090 Information on maternity homes received by Dept of health identifying individuals or maternity homes
- RCW 18.53.200 Information and records of optometrists
- RCW 18.64.420 Records obtained by Dept. of health regarding various insurance companies
- RCW 18.71.0195 Contents of physician disciplinary report
- RCW 18.71.340 Entry records under impaired physician program
- RCW 18.83.110 Communications between client and psychologist-could apply to records
- RCW 18.130.095(1)(a) Complaints filed under uniform disciplinary act or health professionals
- RCW 18.130.172(1) Summary and stipulations in complaints against health care professionals
- RCW 18.130.175(4) Voluntary substance abuse records on health care professionals

RCW 19.16.245 Collection agency financial statements
RCW 19.28.515 Information obtained from electrical contractor by Dept. of Licenses
RCW 19.34.240(3) Private digital signature keys
RCW 19.108.020 Equitable remedies to preserve secrecy of trade secrets
RCW 19.215.020 Destruction of personal health and financial information
RCW 19.215.030 Compliance with federal rules
RCW 21.20.480 Security act investigations
RCW 21.20.855 Reports and information from Dept. of Financial Services examinations
RCW 21.30.170 Some information obtained by the Dept. of Financial Institutions
RCW 22.09.040(9) Financial information on warehouses supplied to the Dept. of Agriculture
RCW 22.09.045(7) Financial information on grain dealers supplied to Dept. of Agriculture
RCW 24.03.435 Information in interrogatories of nonprofit corporations by Secretary of State
RCW 24.06.480 Info. in interrogatories of nonprofit misc. and mutual corporations by Secretary of State
RCW 26.04.175 Name and address of domestic violence victim in marriage records
RCW 26.09.015 Divorce mediation proceedings-may apply to records of the proceedings
RCW 26.12.170 Reports of child abuse/neglect with courts
RCW 26.12.180 Superior Court may order family court files closed to protect privacy
RCW 26.23.050 Child support orders
RCW 26.23.120 Child support records
RCW 26.23.150 Social security numbers collected by licensing agencies not to be disclosed
RCW 26.26.041 Uniform Parentage Act – protection of participants
RCW 26.26.450 Confidentiality of genetic testing
RCW 26.33.330 Sealed court adoption records
RCW 26.33.340 Agency adoption records
RCW 26.33.343 Access to adoption records by confidential intermediary
RCW 26.33.345 Release of name of court for adoption or relinquishment
RCW 26.33.380 Adoption – identity of birth parents confidential
RCW 26.44.010 Privacy of reports on child abuse and neglect
RCW 26.44.020(19) Unfounded allegations of child abuse or neglect
RCW 26.44.030 Reports of child abuse/neglect
RCW 26.44.125 Right to review and amend abuse finding – confidentiality
RCW 27.53.070 Records identifying the location of archaeological sites
RCW 28B.85.020(2) Financial disclosures provided to HEC Board by private vocational schools
RCW 28C.10.050(1)(a) Financial disclosures by private vocational schools
RCW 28C.18.020 List of nominees for director of Work Force Training & Education Board
RCW 29A.08.720 Voter registration records – place of registration confidential
RCW 29A.08.710 Voter registration records – certain information exempt
RCW 30.04.075(1) Information obtained from bank examinations
RCW 30.04.230(4)(a) Information regarding investigations of out-of-state banks
RCW 30.04.410(3) Findings related to disapprovals of bank acquisitions
RCW 31.12.565(1) Examinations and reports on credit unions
RCW 31.35.070 Reports on examinations of agricultural lenders
RCW 31.45.030(3) Addresses and phone numbers and trade secrets of applicants of check cashers or sellers
RCW 31.45.090 Trade secrets supplied by licensed check cashers and sellers as part of the annual report to Director of Financial Institutions
RCW 31.45.077(2) Addresses and phone numbers and trade secrets of applicants of small loan endorsements

