

WAC 82-48-090 Processing of public records requests—General.

(1) Making a request for public records.

(a) Any person wishing to inspect or copy public records of OFM should make the request by email to publicdisclosure@ofm.wa.gov, or in writing on OFM's request form, available at <http://ofm.wa.gov/publicrecords/default.asp>, or by letter or fax addressed to the public records officer and including the following information:

- Name of requestor;
- Address of requestor;
- Other contact information, including email address and telephone number;
- The date of the request; and
- Identification of the public records. Records must be sufficiently described so that OFM may identify the record. A request for all or substantially all the agency's records is not a request for an identifiable record.

(b) The public records officer may accept requests for public records that contain the above information by telephone or in person. If the public records officer accepts such a request, he or she will confirm receipt of the information and the substance of the request in writing to the requestor.

(2) Acknowledging receipt of request. Within five business days after the day the request is received, the public records officer will do one or more of the following:

- (a) Provide the requested record or a link to the record online;
- (b) Provide a reasonable estimate of when records will be available;
- (c) If the request is unclear or does not sufficiently identify the requested records, request clarification from the requestor; or
- (d) Deny the request.

(3) Notification of other affected parties. In the event that the requested records name or specifically pertain to a person, or contain information that may affect the rights of others, the public records officer may, prior to providing the records, give notice to such others who are named, to whom the records pertain, or whose rights may be affected by the disclosure. The purpose of such notice is both to make persons named in a record aware that such information is being released and to make it possible for those persons, should they choose to do so, to seek an order from a court to prevent or limit the disclosure. The notice to the affected persons will include a copy of the request.

(4) Records exempt from disclosure. By law, some records are exempt or prohibited from disclosure, in whole or in part. If OFM determines that a record or part of a record is exempt or prohibited from disclosure and should be withheld, the public records officer will deny the request as to that record or portion of the record, and will identify the withheld record in general terms, state the specific exemption authorizing the withholding of the record or portion of the record, and provide a brief explanation of how the exemption applies to the record or portion of the record being withheld.

(5) Providing copies of records. Public records requested will be made available as promptly as is possible without excessive interference with the other essential functions of the agency, and in accordance with the requirement that agencies protect the requested records from damage or disorganization.

(6) Providing records in installments. When the request is for a large number of records, or if the records require substantial legal review to determine whether any exemptions apply, the public records officer may provide copies of the records in installments.

(7) Completion of request. When all requested copies of records are provided, the public records officer will indicate in writing that OFM has fulfilled its duties under the Public Records Act, and that the request is closed.

(8) Closing withdrawn or abandoned request. When the requestor withdraws the request or fails within thirty days to claim or review records or to pay the deposit or final payment for the requested copies, the public records officer will close the request and indicate to the requestor that OFM has closed the request.

(9) Later discovered documents. If, after OFM has informed the requestor that it has provided all available records, it becomes aware of additional responsive documents existing at the time of the request, it will promptly inform the requestor of the additional documents and provide them, at no charge, on an expedited basis.

[Statutory Authority: RCW 42.56.040, 42.56.070, 42.56.100, 42.56.120, 42.56.520 and 2017 c 304. WSR 18-09-018, § 82-48-090, filed 4/10/18, effective 5/11/18. Statutory Authority: RCW 42.17.260. WSR 05-01-004, § 82-48-090, filed 12/1/04, effective 1/2/05; Order 34, § 82-48-090, filed 9/16/76.]