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**State Government & Tribal Relations  
Committee**

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**HB 1934**

**Brief Description:** Concerning the disclosure of information pertaining to complainants, accusers, and witnesses in an employment investigation.

**Sponsors:** Representatives Chase, Doglio and Schmidt.

**Brief Summary of Bill**

- Modifies an existing Public Records Act exemption to prohibit an employing agency from disclosing records compiled in connection with investigations of unfair practices or other possible violations involving discrimination or harassment in employment unless the agency also redacts the images, employee agency job titles, email addresses, and phone numbers of complainants, accusers, and witnesses, and ensures that their voices on any audio recording taken during the course of the investigation is altered while retaining inflection and tone.

**Hearing Date:** 2/18/25

**Staff:** Desiree Omli (786-7105).

**Background:**

The Public Records Act (PRA) requires state and local agencies to make all public records available for public inspection and copying unless a record falls within an exemption under the PRA or another statute that exempts or prohibits disclosure of specific information or records. Exemptions under the PRA are permissive, meaning that an agency, although not required to disclose, has the discretion to provide an exempt record. The exemptions under the PRA are inapplicable to the extent that information, the disclosure of which would violate personal

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privacy or vital governmental interests, can be redacted from the specific records sought. The PRA is liberally construed, and its exemptions are narrowly construed.

Investigative records compiled by an employing agency in connection with pending investigations of unfair practices under the Washington Law Against Discrimination (WLAD) or other possible violations involving discrimination or harassment in employment are exempt. After the outcome of the investigation, the employing agency may disclose the records after the names of complainants, accusers, and witnesses are redacted, unless there is consent to disclosure.

**Summary of Bill:**

The disclosure exemption for records relating to investigations of unfair practices under the WLAD or other possible violations involving discrimination or harassment in employment is modified to expand the redaction requirement placed on the employing agency that compiled the records. Prior to disclosing any records after an investigation is concluded, the employing agency must also redact the images, employee agency job titles, email addresses, and phone numbers of complainants, accusers, and witnesses. In addition, the employing agency must ensure that their voices on any audio recording taken during the course of the investigation is altered while retaining inflection and tone. The additional redaction requirements do not need to be met if there is consent to disclosure.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.