

# Public Records Exemption Codes List



| Redaction Code             | Exemption                                                            | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | Notes for PDC<br>(Do NOT include on Log)                                                                                     |
|----------------------------|----------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------|
| <b>Investigative Files</b> |                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                              |
| <b>1(a)</b>                |                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                              |
| <b>1(b)</b>                | <b>Social Security Number</b> - RCW 42.56.230(5); & RCW 9.35.005(1)  | RCW 42.56.230(5) exempts "other financial information", as defined in RCW 9.35.005(1), from production under the Public Records Act. "Financial information" in RCW 9.35.005(1) includes social security numbers and tax identification numbers.                                                                                                                                                                                                                                                                                                                             | Replaces Code 50 and Code 16 SSN exemptions<br>This is a universal exemption for all record types except personnel records.  |
| <b>1(c)</b>                | <b>Driver's License Number</b> - RCW 42.56.230(5), & RCW 9.35.005(1) | RCW 42.56.230(5) exempts "other financial information", as defined in RCW 9.35.005(1), from production under the Public Records Act. "Financial information" in RCW 9.35.005(1) includes driver's license numbers, permit numbers and state identicard numbers issued by the Department of Licensing                                                                                                                                                                                                                                                                         | Use for any state's driver's license numbers. For exemption of driver's license numbers on DOL records only, use Code 16(e). |
| <b>1(d)</b>                | <b>Graphic Photos</b> - RCW 42.56.240(1) & RCW 42.56.050             | The withheld records are graphic photos from [crime scene, traffic collision] that depict [describe the contents e.g., a severe injury, a corpse]. These photos were collected as part of a law enforcement agency's criminal investigation. Specific investigative records compiled by investigative and law enforcement agencies, the nonproduction of which is essential for the protection of any person's right to privacy. Disclosure of graphic photographs (1) Would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public. | Remove the yellow highlighted portion and add the required information before sending log out.                               |
| <b>1(e)</b>                | <b>Private Personal Details</b> - RCW 42.56.240(1) & RCW 42.56.050   | The withheld or redacted record was collected as part of a law enforcement agency's investigation. Specific investigative records compiled by investigative and law enforcement agencies, the nonproduction of which is essential for the protection of any person's right to privacy, are exempt from production under the Public Records Act. The withheld information involves [sexually explicit details, etc]. Disclosure of this information (1) Would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public                  | Remove the yellow highlighted portion and add the required information before sending log out.                               |
| <b>2(a)</b>                | <b>Identity of Witness Safety</b> - RCW 42.56.240(2)                 | The withheld information would reveal the identity of witnesses to a crime. Based on the circumstances at issue in this investigation [Provide some detail such as the witness is an informant or has received threats, etc.], the agency believes that disclosure would endanger the witness'                                                                                                                                                                                                                                                                               | Remove the yellow highlighted portion and add the required information before sending log out.                               |

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| Redaction Code | Exemption                                                                                                     | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           | Notes for PDC<br>(Do NOT include on Log)                                                       |
|----------------|---------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
|                |                                                                                                               | life, physical safety, or property.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                |
| 2(b)           | <b>Identity of Complainant Safety</b> – RCW 42.56.240(2)                                                      | The withheld information would reveal the identity of complainant who reported a crime. Based on the circumstances at issue in this investigation [Provide some detail such as the complainant is an informant or has received threats, etc.], the agency believes that disclosure would endanger the complainant's life, physical safety, or property.                                                                                                                                                                                                            | Remove the yellow highlighted portion and add the required information before sending log out. |
| 2(c)           | <b>Identity of Victim Safety</b> – RCW 42.56.240(2)                                                           | The withheld information would reveal the identity of a victim to this crime. Based on the circumstances at issue in this investigation [Provide some detail such as the victim is an informant or has received threats, etc.], the agency believes that disclosure would endanger the victim's life, physical safety, or property.                                                                                                                                                                                                                                | Remove the yellow highlighted portion and add the required information before sending log out. |
| 2(d)           | <b>Identity of Witness Anonymity Requested</b> – RCW 42.56.240(2)                                             | The withheld information would reveal the identity of a witness who indicated a desire for nondisclosure of his/her identity at the time of filing the complaint or contacting law enforcement.                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                |
| 2(e)           | <b>Identity of Complainant Anonymity Requested</b> – RCW 42.56.240(2)                                         | The withheld information would reveal the identity of a complainant who indicated a desire for nondisclosure of his/her identity at the time of filing the complaint or contacting law enforcement.                                                                                                                                                                                                                                                                                                                                                                |                                                                                                |
| 2(f)           | <b>Identity of Victim Anonymity Requested</b> – RCW 42.56.240(2)                                              | The withheld information would reveal the identity of a victim who indicated a desire for nondisclosure of his/her identity at the time of filing the complaint or contacting law enforcement.                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                |
| 2(g)           | <b>Crime Victim's Compensation Program</b> – RCW 7.68.140                                                     | Records relating to claims made to the crime victims compensation program are confidential.                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                |
| 3(a)           | <b>Tactical details/Intelligence Non-disclosure essential to effective law enforcement</b> - RCW 42.56.240(1) | The withheld record is specific intelligence information that was compiled by a law enforcement agency, the nondisclosure of which is essential to effective law enforcement, and is exempt from production under the Public Records Act. The withheld information describes tactics used by law enforcement in response to [civil unrest, raids, etc.]. Disclosing this information would enable persons to undermine or overcome a law enforcement response during a future similar event. Accordingly, nondisclosure is essential to effective law enforcement. | Remove the yellow highlighted portion and add the required information before sending log out. |
| 3(b)           | <b>Intelligence information; Non-</b>                                                                         | The withheld record is specific intelligence information and was compiled by a law                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                |

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|----------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
|                | <b>disclosure essential to effective law enforcement -</b><br>RCW 42.56.240(1)                                                                            | enforcement agency to monitor or assess threats. Specific intelligence information compiled by investigative and law enforcement agencies, the nondisclosure of which is essential to effective law enforcement, is exempt from production under the Public Records Act. Disclosing this information would undermine effective law enforcement by enabling persons to mask behaviors, evade law enforcement scrutiny, or provide false information. Accordingly, nondisclosure is essential to effective law enforcement.                                                                                                                                                                                                                                                                                                                                                                                 |                                          |
| <b>3(c)</b>    | <b>Undercover Officers/ Intelligence information, Non-disclosure essential to effective law enforcement -</b><br>RCW 42.56.240(1)                         | An undercover officer's identity is specific intelligence information compiled by a law enforcement agency. Specific intelligence information compiled by investigative and law enforcement agencies, the nondisclosure of which is essential to effective law enforcement, is exempt from production under the Public Records Act. Disclosing the undercover officer's identity would compromise effective law enforcement by jeopardizing the officer's safety or the investigation's integrity. Accordingly, nondisclosure is essential to effective law enforcement. Additionally, information revealing the identity of persons who are witnesses to a crime is exempt from production under the Public Records Act, if disclosure would endanger any person's life, physical safety, or property. Revealing the identity of an undercover officer would jeopardize his/her life or physical safety. |                                          |
| <b>3(d)</b>    | <b>Confidential Informant/ Intelligence information, Non-disclosure essential to effective law enforcement –</b><br>RCW 42.56.240(1), & RCW 42.56.240(2), | The identity of a confidential informant is specific intelligence information compiled by a law enforcement agency. Specific intelligence information compiled by investigative and law enforcement agencies, the nondisclosure of which is essential to effective law enforcement, is exempt from production under the Public Records Act. Disclosing the confidential informant's identity would compromise effective law enforcement by jeopardizing the informant's life of the investigation's integrity. Accordingly, nondisclosure is essential to effective law enforcement. Additionally, information revealing the identity of persons who are witnesses to a crime is exempt from production under the Public Records Act, if disclosure would                                                                                                                                                 |                                          |

