

BRIEFING REPORT: 2019 Public Records Reporting

January 2021

Executive Summary

Statute requires agencies to report data about public records activities

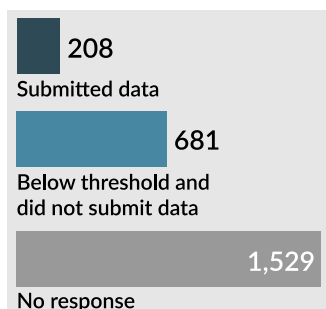
The 2017 Legislature passed [RCW 40.14.026](#), requiring state, local, and other government agencies subject to the Public Records Act to report information about their public records activities. Agencies that spent \$100,000 or more on public records requests in the prior fiscal year must submit data for 15 statutory performance metrics. Agencies that spend less may report data voluntarily. Each agency is responsible for determining if they meet the \$100,000 expenditure threshold.

See Section 1 for more detail about the reporting process.

JLARC staff collect and report agency data

Statute directs the Joint Legislative Audit and Review Committee (JLARC) staff to standardize definitions for the statutory performance metrics and collect information from agencies. JLARC staff provide guidance, definitions, and an online reporting system, but do not verify the accuracy of the data reported by agencies.

JLARC staff identified 2,418 agencies in Washington in 2019. It is unknown how many of these agencies met the \$100,000 expenditure threshold.



208 agencies submitted data about their 2019 public records activities

A total of 889 agencies (36.7% of the 2,418 agencies) provided information to JLARC staff. Of these, 208 reported performance metric data and 681 indicated that they were below the \$100,000 expenditure threshold and did not to submit data.

Reporting rates vary by agency type. Many agencies that did not submit data may not meet the \$100,000 expenditure threshold.

Between 61% to 81% of the state, local, and higher education agencies provided information to JLARC staff. School districts and special districts had lower response rates. Agencies that submitted performance metric data or indicated that they did not meet the \$100,000 expenditure threshold include:

- 72% of state agencies, boards, or commissions.

- 81% of cities and towns.
- 61% of county government agencies.
- 74% of higher education institutions.
- 37% of school districts/Education Service Districts (ESDs).
- 21% of special districts.

Agencies that did not report information to JLARC staff may not have met the \$100,000 expenditure threshold and may not be required to submit data for the performance metrics. Of the 1,529 agencies that did not respond, JLARC staff found that 82% of them had annual operating expenditures of less than \$10 million. If these agencies spent up to 1% of their operating budgets on responses to public records requests, they would be under the threshold and not required to submit data.

In 2019, agencies reported receiving 383,433 public records requests

The 208 agencies that submitted data to JLARC staff received 383,433 public records requests between January 1, 2019 and December 31, 2019. Agencies reported:

- Closing 206,316 requests within five days.
- Averaging 15 days from request receipt to closure.
- Spending \$101 million responding to requests.

This report presents 2019 data in interactive dashboards, with summaries and agency-level detail for each metric. For comparison purposes, the dashboards also show data from 2018.

REPORTING PROCESS

1. Agencies must report public records data

State and local agencies must report data to JLARC if they spend over \$100,000 to fulfill public records requests

Statute requires agencies to report data on their public records practices

[RCW 40.14.026](#) requires state, local, and other government agencies subject to the [Public Records Act](#) to report data about their public records activities.

Each agency is responsible for:

- Determining if it spent \$100,000 or more on public records requests in the prior fiscal year. Agencies above this threshold are required to submit data for statutory performance metrics. Agencies below this threshold may submit data voluntarily.

- Ensuring the accuracy of its data. JLARC staff do not independently verify the information.

JLARC staff collect and report data from agencies

Statute directs the Joint Legislative Audit and Review Committee (JLARC) staff to collect and report the data submitted by agencies. JLARC staff worked to:

- Develop and publish standard definitions for the statutory performance metrics.
- Develop an online reporting system.
- Draft guidance documents.
- Give public presentations about the reporting requirements.
- Provide phone and email support to agencies during the reporting period.

This report reflects the third year of reporting to JLARC

Public records data submissions are an ongoing requirement. To date, agencies have submitted data for three reporting periods:

- July 23, 2017 - December 31, 2017
- January 1, 2018 - December 31, 2018
- January 1, 2019 - December 31, 2019

This report highlights data reported for 2019 activities and provides 2018 data as comparison.

2. Reporting rates vary by agency type

Reporting rates vary by agency type. Many agencies may not meet the reporting threshold.

208 agencies submitted 2019 data and another 681 indicated they were not required to report

There is no comprehensive list of public agencies subject to the Public Records Act. JLARC staff identified 2,418 public agencies in 2019 using information from the Municipal Research and Services Center, the State Auditor's Office, and the Office of the Code Reviser. Compared to 2018, this includes an additional 16 special districts and 23 county government agencies that reported as part of a consolidated entity for 2018 but as separate county departments for 2019.

Agencies reported 2019 data through JLARC's online reporting system between June 2020 and September 2020. Agencies were originally required to submit data by July 2020, but the deadline was extended to September as a result of the COVID-19 public health emergency. JLARC also staff asked agencies to report whether they met the \$100,000 expenditure threshold.

Exhibit 2.1: For 2019, 889 agencies (37%) submitted data or indicated that they did not meet the \$100,000 expenditure threshold



Source: Information reported by public agencies.

Note: "Submitted data" includes all agencies that provided data to JLARC staff. Of these, 144 met the \$100,000 threshold and 64 were below the threshold but reported voluntarily.

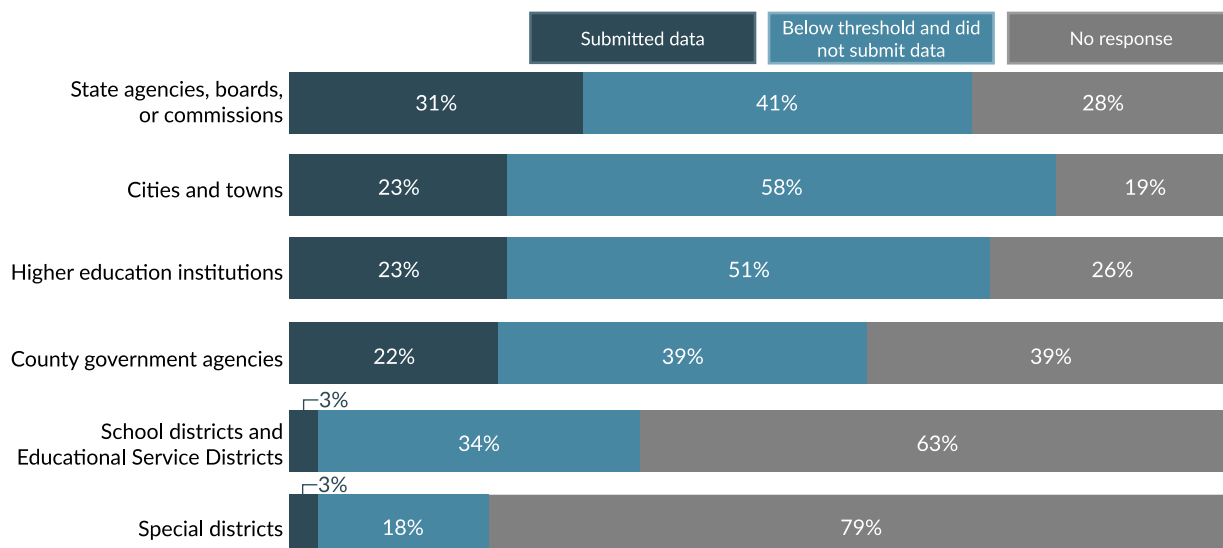
Reporting rates vary by the type of agency

2019 response rates were highest for state agencies, local governments, and higher education institutions. Reporting rates varied from 81% (cities and towns) to 21% (special districts).

For this report, agencies are organized into one of three categories:

- **Submitted data:** Agencies that reported data for the performance metrics. Some agencies were required to do so because they met or exceeded the \$100,000 expenditure threshold. Others reported data voluntarily.
- **Below threshold and did not submit data:** Agencies that indicated they were below the \$100,000 expenditure threshold and declined to submit data voluntarily.
- **No response:** Agencies that did not provide any response. It is unclear how many of these agencies met the \$100,000 expenditure threshold.

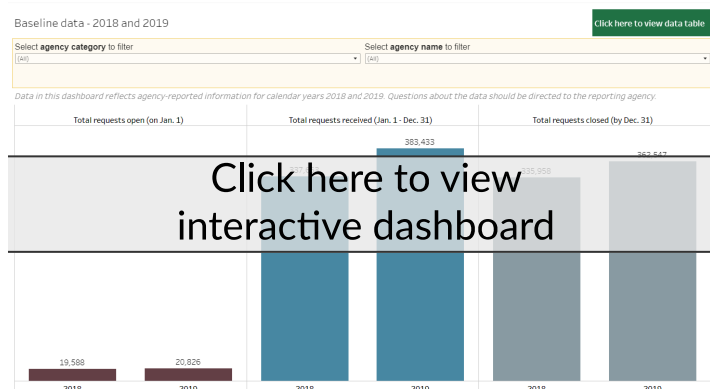
Exhibit 2.2: 2019 response rates were highest for state agencies, local governments, and higher education institutions



Source: Data reported by public agencies.

No response from 1,529 agencies

Of the 2,418 agencies identified in 2019, 1,529 (63%) did not provide information about their public records activities or indicate if they met the \$100,000 expenditure threshold. Many of these agencies are special districts, school districts, and educational service districts. It is likely that a large portion of these districts did not meet the \$100,000 expenditure threshold for required reporting. For example, JLARC staff found that 82% of these agencies had annual operating expenditures of less than \$10 million. If these agencies spent up to 1% of their operating budgets on responses to public records requests, they would be under the threshold and not required to submit data. Click the image below for more detail about agencies that did not respond to JLARC staff.



