

**CITY OF MUKILTEO
MUKILTEO, WASHINGTON**

ORDINANCE NO. 1410

**AN ORDINANCE OF THE CITY OF MUKILTEO, WASHINGTON,
RELATING TO PUBLIC RECORDS; AMENDING CHAPTER 2.84 OF
THE MUKILTEO MUNICIPAL CODE TO REFLECT RECENT
LEGISLATIVE CHANGES TO THE PUBLIC RECORDS ACT,
CHAPTER 42.56 RCW; PROVIDING FOR SEVERABILITY; AND
ESTABLISHING AN EFFECTIVE DATE.**

WHEREAS, the Washington State Legislature passed two bills (HB 1594 and HB 1595) in the 2017 regular session amending certain provisions the Public Records Act, Chapter 42.56 RCW, effective on July 23, 2017; and

WHEREAS, the City of Mukilteo desires to update the Mukilteo Municipal Code to comply with the recent amendments to the Public Records Act;

**NOW THEREFORE, THE CITY COUNCIL OF THE CITY OF MUKILTEO,
WASHINGTON DO ORDAIN AS FOLLOWS:**

Section 1. **MMC 2.84.020 Amended.** Section 2.84.020 of the Mukilteo Municipal Code is hereby amended as follows:

2.84.020 Response or denial of request.

A. Responses to requests for public records will be made promptly and pursuant to guidelines established in Chapter 42.56 RCW. Within five business days of receiving a written public records request, the city must respond by either:

1. Providing the record; or
2. Providing an Internet address and link on the city's website to the specific records requested, except that if the requester notifies the city that he or she cannot access the records through the Internet, then the city will provide access to copies or allow the requester to view the records using a city computer; or
3. Acknowledging that the city has received the request and providing a reasonable estimate of the time the city will require to respond to the request; or
4. Acknowledging the request and asking for clarification for a request that is unclear, and providing, to the greatest extent possible, a reasonable estimate of the time the city will require to respond to the request; or

5. Denying the public records request. Denials must be accompanied by a written statement of specific reasons for denial.

B. Public records may be made available on a partial or installment basis as records that are part of a larger set of requested records are assembled or made ready for public inspection or disclosure.

C. Additional time required to respond to a request may be based on the need to clarify the intent of the request, to locate and assemble the information requested, to notify third persons or agencies affected by the request, or to determine whether any of the information requested is exempt and that a denial should be made as to all or part of the request.

D. No request for identifiable public records shall be denied solely on the basis that the request is overbroad, but the city may deny a request that seeks all or substantially all records prepared, owned, used, or retained by an agency as an invalid request that does not seek identifiable records.

E. The city may ask the requestor to clarify what information the requester is seeking. If the city asks a requestor to clarify a request and the requester fails to clarify the request, the city need not only respond to the parts of the request that are clear.

Section 2. MMC 2.84.030 Amended. Section 2.84.030 of the Mukilteo Municipal Code is hereby amended as follows:

2.84.030 Certain personal and other records exempt.

The city adopts by reference the exemptions from public disclosure contained in RCW 42.17.310.42.56.210 *et seq.* ~~or, effective July 1, 2006, in the Public Records Act,~~ including any future amendments thereto or recodification thereof.

Section 3. MMC 2.84.050 Amended. Section 2.84.050 of the Mukilteo Municipal Code is hereby amended as follows:

2.84.050 Fees.

A. No fee shall be charged for the inspection of public records. Any person who requests a copy of any public record from the city clerk shall pay to the city clerk a copying charge. The charge for copying shall be established by resolution of the city council. Nothing herein shall be construed to apply to charges for accident reports pursuant to RCW 46.52.085.

B. The city clerk may require a deposit in an amount not to exceed ten percent of the estimated cost of providing copies for a request. If public records are made available on a partial or installment basis, the applicable fees shall be due and payable for each part of the request as it is provided. If an installment of a records request is not claimed or reviewed, the city shall not be obligated to fulfill the balance of the request.

C. The city may waive charges pursuant to the model rules and procedures referenced in MMC 2.84.060. The city may enter into a contract, memorandum of understanding, or other agreement with a requestor that provides an alternative fee arrangement.