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| Redaction Code | Exemption                                                                                                                                                            | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | Notes for PDC<br>(Do NOT include on Log)                                                       |
|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
|                |                                                                                                                                                                      | endanger any person's life, physical safety, or property. Revealing the identity of a confidential informant would jeopardize his/her life or physical safety.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       |                                                                                                |
| <b>3(e)</b>    | <b>Officer Safety/ Intelligence information, Non-disclosure essential to effective law enforcement - RCW 42.56.240(1)</b>                                            | The withheld or redacted record is specific intelligence information and was compiled by a law enforcement agency. Specific intelligence information compiled by investigative and law enforcement agencies, the nondisclosure of which is essential to effective law enforcement, is exempt from production under the Public Records Act. The withheld information is officer safety information [e.g., instruction to law enforcement officers on how to deescalate situations]. Nondisclosure is essential to protect the integrity of law enforcement activities and maintain officer safety. Accordingly, nondisclosure is essential to effective law enforcement.                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Remove the yellow highlighted portion and add the required information before sending log out. |
| <b>3(f)</b>    | <b>Organized Crime/ Intelligence information, Non-disclosure essential to effective law enforcement - RCW 42.56.240(1), RCW 43.43.856(2), &amp; RCW 42.56.270(1)</b> | The withheld or redacted record is specific intelligence information and was compiled by law enforcement agency. Specific intelligence information compiled by investigative and law enforcement agencies, the nondisclosure of which is essential to effective law enforcement, is exempt from production under the Public Records Act. The withheld information is specific intelligence information regarding the activities of organized crime that is collected and processed by the WSP's organized crime intelligence unit. Law enforcement gathers this information to monitor or evaluate threats by organized crime. Disclosure of this information could compromise effective law enforcement by enabling criminal organizations to mask their behaviors, evade law enforcement scrutiny, or spread false information. Accordingly, nondisclosure is essential to effective law enforcement. Additionally, all of the information and data collected and processed by the WSP's organized crime intelligence unit shall be confidential and not subject to examination or publication pursuant to the Public Records Act. |                                                                                                |
| <b>3(g)</b>    | <b>Confidential License Plates Non-Disclosure Essential To Effective Law</b>                                                                                         | The withheld information is confidential license plate information issued by the Department of Licensing under RCW 46.08.066 that would reveal the identity of an individual who is or was performing an                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                                                                                |

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|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                | <b>Enforcement -</b><br>RCW<br>42.56.230(7)(c),<br>RCW 42.56.240(1),<br>& RCW 46.08.066                                                                                       | undercover covert law enforcement operation.<br>Additionally, confidential license plate information is specific intelligence information compiled by a law enforcement agency. Specific intelligence information, the nondisclosure of which is essential to effective law enforcement, is exempt from production under the Public Records Act. Disclosure of confidential license plate information could reveal the identity of undercover officers and compromise investigations. Accordingly, nondisclosure is essential for effective law enforcement.                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                      |
| <b>3(h)</b>    | <b>Confidential Driver's License or Identocard Non-Disclosure Essential to Effective Law Enforcement –</b><br>RCW<br>42.56.230(7)(c),<br>RCW 46.08.066, &<br>RCW 42.56.240(1) | The withheld information is confidential driver's license or identocard information issued by the Department of Licensing under RCW 46.08.066 that would reveal the identity of an individual who is or was performing an undercover covert law enforcement operation.<br>Additionally, confidential driver's license of identocard information is specific intelligence information compiled by a law enforcement agency. Specific intelligence information, the nondisclosure of which is essential to effective law enforcement, is exempt from production under the Public Records Act. Disclosure of confidential license plate information could reveal the identity of undercover officers and compromise investigations. Accordingly, nondisclosure is essential for effective law enforcement. |                                                                                                                                                                                                                                                                                      |
| <b>4(a)</b>    | <b>Active Criminal Investigative Files –</b> RCW 42.56.240(1)                                                                                                                 | The withheld records have been compiled by law enforcement as part of a criminal investigation. Specific investigative records compiled by investigative or law enforcement agencies, the nondisclosure of which is essential to effective law enforcement, are exempt from disclosure under the Public Records Act. At this time, the investigation is open and active. An open and active criminal investigation's records are categorically exempt from production under the Public Records Act. Disclosing records from an open and active criminal investigation would compromise effective law enforcement and jeopardize the remainder of the investigation by revealing case impressions and direction. Accordingly, nondisclosure is essential to effective law enforcement.                   | The categorical exemption ends when the subject of the investigation has been booked OR once the investigation has been referred to the prosecutor for charges. Any use of this exemption after that should be individualized and specific based on case impressions of the officer. |

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|----------------|-----------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>4(b)</b>    | <b>Active Internal Administrative Investigative Files</b><br>– RCW 42.56.240(1)                           | The withheld or redacted record was collected as part of a law enforcement agency's internal investigation. Specific investigative records compiled by investigative and law enforcement agencies, the nondisclosure of which is essential to effective law enforcement, are exempt from production under the Public Records Act. The withheld information is case impressions and direction. The redacted information contains case impressions and direction (add specific facts from the investigating officers on why disclosure would compromise effective law enforcement) that if released may jeopardize the remainder of the investigation. Accordingly, nondisclosure of the withheld information is essential to effective law enforcement. | Remove the yellow highlighted portion and add the required information before sending log out.                                                            |
| <b>5(a)</b>    | <b>Identity of Victim Sexual Assault</b><br>RCW 42.56.240(1) & RCW 42.56.050                              | The withheld or redacted record was collected as part of a law enforcement agency's investigation. Specific investigative records compiled by investigative and law enforcement agencies, the nondisclosure of which is essential for the protection of any person's right to privacy, are exempt from production under the Public Records Act. The withheld record information would reveal the identity of a victim of sexual assault. Disclosure of a sexual assault victim's identity: (1) would be highly offensive to a reasonable person, and (2) not of legitimate concern to the public.                                                                                                                                                      | If the victim requested non-disclosure, or the victim's life/property may be jeopardized by disclosure, please also use the 2(d), 2(c) and/or 2(f) codes. |
| <b>5(b)</b>    | <b>Identity of Child Victim of Sexual Assault</b> – RCW 42.56.240(5)                                      | The redacted information is identifying information of a child victim of sexual assault who is under the age of eighteen. Information revealing the identity of child victims of sexual assault who are under age eighteen is exempt from public inspection and copying. Identifying information means the child victim's name, address, location, photograph, and in cases in which the child victim is a relative or stepchild of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator.                                                                                                                                                                                                         |                                                                                                                                                           |
| <b>5(c)</b>    | <b>Graphic Description of Child Pornography</b><br>– RCW 42.56.240(1), RCW 42.56.050, RCW 9.68A.050 & RCW | The withheld or redacted record was collected as part of a law enforcement agency's investigation. Specific investigative records compiled by investigative and law enforcement agencies, the nondisclosure of which is essential for the protection of any person's                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                                                                                                                                           |



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|----------------|----------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
|                | 42.56.070(1)                                                                                                         | right to privacy, are exempt from production under the Public Records Act. The withheld information is a graphic and detailed description of an image that an investigating officer observed in a [video or photo] depicting child pornography and then documented the detailed description in his or her [report, ROI, case notes, email to another investigator]. Disclosure of detailed descriptions of images depicting child pornography: (1) Would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public. Additionally, under RCW 9.68A.050, it is a crime to disseminate a depiction of a minor engaged in sexually explicit conduct.               |                                          |
| 5(d)           | <b>Images of Child Pornography</b> – RCW 42.56.240(1), RCW 42.56.050, RCW 9.68A.050 & RCW 42.56.070(1)               | The withheld or redacted record was collected as part of a law enforcement agency's investigation. Specific investigative records compiled by investigative and law enforcement agencies, the nondisclosure of which is essential for the protection of any person's right to privacy, are exempt from production under the Public Records Act. The withheld record is a depiction of a minor engaged in sexually explicit conduct. Disclosure of these images: (1) would be highly offensive to a reasonable person; and (2) not of legitimate concern to the public. Additionally, under RCW 9.68A.050, it is a crime to disseminate a depiction of a minor engaged in sexually explicit conduct. |                                          |
| 6              | <b>Concealed Weapons Permit and Pistol License Applications</b> – RCW 42.56.240(4), RCW 9.41.070, & RCW 42.56.070(1) | License applications under RCW 9.41.070; copies of license applications or information on the applicants may be released (only) to law enforcement or corrections agencies.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                          |
| 7              | <b>Suicide note</b> - RCW 42.56.240(1), & RCW 42.56.050                                                              | The withheld record was collected as part of a law enforcement agency's investigation. Specific investigative records compiled by investigative and law enforcement agencies, the nondisclosure of which is essential for the protection of any person's right to privacy, are exempt from production under the Public Records Act. The withheld record is a suicide note. Disclosure of private personal details from a suicide note: (1) would be highly offensive to a reasonable person; and (2) not of legitimate concern to the public.                                                                                                                                                       |                                          |

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| 8(a)           | Autopsy Records -<br>RCW 68.50.105,<br>RCW 42.56.070(1)<br>& RCW 11.02.005                                                    | The withheld record is a report or record of autopsies or post mortems and is confidential.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | <b>NOTE:</b> The following persons may obtain copies these records: The personal representative of the decedent as defined in RCW 11.02.005, any family member, the attending physician or registered nurse practitioner, the prosecuting attorney or law enforcement agencies having jurisdiction, public health officials, the department of labor and industries in cases in which it has an interest under RCW 68.50.103, or DSHS in cases being reviewed under RCW 74.13.640. |
| 8(b)           | Toxicology Report Deceased Person/Autopsy Records – Decedent Killed In Traffic Accident -<br>RCW 46.52.065 & RCW 42.56.070(1) | The withheld record was generated in response to a coroner or other official performing like functions submitting to the state toxicologist a blood sample taken from all drivers and all pedestrians who are killed in any traffic accident where the death occurred within four hours after the accident. The reports and records of the state toxicologist relating to analyses made pursuant to this section shall be confidential.                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 9              |                                                                                                                               |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| 10(a)          | Criminal History Record Information - WASIS RAP Sheet – RCW 10.97.050 ; RCW 10.97.100; RCW 42.56.070(1); & RCW 42.56.130      | The withheld record is a RAP sheet from the Washington State Information System (WASIS). Non-conviction information may not be produced to the public. Any law enforcement agency that receives information under this rule may not disseminate such information outside of such agency.<br>Under RCW 42.56.130, an agency may charge a fee authorized by another statutory provision for copying public records. RCW 10.97.100 authorizes criminal justice agencies to establish and collect reasonable fees for the dissemination of criminal history record information to agencies and persons other than criminal justice agencies. For conviction information pursuant to RCW 10.97.050(1), please contact <a href="http://www.wsp.wa.gov/crime/criminal-">http://www.wsp.wa.gov/crime/criminal-</a> | <b>NEW</b><br>Web address<br><br>WACIC Criminal History<br><br>For use when a WASIS rap sheet that does not contain non-conviction data is being withheld.<br><br>If non-conviction data is included, use both codes 10(a) and 10(b).                                                                                                                                                                                                                                              |