- RCW 32.04.220(1) Information from examinations of mutual savings banks
- RCW 32.32.228(3) Findings disapproving conversion from mutual savings bank to capital stock savings bank
- RCW 32.32.275 Info. applicants deem confidential relating to conversion of mutual savings bank to capital stock savings bank
- RCW 33.04.110(1) Information from examinations of savings and loan associations
- RCW 33.24.360(1)(d) Name of lender financing an acquisition of a savings and loan, if requested by applicant
- RCW 36.102.200 Financial info on master tenant, concessioners, team affiliate, or sublease of a public stadium authority's facilities
- RCW 39.10.100(2) Trade secrets & proprietary information from contractors under alternative public works
- Chapter 40.14 RCW Preservation and destruction of public records
- RCW 40.24.070 Names of persons in domestic violence or sexual assault programs; and records in address confidentiality program
- RCW 41.04.364 Individually identifiable information in state employee wellness program
- RCW 41.06.160 Salary and fringe benefit info identifying private employer from DOP salary survey
- RCW 42.23.070(4) Municipal officer disclosure of confidential information prohibited
- RCW 42.41.030(7) Identity of local government whistleblower
- RCW 42.41.045 Non-disclosure of protected information (whistleblower)
- RCW 42.48.020&.040 Personally identifiable public records used in scientific research
- RCW 42.56.420 Security Related Information
- RCW 43.06A.050 Investigative records of Office of Family and Children's ombudsman
- RCW 43.07.100 Info from businesses deemed confidential held by Bureau of Statistics in Sec. of State
- RCW 43.21A.160 Information on unique production processes given to the DOE
- RCW 43.21F.060(1) Proprietary information received by the State Energy Office
- RCW 43.22.290 Employer labor statistics reports provided to the Department of Labor and Industries
- RCW 43.23.270 Financial and commercial info. obtained by Dept. of Agriculture for export market development projects
- RCW 43.33A.025 State Investment Board criminal history record check
- RCW 43.41.100 Confidential reports made to the governor by director of OFM
- RCW 43.41.350 Risk management loss history information
- RCW 43.43.710 WSP information in records relating to the commission of any crime by an person
- RCW 43.43.856 WSP organized crime investigation information
- RCW 43.52.612 Financial info provided to operating agencies in bid forms and experience provided by a contractor to a joint operating agency regarding bids on constructing a nuclear project
- RCW 43.70.050(2) Health care related data identifying patients or providers obtained by state agencies
- RCW 43.70.052 American Indian health data
- RCW 43.70.075 Identity of whistleblower who makes a complaint to the Dept. of Health re: improper care
- RCW 43.70.510 Information and documents created, collected and maintained by a quality assurance committee
- RCW 43.190.110 Compliant and investigation records of long term care ombudsman
- RCW 46.12.380(1) Names and addresses of motor vehicle owners except for "business" & other purposes
- RCW 46.20.041 Info on physically or mentally disabled person demonstrating ability to drive
- RCW 46.20.118 Photos on drivers' licenses & identicards
- RCW 46.52.065 Blood samples analyses done by state toxicology
- RCW 46.52.080 Traffic accident reports – confidentiality
- RCW 46.52.083 Traffic accident reports – available to interested parties

RCW 46.52.120 Traffic crimes and infractions – confidential use by police and courts
RCW 46.52.130(2) Abstract of driving record
RCW 46.70.042 Application for vehicle dealer licenses, for three years
RCW 47.28.075 Info supplied to DOT to qualify contractors for highway construction
RCW 47.28.760 Info supplied to DOT to quality contractors for ferry construction
RCW 48.02.120 Insurance company actuarial formulas, statistics & assumptions held by Insurance Commissioner
RCW 48.03.050 &.040(6)(a) Examinations & investigations by state Insurance Commissioner
RCW 48.05.465 Insurance risk base capital reports & plans
RCW 48.20.530 Proof of nonresident pharmacy licensure used by insurance companies to provide drugs to residents
RCW 48.21.330 Proof of nonresident pharmacy licensure used by insurance companies to provide drugs to residents
RCW 48.44.470 Proof of nonresident pharmacy licensure used by insurance companies to provide drugs to residents
RCW 48.46.540 Proof of nonresident pharmacy licensure used by insurance companies to provide drugs to residents
RCW 48.30A.060 Insurance company antifraud plans submitted to Insurance Commissioner
RCW 48.31B.015(2)(b) Source or consideration for loan associated w/acquiring an insurance company
RCW 48.43.335(1) Insurance risk base capital reports & plans
RCW 48.62.101 Local government insurance transactions – access to information
RCW 48.74.025(4) Memo in support of life insurance co. reserves
RCW 48.94.010 Summary of Insurance Commissioner’s refusal to issue reinsurance intermediary license
RCW 48.102.030 Insurance vehicle settlement broker records
RCW 48.110.040 Financial reports files with the Insurance Commissioner
RCW 48.130.070 Records of the Interstate Insurance Product Regulation compact involving privacy of individuals and insurers trade secrets
RCW 49.17.0180(1) Name of employee of company seeking Industrial Safety & Health Act
RCW 49.17.200 Trade secrets reported to L&I under Wash. Industrial Safety & Health Act
RCW 49.17.210 Identification of employer of employee in L&I studies
RCW 49.17.250(3) Info obtained by L&I from employer-requested consultation re. Industrial Safety & Health Act
RCW 49.17.260 L&I investigative reports on industrial catastrophes
RCW 49.60.240 Option of Human Rights Commission complaints not to be made public
RCW 49.70.119(6)(a) Name of employee seeking records of agricultural pesticide applications
RCW 50.13.015 Most info supplied to Employment Security Dept
RCW 50.13.015.020 Most info supplied to Employment Security Dept
RCW 50.13.040 Most info supplied to Employment Security Dept
RCW 50.13.050 Most info supplied to Employment Security Dept
RCW 50.13.060 Access to employment security records by local government Agencies
RCW 50.13.100 Disclosure of non-identifiable information or with consent
RCW 51.16.070(2) Info in employer’s records obtained by L&I under Industrial Insurance
RCW 51.28.070 Worker’s compensation records
RCW 51.36.060 Physician information on injured workers
RCW 51.36.110(1) Info in audits of health care providers under Industrial Insurance
RCW 51.36.120 Financial or valuable trade info from health care providers