Section 4. MMC 2.84.060 Amended. Section 2.84.060 of the Mukilteo Municipal Code is hereby amended as follows:

2.84.060 Model rules and administrative procedures.

The city may, in its discretion, follow the Public Records Act Model Rules promulgated under Chapter 44-14 WAC on file at the city clerk's office. Upon recommendation of the city clerk, the ~~city administrator~~ management services director may issue additional administrative procedures for the implementation of this chapter.

Section 5. Previous Versions Superseded. Any previous versions of the City of Mukilteo Public Records Act Compliance Policy are hereby superseded.

Section 6. List of Exemptions Adopted. The City hereby adopts the current and any future versions of the list of exemptions to public disclosure prepared by the Municipal Research Services Center as its list of every law, other than those listed in the Public Records Act, that the City believes exempts or prohibits disclosure of specific information or records of the City required under RCW 42.56.070(2). The current version of this list is attached as Exhibit A and incorporated by reference.

Section 7. Severability. If any one or more section, subsections, or sentences of this Ordinance are held to be unconstitutional or invalid, such decision shall not affect the validity of the remaining portion of this Ordinance and the same shall be in full force and effect.

Section 8. Effective Date. This ordinance shall be in full force and effect five (5) days after its passage, approval, and publication as provided by law.

PASSED AND APPROVED by the City Council of the City of Mukilteo this 5th day of February, 2018.

Signed by the Mayor on this 5TH day of FEBRUARY, 2018.


MAYOR, JENNIFER GREGERSON

ATTEST/AUTHENTICATED:


CITY CLERK, JANET KEEFE
APPROVED AS TO FORM:

OFFICE OF THE CITY ATTORNEY



FILED WITH THE CITY CLERK: **02-05-2018**
PASSED BY THE CITY COUNCIL: **02-05-2018**
PUBLISHED: **02-09-2018**
EFFECTIVE DATE: **02-14-2018**
ORDINANCE NO. **1410**

SUMMARY OF ORDINANCE NO. 1410
City of Mukilteo, Washington

On the 5th day of February, 2018, the City Council of the City of Mukilteo passed Ordinance No. 1410. A summary of the content of said Ordinance, consisting of the title, is provided as follows:

**AN ORDINANCE OF THE CITY OF MUKILTEO,
WASHINGTON, RELATING TO PUBLIC RECORDS;
AMENDING CHAPTER 2.84 OF THE MUKILTEO
MUNICIPAL CODE TO REFLECT RECENT
LEGISLATIVE CHANGES TO THE PUBLIC RECORDS
ACT, CHAPTER 42.56 RCW; PROVIDING FOR
SEVERABILITY; AND ESTABLISHING AN EFFECTIVE
DATE.**

The full text of this Ordinance will be mailed upon request.

Janet Keefe, City Clerk



PUBLIC RECORDS ACT COMPLIANCE POLICY

1.0 GENERAL

The City of Mukilteo ("City") is required by the Public Records Act ("PRA"), Chapter 42.56 RCW, to adopt and enforce reasonable rules and regulations to provide full public access to public records. This policy satisfies that mandate by augmenting the requirements for public records requests under Chapter 2.84 of the Mukilteo Municipal Code. This policy includes both statutory requirements and best practices. Except where these provisions are mandated by statute, any duties identified in this policy are discretionary and advisory only and shall not impose any affirmative duty on the City.

This policy is issued by the City of Mukilteo Management Services Director under the authority granted in Section 2.84.060 of the Mukilteo Municipal Code. The City Clerk has the authority under this policy to make minor technical corrections to this policy. The City reserves the right to apply and interpret this policy and to revise or change the policy at any time.

This policy shall be available at Mukilteo City Hall, 11930 Cyrus Way, Mukilteo, WA, and posted on the City's website: <https://mukilteowa.gov>.

2.0 OVERVIEW

2.1 Applicability

This policy and procedure shall apply to all employees of the City of Mukilteo, Mukilteo elected officials, and all advisory boards and commissions of the City of Mukilteo. This policy does not apply to records created by volunteers who (1) do not serve in an administrative capacity; (2) have not been appointed by the City to a City board, commission, or internship; and (3) do not have a supervisory role or delegated City authority. This policy and procedure does not apply to legal discovery requests governed by State or Federal Rules of Civil Procedure.