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|                |                                                                                                                                                        | history/                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>10(b)</b>   | <b>Criminal History Record Information – Non-Conviction Data – RCW 10.97.030; RCW 10.97.050; &amp; RCW 42.56.070(1)</b>                                | The withheld WASIS RAP sheet contains non-conviction data as defined by RCW 10.97.030(8). RCW 10.97.050 authorizes the dissemination of non-conviction data in specific circumstances. RCW 10.97.050 does not authorize disclosure of non-conviction data in response to a public records request.                                                                                                                                                                                                                                                                                                                                                                                                            | Use this code and 10(a) when withholding a WASIS rap sheet that contains non-conviction data.                                                                                                                                                                                                                                                                                                                                                                            |
| <b>10(c)</b>   | <b>Criminal History Record Information/Source Document –; RCW 42.56.070(1); &amp; RCW 43.43.710</b>                                                    | The withheld record is a source document retained by the WSP's Identification and Criminal History Section. The source document is submitted from courts and/or arresting law enforcement agencies to provide date for the Washington State Information System (WASIS). Information contained in the files and records of the Criminal History Section relative to the commission of any crime by any person shall be considered privileged and shall not be made public or disclosed.                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
| <b>10(d)</b>   | <b>Criminal History Record Information – FBI Rap Sheet – 28 CFR § 20.33; &amp; RCW 42.56.070(1)</b>                                                    | The withheld record is a rap sheet from the Federal Bureau of Investigation's III database. The WSP requested and obtained this record pursuant to 28 CFR § 20.33(a). 28 CFR § 20.33(d) prohibits a criminal justice agency from re-disclosing this record for a purpose unrelated to the purpose requested under 28 CFR § 20.33(a).                                                                                                                                                                                                                                                                                                                                                                          | NCIC Criminal History                                                                                                                                                                                                                                                                                                                                                                                                                                                    |
| <b>11(a)</b>   | <b>Juvenile Criminal Records Relating to the Commission of Juvenile Offenses (Juvenile Suspect) – RCW 13.50.050(3) and (5); &amp; RCW 42.56.070(1)</b> | The withheld information is part of a law enforcement agency's investigation in the commission of a juvenile offense. Disclosing the withheld information would reveal the identity of a juvenile suspect or respondent. Information concerning the commission of a juvenile offense not in an official juvenile court file concerning a juvenile or a juvenile's family may be released to the public only when that information could not reasonably be expected to identify the juvenile or the juvenile's family. The withheld information is the [name, address, photograph] of a child victim. Records covered by chapter 13.50 RCW shall be released only pursuant to RCW 13.50.010 and RCW 13.50.100. | NEW Verbiage<br><br>NOTE: Law Enforcement is required to release information to a school pertaining to the investigation, diversion, and prosecution of a juvenile attending the school. Upon request of the victim of a crime or the victim's immediate family, the identity of an alleged or proven juvenile offender alleged or found to have committed a crime against the victim and the identity of the alleged or proven juvenile offender's parent, guardian, or |

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|                |                                                                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | custodian and the circumstance of the alleged or proven crime shall be released to the victim of the crime or the victim's immediate family.                                                  |
| 11(b)          | <b>Juvenile Crime Victims</b> – RCW 13.50.100; RCW 13.50.050; RCW 13.50.010; RCW 42.56.070(1); RCW 7.69A.030(4), RCW 7.69A.050; RCW 42.56.240(1); & RCW 42.56.050     | The withheld information is the [name, address, photograph] of a child victim. Records covered by chapter 13.50 RCW shall be released only pursuant to RCW 13.50.010 and RCW 13.50.100. Additionally, child crime victims have the right to not have their names, addresses, nor photographs disclosed by any law enforcement agency, prosecutor's office, or state agency without the permission of the child victim, child witness, parents, or legal guardians. Intentional disclosure of the child's address in violation of RCW 7.69A.050 is a misdemeanor. Additionally, the withheld or redacted record was collected as part of a law enforcement agency's investigation. Specific investigative records compiled by investigative and law enforcement agencies, the nondisclosure of which is essential for the protection of any person's right to privacy, are exempt from production under the Public Records Act. Disclosure of the [name, address, photograph] of a child victim: (1) would be highly offensive to a reasonable person; and (2) not of legitimate concern to the public. | Remove the yellow highlighted portions and add the required information before sending log out.                                                                                               |
| 11(c)          | <b>Juvenile Witnesses To a Crime</b> – RCW 13.50.100; RCW 13.50.050; RCW 13.50.010; RCW 42.56.070(1), RCW 7.69A.030, RCW 7.69A.050; RCW 42.56.240(1); & RCW 42.56.050 | The withheld information is the [name, address, photograph] of a juvenile who was a witness to a crime. Records covered by chapter 13.50 RCW shall be released only pursuant to RCW 13.50.010 and RCW 13.50.100. Additionally, child crime witnesses have the right to not have their names, addresses, nor photographs disclosed by any law enforcement agency, prosecutor's office, or state agency without the permission of the child victim, child witness, parents, or legal guardians. Intentional disclosure of the child's address in violation of RCW 7.69A.050 is a misdemeanor. Additionally, the withheld or redacted record was collected as part of a law enforcement agency's investigation. Specific investigative records compiled by                                                                                                                                                                                                                                                                                                                                                | Remove the yellow highlighted portions and add the required information before sending log out.<br><br>For use ONLY if the record is part of a child abuse or juvenile suspect investigation. |

## Public Records Exemption Codes List



| Redaction Code | Exemption                                                                                               | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Notes for PDC<br>(Do NOT include on Log) |
|----------------|---------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
|                |                                                                                                         | investigative and law enforcement agencies, the nondisclosure of which is essential for the protection of any person's right to privacy, are exempt from production under the Public Records Act. Disclosure of the [name, address, photograph] of a child witness to a crime: (1) would be highly offensive to                                                                                                                                                                                                                                                                                 |                                          |
| <b>11(d)</b>   | <b>Child Abuse Investigation</b> - RCW 13.50.100(3); RCW 13.50.100(5); & RCW 42.56.070(1)               | The withheld record is from a child abuse investigation conducted by the Department of Social and Health Services (DSHS) that resulted in a founded, unfounded, screened-out, or inconclusive report. Under RCW 13.50.100(3), DSHS may disclose these records to a law enforcement agency conducting an investigation. A law enforcement agency receiving these records under RCW 13.50.100(3) must safeguard the records consistent with RCW 13.50.100(5). Under RCW 13.50.100(2), the withheld record is confidential and shall only be released pursuant to RCW 13.50.100 and RCW 13.50.010. |                                          |
| <b>12(a)</b>   | <b>Booking Photos</b> – RCW 70.48.100(2)&(3)(a), & RCW 42.56.070(1)                                     | The records of a person confined in jail shall be held in confidence and shall be made available only to criminal justice agencies. Law enforcement may (only) use booking photographs of a person arrested or confined in a local or state penal institution to assist them in conducting investigations of crimes.                                                                                                                                                                                                                                                                            |                                          |
| <b>12(b)</b>   | <b>Offender Jail Phone Recordings</b> – Correctional Facilities – RCW 9.73.095(3)(b) & RCW 42.56.070(1) | The contents of any intercepted and recorded conversation during a telephone call from an offender or resident of a state correctional facility shall be divulged only as is necessary to safeguard the orderly operation of the correctional facility, in response to a court order, or in the prosecution or investigation of any crime                                                                                                                                                                                                                                                       |                                          |
| <b>12(c)</b>   | <b>Correctional Facility Surveillance Footage</b> - RCW 42.56.240(1)                                    | Intelligence information provided by correctional facilities' video surveillance systems falls within the core definitions of law enforcement, thereby exempting surveillance video recordings from disclosure. Non-disclosure is essential to the effective enforcement of criminal justice in order to prevent inmates from undermining the effectiveness of these surveillance systems.                                                                                                                                                                                                      |                                          |
| <b>12(d)</b>   | <b>Correctional &amp; Civil Confinement</b>                                                             | Vulnerability assessments or emergency and escape response plans at an adult or juvenile correctional facility or a                                                                                                                                                                                                                                                                                                                                                                                                                                                                             |                                          |