Source: JLARC staff analysis.

2019 PUBLIC RECORDS DATA

A. Overview of metrics and results

Legislature identified performance metrics for agency records retention, management, and disclosure practices

[RCW 40.14.026](#) identifies public records performance metrics. JLARC staff annually compile reported data into interactive dashboards for each metric.

In calendar year 2019, 208 agencies reported receiving 383,433 public records requests. Agencies reported:

- Closing 206,316 requests within five days.
- Averaging 15 days from request receipt to closure.
- Spending \$101 million responding to requests.


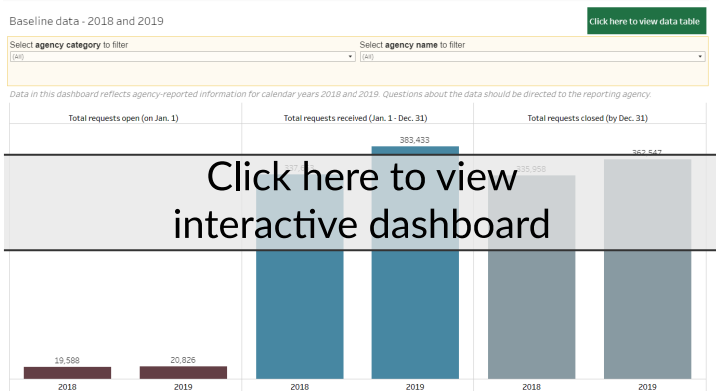

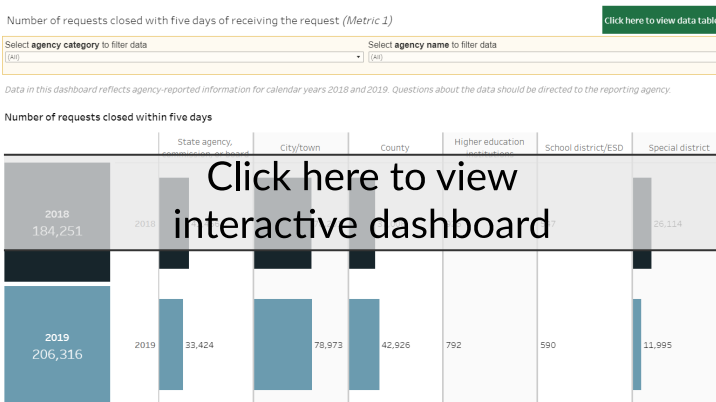
View 2019 data in interactive dashboards


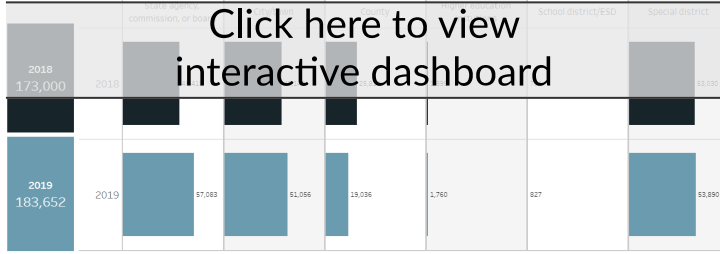

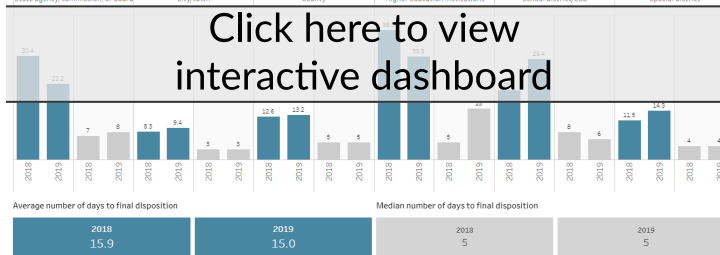

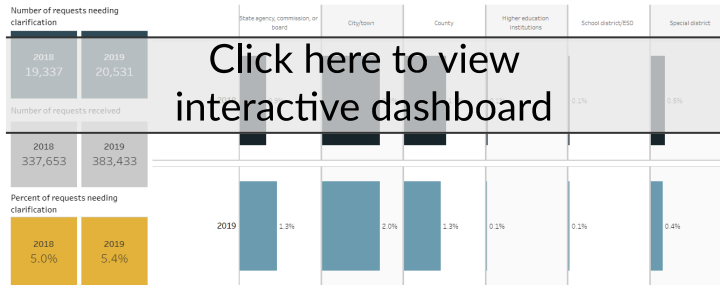
Agencies report data annually using an online reporting system. Agencies are responsible for the accuracy of their data. Questions about an agency's data should be directed to that agency. JLARC staff do not independently verify the information submitted.




Data reported for 2019 is organized in interactive dashboards. 2018 data is provided as a comparison. To use the dashboards:

- Click on the images in the table below to open interactive dashboards for each metric in a new window.
- Make selections to the data using the drop down menus and sliders highlighted in yellow.
- View [instructions](#) to learn more about navigation.
- Download the complete dataset in an Excel file [here](#).

Exhibit A1: Dashboards display data for 2019 performance metrics



Statutory metric	Metric definition	Link to dashboard
Requests open, received, and closed (Baseline data) <i>See Section B for more information.</i>		
Metric 1 - The number of requests where the agency provided the requested records within five days <i>See Section C for more information.</i>		

Statutory metric	Metric definition	Link to dashboard
<p>Metric 2 - The number of requests where the agency provided a time estimate for providing records beyond five days after receiving the request</p> <p><i>See Section C for more information.</i></p>		<p>Number of requests where an estimate beyond five days was provided (<i>Metric 2</i>) Click here to view data table</p> <p>Select agency category to filter data (All) Select agency name to filter data (All)</p> <p>Slide to filter data by number of requests where an estimate was provided 0 48.0</p> <p>Data in this dashboard reflects agency-reported information for calendar years 2018 and 2019. Questions about the data should be directed to the reporting agency.</p> <p>Number of requests where an estimate beyond five days was provided</p>  <p>Click here to view interactive dashboard</p>
<p>Metric 3 - Average and median number of days from receipt to final disposition of a request</p> <p><i>See Section C for more information.</i></p>		<p>Average and median days to final disposition (<i>Metric 3</i>) Click here to view data table</p> <p>Select agency category to filter data (All) Select agency name to filter data (All)</p> <p>Data in this dashboard reflects agency-reported information for calendar years 2018 and 2019. Questions about the data should be directed to the reporting agency.</p> <p>Average number of days to final disposition Median number of days to final disposition</p>  <p>Click here to view interactive dashboard</p>
<p>Metric 4 - Number of requests where the agency sought additional clarification from the requester</p> <p><i>See Section D for more information.</i></p>		<p>Number of records requests where the agency sought clarification from the requester (<i>Metric 4</i>) Click here to view data table</p> <p>Select agency category to filter data (All) Select agency name to filter data (All)</p> <p>Data in this dashboard reflects agency-reported information for calendar years 2018 and 2019. Questions about the data should be directed to the reporting agency.</p> <p>Percent of requests needing clarification</p>  <p>Click here to view interactive dashboard</p>

Statutory metric	Metric definition	Link to dashboard
<p>Metric 5 - Number of records requests denied in full or in part and common reasons for denying the requests</p> <p><i>See Section D for more information.</i></p>		<p>Number of records requests denied and common reasons (<i>Metric 5</i>)</p> <p>Click here to view data table Click here to view the scatter plot</p> <p>Select agency category to filter data: (All) Select agency name to filter data: (All)</p> <p>Data in this dashboard reflects agency-reported information for calendar years 2018 and 2019. Questions about the data should be directed to the reporting agency.</p> <p>Number of requests fully denied</p> <p>Number of requests partially denied</p> <p>Click here to view interactive dashboard</p>
<p>Metric 6 - Number of abandoned records requests</p> <p><i>See Section D for more information.</i></p>		<p>Number of abandoned records requests (<i>Metric 6</i>)</p> <p>Click here to view data table Click here to view the scatter plot</p> <p>Select agency category to filter data: (All) Select agency name to filter data: (All)</p> <p>Slide to filter data by number of requests abandoned by requesters: 0 9,412</p> <p>Data in this dashboard reflects agency-reported information for calendar years 2018 and 2019. Questions about the data should be directed to the reporting agency.</p> <p>Number of requests abandoned by requesters</p> <p>Click here to view interactive dashboard</p>
<p>Metric 7 - Number of records requests, by type of requester</p> <p><i>See Section B for more information.</i></p>		<p>Number of records requests, by type of requester (<i>Metric 7</i>)</p> <p>Click here to view data table</p> <p>Select agency category to filter data: (All) Select agency name to filter data: (All) Select type of requester to filter data: (Multiple values)</p> <p>Data in this dashboard reflects agency-reported information for calendar years 2018 and 2019. Questions about the data should be directed to the reporting agency.</p> <p>Number of requests with known requester type</p> <p>Click here to view interactive dashboard</p>