2.2 Attorney General Model Rules

The City may, at its option, choose to supplement the provisions in this policy with the model rules for Public Records Act compliance promulgated by the Washington State Attorney General in WAC Ch. 44-14. *See* MMC 2.84.060.

2.3 Public Records Officer and Public Records Liaisons

The City Clerk shall serve as the Public Records Officer of the City of Mukilteo. The City Clerk may appoint a designee to fulfill the responsibilities of the Public Records Officer. The Public Records Officer shall have the following responsibilities:

- Oversee compliance with disclosure laws;
- Serve as primary point of contact for public access to public records;
- Serve as a single point of contact to coordinate the City's response when a request involves multiple departments, is broad in scope, or is otherwise complicated to fulfill;
- Direct the public to appropriate Records Liaisons in possession of records;
- Serve as a resource to staff on topics related to disclosure of public records;
- Maintain a list of department Records Liaisons;
- Consult with Records Liaisons and other staff about fulfillment of records requests;
- Approve forms for use in processing records requests;
- Disseminate legal updates and policy changes affecting records requests;
- Collect and analyze relevant information related to the City's performance of public records disclosure, including maintaining a log of all requests received by the City; and
- Maintain the City of Mukilteo Public Records webpage.
- Undergo training as required for public records officers by Washington State law.

In addition to the Public Records Officer, each City Department must appoint a "records liaison" and backup records liaison, which will coordinate public records response within their respective departments. Under the oversight of the Public Records Officer, Records Liaisons may accept requests for public records in the possession of their respective departments and may respond to records requests. The Public Records Officer may refer parties requesting public records to a department Records Liaison as appropriate.

2.4 Police Records

The Records Office Supervisor is the Records Liaison for the Police Department and is responsible for the coordination, tracking, and fulfillment of requests for police records. The Public Records Officer will transfer all requests for police records received by the Clerk's Office or other City departments to the Police Department and document the transfer. The Public Records Officer will log all transferred requests. Once transferred, coordination, tracking, and fulfillment of the request becomes the responsibility of the Police Department. The Police Department shall maintain files and tracking logs for all Police requests as required by this policy and procedure. Requests that encompass both Police

Department records and records in other departments shall be treated as separate requests.

2.5 Forms

The Public Records Officer will be responsible for creating forms for the purpose of requesting public records or responding to public records requests. City staff may not edit these forms without the approval of the Public Records Officer.

2.6 Exemptions

The Public Records Act requires the City to maintain a list of every law other than the Public Records Act that it believes exempts or prohibits disclosure of public records. *See* RCW 42.56.070(2). The City has adopted, via Ordinance No. [REDACTED], the current and any future versions of the list of exemptions to public disclosure prepared by the Municipal Research Services Center as its list under RCW 42.56.070. A current version of the list is available at the City Clerk's Office and at <http://mrsc.org/getmedia/796a2402-9ad4-4bde-a221-0d6814ef6edc/publicrecords.pdf.aspx#page=69>.

2.7 Retention

The City will follow the Washington State Local Government Common Records Retention Schedule and any other applicable records retention schedules published by the Washington State Archives. Public records requests and request logs are public records in their own right, and the City will retain them in accordance with the applicable records retention schedules.

3.0 INITIAL REQUEST AND RESPONSE

3.1 Form of Request

Members of the public may request public records using the City's approved submittal form(s) for making public records requests, or via mail, email, phone, or fax, or in person during the City's normal office hours. For clarity and to avoid confusion, the City recommends requestors use the City's approved submittal form.

Requests for public records must be made to City to public records liaisons or the public records officer. If any other City staff receive public requests, they should refer the requestor to the relevant liaison or officer.

When the City receives oral requests for public records, the best practice is for the PRO or Records Liaison to immediately transcribe the request; ask the requestor to read the transcription; and ask the requestor to affirm, with a written and signed notation on the transcription, that the transcription captures the requestor's intent.

Requests must include, at a minimum, the following information:

- An indication that the requestor seeks records under the Public Records Act;
- The requestor's name and address and a convenient means of contact such as email address, phone number, fax, etc.
- The date of the request;
- A description of the records requested sufficient to identify the records;
- Whether the requestor wants to inspect records or wants copies.
- If the requestors requests copies, whether the requestor would like an estimate of copy fees before the City produces the copies.