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| Redaction Code | Exemption                                                                                                                                                                       | Comments                                                                                                                                                                                                                                                                                                                                                                                        | Notes for PDC<br>(Do NOT include on Log)                                                                                                                                                                           |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                | <b>Facilities – Vulnerability Assessments, Emergency, &amp; Escape Response Plans – RCW 42.56.420(2)</b>                                                                        | secure facility for persons civilly confined under RCW 71.09, the public disclosure of which would have a substantial likelihood of threatening the security of the facility or any individual's safety.                                                                                                                                                                                        |                                                                                                                                                                                                                    |
| <b>12(e)</b>   | <b>Jail Records – RCW 70.48.100(2), &amp; RCW 42.56.070(1)</b>                                                                                                                  | Other than the jail register, the records of a person confined in jail shall be held in confidence and shall be made available only to criminal justice agencies.                                                                                                                                                                                                                               |                                                                                                                                                                                                                    |
| <b>13(a)</b>   | <b>Dash-Camera Video (Litigation Pending) - RCW 9.73.090(1)(c) &amp; RCW 42.56.070(1)</b>                                                                                       | The withheld video is part of an active criminal or civil court proceeding. No sound or video recording made under this subsection may be duplicated and made available to the public by a law enforcement agency subject to this section until final disposition of any current criminal or civil litigation which arose from the event or events which were recorded.                         |                                                                                                                                                                                                                    |
| <b>13(b)</b>   | <b>Dash-Camera Video (Commercial Use) - RCW 9.73.090(1)(c) &amp; RCW 42.56.070(1)</b>                                                                                           | Dash mounted camera recordings shall not be divulged or used by any law enforcement agency for any commercial purpose.                                                                                                                                                                                                                                                                          | Use of this exemption requires including in the cover letter the reasons why the WSP believes the requestor intends to use the video for a commercial purpose. Consult with PRO as needed for verbiage assistance. |
| <b>13(c)</b>   | <b>Body Worn Camera Footage – Counseling or Medical Facility Footage - RCW 42.56.240(14)</b>                                                                                    | Disclosure of a body worn camera recording is presumed to be highly offensive to a reasonable person and therefore exempt from production to the extent it depicts any areas of a medical facility, counseling, or therapeutic program office where: a patient is registered to receive treatment, receiving treatment, waiting for treatment, or being transported in the course of treatment. |                                                                                                                                                                                                                    |
| <b>13(d)</b>   | <b>Body Worn Camera Footage – Areas Where Health Care Information Is Shared With Patients, Their Families, Or Among a Care Team - RCW 42.56.240(14)(a)(i)(A)(II); &amp; RCW</b> | Disclosure of a body worn camera recording is presumed to be highly offensive to a reasonable person under RCW 42.56.050, and therefore exempt from production under the Public Records Act, to the extent it depicts any areas of a medical facility, counseling, or therapeutic program office where health care information is shared with patients, their families, or among a care team.   | This code is for use when body camera video depicts areas where health care information is shared with patients.                                                                                                   |

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| Redaction Code | Exemption                                                                                                                                                          | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                      | Notes for PDC<br>(Do NOT include on Log)                                                                                                      |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------|
|                | 42.56.130                                                                                                                                                          |                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                               |
| <b>13(e)</b>   | <b>Body Worn Camera Footage – Health Care Information</b> - RCW 42.56.240(14)(a)(i)(B); chapter 70.02 RCW; HIPAA (45 CFR Part 160); & RCW 42.56.130                | Disclosure of a body worn camera recording is presumed to be highly offensive to a reasonable person under RCW 42.56.050, and therefore exempt from production under the Public Records Act, to the extent it depicts information that meets the definition of protected health information for purposes of the health insurance portability and accountability act of 1996 or health care information for the purposes of chapter 70.02 RCW. | This code is for use with body camera video that depicts health care information (regardless of where that health care information is found). |
| <b>13(f)</b>   | <b>Body Worn Camera Footage – Residential Interior</b> - RCW 42.56.240(14)(a)(ii); & RCW 42.56.130                                                                 | Disclosure of a body worn camera recording is presumed to be highly offensive to a reasonable person under RCW 42.56.050, and therefore exempt from production under the Public Records Act, to the extent it depicts the interior of a place of residence where a person has a reasonable expectation of privacy.                                                                                                                            |                                                                                                                                               |
| <b>13(g)</b>   | <b>Body Worn Camera Footage – Intimate Images</b> - RCW 9A.86.010, RCW 42.56.240(14)(a)(iii); & RCW 42.56.130                                                      | Disclosure of a body worn camera recording is presumed to be highly offensive to a reasonable person under RCW 42.56.050, and therefore exempt from production under the Public Records Act, to the extent it depicts an intimate image as defined in RCW 9A.86.010.                                                                                                                                                                          |                                                                                                                                               |
| <b>13(h)</b>   | <b>Body Worn Camera Footage – Images of Minors</b> - RCW 42.56.240(14)(a)(iv); & RCW 42.56.130                                                                     | Disclosure of a body worn camera recording is presumed to be highly offensive to a reasonable person under RCW 42.56.050, and therefore exempt from production under the Public Records Act, to the extent it depicts a minor.                                                                                                                                                                                                                |                                                                                                                                               |
| <b>13(i)</b>   | <b>Body Worn Camera Footage – Deceased Persons</b> -RCW 42.56.240(14)(a)(v); & RCW 42.56.130                                                                       | Disclosure of a body worn camera recording is presumed to be highly offensive to a reasonable person under RCW 42.56.050, and therefore exempt from production under the Public Records Act, to the extent it depicts the body of a deceased person                                                                                                                                                                                           |                                                                                                                                               |
| <b>13(j)</b>   | <b>Body Worn Camera Footage – Domestic Violence or Sexual Assault Victim or Witness</b> - RCW 10.99.020, RCW 70.125.030, RCW 42.56.240(14)(a)(vi); & RCW 42.56.130 | Disclosure of a body worn camera recording is presumed to be highly offensive to a reasonable person under RCW 42.56.050, and therefore exempt from production under the Public Records Act, to the extent it depicts the identity of or communications from a victim or witness of an incident involving domestic violence as defined in RCW 10.99.020 or sexual assault as defined in RCW 70.125.030.                                       |                                                                                                                                               |
| <b>13(k)</b>   | <b>Body Worn Camera Footage – Domestic Violence</b>                                                                                                                | Disclosure of a body worn camera recording is presumed to be highly offensive to a reasonable person under                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                               |



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| Redaction Code | Exemption                                                                                                                                                            | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Notes for PDC<br>(Do NOT include on Log)                                                                                                                                                                                                                                                                                                                                                                                                                                        |
|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                | <b>and Emergency Shelter Locations -</b><br>RCW 70.123.020,<br>RCW 42.56.240(14)<br>(a)(vii); & RCW<br>42.56.130                                                     | RCW 42.56.050, and therefore exempt from production under the Public Records Act, to the extent it depicts the identifiable location information of a community-based domestic violence program or emergency shelter as defined in RCW 70.123.020.                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>13(l)</b>   | <b>Body Worn Camera Footage - Required Records Request Content -</b><br>RCW 42.56.240(14)<br>(d); & RCW<br>42.56.130                                                 | A request for body worn camera recordings must specifically identify a name of a person or persons involved in the incident; the incident or case number; the date, time, and location of the incident or incidents; or identify a law enforcement or corrections officer involved in the incident or incidents                                                                                                                                                                                 | <b>NOTE: a requestor only needs to provide one piece of the listed information and not every piece of information listed in the statute.</b>                                                                                                                                                                                                                                                                                                                                    |
| <b>13(m)</b>   | <b>Body Worn Camera Footage - Nondisclosure is essential for the protection of any person's right to privacy -</b> RCW 42.56.240(14); RCW 42.56.050; & RCW 42.56.130 | Body camera video, to the extent nondisclosure is essential for the protection of any person's right to privacy as described in RCW 42.56.050, is exempt from production under the Public Records Act. The withheld video depicts [please describe the video's contents]. Disclosure of this video: (1) would be highly offensive to a reasonable person; and (2) not of legitimate concern to the public.                                                                                      | <b>Remove the yellow highlighted portions and add the required information before sending log out. This code is for situations not covered by the other Code 13s where disclosure would be: (1) highly offensive to a reasonable person; and (2) not of legitimate public interest. Since the statute uses the language "to the extent", this exemption may apply to only a portion of the video depending on the circumstances. Consult with PRO for assistance as needed.</b> |
| <b>14</b>      | <b>Abstract Copy of Driving Record -</b><br>RCW 46.52.130(3),<br>& RCW<br>42.56.070(1)                                                                               | Any entity receiving an abstract of a person's driving record shall use the abstract exclusively for its own purposes or as otherwise expressly permitted under this section, and shall not divulge any information contained in the abstract to a third party. To request an abstract of your driving record, please contact the Dept. of Licensing at <a href="http://www.dol.wa.gov/driverslicense/requestyourrecord.html">http://www.dol.wa.gov/driverslicense/requestyourrecord.html</a> . |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |
| <b>15</b>      | <b>Vehicle registration information – Name or Address of Vehicle Owner -</b><br>RCW 46.12.635, &<br>RCW 42.56.070(1)                                                 | The redacted or withheld record is vehicle registration information on a Department of Licensing (DOL) record. The name or address of an individual vehicle owner shall not be released except as provided in RCW 46.12.635(1). RCW 46.12.635(1)(c) requires the requesting party to enter into a disclosure agreement with the DOL. The                                                                                                                                                        | <b>UPDATE: For use on DOL records only</b>                                                                                                                                                                                                                                                                                                                                                                                                                                      |