Statutory metric	Metric definition	Link to dashboard
<p>Metric 8 - Percentage of records requests fulfilled electronically and physically</p> <p>See Section E for more information.</p>		<div>Percentage of records requests fulfilled electronically and physically (Metric 8)<div>Click here to view data table</div></div> <div>Select agency category to filter data<div>(All)</div>Select agency name to filter data<div>(All)</div></div> <div>Data in this dashboard reflects agency-reported information for calendar years 2018 and 2019. Questions about the data should be directed to the reporting agency.</div> <div>Number of requests fulfilled by:</div> <div><div>Electronic means</div><div>Physical records</div><div>Combination</div><div>Closed - no responsive records</div></div> <div><div>235,793</div><div>26,099</div><div>9,463</div><div>11,073</div><div>67,109</div><div>58,702</div></div> <div><div>2018</div><div>2019</div><div>2018</div><div>2019</div><div>2018</div><div>2019</div></div> <div>Percent of total records requests:</div> <div><div>70.1%</div><div>72.9%</div><div>11.8%</div><div>8.8%</div><div>3.2%</div><div>3.1%</div><div>14.9%</div><div>15.5%</div></div> <div><div>2018</div><div>2019</div><div>2018</div><div>2019</div><div>2018</div><div>2019</div><div>2018</div><div>2019</div></div> <div>Click here to view interactive dashboard</div>
<p>Metric 9 - Number of records requests involving scanning</p> <p>See Section E for more information.</p>		<div>Number of records requests involving scanning (Metric 9)<div>Click here to view data table</div></div> <div>Select agency category to filter data<div>(All)</div>Select agency name to filter data<div>(All)</div></div> <div>Slide to filter data by number of requests involving scanning<div>0</div><div>11</div></div> <div>Data in this dashboard reflects agency-reported information for calendar years 2018 and 2019. Questions about the data should be directed to the reporting agency.</div> <div><div>State agency, commission, or board</div><div>City/town/village</div><div>County</div><div>Police district/ESD</div><div>Special district</div></div> <div><div>14,910</div><div>18,825</div><div>14,111</div><div>13,865</div><div>16,851</div><div>520</div><div>963</div><div>279</div><div>241</div><div>5,306</div><div>2,394</div></div> <div><div>2018</div><div>2019</div><div>2018</div><div>2019</div><div>2018</div><div>2019</div><div>2018</div><div>2019</div><div>2018</div><div>2019</div></div> <div>Number of requests involving scanning</div> <div>Average number of requests involving scanning per agency</div> <div><div>2018</div><div>2019</div><div>2018</div><div>2019</div></div> <div><div>59,753</div><div>68,414</div><div>246</div><div>329</div></div> <div>Click here to view interactive dashboard</div>
<p>Metric 10 - Average estimated staff time spent responding to records requests</p> <p>See Section F for more information.</p>		<div>Average estimated staff hours spent responding to records requests (Metric 10)<div>Click here to view data table</div><div>Click here to view scatter plot</div></div> <div>Select agency category to filter data<div>(All)</div>Select agency name to filter data<div>(All)</div></div> <div>Slide to filter by average estimated staff hours per request<div>0.94</div><div>9.7</div></div> <div>Data in this dashboard reflects agency-reported information for calendar years 2018 and 2019. Questions about the data should be directed to the reporting agency.</div> <div>Average estimated staff hours spent per request</div> <div><div>State agency, commission, or board</div><div>City/town/village</div><div>County</div><div>Police district/ESD</div><div>Special district</div></div> <div><div>4.53</div><div>3.99</div><div>2.31</div><div>3.41</div><div>3.11</div><div>3.33</div><div>5.4</div><div>9.97</div><div>0.59</div><div>0.59</div></div> <div><div>2018</div><div>2019</div><div>2018</div><div>2019</div><div>2018</div><div>2019</div><div>2018</div><div>2019</div><div>2018</div><div>2019</div></div> <div>Total estimated staff hours</div> <div>Average estimated staff hours per request</div> <div>Total requests (open + received)</div> <div><div>2018</div><div>2019</div><div>2018</div><div>2019</div><div>2018</div><div>2019</div></div> <div><div>1,012,364</div><div>1,276,765</div><div>2.83</div><div>3.16</div><div>357,241</div><div>404,259</div></div> <div>Click here to view interactive dashboard</div>

Statutory metric	Metric definition	Link to dashboard												
<p>Metric 11 - Estimated cost of fulfilling records requests</p> <p><i>See Section F for more information.</i></p>		<p>Cost of fulfilling records requests (<i>Metric 11</i>) Click here to view data table Click here to view scatter plot</p> <p>Select agency category to filter data: (All) Select agency name to filter data: (All)</p> <p>Data in this dashboard reflects agency-reported information for calendar years 2018 and 2019. Questions about the data should be directed to the reporting agency.</p> <p>Cost of fulfilling records by agency category:</p>  <table border="1"> <thead> <tr> <th>Category</th> <th>2018</th> <th>2019</th> </tr> </thead> <tbody> <tr> <td>Total estimated cost</td> <td>\$76,386,948</td> <td>\$100,761,777</td> </tr> <tr> <td>Average cost per request</td> <td>\$213.82</td> <td>\$249.25</td> </tr> <tr> <td>Total number of requests (open + received)</td> <td>357,241</td> <td>404,259</td> </tr> </tbody> </table>	Category	2018	2019	Total estimated cost	\$76,386,948	\$100,761,777	Average cost per request	\$213.82	\$249.25	Total number of requests (open + received)	357,241	404,259
Category	2018	2019												
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Total number of requests (open + received)	357,241	404,259												
<p>Metric 12 - Number of claims filed alleging a statutory violation</p> <p><i>See Section G for more information.</i></p>		<p>Total number of court claims alleging a statutory violation (<i>Metric 12</i>) Click here to view data table</p> <p>Select agency category to filter data: (All) Select agency name to filter data: (All) Slide to filter data by total court claims: 0</p> <p>Data in this dashboard reflects agency-reported information for calendar years 2018 and 2019. Questions about the data should be directed to the reporting agency.</p> <p>Number of court claims filed alleging a violation by agency category:</p>  <table border="1"> <thead> <tr> <th>Category</th> <th>2018</th> <th>2019</th> </tr> </thead> <tbody> <tr> <td>Total number of court claims</td> <td>71</td> <td>98</td> </tr> </tbody> </table>	Category	2018	2019	Total number of court claims	71	98						
Category	2018	2019												
Total number of court claims	71	98												
<p>Metric 13 - Costs of litigating claims alleging a statutory violation</p> <p><i>See Section G for more information.</i></p>		<p>Costs of litigating claims alleging a statutory violation (<i>Metric 13</i>) Click here to view data table</p> <p>Select agency category to filter: (All) Select agency name to filter: (All)</p> <p>Data in this dashboard reflects agency-reported information for calendar years 2018 and 2019. Questions about the data should be directed to the reporting agency.</p> <p>Total cost of litigation:</p>  <table border="1"> <thead> <tr> <th>Category</th> <th>2018</th> <th>2019</th> </tr> </thead> <tbody> <tr> <td>Total cost of litigation</td> <td>\$4,576,178</td> <td>\$10,035,171</td> </tr> </tbody> </table>	Category	2018	2019	Total cost of litigation	\$4,576,178	\$10,035,171						
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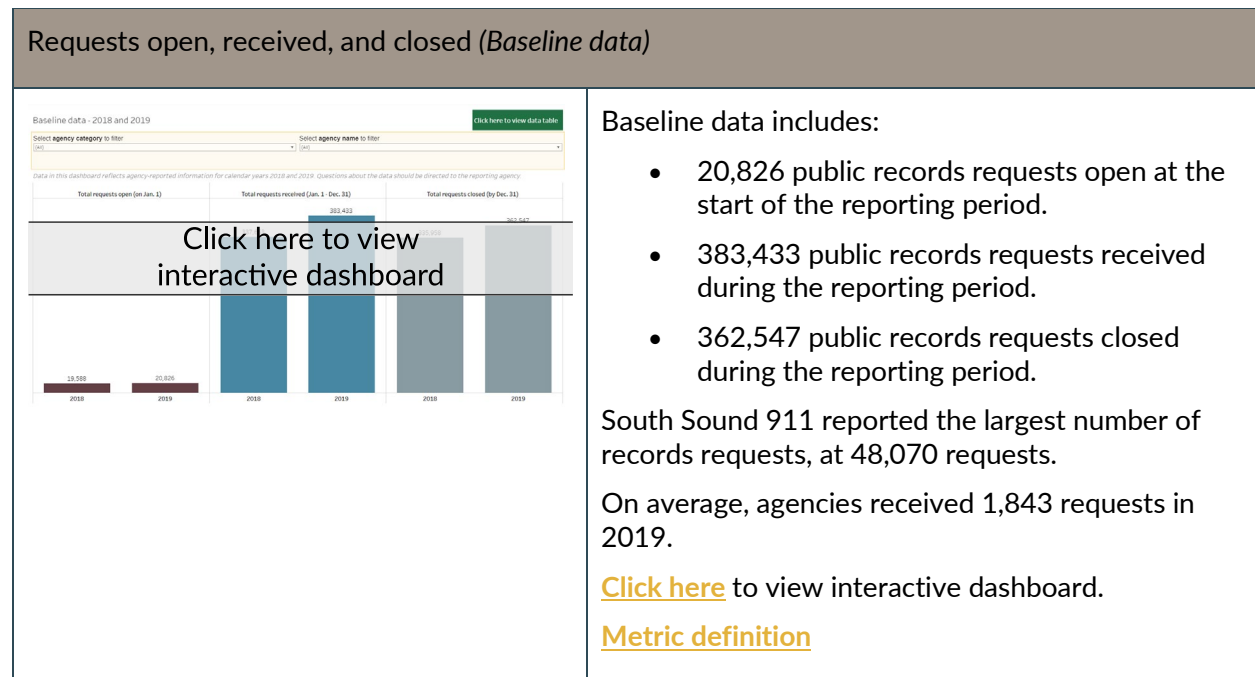
Statutory metric	Metric definition	Link to dashboard																										
<p>Metric 14 - Estimated costs of managing and retaining records</p> <p>See Section F for more information.</p>		<div><div>Estimated cost incurred for managing and retaining records (<i>Metric 14</i>)</div><div><div>Click here to view data table</div><div><div>Select agency category to filter data</div><div>Select agency name to filter data</div><div>Slide to filter data by total estimated cost</div></div><div><div>Data in this dashboard reflects agency-reported information for calendar years 2018 and 2019. Questions about the data should be directed to the reporting agency.</div><div>Total estimated cost for managing and retaining records by agency category</div><table><thead><tr><th>State agency, commission or board</th><th>City/town</th><th>County</th><th>Higher education institutions</th><th>School district/ESD</th><th>Special district</th></tr></thead><tbody><tr><td>\$54,720,095</td><td>\$33,930,380</td><td>\$17,755,110</td><td>\$20,574,714</td><td>\$14,911,823</td><td>\$14,348,886</td></tr><tr><td>\$2,783,286</td><td>\$2,194,293</td><td>\$10,365,496</td><td>\$8,876,339</td><td></td><td></td></tr></tbody></table><div><div>Total estimated cost for managing and retaining records</div><div>Average estimated cost per agency for managing and retaining records</div><table><thead><tr><th>2018</th><th>2019</th><th>2018</th><th>2019</th></tr></thead><tbody><tr><td>\$144,466,170</td><td>\$182,770,478</td><td>\$704,713</td><td>\$878,704</td></tr></tbody></table></div></div></div><div><div>Click here to view interactive dashboard</div></div></div>	State agency, commission or board	City/town	County	Higher education institutions	School district/ESD	Special district	\$54,720,095	\$33,930,380	\$17,755,110	\$20,574,714	\$14,911,823	\$14,348,886	\$2,783,286	\$2,194,293	\$10,365,496	\$8,876,339			2018	2019	2018	2019	\$144,466,170	\$182,770,478	\$704,713	\$878,704
State agency, commission or board	City/town	County	Higher education institutions	School district/ESD	Special district																							
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2018	2019	2018	2019																									
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<p>Metric 15 - Expenses recovered</p> <p>See Section F for more information.</p>		<div><div>Expenses recovered from requesters (<i>Metric 15</i>)</div><div><div>Click here to view data table</div><div><div>Select agency category to filter data</div><div>Select agency name to filter data</div><div>Slide to filter by expenses recovered</div></div><div><div>Data in this dashboard reflects agency-reported information for calendar years 2018 and 2019. Questions about the data should be directed to the reporting agency.</div><div>Total expenses recovered</div><table><thead><tr><th>State agency, commission, or board</th><th>City/town</th><th>County</th><th>Higher education institutions</th><th>School district/ESD</th><th>Special district</th></tr></thead><tbody><tr><td>\$89,059</td><td>\$77,770</td><td>\$52,471</td><td>\$557</td><td>\$590</td><td>\$9,308</td></tr><tr><td>\$101,910</td><td></td><td></td><td></td><td></td><td>\$12,969</td></tr></tbody></table><div><div>Total expenses recovered</div><div>Average expenses recovered per agency</div><table><thead><tr><th>2018</th><th>2019</th><th>2018</th><th>2019</th></tr></thead><tbody><tr><td>\$213,566</td><td>\$246,267</td><td>\$1,047</td><td>\$1,785</td></tr></tbody></table></div></div></div><div><div>Click here to view interactive dashboard</div></div></div>	State agency, commission, or board	City/town	County	Higher education institutions	School district/ESD	Special district	\$89,059	\$77,770	\$52,471	\$557	\$590	\$9,308	\$101,910					\$12,969	2018	2019	2018	2019	\$213,566	\$246,267	\$1,047	\$1,785
State agency, commission, or board	City/town	County	Higher education institutions	School district/ESD	Special district																							
\$89,059	\$77,770	\$52,471	\$557	\$590	\$9,308																							
\$101,910					\$12,969																							
2018	2019	2018	2019																									
\$213,566	\$246,267	\$1,047	\$1,785																									