3.2 Certifications

When the applicability of an exemption depends on the identity of the requestor or the use the requestor will make of the requested records, the City may require the requestor to certify his or her identity or his or her planned use of the records.

3.3 Five-Day Response

City staff will respond promptly to requests for public records in accordance with the requirements of RCW 42.56.520 and this policy and procedure. **The deadline for the initial response to the records request is five (5) business days after receipt of the request.** Business days do not include weekends and City holidays.

When the Public Records Officer receives the request, the first step in producing a response is to contact the appropriate Records Liaisons and inform them of the request. **Records Liaisons must respond to the Public Records Officer within two (2) business days** as to whether the records can be provided within five (5) business days or provide an estimated date for fulfillment if to exceed five (5) business days. Records Liaisons will advise staff in their respective departments of the five-day response deadline and will consult with those staff members who have custody over responsive records when estimating the fulfillment date.

Five-day responses from staff to requests for public records shall be made in writing by letter, email, fax, or notation on a request form, except that staff may respond immediately to oral requests for readily available records that require little or no clarification or coordination between departments without the need for written response.

The City's initial response may take the following forms (or some combinations of them):

- Providing the requested records;
- Providing a link to the specific records requested on the City's website, except that if the requestor notifies the City that he or she cannot access the internet, the City must provide copies or allow the requestor to use a City computer to view the record;

- Acknowledging receipt of the request and giving the requestor a reasonable estimate of the time the City will require to respond to the request;
- Acknowledging that the City has received the request; asking the requestor to clarify the request; and providing, to the greatest extent possible, a reasonable estimate of the time the City needs to respond to the request.
- Denying the request, in whole or in part.

3.4 Requests for Clarification

Staff are encouraged to work with requestors to clarify requests as much as possible, particularly when requests are long or complex. When a requestor agrees to narrow a request, nothing prevents the requestor from later expanding the request back to its original scope.

Staff may ask for clarification of a request either in the five-day response or during the process of locating and assembling records. Clarification of requests may be obtained in writing or orally. Staff should document any oral clarification and put the notes in the request file.

Requestors must respond to requests for clarification within 30 calendar days. If a requestor does not respond to a request for clarification, the City must respond to the parts of the request that are clear. If the entire request is unclear, the City need not respond to the request.

4.0 LOCATING RECORDS

4.1 Locating Responsive Records

Each Records Liaison is responsible for coordinating the search for public records within his or her own department. Staff will forward any responsive records found to the Records Liaison responsible for the request.

4.2 Identifiable Documents.

Requests must seek identifiable documents. An identifiable record is one that (1) exists at the time of the request and (2) that the staff can reasonably locate based on the description.

Under this requirement, Records Liaisons and staff are not required to create new records in response to a request for records. Staff may, however, tailor existing informational databases or indexes to provide a report responsive to a request if, in the Records Liaison's or Public Records Officer's judgment, it would be easier or more efficient to do so than to produce the underlying records.

4.3 Order of Processing

Records Liaisons and the Public Records Officer will fulfill requests in the order that provides the timeliest response. Requests may be fulfilled in the order of receipt as long as easily fulfilled requests are not postponed behind larger or more complicated requests strictly because they were received later.

When the same requestor makes multiple requests, Records Liaisons or the Public Records Officer may queue the requests in the order in which they were received, and requestors are then responsible for informing the Public Records Officer if they want to reprioritize the fulfillment of their requests.

4.4 “Bot” Requests

When the City receives multiple requests from the same requestor within a 24-hour period, and when the City reasonably believes that these requests are generated by a computer program or script, the City need only respond to one of the requests if responding to the multiple requests would excessively interfere with other essential functions.

4.5 Broad Requests

If staff are not able to identify with confidence the records sought by a requestor and if requestors do not reply to requests for clarification, staff will consult with the Public Records Officer who will review the request and provide direction to staff regarding its fulfillment. Staff may also consult with the City Attorney on such requests in the absence of the Public Records Officer. The City may deny requests for all or substantially all records held by the City, as such requests are not for “identifiable records.”