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| Redaction Code | Exemption                                                                                                                                   | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Notes for PDC<br>(Do NOT include on Log) |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
|                |                                                                                                                                             | WSP has entered into a disclosure agreement with the DOL under RCW 46.12.635(1)(c). An entity that is furnished vehicle owner information under RCW 46.12.635 is responsible to assure that the information furnished is not used for a purpose contrary to the agreement. The agreement does not authorize the WSP to release the name or address of individual vehicle owner in response to a public records request. For additional information about obtaining vehicle registration records, please contact the Department of Licensing at <a href="http://www.dol.wa.gov/forms/224003.pdf">http://www.dol.wa.gov/forms/224003.pdf</a> |                                          |
| 16(a)          | <b>Dept. of Licensing Records - Driver's Privacy Protection Act – Photographs-</b><br>18 USC § 2721, 18 USC § 2725 (3), & RCW 42.56.070(1)  | The redacted record is a motor vehicle record from the Department of Licensing. Under the Driver's Privacy Protection Act, the WSP may not disclose highly restricted personal information about any individual in connection with a motor vehicle record unless the disclosure is a permissible use under 18 U.S.C. § 2721(b). 18 U.S.C. § 2725(4)'s definition of "highly restricted personal information" includes an individual's photograph or image.                                                                                                                                                                                 | NEW<br>Statutory Citation Updated        |
| 16(b)          | <b>Dept. of Licensing Records - Driver's Privacy Protection Act – Licensee Name -</b> 18 USC § 2721, 18 USC § 2725 (3), & RCW 42.56.070(1)  | The redacted record is a motor vehicle record from the Department of Licensing. Under the Driver's Privacy Protection Act, 18 U.S.C. § 2721, the WSP may not disclose personal information about any individual in connection with a motor vehicle record unless the disclosure is a permissible use under 18 U.S.C. § 2721(b). 18 U.S.C. § 2725(3)'s definition of "personal information" includes an individual's name.                                                                                                                                                                                                                  | NEW<br>Statutory Citation Updated        |
| 16(c)          | <b>Dept. of Licensing Records Driver's Privacy Protection Act – Licensee Address -</b> 18 USC § 2721, 18 USC § 2725 (3), & RCW 42.56.070(1) | The redacted record is a motor vehicle record from the Department of Licensing. Under the Driver's Privacy Protection Act, 18 U.S.C. § 2721, the WSP may not disclose personal information about any individual in connection with a motor vehicle record unless the disclosure is a permissible use under 18 U.S.C. § 2721(b). 18 U.S.C. § 2725(3)'s definition of "personal information" includes an individual's address.                                                                                                                                                                                                               | NEW<br>Statutory Citation Updated        |
| 16(d)          | <b>Dept. of Licensing Records - Driver's Privacy Protection Act – Licensee Phone Number -</b> 18 USC § 2721, 18                             | The redacted record is a motor vehicle record from the Department of Licensing. Under the Driver's Privacy Protection Act, 18 U.S.C. § 2721, the WSP may not disclose personal information about any individual in connection with a motor                                                                                                                                                                                                                                                                                                                                                                                                 | NEW<br>Statutory Citation Updated        |

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| Redaction Code | Exemption                                                                                                                                                          | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Notes for PDC<br>(Do NOT include on Log)                                                                                                                                                         |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                | USC § 2725 (3), & RCW 42.56.070(1)                                                                                                                                 | vehicle record unless the disclosure is a permissible use under 18 U.S.C. § 2721(b). 18 U.S.C. § 2725(3)'s definition of "personal information" includes an individual's telephone number.                                                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                  |
| <b>16(e)</b>   | <b>Dept. of Licensing Records - Driver's Privacy Protection Act – Driver Identification Number</b> 18 USC § 2721, 18 USC § 2725 (3), & RCW 42.56.070(1)            | The redacted record is a motor vehicle record from the Department of Licensing. Under the Driver's Privacy Protection Act, 18 U.S.C. § 2721, the WSP may not disclose personal information about any individual in connection with a motor vehicle record unless the disclosure is a permissible use under 18 U.S.C. § 2721(b). 18 U.S.C. § 2725(3)'s definition of "personal information" includes an individual's driver identification number.                                                                                          | <b>NEW</b><br>Statutory Citation Updated<br><br>Use for out of state DOL records only.<br>For exemption of Washington State driver's license numbers, use Code 1(c).                             |
| <b>16(f)</b>   | <b>Dept. of Licensing Records Licensee Medical/Disability Information - Driver's Privacy Protection Act –</b> 18 USC § 2721, 18 USC § 2725 (3), & RCW 42.56.070(1) | The redacted record is a motor vehicle record from the Department of Licensing. Under the Driver's Privacy Protection Act, 18 U.S.C. § 2721, the WSP may not disclose highly restricted personal information about any individual in connection with a motor vehicle record unless the disclosure is a permissible use under 18 U.S.C. § 2721(b). 18 U.S.C. § 2725(4)'s definition of "highly restricted personal information" includes an individual's medical or disability information.                                                 | <b>NEW</b><br>Statutory Citation Updated                                                                                                                                                         |
| <b>16(g)</b>   | <b>Medical Examination Report (Commercial Driver's License) –</b> RCW 42.56.240(1), RCW 42.56.050, & 18 U.S.C. 2721(b) and (c)                                     | The withheld or redacted record was collected as part of a law enforcement agency's investigation. Specific investigative records compiled by investigative and law enforcement agencies, the nondisclosure of which is essential for the protection of any person's right to privacy, are exempt from production under the Public Records Act. The redacted information is medical information. Disclosure of medical information: (1) would be highly offensive to a reasonable person; and (2) not of legitimate concern to the public. | For use ONLY when the information is on a DOL record.                                                                                                                                            |
| <b>17</b>      | <b>Police Traffic Collision Reports</b> RCW 46.52.085, RCW 42.56.070(1), & RCW 42.56.130                                                                           | RCW 46.52.085 authorizes the WSP to charge a fee for police traffic collision reports. To obtain this report, please contact the below website, complete the online form, and submit with payment via the website, or to the address provided. (The report number is .)<br><a href="http://wsp.fluidnrgclients.com/driver/collision-records/">http://wsp.fluidnrgclients.com/driver/collision-records/</a>                                                                                                                                 | <b>NEW</b><br>Web Address<br><br>Fill in the report number, and remove the highlight before sending.<br><br>(The WSP is withholding the PTCRs not because they are confidential, but because RCW |