B. Requests received and closed

Agencies reported receiving 383,433 records requests from individuals, organizations, other entities, and law firms

A total of 208 agencies reported data to JLARC staff during the 2019 reporting period¹. These agencies received 383,433 records requests.

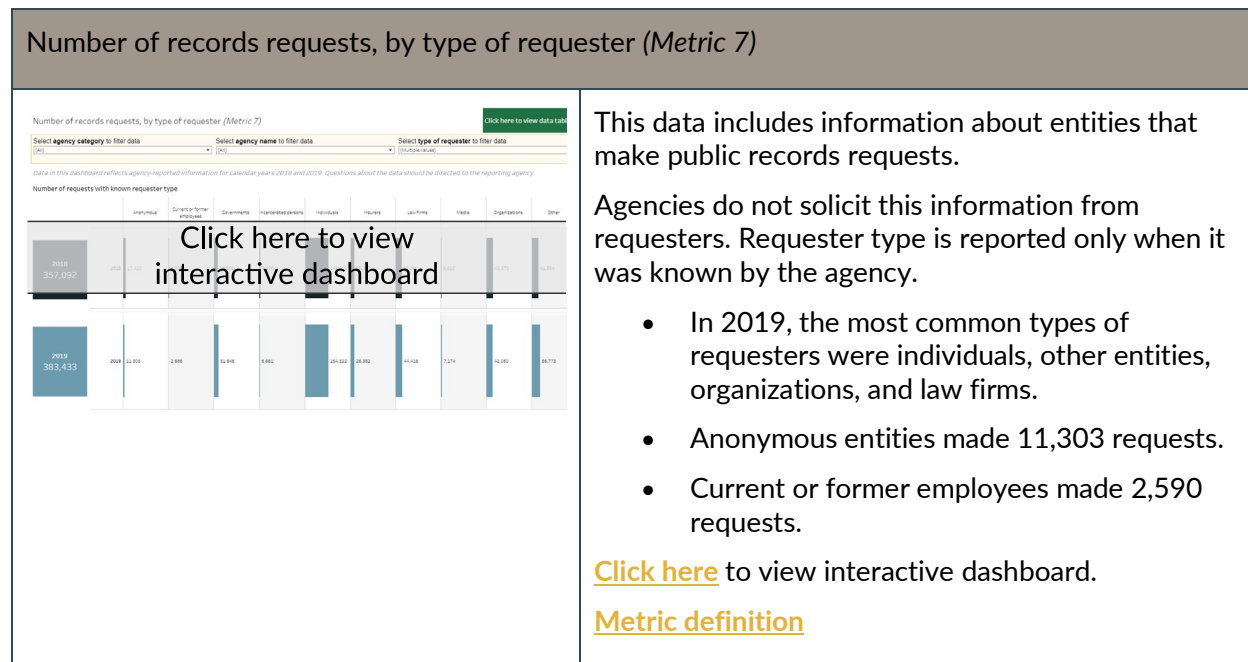
Exhibit B1: Agencies received an average of 1,843 public records requests in 2019, ranging from zero to 48,070 per agency



Source: JLARC staff compilation of data reported by 208 agencies.

¹January 1, 2019 to December 31, 2019.

Exhibit B2: The most common requesters were individuals, other entities, organizations, and law firms



Source: JLARC staff compilation of data reported by 208 agencies.

C. Response time

Average time to close requests was 15 days

The metrics on this page relate to the amount of time agencies spent responding to public records requests in 2019.

State law requires agencies to respond to public records requests within five days

Agencies may **respond** to a request in the following ways:

- Acknowledge receipt and provide an estimated timeframe for providing records.
- Provide the requested records.
- Ask the requester to clarify the request.
- Deny the request because there are no records or there is an exemption from disclosure.

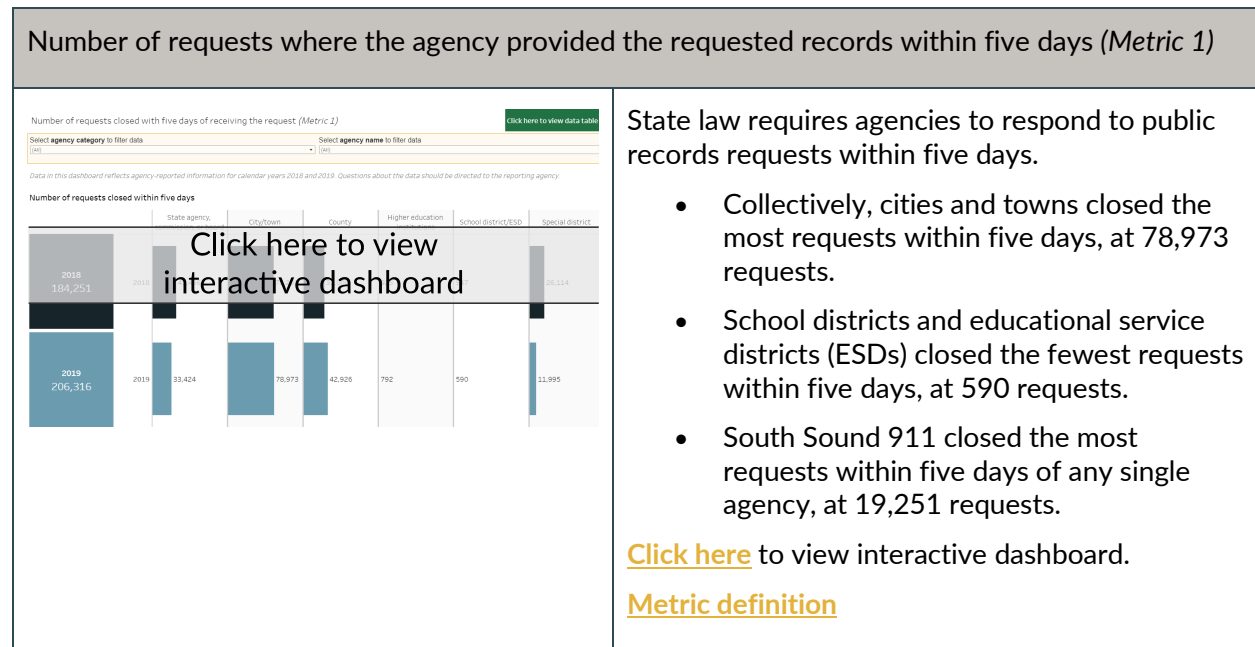
A request is considered **closed** when the agency does one of the following:

- Provides the requested records by:
 - Delivering or sending records to the requester.
 - Making records available for on-site review, for pickup, or upon payment.
- Informs the requester that the agency does not have the requested records.