5.0 PRODUCING RECORDS

5.1 Forms of Production

The City will produce records responsive to a request by either allowing the requestor to inspect records or by producing copies, according to the requestor’s preference. Requestors may choose to inspect requested records in order to select particular records for copying, and should be encouraged to do so, especially when the volume of records is large.

5.2 Inspection of Responsive Records

Requestors may make arrangement with the Public Records Officer or Records Liaison to inspect records on City premises during normal business hours at a mutually convenient time. The Records Liaison fulfilling the request must provide for the security of records during inspection. Requestors must return all records inspected to the Record Liaison in the condition and order they were provided. The City reserves the right to make copies of records for inspection rather than

provide the original records for inspection. The requestor will not be responsible for copy costs if the requestor only inspects the records.

5.3 Copying Responsive Records

5.3.1 Paper Copies

The City will make paper copies of responsive records using City equipment on request. For any large, fragile, or nonstandard records the City will use an outside vendor to make copies. Records Liaisons or the Public Records Officer may also choose to send large or complex copying jobs to outside vendors when they determine that doing so will be more cost- or time-efficient.

5.3.2 Electronic Copies

Records available in electronic format that do not require redaction may be provided to a requestor in native format unless the requestor specifically asks that they be provided in paper or other form. When requested and deemed feasible, electronic records may be converted from one format to another provided such conversion is not unduly burdensome to staff.

5.4 Installments

If appropriate, records requests may be fulfilled in partial installments to provide the fullest assistance to requestors. The Public Records Officer or Records Liaison must notify the requestor when an installment is ready, and must notify the requestor that he or she has 30 calendar days to claim the request or it will be closed. The requestor must then arrange to inspect the records or claim the copies within 30 calendar days (beginning on the first business day after notice). **If an installment is not claimed or if arrangements for inspection of an installment are not made within 30 calendar days of the notification of availability, the City may discontinue compiling subsequent installments of the same disclosure request; may refile documents and and/or delete them under the relevant retention schedule; and may consider the request closed.**

5.5 Exemptions from Disclosure

5.5.1 Withholding or Redacting Records

Requested records may be subject to exemption from disclosure under the Public Records Act or other statutes. Exempt records shall be withheld or redacted, when necessary, consistent with statutory requirements.

Prior to withholding exempt records or redacting portions of records, the Records Liaison shall consult with the Public Records Officer or City Attorney in the absence of the Public Records Officer. Departments may

adopt standard procedures for withholding or redacting portions of commonly requested exempt records.

When requested records are redacted, the Records Liaison shall keep a copy of both the redacted and unredacted records for the request file.

5.5.2 Exemption Log

When City staff withhold or redact records, they will inform the requestor in writing of the reason and provide the statutory citation supporting the exemption. Staff must also prepare an exemption log listing the information withheld and the statutory basis for each redaction or record withheld.

5.5.3 Personnel Records

All personnel and employment records must be reviewed by the Human Resources Department prior to release.

6.0 REQUEST LOG & INDEXING

6.1 Request Log

Records Liaisons shall maintain logs of public records requests received for their departments that shall include at a minimum:

- The request tracking number from the Public Records Officer;
- Name and convenient contact information for the requestor;
- Date of receipt;
- The text of the original request;
- A description of search efforts performed to acquire records;
- A description of the records produced in response to the request;
- A description of the records redacted or withheld and the reasons therefor; and
- Date of final disposition of the request.

On a quarterly basis, Records Liaisons shall provide copies of their log reports to the Public Records Officer, who will compile the reports into a central log.

6.2 Indexing

The City has found that it would be unduly burdensome to maintain a central index of City records via formal order in Resolution No. 2000-02. Any indexes that the City maintains for its own use will be made available under the Public Records Act.

7.0 INTERNAL REVIEW

A requestor may ask for review of a decision to withhold or redact exempt records or to deny a request entirely by submitting a written petition to the Public Records Officer that includes a copy or detailed description of the City's decision to deny a request or withhold records. The petition should also outline the reasons (factual or legal) why the requestor believes the City made the wrong decision in withholding records. The Public Records Officer will then forward the request for review and any relevant information immediately to the City Attorney, who shall consider the petition and either reverse or affirm the denial within two days of the City's receipt of the petition. The City and requestor may mutually agree to a longer period of time for consideration of a petition for review. If the City Attorney affirms the withholding or redaction, the decision is the City's final action for the purposes of judicial review. If the City Attorney reverses the decision to withhold or redact, the Public Records Officer will make the subject records available to the requestor.

