



# Joint Legislative Audit & Review Committee

*The Legislature's nonpartisan performance auditors*

## Office of Privacy and Data Protection

### Legislative Auditor's conclusion

The Office of Privacy and Data Protection (OPDP) meets statutory responsibilities and receives high user satisfaction. However, the Legislature should update OPDP's mandate to align with its capacity and focus.

### Key points

- OPDP advises state agencies on managing personal information. 82% of state agency staff who use OPDP resources said it met all or most of their needs.
- OPDP connects local governments to federal and state resources to increase privacy awareness.
- Since 2020, OPDP has focused more on supporting state and local governments and less on public outreach.
- OPDP stopped publishing a broadband equity report because the Legislature created another agency that is responsible for broadband development, access, and reporting.
- OPDP measures its performance, but its metrics do not fully align with its new focus or assess whether its efforts improve privacy and data protection in the state.

### Recommendations

1. In consultation with OPDP, the Legislature should review and update OPDP statute to align with its current capacity and focus.
2. OPDP should develop and use performance measures to evaluate its long-term effect on privacy and data protection for Washington residents.



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### Read the full report

[leg.wa.gov/jlarc/audits](https://leg.wa.gov/jlarc/audits)

September 2025

# The Office of Privacy and Data Protection serves as a resource for government agencies

- OPDP advises state agencies on how to collect and manage personal information, helps agencies design privacy policies, and helps coordinate data protection.
- OPDP serves as a resource to local governments by connecting them to federal and state privacy resources.

82% of state agency staff who use OPDP resources say it met all or most of their privacy and data protection needs



Note: Percentages do not total 100% due to rounding.  
Source: JLARC staff survey of state agency staff who used OPDP resources.

## Two statutory requirements do not align with OPDP’s current capacity and focus

*From statute:* OPDP should submit a broadband equity report to the Legislature

- Required only if resources allow.
- The Washington State Broadband Office has a similar requirement in law.
- Another agency is better positioned to publish information on broadband access and equity.
- The Office of Equity has since been established to focus on statewide equity issues.

*From statute:* OPDP should educate the public on privacy and protecting personal information online

- OPDP prioritizes support to government agencies. The public can access OPDP resources online.
- Other agencies offer resources to the public on privacy and data protection.
- In 2021, OPDP requested but did not receive funding for public outreach staff.

## OPDP’s performance measures focus on outputs from activities rather than long-term outcomes

- OPDP’s current measures do not reflect long-term outcomes and do not assess whether its efforts have improved privacy and data protection.

Best practices suggest that agencies connect activities to outcomes