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| Redaction Code | Exemption                                                                                                                  | Comments                                                                                                                                                                                                                                                                                                                                                                                                                   | Notes for PDC<br>(Do NOT include on Log)          |
|----------------|----------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------|
|                |                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                                                                                            | 46.52.085 authorizes the agency to charge a fee.) |
| <b>18(a)</b>   | <b>NCIC Restricted Files: Supervised Release Files</b> – RCW 42.56.070(1), 28 CFR § 20.20(a), & 28 CFR § 20.33             | The withheld record is a supervised release file from the FBI's NCIC database. The WSP requested and obtained this record pursuant to 28 CFR § 20.33(a). Under 28 CFR §20.20, the NCIC system is subject to the disclosure limitations in 28 CFR § 20.33. 28 CFR §20.33(d) prohibits a criminal justice agency from re-disclosing this record for a purpose unrelated to the purpose requested under 28 CFR § 20.33(a).    |                                                   |
| <b>18(b)</b>   | <b>NCIC Restricted Files: Gang Files</b> - RCW 42.56.070(1), 28 CFR § 20.20(a), & 28 CFR § 20.33                           | The withheld record is a gang file from the FBI's NCIC database. The WSP requested and obtained this record pursuant to 28 CFR § 20.33(a). Under 28 CFR §20.20, the NCIC system is subject to the disclosure limitations in 28 CFR § 20.33. 28 CFR §20.33(d) prohibits a criminal justice agency from re-disclosing this record for a purpose unrelated to the purpose requested under 28 CFR § 20.33(a).                  |                                                   |
| <b>18(c)</b>   | <b>NCIC Restricted Files: Terrorist Files</b> – RCW 42.56.070(1), 28 CFR § 20.20(a), & 28 CFR § 20.33                      | The withheld record is a terrorist file from the FBI's NCIC database. The WSP requested and obtained this record pursuant to 28 CFR § 20.33(a). Under 28 CFR §20.20, the NCIC system is subject to the disclosure limitations in 28 CFR § 20.33. 28 CFR §20.33(d) prohibits a criminal justice agency from re-disclosing this record for a purpose unrelated to the purpose requested under 28 CFR § 20.33(a).             |                                                   |
| <b>18(d)</b>   | <b>NCIC Restricted Files: Immigration Violator Files</b> – RCW 42.56.070(1), 28 CFR § 20.20(a), & 28 CFR § 20.33           | The withheld record is an immigration violator file from the FBI's NCIC database. The WSP requested and obtained this record pursuant to 28 CFR § 20.33(a). Under 28 CFR §20.20, the NCIC system is subject to the disclosure limitations in 28 CFR § 20.33. 28 CFR §20.33(d) prohibits a criminal justice agency from re-disclosing this record for a purpose unrelated to the purpose requested under 28 CFR § 20.33(a). |                                                   |
| <b>18(e)</b>   | <b>NCIC Restricted Files: National Sex Offender Registry Files</b> – RCW 42.56.070(1), 28 CFR § 20.20(a), & 28 CFR § 20.33 | The withheld record is from the National Sex Offender Registry file from the FBI's NCIC database. The WSP requested and obtained this record pursuant to 28 CFR § 20.33(a). Under 28 CFR §20.20, the NCIC system is subject to the disclosure limitations in 28 CFR § 20.33. 28 CFR                                                                                                                                        |                                                   |

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| Redaction Code                   | Exemption                                                                                                                   | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                | Notes for PDC<br>(Do NOT include on Log)                                                       |
|----------------------------------|-----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
|                                  |                                                                                                                             | §20.33(d) prohibits a criminal justice agency from re-disclosing this record for a purpose unrelated to the purpose requested under 28 CFR § 20.33(a).                                                                                                                                                                                                                                                                                  |                                                                                                |
| <b>18(f)</b>                     | <b>NCIC Restricted Files: Historical Protection Order Files – RCW 42.56.070(1), 28 CFR § 20.20(a), &amp; 28 CFR § 20.33</b> | The withheld record is from the historical protection order file from the FBI's NCIC database. The WSP requested and obtained this record pursuant to 28 CFR § 20.33(a). Under 28 CFR §20.20, the NCIC system is subject to the disclosure limitations in 28 CFR § 20.33. 28 CFR §20.33(d) prohibits a criminal justice agency from re-disclosing this record for a purpose unrelated to the purpose requested under 28 CFR § 20.33(a). |                                                                                                |
| <b>18(g)</b>                     | <b>NCIC Restricted Files: Identity Theft Files – RCW 42.56.070(1), 28 CFR § 20.20(a), &amp; 28 CFR § 20.33</b>              | The withheld record is from the identity theft file from the FBI's NCIC database. The WSP requested and obtained this record pursuant to 28 CFR § 20.33(a). Under 28 CFR §20.20, the NCIC system is subject to the disclosure limitations in 28 CFR § 20.33. 28 CFR §20.33(d) prohibits a criminal justice agency from re-disclosing this record for a purpose unrelated to the purpose requested under 28 CFR § 20.33(a).              |                                                                                                |
| <b>18(h)</b>                     | <b>NCIC Restricted Files: Protective Interest Files – RCW 42.56.070(1), 28 CFR § 20.20(a), &amp; 28 CFR § 20.33</b>         | The withheld record is from the protective interest file from the FBI's NCIC database. The WSP requested and obtained this record pursuant to 28 CFR § 20.33(a). Under 28 CFR §20.20, the NCIC system is subject to the disclosure limitations in 28 CFR § 20.33. 28 CFR §20.33(d) prohibits a criminal justice agency from re-disclosing this record for a purpose unrelated to the purpose requested under 28 CFR § 20.33(a).         |                                                                                                |
| <b>65</b>                        | <b>Fingerprints – RCW 40.26.020(5) &amp; RCW 40.26.020(7)(b)</b>                                                            | Fingerprints are biometric identifiers and exempt from production under the Public Records Act, chapter 42.56 RCW                                                                                                                                                                                                                                                                                                                       | NEW                                                                                            |
| <b>66</b>                        | <b>DNA Profile– RCW 40.26.020(5) &amp; RCW 40.26.020(7)(b)</b>                                                              | Information based on an individual's DNA is a biometric identifier and exempt from production under the Public Records Act, chapter 42.56 RCW                                                                                                                                                                                                                                                                                           | NEW                                                                                            |
| <b>Personnel Related Records</b> |                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                |
| <b>19</b>                        | <b>Employee Identifiers in Non-adverse Internal Investigation - RCW 42.56.230(3); &amp; RCW 42.56.050</b>                   | The redacted information would reveal the identity of an employee subject to an internal investigation that resulted in unsubstantiated findings. Since the allegations involved [name the allegation such as sexual misconduct], disclosure of                                                                                                                                                                                         | Remove the yellow highlighted portion and add the required information before sending log out. |

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| Redaction Code | Exemption                                                                                                                          | Comments                                                                                                                                                                                                                                                                                                                                                                                                      | Notes for PDC<br>(Do NOT include on Log)                                                                                                                                                                                                                                                                                                  |
|----------------|------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                |                                                                                                                                    | the employee's identity would violate his/her right of privacy. The nature of these allegations is highly offensive to a reasonable person. Since the allegations were found unsubstantiated, the public has no legitimate interest in the employee's identity.                                                                                                                                               |                                                                                                                                                                                                                                                                                                                                           |
| <b>20(a)</b>   | <b>Personal Information in Personnel Files – Performance Evaluations - Public Employees</b><br>– RCW 42.56.230(3); & RCW 42.56.050 | Personal information to include Performance Evaluations in files maintained for employees, appointees, or elected officials of any public agency to the extent that production would violate their right to privacy (information regarding misconduct is not exempt). Disclosure of employee performance evaluations that do not discuss specific instances of misconduct is presumed to be highly offensive. |                                                                                                                                                                                                                                                                                                                                           |
| <b>20(b)</b>   | <b>Personal Information in Personnel Files -- Public Employees</b><br>– RCW 42.56.230(3); & RCW 42.56.050                          | The withheld information is [generally identify the withheld information] from the employee's personnel file. Disclosure would violate his/her right to privacy. Disclosure of these private personal details (1) Would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public.                                                                                       | Remove the yellow highlighted portion and add the required information before sending log out.<br><br>The privacy exemption is difficult to assert given recent case law definitions of what is considered highly offensive and not of legitimate concern to the public. There may be few circumstances where this exemption would apply. |
| <b>21(a)</b>   | <b>Exam information Test questions - Employment and Licensing</b> - RCW 42.56.250(1)                                               | Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination are exempt from production.                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                           |
| <b>21(b)</b>   | <b>Exam information scoring keys - Employment and Licensing</b> - RCW 42.56.250(1)                                                 | Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination are exempt from production.                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                           |
| <b>21(c)</b>   | <b>Exam information Other Examination Data used to administer exam-Employment and Licensing</b> - RCW 42.56.250(1)                 | Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination are exempt from production.                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                           |
| <b>22(a)</b>   | <b>ADA employee medical</b>                                                                                                        | Information regarding the medical condition or history of an employee or                                                                                                                                                                                                                                                                                                                                      | This is the exemption that will be used for                                                                                                                                                                                                                                                                                               |