8.0 FEES

Fees for the provision of responsive records will be based on the applicable portion of the City's master fee schedule, available on the City's website and posted in the City Clerk's office.

The City's fees for records are based on the statutory default costs for copies of public records under the Public Records Act, Chapter 42.56 RCW because the City finds that it would be unduly burdensome to calculate the actual costs related to copying, scanning, and distributing records. Such calculation would require the city to parse numerous cost factors (including staff time, depreciation value of copying equipment or lease costs, ink, paper, electricity, and data-storage and transmission services), and doing so would take a disproportionate amount of staff time and interfere with essential functions of the City.

A requestor may ask for (and if asked the City will provide) an estimate of total charges applicable to a request under the City's fee schedule. Before proceeding with a request, the City will give the requestor an opportunity to revise his or her request to reduce the applicable charges.

Copy charges may be remitted by cash, check, money order, MasterCard, or VISA payment. The City Clerk's office shall provide for collection of fees if a department is not able to do so.

A deposit of up to ten percent (10%) of the estimated total cost may be required for large requests before records are copied. When requested records are provided on an installment basis, fees shall be collected for copies prior to provision of the next installment. Failure to pay for an installment shall place compilation of subsequent installments on hold. If payment arrangements are not made within 30 calendar days of notice that records are available, the entire request may be deemed abandoned and closed.

Public Records Act

for Washington Cities,
Counties, and Special
Purpose Districts



MRSC

Public Records Act

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Appendix C: Exemption and Prohibition Statutes Not Listed in Chapter 42.56 RCW

RCW 42.56.070(2) requires an agency to:

publish and maintain a current list containing every law, other than those listed in the PRA, that the agency believes exempts or prohibits disclosure of specific information or records of the agency. An agency's failure to list an exemption shall not affect the efficacy of any exemption.

The following list provides exemptions and prohibition statutes not listed in the PRA. Some of the exemptions and prohibitions on the list concern public record information that may not be relevant for your jurisdiction. For instance, cities would not normally have records regarding marriage license applications or adoption records.

MRSC will periodically update this list; the date of the last update is reflected in the footer. If you become aware of additions or corrections that should be made to the list, please notify one of the staff attorneys at MRSC.

The Attorney General's Sunshine Committee webpage also provides a list of public disclosure exemptions created annually by the Code Reviser's Office.

Washington State Statutes

<u>RCW 2.64.111</u>	Judicial conduct commission investigations of judges and initial proceedings
<u>RCW 4.24.550</u>	Information on sex offenders
<u>RCW 4.24.601</u> and <u>.611</u>	Trade secrets and confidential research, development or commercial information re products or business methods
<u>RCW 5.60.060</u>	Privileged communications
<u>RCW 5.60.070</u> ; <u>RCW 7.07.070</u>	Mediation records
<u>RCW 7.68.140</u>	Victims' compensation claims
<u>RCW 7.69A.030(4)</u>	Name, address and photograph of child victim or child witness
<u>RCW 7.69A.050</u>	Child victims and witnesses of certain crimes – protection of address
<u>RCW 7.75.050</u>	Records of Dispute Resolution Centers
<u>RCW 9.02.100</u>	Reproductive privacy
<u>RCW 9.41.097(2)</u>	Mental health information re persons buying pistols or applying for CPLs
<u>RCW 9.41.129</u>	Concealed pistol license applications