RCW 53.31.050 Financial & Commercial info & records supplied to port district export trading company
RCW 60.70.040 No duty to disclose record of common law lien
RCW 63.29.380 Info relating to unclaimed property that is furnished to the Dept of Revenue
RCW 66.16.090 Records of purchases by individuals from state liquor stores
RCW 68.50.105 Autopsy reports
RCW 68.50.320 Dental identification records – available to law enforcement agencies
RCW 69.41.044 Pharmaceutical manufacturer info obtained by the Board of Pharmacy
RCW 69.41.280 Info on legend drugs obtained by the Board of Pharmacy
RCW 69.45.090 Records and information supplied by drug manufacturers to the Board of Pharmacy
RCW 69.51.050 Names of persons participating in controlled substances therapeutic research programs
Chapter 70.02 RCW Medical records – access and disclosure – entire chapter (HC providers)
RCW 70.05.170 Child mortality reviews by local health departments
RCW 70.24.022 Public health agency information regarding sexually transmitted disease investigations - confidential
RCW 70.24.024 Transcripts and records of hearings regarding sexually transmitted diseases
RCW 70.24.034 Records on hearings on dangerous sexual behavior of sexually transmitted disease carriers
RCW 70.24.105 HIV/STD records
RCW 70.28.020 Local health department TB records – confidential
RCW 70.41.150 Dept of Health info on inspections of hospitals
RCW 70.41.220 Records restricting practitioner’s privileges in possession of medical disciplinary board
RCW 70.42.210 Identity of person from whom specimens of material were taken at a medical test site
RCW 70.47.150 Records of medical treatment
RCW 70.54.250 Cancer registry program
RCW 70.48.100 Jail records and booking photos
RCW 70.58.055 Birth certificates – certain information confidential
RCW 70.58.104 Vital records, research confidentiality safeguards
RCW 70.77.455 Fireworks license records
RCW 70.94.205 Washington Clean Air Act – confidentiality of data
RCW 70.95.280 Proprietary info on solid waste management practices in possession of DOE
RCW 70.95C.040(4) Proprietary info re. waste reduction in possession of DOE
RCW 70.95C.220(2) Waste reduction plans
RCW 70.95C.240(1) Some info in executive summaries of waste reduction efforts
RCW 70.96A.150 Alcohol and drug abuse treatment programs
RCW 70.104.055 Reports on pesticide poisoning
RCW 70.105.170 Manufacturing or business info re. Hazardous waste management in possession of DOE
RCW 70.118.070 Trade secret info re. on-site sewage disposal in possession of DOE
RCW 70.123.075 Client records of domestic violence programs
RCW 70.124.100 Name of whistleblower in nursing home or state hospital
RCW 70.125.065 Records of rape crisis centers in discovery
RCW 70.127.190 Hospice records
RCW 70.129.050 Personal and clinical records of long-term care residents
RCW 70.148.060(1) Examination & proprietary records obtained when soliciting bids for cleanup of underground storage tanks
RCW 70.149.090 Certain info re. hearing oil tanks
RCW 70.168.070 Limitations on disclosure of reports made on site review of trauma care services

