

WAC 437-06-090 Exemptions to public records disclosure. The commission reserves the right to determine if a public record requested in accordance with the procedures outlined herein is exempt or nondisclosable under RCW 42.56.040 through 42.56.550. Nondisclosable records include, but are not limited to:

(1) All exemptions as set forth in chapter 42.56 RCW.

(2) Records which are relevant to a controversy to which the commission is a party but which records would not be available to another party under the rules of a pretrial discovery for causes pending in the superior courts, including records involving attorney-client communications between the commission and the office of the attorney general privileged under RCW 5.60.060(2).

(3) Nonconviction data, as defined in RCW 10.97.030(2), shall be disclosed to the subject of the record in person in the central office of the commission, but may not be copied except for the purpose of challenge or correction when the person who is the subject of the record asserts the belief in writing that the information regarding such person is inaccurate or incomplete (RCW 10.97.080). Persons who are incarcerated, or their attorneys, shall receive a copy of nonconviction data upon asserting the belief in writing that the information regarding such person is inaccurate or incomplete.

[Statutory Authority: RCW 9.94A.850 and chapter 34.05 RCW. WSR 09-21-107, § 437-06-090, filed 10/21/09, effective 11/21/09. Statutory Authority: Chapter 9.94A RCW. WSR 84-23-048 (Order 84-01), § 437-06-090, filed 11/19/84.]