- Informs the requester that the records are exempt from disclosure.

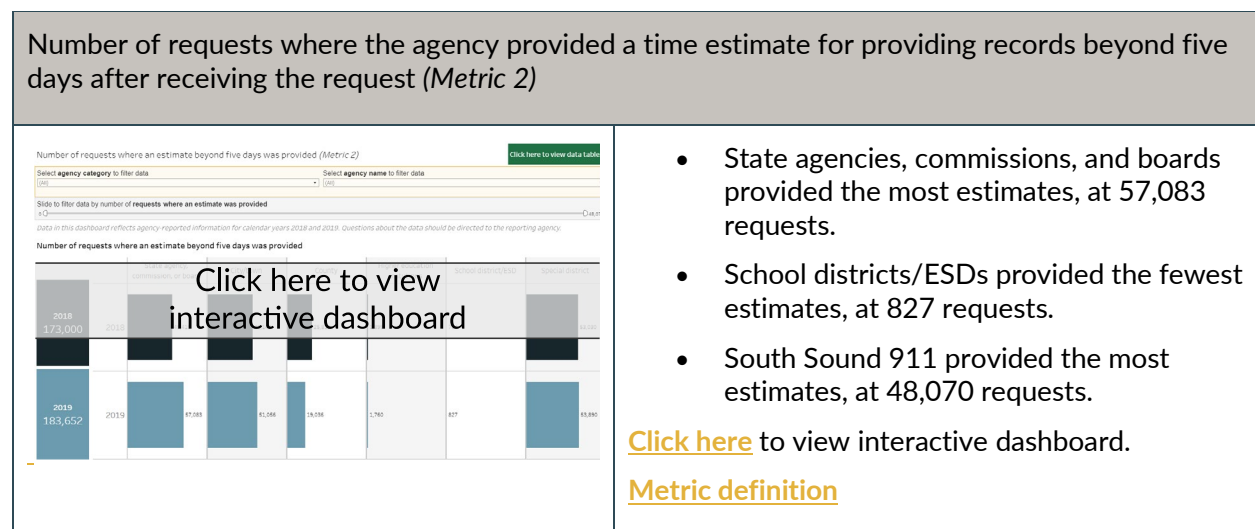
The date of **final disposition** is the date the agency finishes providing records, if any, and the request is closed.

Exhibit C1: Agencies closed 206,316 requests within five days



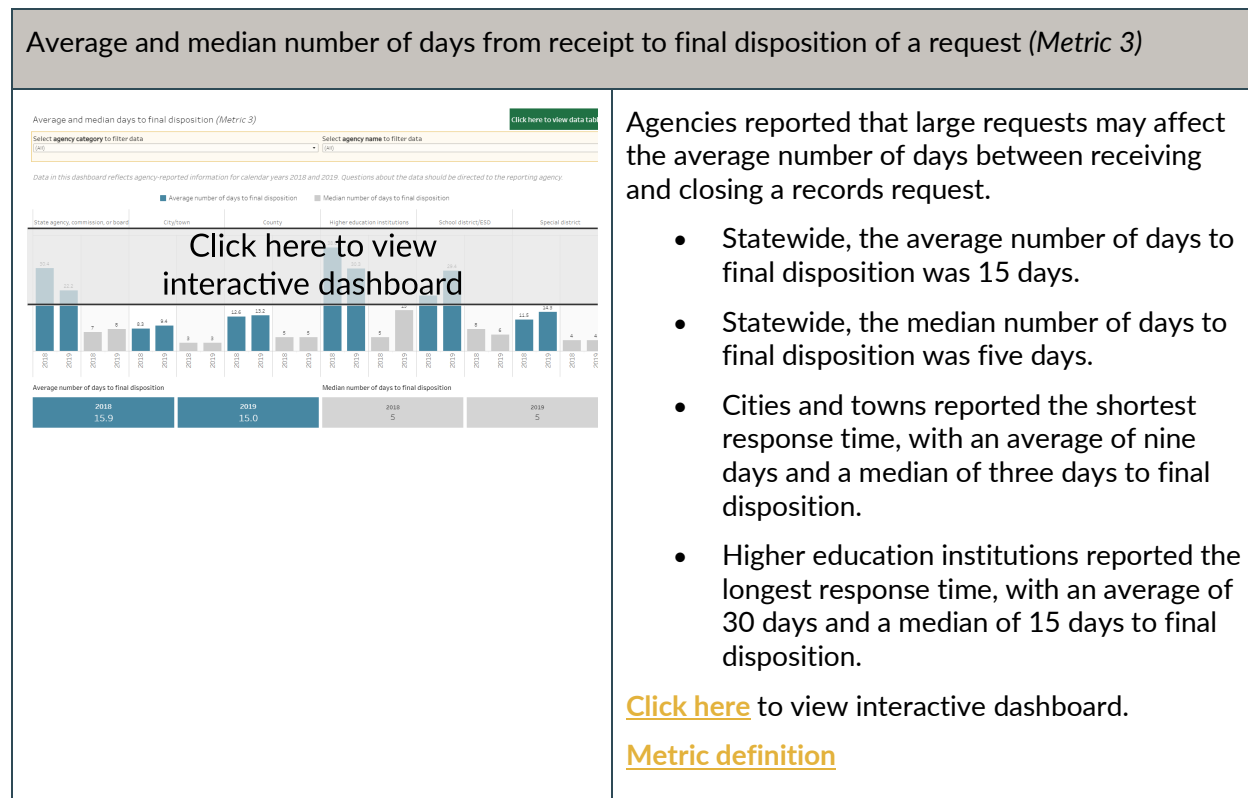
Source: JLARC staff compilation of data reported by 208 agencies.

Exhibit C2: Agencies estimated it would take more than five days to respond for 183,652 records requests



Source: JLARC staff compilation of data reported by 208 agencies.

Exhibit C3: Agencies closed records requests in an average of 15 days. The median time to close was five days.



Source: JLARC staff compilation of data reported by 208 agencies.

D. Clarified, denied, abandoned

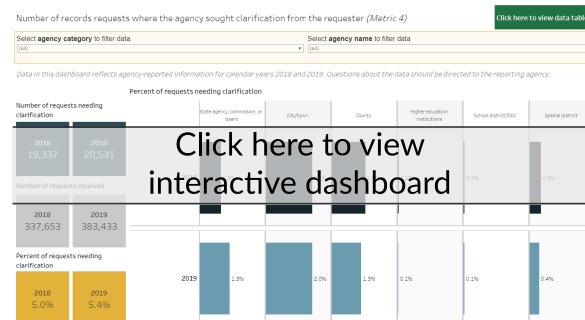
Few records requests were clarified, denied, or abandoned

The metrics on this page relate to the number of record request clarifications, denials, and abandonments.

- **Clarification** means the agency formally asked the requester to provide clarifying information about the request.
- **Denial** means the agency did not provide complete records to the requester or redacted records per an exemption under [Chapter 42.56 RCW](#).
 - *Fully denied* means the agency withheld all records from the requester.
 - *Partially denied* means the agency withheld some records from the requester.
 - *Redacted* means the agency obscured part of a record before providing it to the requester.
- **Abandonment** means the requester withdrew the request or failed to follow request procedures.

Exhibit D1: 20,531 request (5%) required clarification

Number of records requests where the agency sought clarification from the requester (Metric 4)



Agencies reported the number of requests needing clarification, not the number of times a request was clarified. For example, one request with five different clarifications is counted once.

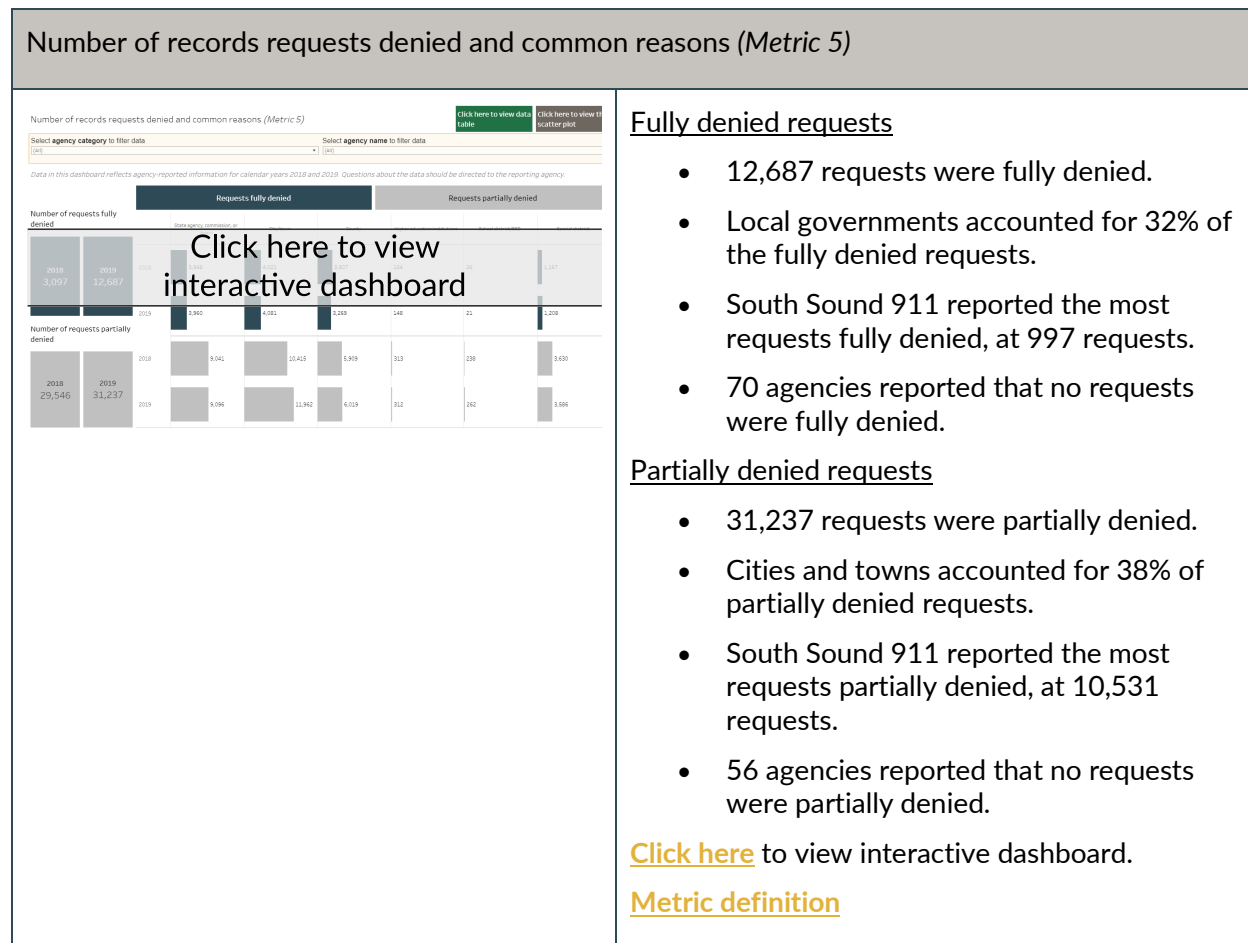
- Statewide, 20,531 requests required clarification.
- 7,688 requests to cities and towns required clarification.
- 275 requests to higher education institutions required clarification.
- Seattle reported the most requests required clarification, at 2,068 requests.
- 27 agencies reported that no requests required clarification.