RCW 70.168.090	Patient records & quality assurance records associated with trauma care facilities
RCW 70.170.090	Charity care information in hospitals
RCW 71.05.390	Information about mental health consumers
RCW 71.05.395	Ch. 70.02 RCW applies to mental health records
RCW 71.05.400	Information to next of kin or representative
RCW 71.05.425	Notice of release or transfer of committed person after offense dismissal
RCW 71.05.427	Information that can be released
RCW 71.05.430	Statistical data
RCW 71.05.440	Penalties for unauthorized release of information
RCW 71.05.445	Release of mental health information to Dept. of Corrections
RCW 71.05.620	Authorization requirements and access to court records
RCW 71.05.630	Release of mental health treatment records
RCW 71.05.640	Access to treatment records
RCW 71.05.650	Accounting of disclosures
RCW 71.09.140(2)	Names of victims, next of kin, or witnesses who are notified when sexually violent predator escapes, on parole or released
RCW 71.24.035(5)(g)	Mental health information system – state, county and regional Support networks – confidentiality of client records
RCW 71.34.200	Mental health treatment of minors – records confidential
RCW 71.34.210	Court records for minors related to mental health treatment
RCW 71.34.225	Release of mental health services information
RCW 71.34.340	Records on mental treatment of minors
RCW 71.34.335	Records on mental treatment of minors
RCW 71.34.350	Records on mental treatment of minors
RCW 71A.14.070	Records regarding developmental disability – confidentiality
RCW 72.09.345	Notice to public about sex offenders
RCW 72.09.585(3)	Disclosure of inmate records to local agencies – confidentiality
RCW 74.04.060	Applicants and recipients of public assistance
RCW 74.04.062	Public assistance records
RCW 74.04.520	Food stamp program confidentiality
RCW 74.09.290(1)	Medical records of persons in public assistance
RCW 74.09.900	Medical assistance
RCW 74.13.121	Financial information of adoptive parents
RCW 74.13.280	Children in out-of-home placements – confidentiality
RCW 74.13.133	Adoption support records
RCW 74.20.160	Public assistance records
RCW 74.20.280	Child support enforcement – local agency cooperation, information
RCW 74.20A.360	Certain records in division of child support
RCW 74.20A.370	Certain records in division of child support
RCW 74.34.040	Identity of person making report on abuse of vulnerable adult
RCW 74.34.090	Identity of persons in records of abused vulnerable adults
RCW 74.34.095	Abuse of vulnerable adults - confidentiality of investigations and reports
RCW 74.34.180(1)	Name of whistleblower reporting abuse of vulnerable adults in various facilities
RCW 74.42.080	Records of nursing home residents

RCW 74.42.640 Information and documents created, collected and maintained by a quality assurance committee
RCW 76.09.230 Documents obtained in forest practices appeals board mediation efforts
RCW 78.52.260 Well logs on oil capable of being produced from a "wildcat" well
RCW 79.76.230 Geothermal records filed with Dept. of Natural Resources (DNR)
RCW 79A.25.150 Names of candidates for director of interagency committee for outdoor recreation
RCW 79A.60.210&.220 Certain boating accident reports provided to the Parks & Recreation Commission
RCW 80.04.095 Utility records filed with UTC containing valuable commercial information
RCW 82.32.330 Disclosure of tax information
RCW 84.08.210 Tax info obtained by Dept of Revenue if highly offensive to a reasonable person and not a legitimate concern to public or would result in unfair competitive disadvantage
RCW 84.36.389 Confidential income data in property tax records held by assessor
RCW 84.40.020 Confidential income data supplied to assessor regarding real property
RCW 84.40.340 UTC records containing commercial info a court determines confidential

Selected Federal Confidentiality Statutes and Rules

Citation Records

18 USC § 2721-2725 Driver and License Plate Information
20 USC § 1232g Family Education Rights and Privacy Act
42 USC 290dd-2 Confidentiality of Substance Abuse Records
42 USC 405(c)(2)(vii)(I) Limits on Use and Disclosure of Social Security Numbers.
42 USC 654(26) State Plans for Child Support
42 USC 671(a)(8) State Plans for Foster Care and Adoption Assistance
42 USC 1396a(7) State Plans for Medical Assistance
7 CFR 272.1(c) Food Stamp Applicants and Recipients
34 CFR 361.38 State Vocational Rehabilitation Services Programs
42 CFR Part 2 (2.1 - 2.67) Confidentiality of Alcohol and Drug Abuse Patient Records
42 CFR 431.300 – 307 Safeguarding Information on Applicants and Recipients of Medical Assistance
42 CFR 483.420 Client Protections for Intermediate Care Facilities for the Mentally Retarded
42 CFR 5106a(b)(2)(A) Grants to States for Child Abuse and Neglect Prevention and Treatment Programs
45 CFR 160-164 HIPAA Privacy Rule