<u>RCW 9.73.230</u>	Name of confidential informants in written report on wire tapping
<u>RCW 9.51.050</u>	Disclosing transaction of grand jury
<u>RCW 9.51.060</u>	Disclosure of grand jury deposition
<u>RCW 9.73.090(1)(c)</u>	Prohibition on disclosure of law enforcement dash cam videos until final disposition of litigation
<u>RCW 9A.44.138</u>	Offender registration information given to high school or institution of higher education re an employee or student
<u>RCW 9A.82.170</u>	Financial institution records re criminal profiteering act
<u>RCW 10.27.090</u>	Grand jury testimony/evidence
<u>RCW 10.27.160</u>	Grand jury reports – release to public only by judicial order
<u>RCW 10.52.100</u>	Records identifying child victims of sexual assault
<u>RCW 10.77.205</u>	Information re victims, next of kin, or witnesses requesting notice of release of person found not guilty of a sex, violent, or felony harassment offense by reason of criminal insanity and the notice itself
<u>RCW 10.52.100</u>	Records identifying child victim of sexual assault
<u>RCW 10.77.210</u>	Records of persons committed for criminal insanity
<u>RCW 10.97.040</u>	Criminal history information released must include disposition, with some exceptions
<u>RCW 10.97.050</u>	Conviction and criminal history information
<u>RCW 10.97.060</u>	Deletion of certain criminal history record information, conditions
<u>RCW 10.97.070</u>	Disclosure of identity of suspect to victim
<u>RCW 10.97.080</u>	Inspection of criminal record by subject
<u>RCW 10.97.130</u>	Information about victims of sexual assault under age eighteen
<u>RCW 10.101.020(3)</u>	Information given by an accused regarding determination for indigent defense
<u>RCW 13.34.115</u>	Court dependency proceedings
<u>RCW 13.40.217</u>	Juveniles adjudicated of sex offenses – release of information
<u>RCW 13.50.010</u>	Maintenance of and access to juvenile records
<u>RCW 13.50.050</u>	Juvenile offender records
<u>RCW 13.50.100</u>	Juvenile/children records not relating to offenses
<u>RCW 13.60.020</u>	Missing children or endangered person information
<u>RCW 18.04.405</u>	Confidentiality of information gained by CPA
<u>RCW 18.19.060</u>	Notification to clients by counselors
<u>RCW 18.19.180</u>	Confidential communications with counselors
<u>RCW 19.215.020</u>	Destruction of personal health and financial information
<u>RCW 19.34.240(3)</u>	Private digital signature keys

<u>RCW 19.215.030</u>	Compliance with federal rules
<u>RCW 26.04.175</u>	Name and address of domestic violence victim in marriage records
<u>RCW 26.12.170</u>	Reports of child abuse/neglect with courts
<u>RCW 26.23.050</u>	Child support orders
<u>RCW 26.23.120</u>	Child support records
<u>RCW 26.26.041</u>	Uniform Parentage Act – protection of participants
<u>RCW 26.26.450</u>	Confidentiality of genetic testing
<u>RCW 26.33.330</u>	Sealed court adoption records
<u>RCW 26.33.340</u>	Agency adoption records
<u>RCW 26.33.343</u>	Access to adoption records by confidential intermediary
<u>RCW 26.33.380</u>	Adoption – identity of birth parents confidential
<u>RCW 26.44.010</u>	Privacy of reports on child abuse and neglect
<u>RCW 26.44.031</u>	Information related to reports of child abuse or neglect
<u>RCW 26.44.125</u>	Reports, reviews and hearings related to a review of abuse finding
<u>RCW 27.53.070</u>	Records identifying the location of archaeological sites
<u>RCW 29A.08.720</u>	Voter registration records – place of registration and any decision not to register to vote confidential
<u>RCW 29A.08.710</u>	Voter registration records – certain information exempt
<u>RCW 35.102.145</u>	Municipal business and occupation tax – local ordinance can protect return or tax information
<u>RCW 36.28A.060(8)</u>	Tactical and intelligence information provided to WASPC
<u>RCW 39.10.470(2)</u>	Alternative public works - trade secrets or other proprietary information submitted by bidder in connection with an alternative public works transaction if data identified and reasons stated in writing
<u>RCW 39.10.470(3)</u>	Alternative public works – proposals submitted by design-build finalists until notification of highest scoring finalist is made
<u>RCW 42.23.070(4)</u>	Municipal officer disclosure of confidential information prohibited
<u>RCW 42.41.030(7)</u>	Identity of local government whistleblower
<u>RCW 42.41.045</u>	Non-disclosure of protected information (whistleblower)
<u>RCW 43.43.762</u>	Contents of statewide criminal street gang database
<u>RCW 46.52.065</u>	State toxicologist records relating to analyses of blood samples
<u>RCW 46.52.080</u>	Traffic accident reports – confidentiality
<u>RCW 46.52.083</u>	Traffic accident reports – available to interested parties
<u>RCW 46.52.120</u>	Traffic crimes and infractions – confidential use by police and courts
<u>RCW 46.52.130(2)</u>	Abstract of driving record – limited disclosure