[Click here](#) to view interactive dashboard.

[Metric definition](#)

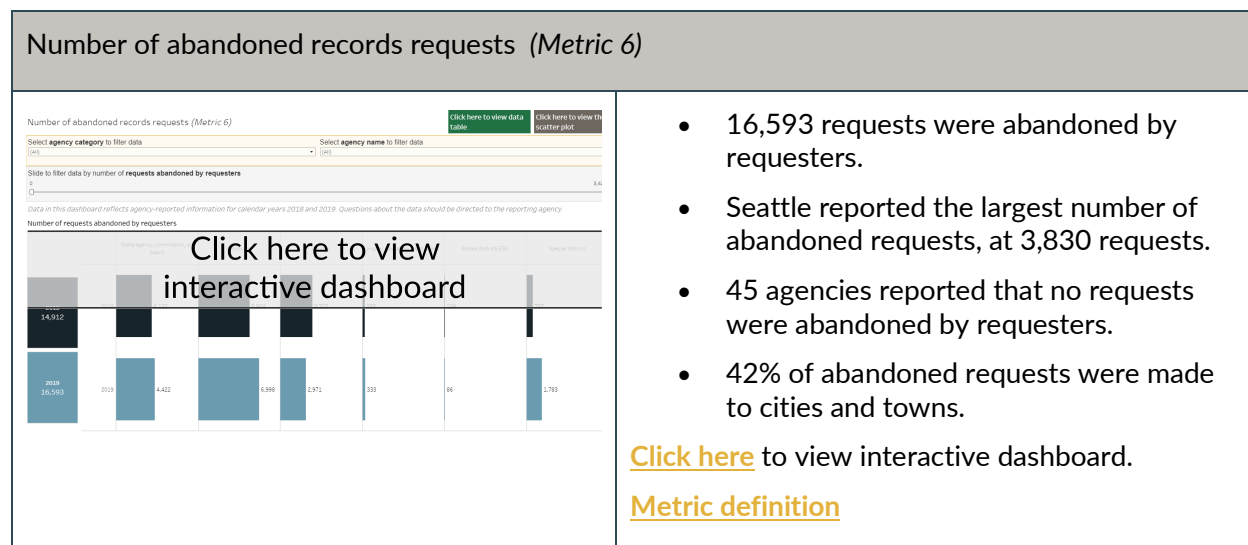
Source: JLARC staff compilation of data reported by 208 agencies.

Exhibit D2: 12,687 requests (3%) were fully denied, and 31,237 (8%) were partially denied or redacted



Source: JLARC staff compilation of data reported by 208 agencies.

Exhibit D3: Requesters abandoned 16,593 requests (4%)



Source: JLARC staff compilation of data reported by 208 agencies.

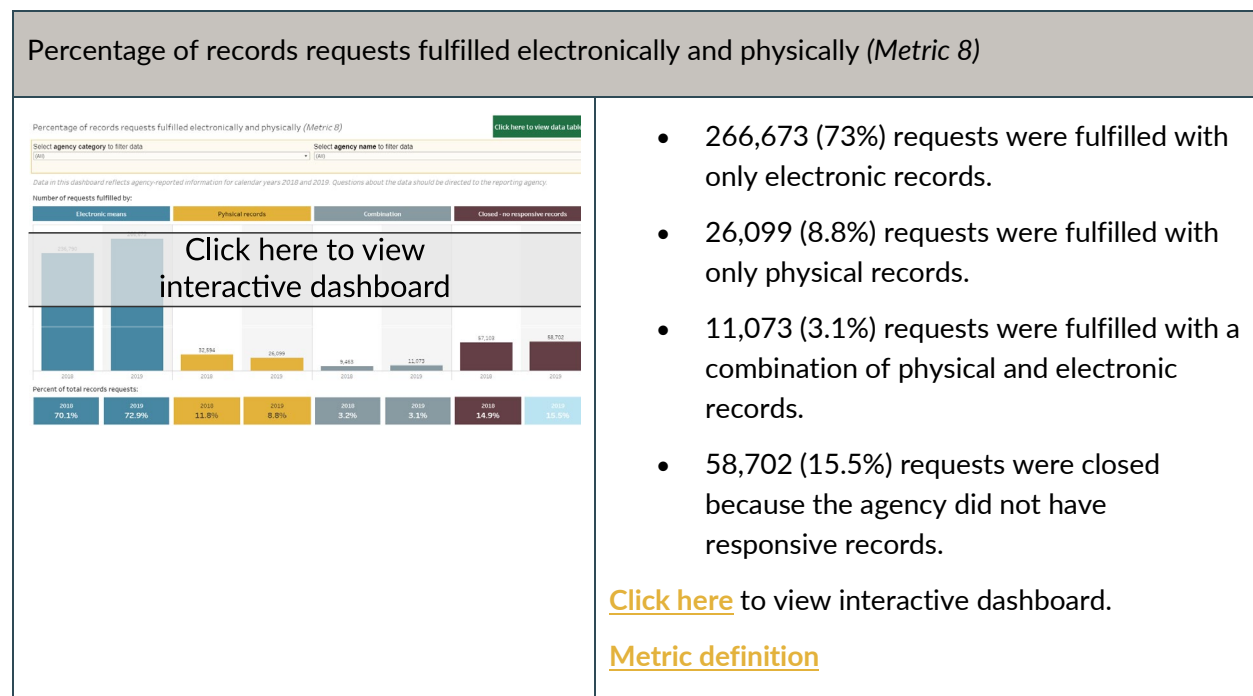
E. Response format

Most records requests were fulfilled electronically

The metrics on this page relate to the way an agency provides records to a requester. Agencies can provide public records in electronic format or in printed format. These metrics include information about electronic and physical records and if records are scanned to fulfill a request.

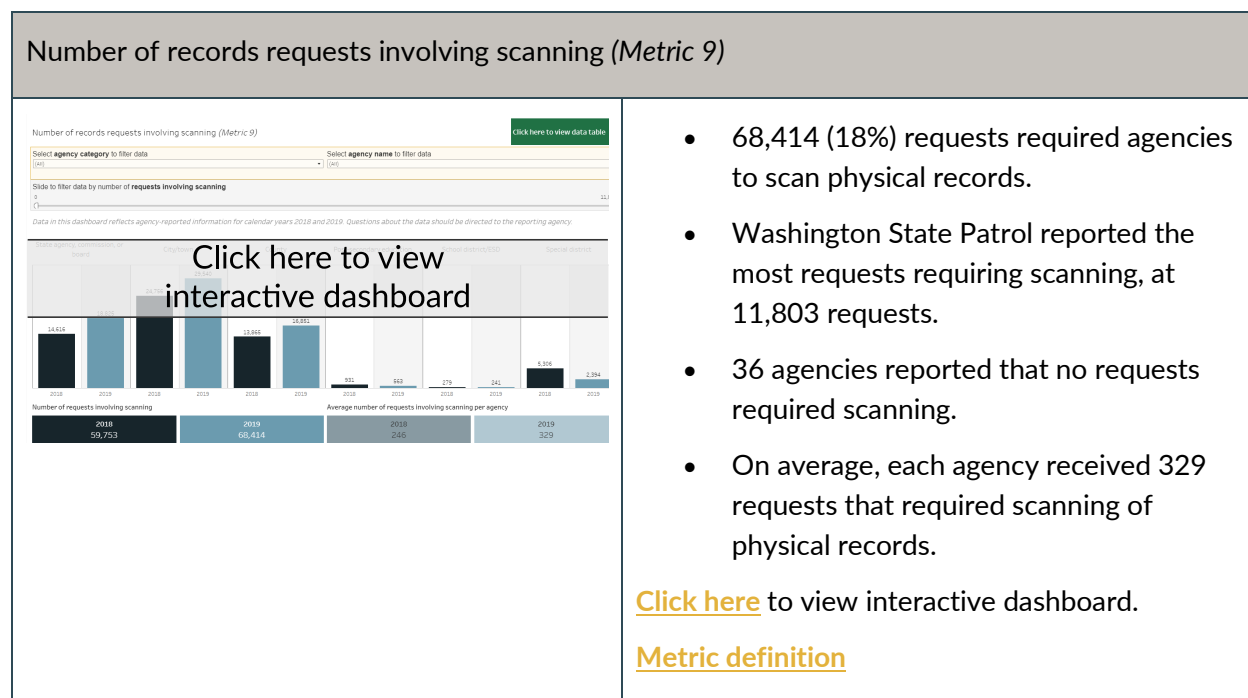
- **Electronic records** include email, memory sticks, CDs, file transfer sites, links to online documents, and more.
- **Physical records** include paper documents, books, photographs, and other non-electronic records.
- **Scanning** converts physical records to an electronic form.

