

WAC 220-120-080 Review of denials of public records requests.

(1) Petition for internal administrative review of denial of access.

Any person who objects to the initial denial or partial denial of a records request may petition in writing (including email) to the public records officer for a review of that decision. The petition must include a copy of the written statement by the public records officer denying the request.

(2) Consideration of petition for review. The public records officer will promptly provide the petition and any other relevant information to the director of the department. The director or designee will immediately consider the petition and either affirm or reverse the denial within two business days following the department's receipt of the petition, or will notify the requestor that more time is required to consider the petition.

(3) Review by the attorney general's office. Pursuant to RCW 42.56.530, if the department denies a requestor access to public records because it claims the record is exempt, in whole or in part, from disclosure, the requestor may request the attorney general's office to review the matter. The attorney general has adopted rules for such requests in WAC 44-06-160.

(4) Judicial review. Any person may obtain court review of denials of public records requests pursuant to RCW 42.56.550 at the conclusion of two business days after the initial denial, regardless of any internal administrative appeal.

[Statutory Authority: RCW 77.04.090 and 77.04.130. WSR 18-07-080, § 220-120-080, filed 3/19/18, effective 4/19/18. Statutory Authority: RCW 77.04.012, 77.04.013, 77.04.020, 77.04.055, and 77.12.047. WSR 17-05-112 (Order 17-04), recodified as § 220-120-080, filed 2/15/17, effective 3/18/17. Statutory Authority: Chapter 42.56 RCW, RCW 42.56.040, 77.04.013, and 77.12.047. WSR 12-15-001 (Order 12-139), § 220-80-110, filed 7/6/12, effective 8/6/12; Order 1104, § 220-80-110, filed 11/26/73.]