## Public Records Exemption Codes List



| Redaction Code | Exemption                                                                                                                                                                 | Comments                                                                                                                                                                                                                                                                                                                                                             | Notes for PDC<br>(Do NOT include on Log)                                                                                                                                                                                                                                                            |
|----------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                | <b>information</b> - 42 USC §12112(d)(2-4), RCW 42.56.360(2), RCW 42.56.070(1), RCW 70.02.005(4), & RCW 70.02.020(1)                                                      | applicant shall be treated as a confidential medical record.                                                                                                                                                                                                                                                                                                         | many reasonable accommodation records.                                                                                                                                                                                                                                                              |
| <b>22(b)</b>   | <b>Industrial Insurance - Injured worker Claim resolution structured settlement agreements</b> - RCW 51.04.063(13); RCW 42.56.230(8); & RCW 42.56.070(1)                  | All information related to individual claims resolution structured settlement agreements other than final orders are private and exempt.                                                                                                                                                                                                                             | This exemption should be used only rarely because it pertains to structured settlement agreements, not regular workers' comp records.                                                                                                                                                               |
| <b>22(c)</b>   | <b>Family Medical Leave Act records</b> – 29 CFR § 825.500(g), & RCW 42.56.070                                                                                            | Records and Documentation relating to certifications, recertifications, or medical histories of employees or employees' family members, created for purposes of FMLA, shall be maintained as confidential medical records in separate files/records from the usual personnel files.                                                                                  |                                                                                                                                                                                                                                                                                                     |
| <b>28</b>      | <b>Workers' Comp / Industrial Insurance Claim Files and Records</b> – RCW 42.56.070(1); RCW 51.28.070; & RCW 51.16.070                                                    | Information contained in the claim files and records of injured workers, under the provisions of the Industrial Insurance Act, shall be deemed confidential and shall not be open to public inspection. Information obtained from employing unit records under the provisions of this title shall be deemed confidential and shall not be open to public inspection. |                                                                                                                                                                                                                                                                                                     |
| <b>23(a)</b>   | <b>Applicant Information – Public Employees</b> – RCW 42.56.250(2)                                                                                                        | All applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant.                                                                                                                                                                                                              | Medical tests conducted as part of an employment application are exempt under both this code and 22(a).                                                                                                                                                                                             |
| <b>23(b)</b>   | <b>Personal Information in Personnel Files – Student Records</b> – RCW 42.56.230(1); RCW 42.56.070(1); & 20 U.S.C. 1232g(b)(4) Family Educational and Privacy Act (FERPA) | Personal information in any files maintained for students in public schools is exempt from public inspection and copying.                                                                                                                                                                                                                                            | If the student record is in the personnel file as part of the application for employment, then it is exempt under code 23. If it is in the personnel file for another reason, it may or may not be exempt because the cited exemptions refer to records maintained by the schools, not an employer. |



## Public Records Exemption Codes List



| Redaction Code | Exemption                                                                                    | Comments                                                                                                                                             | Notes for PDC<br>(Do NOT include on Log)                                                                                                                                                                                                                                                                                             |
|----------------|----------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>24(a)</b>   | <b>Employee Home Address Public Employees/Volunteers – RCW 42.56.250(4)</b>                  | The residential addresses of employees or volunteers of a public agency are exempt from public inspection and copying.                               | <b>NEW Subsection</b><br><br>This exemption is for “information held by any public agency in personnel records, public employment related records, volunteer rosters, or included in any mailing list of employees or volunteers.” If the information is published elsewhere, such as the Daily Bulletin, then it may not be exempt. |
| <b>24(b)</b>   | <b>Employee Home or Cellular Phone Public Employees/Volunteers – RCW 42.56.250(4)</b>        | The residential and personal wireless telephone numbers of employees or volunteers of a public agency are exempt from public inspection and copying. | <b>NEW Subsection</b>                                                                                                                                                                                                                                                                                                                |
| <b>24(c)</b>   | <b>Employee Personal Email Public Employees/Volunteers – RCW 42.56.250(4)</b>                | The personal electronic mail addresses of employees or volunteers of a public agency are exempt from public inspection and copying.                  | <b>NEW Subsection</b>                                                                                                                                                                                                                                                                                                                |
| <b>24(d)</b>   | <b>Employee Social Security Number Public Employees/Volunteers – RCW 42.56.250(4)</b>        | The social security numbers for employees or volunteers of a public agency are exempt from public inspection and copying.                            | <b>NEW Subsection</b>                                                                                                                                                                                                                                                                                                                |
| <b>24(e)</b>   | <b>Employee Emergency Contact Information Public Employees/Volunteers – RCW 42.56.250(4)</b> | The emergency contact information for employees or volunteers of a public agency is exempt from public inspection and copying.                       | <b>NEW Subsection</b><br><br>This exemption should be used only for employees' emergency contact information, not information about dependents, which is exempt under the next code, 24(f).                                                                                                                                          |
| <b>24(f)</b>   | <b>Names of Dependents of Public Employees/Volunteers – RCW 42.56.250(4)</b>                 | The names of dependents of employees or volunteers of a public agency are exempt from public inspection and copying.                                 | <b>NEW Subsection</b>                                                                                                                                                                                                                                                                                                                |
| <b>24(g)</b>   | <b>Dates of Birth for Dependents of Public Employees/Volunteers – RCW</b>                    | The dates of birth of dependents of employees or volunteers of a public agency are exempt from public inspection and copying.                        | <b>NEW Subsection</b>                                                                                                                                                                                                                                                                                                                |

# Public Records Exemption Codes List



| Redaction Code | Exemption                                                                                                                               | Comments                                                                                                                                                                                                                                                                                                                                       | Notes for PDC<br>(Do NOT include on Log)                                                                             |
|----------------|-----------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|
|                | 42.56.250(4)                                                                                                                            |                                                                                                                                                                                                                                                                                                                                                |                                                                                                                      |
| <b>24(h)</b>   | <b>Social Security Numbers for Dependents of Public Employees/Volunteers – RCW 42.56.250(4)</b>                                         | The social security numbers of dependents of employees or volunteers of a public agency are exempt from public inspection and copying.                                                                                                                                                                                                         | NEW Subsection                                                                                                       |
| <b>24(i)</b>   | <b>Email Addresses for Dependents of Public Employees/Volunteers – RCW 42.56.250(4)</b>                                                 | The electronic mail addresses of dependents of employees or volunteers of a public agency are exempt from public inspection and copying.                                                                                                                                                                                                       | NEW Subsection                                                                                                       |
| <b>24(j)</b>   | <b>Driver's License &amp; Identocard numbers for Public Employees/Volunteers – RCW 42.56.250(4)</b>                                     | Driver's license and identocard numbers of employees and volunteers of a public agency, held in personnel records, are exempt under RCW 42.56.250(3).                                                                                                                                                                                          | NEW Subsection                                                                                                       |
| <b>25(a)</b>   | <b>Criminal Justice Employee photographs - Employment and Licensing - RCW 42.56.250(9)</b>                                              | Photographs in the personnel files of employees and workers of criminal justice agencies are exempt from production.                                                                                                                                                                                                                           | NEW RCW<br>Unless the requestor is the media, who may have this information.                                         |
| <b>25(b)</b>   | <b>Criminal Justice Employee Dates of Birth - RCW 42.56.250(9)</b>                                                                      | Employee month and year of birth in the personnel files of employees and workers of criminal justice agencies are exempt from production.                                                                                                                                                                                                      | NEW RCW and verbiage in the comments field.<br><br>Unless the requestor is the media, who may have this information. |
| <b>26</b>      | <b>Employee Wellness Program – RCW 42.56.360(1)(j) &amp; RCW 41.04.362</b>                                                              | All documents, including completed forms, received pursuant to a wellness program under RCW 41.04.362 are exempt, unless it consists of statistical reports that do not identify an individual.                                                                                                                                                |                                                                                                                      |
| <b>27</b>      | <b>Whistleblower Protection - Report of Improper Governmental Action - RCW 42.40.040(2)</b>                                             | Identity or identifying characteristics of a whistleblower or person who in good faith has provided information in a whistleblower investigation is confidential at all times, unless the person consents or acknowledges his or identity pursuant to RCW 43.40.040(2).                                                                        |                                                                                                                      |
| <b>29</b>      | <b>Confidentiality of Genetic Information – Employees -DNA 42 USC § 2000ff-5, RCW 42.56.070(1), RCW 42.56.360(2), RCW 70.02.005(4),</b> | The term “genetic information” means, with respect to any individual, information about (i) such individual's genetic tests, (ii) the genetic tests of family members of such individual, and (iii) the manifestation of a disease or disorder in family members of such individual. If an employer, employment agency, labor organization, or |                                                                                                                      |

# Public Records Exemption Codes List



| Redaction Code  | Exemption                                                                                                | Comments                                                                                                                                                                                                                                                          | Notes for PDC<br>(Do NOT include on Log)                                                                                                                                                                                                                             |
|-----------------|----------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                 | & RCW 70.02.020(1)                                                                                       | joint labor-management committee possesses genetic information about an employee or member, such information shall be maintained on separate forms and in separate medical files and be treated as a confidential medical record of the employee or member.       |                                                                                                                                                                                                                                                                      |
|                 |                                                                                                          |                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                      |
| <b>Security</b> |                                                                                                          |                                                                                                                                                                                                                                                                   |                                                                                                                                                                                                                                                                      |
| <b>30(a)</b>    | <b>Passwords / Computer and Telecommunications Networks – RCW 42.56.420(4)</b>                           | Computer security passwords related to the infrastructure and security of computer and telecommunications networks are exempt from production under the Public Records Act.                                                                                       | These security and access codes for computer and telecommunications networks should be "information the release of which may increase risk to the confidentiality, integrity, or availability of agency security, information technology infrastructure, or assets". |
| <b>30(b)</b>    | <b>Security Access Codes &amp; Programs/ Computer and Telecommunications Networks – RCW 42.56.420(4)</b> | Computer security access codes and programs, and access codes for secure software applications, related to the infrastructure and security of computer and telecommunications networks are exempt from production under the Public Records Act.                   |                                                                                                                                                                                                                                                                      |
| <b>30(c)</b>    | <b>Security and Service Recovery Plans / Computer and Telecommunications Networks – RCW 42.56.420(4)</b> | Security and service recovery plans related to the infrastructure and security of computer and telecommunications networks are exempt from production under the Public Records Act.                                                                               |                                                                                                                                                                                                                                                                      |
| <b>30(d)</b>    | <b>Security Risk Assessments / Computer and Telecommunications Networks – RCW 42.56.420(4)</b>           | Security risk assessments related to the infrastructure and security of computer and telecommunications networks are exempt from production under the Public Records Act.                                                                                         |                                                                                                                                                                                                                                                                      |
| <b>30(e)</b>    | <b>Security Test Results / Computer and Telecommunications Networks – RCW 42.56.420(4)</b>               | Information regarding the infrastructure and security of computer and telecommunications networks, consisting of security test results, to the extent that they identify specific system vulnerabilities are exempt from production under the Public Records Act. | Only withhold the information that identifies specific system vulnerabilities. Must be able to show how test results identify these vulnerabilities.                                                                                                                 |
| <b>30(f)</b>    | <b>Computer and Telecommunications Networks – Security and confidentiality - RCW 42.56.420(4)</b>        | Information regarding the infrastructure and security of computer and telecommunications networks (consisting of <span style="background-color: yellow;"> </span> ), the release of which may increase risk to the confidentiality, integrity, or                 | Remove the yellow highlighted portion and add the required information before sending log out.                                                                                                                                                                       |