Exhibit E1: 266,673 requests (73%) were fulfilled electronically



Source: JLARC staff compilation of data reported by 208 agencies.

Exhibit E2: 68,414 requests (18%) required agencies to scan physical records



Source: JLARC staff compilation of data reported by 208 agencies.

F. Time and cost

Agencies estimate spending more than 1.3 million hours and \$101 million responding to records requests

The metrics on this page relate to the staff time and costs associated with responding to records requests and managing public records. All data reported to JLARC for these metrics are estimates, per [statute](#)².

Time and cost estimates reflect estimates for the 208 agencies that reported performance metric data. Estimates do not include costs for the 681 agencies that indicated they were below the \$100,000 expenditure threshold, nor the 1,529 agencies that did not provide information.

Time and cost estimates reflect activities between January 1, 2019 and December 31, 2019.

Agencies used various approaches to calculate costs. JLARC staff advised agencies to avoid double counting time and costs by separating the resources used to respond to requests from the resources used to manage records.

²RCW 40.14.026

Agencies reported challenges estimating the time and cost of responding to public records requests

Agencies have different internal processes for estimating the staff time spent responding to public records requests. For example, some agencies assign a difficulty level to each request (e.g., easy, average, difficult) and assign each level a corresponding amount of time spent. Others work with staff to gather actual time spent.

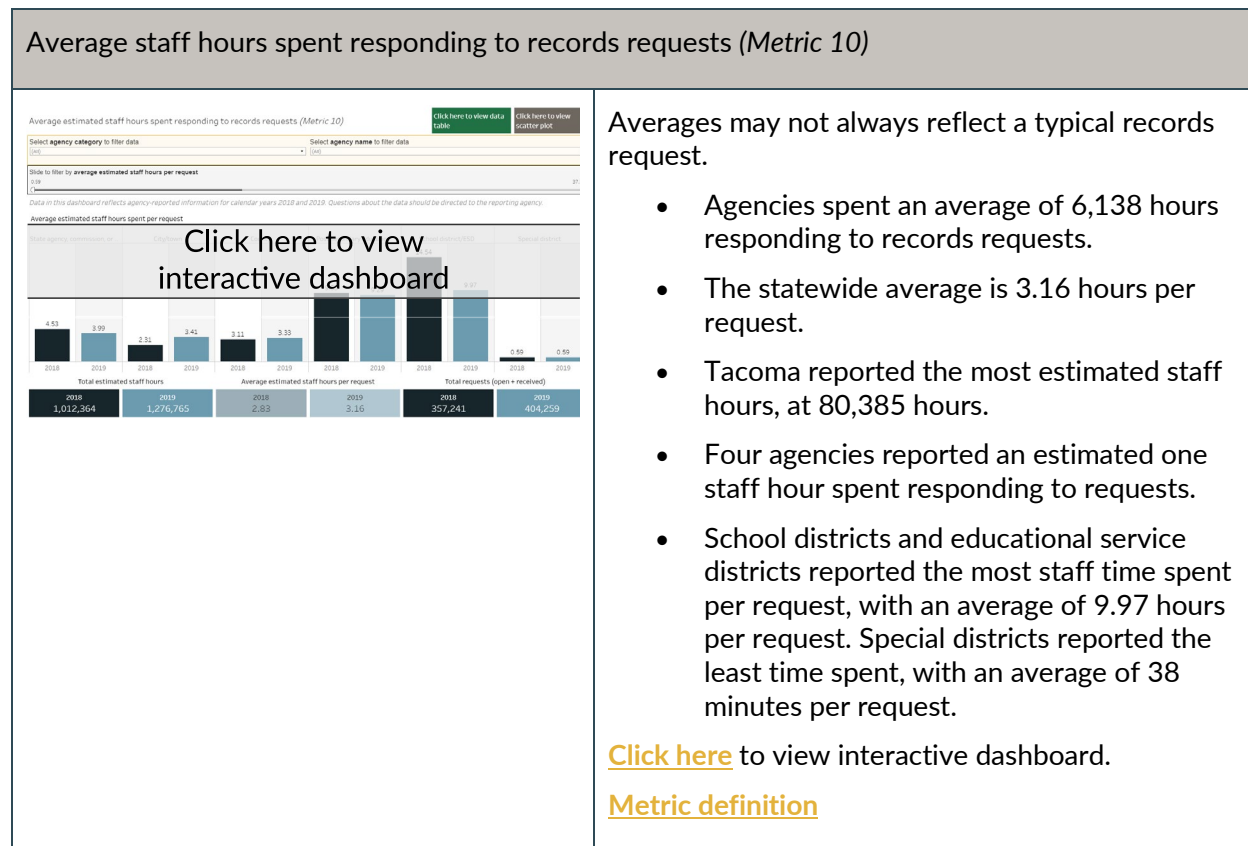
Agencies reported challenges estimating staff time for positions that are not designated as public records staff. For example, employees who are not typically involved in fulfilling public records requests may spend time looking for records on a specific request.

Agencies reported challenges in estimating the costs for managing records

Agencies indicated a number of challenges in estimating costs for managing public records, such as:

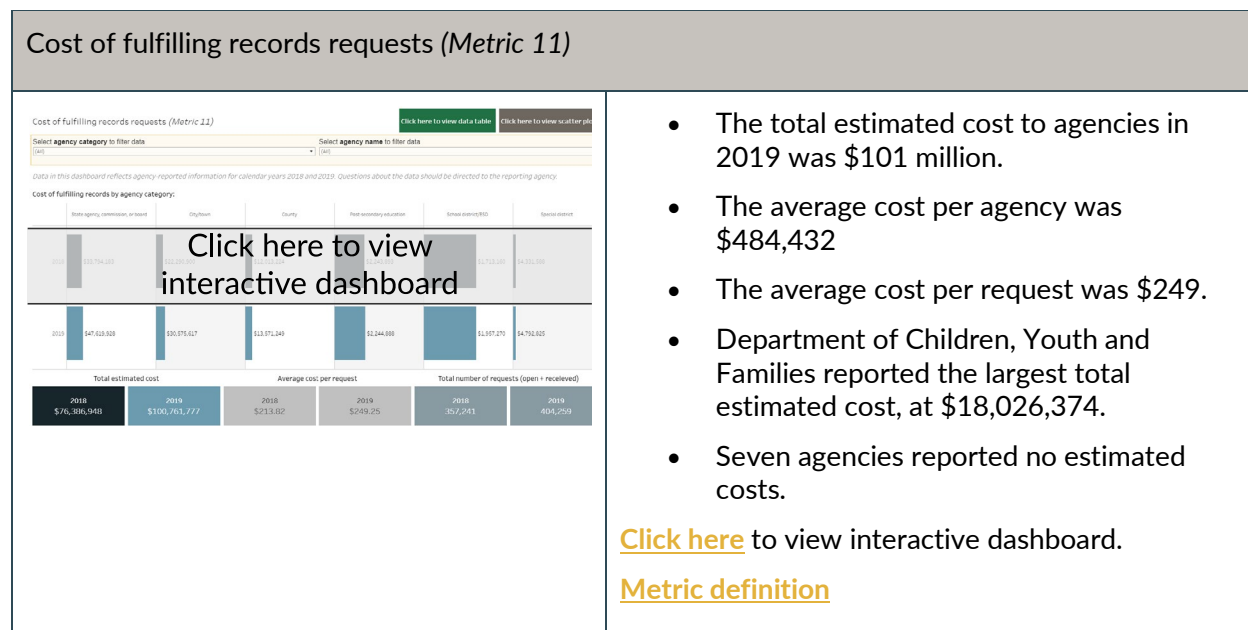
- Including staff training costs.
- Including overhead estimates.
- Differentiating response costs from management costs.
- Calculating costs for staff whose primary job is not records management.
- Calculating costs for software that is used for managing records and for other purposes.

Exhibit F1: Agencies spent 1.3 million staff hours responding to public records requests



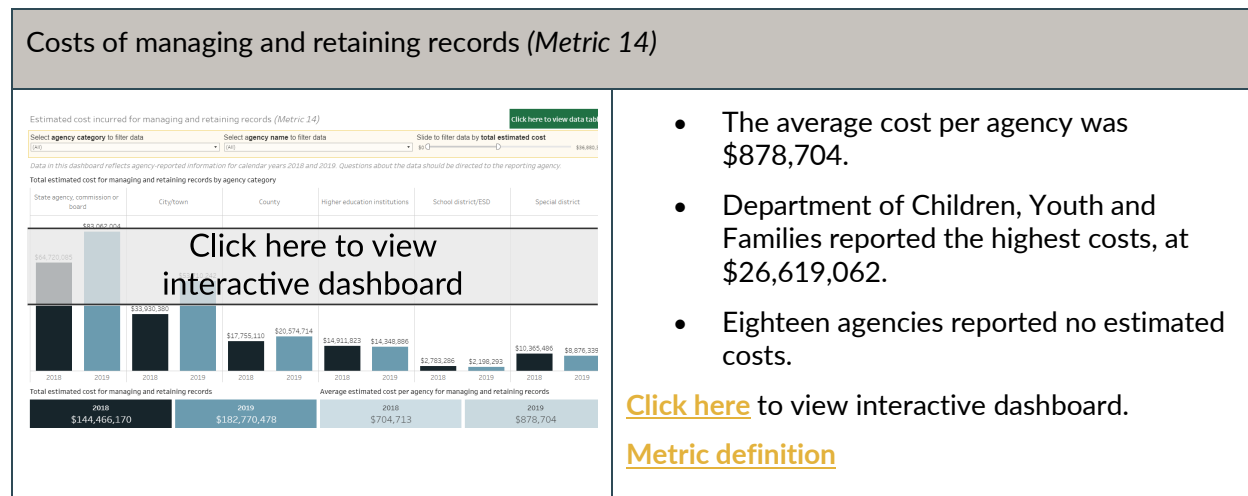
Source: JLARC staff compilation of data reported by 208 agencies.