<u>RCW 48.62.101</u>	Local government insurance/risk management liability reserve funds established to settle claims
<u>RCW 50.13.060</u>	Access to employment security records by local government agencies
<u>RCW 50.13.100</u>	Disclosure of confidential employment security records allowed if identifying information deleted or with consent
<u>RCW 51.28.070</u>	Worker's compensation records confidential – limited disclosure
<u>RCW 51.36.060</u>	Physician information on injured workers
<u>RCW 60.70.040</u>	No duty to disclose record of common law lien
<u>RCW 68.50.105</u>	Autopsy reports – confidential – limited disclosure
<u>RCW 68.50.320</u>	Dental identification records – available to law enforcement agencies
<u>Ch. 70.02 RCW</u>	Medical records – access and disclosure – entire chapter (information from HC providers)
<u>RCW 70.05.170</u>	Child mortality reviews by local health departments
<u>RCW 70.24.022</u>	Public health agency information regarding sexually transmitted disease investigations - confidential
<u>RCW 70.24.024</u>	Transcripts and records of hearings regarding sexually transmitted diseases
<u>RCW 70.28.020</u>	Local health department TB records – confidential
<u>RCW 70.41.200</u>	Hospital quality improvement committee records and accreditation reports
<u>RCW 70.48.100</u>	Jail records and booking photos
<u>RCW 70.58.055</u>	Birth certificates – certain information confidential
<u>RCW 70.58.104</u>	Vital records, research confidentiality safeguards
<u>RCW 70.94.205</u>	Washington Clean Air Act – confidentiality of data.
<u>RCW 70.96A.150</u>	Registration and other records of alcohol and drug abuse treatment programs
<u>RCW 70.123.075</u>	Client records of domestic violence programs
<u>RCW 70.125.065</u>	Records of community sexual assault program and underserved populations provider in discovery
<u>RCW 71.05.425</u>	Notice of release or transfer of committed person after offense dismissal
<u>RCW 71.05.445</u>	Release of mental health information to Dept. of Corrections
<u>RCW 71.05.620</u>	Access to court records related to mental health cases under chapter 71.05 RCW
<u>RCW 71.24.035(5)(g)</u>	Mental health information system – state, county and regional support networks – confidentiality of client records
<u>RCW 71.34.335</u>	Mental health treatment of minors – records confidential
<u>RCW 71A.14.070</u>	Records regarding developmental disability – confidentiality

<u>RCW 72.09.345</u>	Notice to public about sex offenders – department of corrections access to information
<u>RCW 72.09.585</u>	Disclosure of inmate records to local agencies – confidentiality
<u>RCW 73.04.030</u>	Veterans discharge papers exemption (see related RCW 42.56.440)
<u>RCW 74.04.060</u>	Applicants and recipients of public assistance
<u>RCW 74.04.520</u>	Food stamp program confidentiality
<u>RCW 74.13.075(5)</u>	Juvenile's status as a sexually aggressive youth and related info
<u>RCW 74.13.280</u>	Children in out-of-home placements - confidentiality
<u>RCW 74.20.280</u>	Child support enforcement – local agency cooperation, information
<u>RCW 74.34.095</u>	Abuse of vulnerable adults - confidentiality of investigations and reports
<u>RCW 82.32.330</u>	Disclosure of tax information
<u>RCW 84.36.389</u>	Confidential income data in property tax records held by assessor
<u>RCW 84.40.020</u>	Confidential income data supplied to assessor regarding real property

Selected Federal Confidentiality Statutes and Rules

18 USC § 2721 - 2725	Driver and License Plate Information
20 USC § 1232g	Family Education Rights and Privacy Act
23 USC § 409	Evidence of certain accident reports
42 USC 290dd-2	Confidentiality of Substance Abuse Records
42 USC § 405(c)(2)(C)(viii) (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	Grants to States for Child Abuse and Neglect Prevention and Treatment Programs
45 CFR 160-164	HIPAA Privacy Rule
46 CFR 40.321	USCG regulations regarding confidentiality