

## [RCW 40.14.026\(5\)](#)

December 2018

(5) To improve best practices for dissemination of public records, each agency with actual staff and legal costs associated with fulfilling public records requests of at least one hundred thousand dollars during the prior fiscal year must, and each agency with such estimated costs of less than one hundred thousand dollars during the prior fiscal year may, report to the joint legislative audit and review committee by July 1st of each subsequent year the following metrics, measured over the preceding year:

(a) An identification of leading practices and processes for records management and retention, including technological upgrades, and what percentage of those leading practices and processes were implemented by the agency;

(b) The average length of time taken to acknowledge receipt of a public records request;

(c) The proportion of requests where the agency provided the requested records within five days of receipt of the request compared to the proportion of requests where the agency provided an estimate of an anticipated response time beyond five days of receipt of the request;

(d) A comparison of the agency's average initial estimate provided for full disclosure of responsive records with the actual time when all responsive records were fully disclosed, including whether the agency sent subsequent estimates of an anticipated response time;

(e) The number of requests where the agency formally sought additional clarification from the requestor;

(f) The number of requests denied and the most common reasons for denying requests;

(g) The number of requests abandoned by requestors;

(h) To the extent the information is known by the agency, requests by type of requestor, including individuals, law firms, organizations, insurers, governments, incarcerated persons, the media, anonymous requestors, current or former employees, and others;

(i) Which portion of requests were fulfilled electronically compared to requests fulfilled by physical records;

(j) The number of requests where the agency was required to scan physical records electronically to fulfill disclosure;

(k) The estimated agency staff time spent on each individual request;

(l) The estimated costs incurred by the agency in fulfilling records requests, including costs for staff compensation and legal review, and a measure of the average cost per request;

(m) The number of claims filed alleging a violation of chapter [42.56](#) RCW or other public records statutes in the past year involving the agency, categorized by type and exemption at issue, if applicable;

(n) The costs incurred by the agency litigating claims alleging a violation of chapter [42.56](#) RCW or other public records statutes in the past year, including any penalties imposed on the agency;

(o) The costs incurred by the agency with managing and retaining records, including staff compensation and purchases of equipment, hardware, software, and services to manage and retain public records or otherwise assist in the fulfillment of public records requests;

(p) Expenses recovered by the agency from requestors for fulfilling public records requests, including any customized service charges; and

(q) Measures of requestor satisfaction with agency responses, communication, and processes relating to the fulfillment of public records requests.

(6) The joint legislative audit and review committee must consult with state and local agencies to develop a reporting method and clearly define standardized metrics in accordance with this section.