Exhibit F2: Agencies spent \$101 million fulfilling records requests



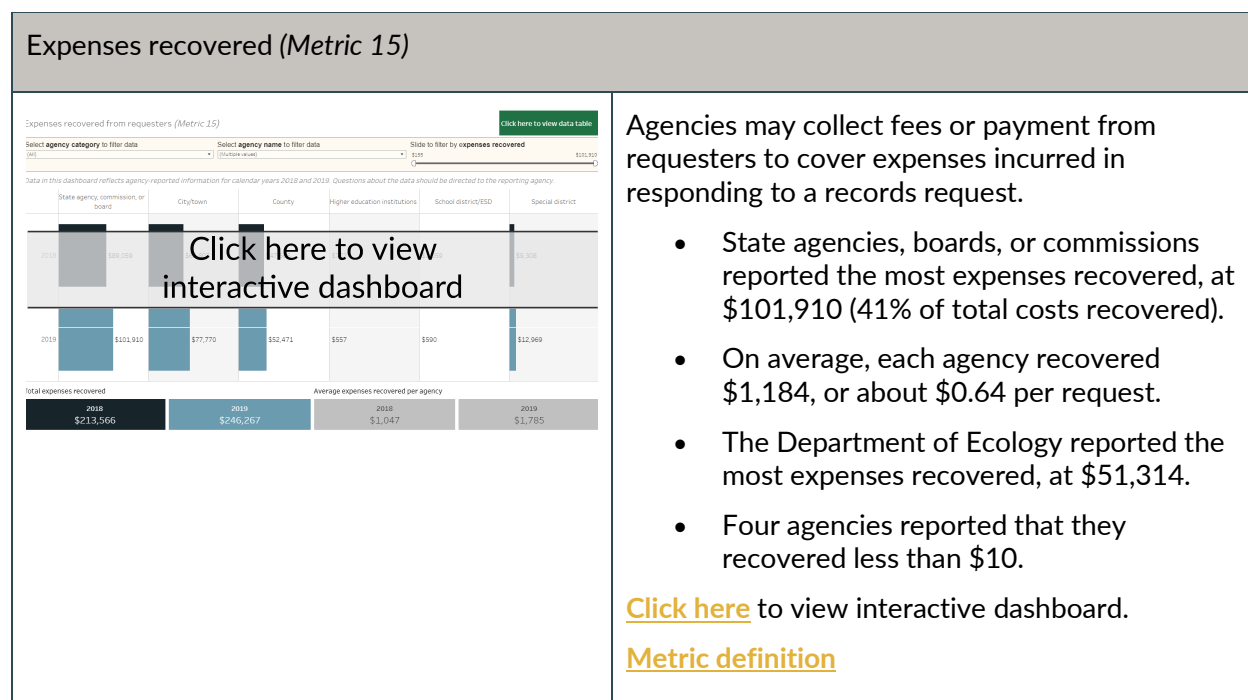
Source: JLARC staff compilation of data reported by 208 agencies.

Exhibit F3: Agencies spent \$182.8 million managing and retaining public records



Source: JLARC staff compilation of data reported by 208 agencies.

Exhibit F4: Agencies reported \$246,267 in expenses associated with responding to records requests



Source: JLARC staff compilation of data reported by 208 agencies.

G. Court claims

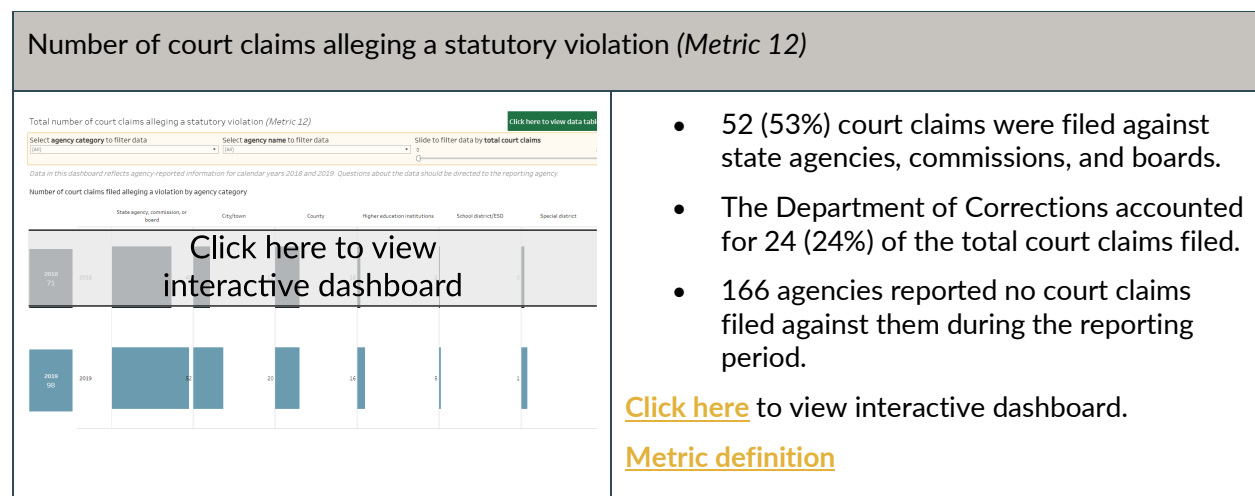
Agencies spent \$10 million on litigation

The metrics on this page relate to court claims alleging that the agency violated the Public Records Act ([Chapter 42.56 RCW](#)) or other public records statutes. Data reported for this metric include the number of claims filed and costs incurred by the agency. Data does not include information about the total number of claims settled during the reporting period.

Agencies reported a total of 98 court claims filed in 2019 alleging that an agency violated Chapter 42.56 RCW. Agencies reported spending \$10 million on litigation costs. Costs may include:

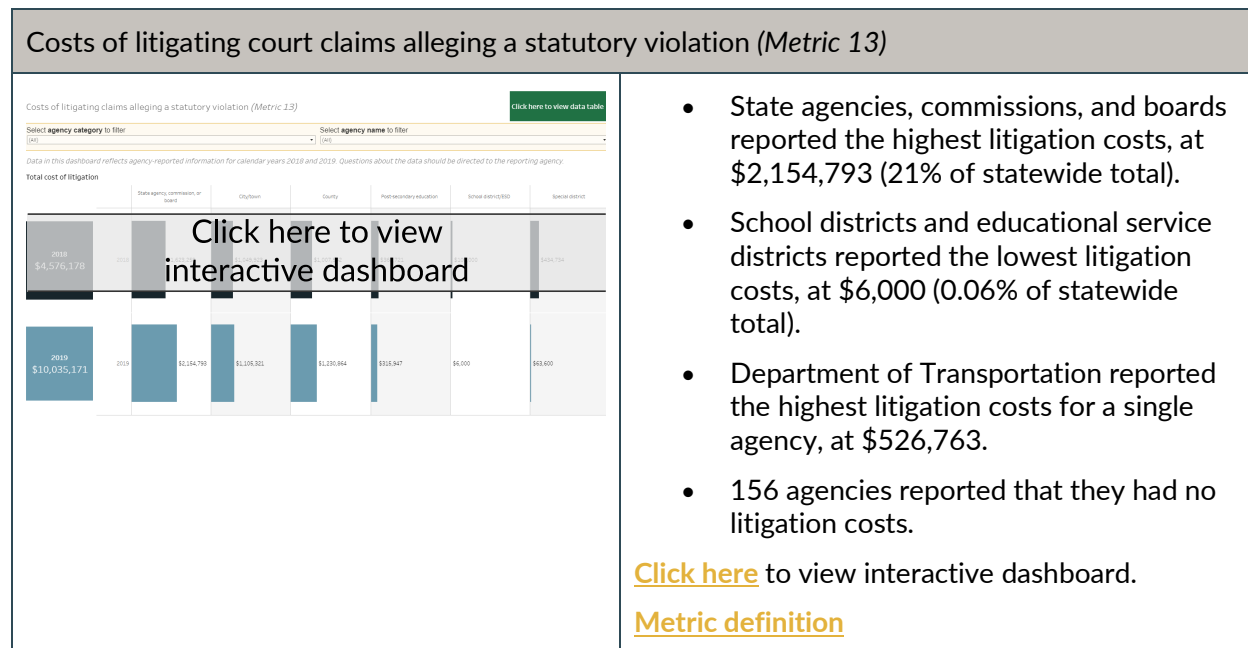
- Estimates of agency staff time incurred while responding to litigation (e.g. responding to discovery, participating in depositions, attending mediation).
- Attorney fees for the agency's attorneys.
- Other agency representation costs (e.g. costs associated with production of documents or purchasing deposition transcripts).
- Settlement amounts.
- Total penalties.
- Attorney fees for the requester's attorney.
- Costs for the requester's litigation.

Exhibit G1: Ninety-eight court claims were filed against agencies alleging a statutory violation



Source: JLARC staff compilation of data reported by 208 agencies.

Exhibit G2: Agencies spent \$10 million on litigation for court claims alleging a statutory violation



Source: JLARC staff compilation of data reported by 208 agencies.

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