# Public Records Exemption Codes List



| Redaction Code | Exemption                                                                                                                                                                      | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Notes for PDC<br>(Do NOT include on Log)                                                                                                                                                                                                                                                                                         |
|----------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                |                                                                                                                                                                                | availability of agency security, information technology infrastructure, or assets.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                                  |
| <b>31</b>      | <b>Ferry Terminal Video Footage - Protection of Sensitive Security Information - RCW 42.56.420(1); 49 CFR §1520.5; 49 CFR § 1520.7; 49 CFR §1520.9; &amp; RCW 42.56.070(1)</b> | Ferry security video is maintained to prevent, mitigate, or respond to criminal terrorist acts, disclosure of the video would have a substantial likelihood of threatening public safety, and the security video is shared with federal agencies and not subject to public disclosure under federal law.<br>Additionally, Ferry Terminal video footage is sensitive security information under 49 CFR. § 1520.5. The WSP is a covered person under 49 CFR. § 1520.7. As a covered person, the WSP may only disclose sensitive security information to covered persons who have a need to know, unless otherwise authorized in writing by TSA, the Coast Guard, or the Secretary of DOT.                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                  |
| <b>32(a)</b>   | <b>Vulnerability Assessments/ Security - RCW 42.56.420(1)(a), RCW 42.56.240(4); &amp; RCW 42.56.240(1)</b>                                                                     | The withheld record or redacted information is a specific and unique vulnerability assessment. This record is assembled, prepared, or maintained to prevent, mitigate, or respond to criminal terrorist acts. The public disclosure of this record would have a substantial likelihood of threatening public safety.<br>Additionally, the withheld record is specific intelligence information and was compiled by a law enforcement agency. Specific intelligence information compiled by investigative and law enforcement agencies, the nondisclosure of which is essential to effective law enforcement, is exempt from production under the Public Records Act. Disclosure of a vulnerability assessment would [please describe the potential harm in producing the record]. Accordingly, nondisclosure is essential to effective law enforcement. | Remove the yellow highlighted portion and add the required information before sending log out.<br><br>Consult with the Public Records Officer prior to using this exemption. Whether the exemption applies depends on a factual showing that public disclosure would have a substantial likelihood of threatening public safety. |
| <b>32(b)</b>   | <b>Response or Deployment Plans/Security - RCW 42.56.420(1)(a) &amp; RCW 42.56.240(1)</b>                                                                                      | The withheld record or redacted information is a specific and unique response or deployment plan. This record is assembled, prepared, or maintained to prevent, mitigate, or respond to criminal terrorist acts. The public disclosure of this record would have a substantial likelihood of threatening public safety.<br>Additionally, the withheld record is specific intelligence information and was compiled by a law enforcement agency. Specific intelligence information compiled by                                                                                                                                                                                                                                                                                                                                                           | Remove the yellow highlighted portion and add the required information before sending log out.<br><br>Consult with the Public Records Officer prior to using this exemption. Whether the exemption applies depends on a factual showing that                                                                                     |

# Public Records Exemption Codes List



| Redaction Code        | Exemption                                                                                                              | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Notes for PDC<br>(Do NOT include on Log)                                                                                                                                                                                                                                                                                         |
|-----------------------|------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                       |                                                                                                                        | investigative and law enforcement agencies, the nondisclosure of which is essential to effective law enforcement, is exempt from production under the Public Records Act. Disclosure of a deployment plan would [please describe the potential harm in producing the record]. Accordingly, nondisclosure is essential to effective law enforcement.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     | public disclosure would have a substantial likelihood of threatening public safety.                                                                                                                                                                                                                                              |
| <b>33</b>             | <b>Federal Domestic Preparedness Records from National Security Briefings-</b> RCW 42.56.420(1)(b), & RCW 42.56.240(1) | The withheld or redacted record is information prepared from national security briefings provided to state or local government officials related to domestic preparedness for acts of terrorism. This record is assembled, prepared, or maintained to prevent, mitigate, or respond to criminal terrorist acts. The public disclosure of this record would have a substantial likelihood of threatening public safety. Additionally, the withheld record is specific intelligence information and was compiled by a law enforcement agency. Specific intelligence information compiled by investigative and law enforcement agencies, the nondisclosure of which is essential to effective law enforcement, is exempt from production under the Public Records Act. Disclosure of this record would [please describe the potential harm in producing the record]. Accordingly, nondisclosure is essential to effective law enforcement. | Remove the yellow highlighted portion and add the required information before sending log out.<br><br>Consult with the Public Records Officer prior to using this exemption. Whether the exemption applies depends on a factual showing that public disclosure would have a substantial likelihood of threatening public safety. |
| <b>34</b>             | <b>Private Digital Signature Key / Computer Systems</b> - RCW 19.34.240(3), & RCW 42.56.070(1)                         | Under RCW 19.34.020(27), a "private key" means the part of a key pair used to create a digital signature. Under RCW 19.34.020(28), a "public key" means the part of a key pair used to verify a digital signature. A private key in the possession of a state agency or local agency is exempt from public inspection and copying under chapter 42.56 RCW.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                  |
| <b>Administrative</b> |                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                                                                                                                                                                                                                                                                                                                  |
| <b>35(a)</b>          | <b>Attorney/Client Privilege Obtaining Legal Advice</b> - RCW 5.60.060(2)(a); & RCW 42.56.070(1)                       | Communication from client to attorney for the purpose of obtaining legal advice.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                  |
| <b>35(b)</b>          | <b>Attorney/Client Privilege Legal Advice Provided</b> -                                                               | Communication from attorney to client for the purpose of providing legal advice.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                  |



## Public Records Exemption Codes List



| Redaction Code | Exemption                                                                                                                       | Comments                                                                                                                                                                                                                                        | Notes for PDC<br>(Do NOT include on Log) |
|----------------|---------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
|                | RCW 5.60.060(2)(a); & RCW 42.56.070(1)                                                                                          |                                                                                                                                                                                                                                                 |                                          |
| <b>35(c)</b>   | <b>Attorney/Client Privilege Conveying Legal Advice</b> - RCW 5.60.060(2)(a); & RCW 42.56.070(1)                                | Communication between members of the client agency for the purpose of gathering information to obtain legal advice or to convey attorney-client communications.                                                                                 |                                          |
| <b>35(d)</b>   | <b>Attorney/Client Privilege &amp; Attorney Work Product Litigation</b> - RCW 5.60.060(2)(a); RCW 42.56.290; & RCW 42.56.070(1) | Communication between attorney and client regarding litigation.                                                                                                                                                                                 | NEW Verbiage                             |
| <b>36(a)</b>   | <b>Attorney Work Product – Opinions &amp; Impressions</b> - RCW 42.56.290; RCW 5.60.060(2)(a); & RCW 42.56.070(1)               | Drafts, notes, memoranda, or research reflecting the opinions or mental impressions of an attorney or attorney's agent prepared, collected, or assembled in litigation or in anticipation of litigation.                                        |                                          |
| <b>36(b)</b>   | <b>Attorney Work Product - Research</b> - RCW 42.56.290; RCW 5.60.060(2)(a); & RCW 42.56.070(1)                                 | Notes, memoranda, statements, records that reveal factual or investigative information prepared, collected, or assembled in litigation or in anticipation of litigation                                                                         |                                          |
| <b>36(c)</b>   | <b>Attorney Work Product – Communications Between Attorneys</b> - RCW 42.56.290; RCW 5.60.060(2)(a); & RCW 42.56.070(1)         | Communication between attorneys who have a common interest or a joint defense agreement that reveals opinions or mental impression of attorney, or information prepared, collected, or assembled in litigation or in anticipation of litigation |                                          |
| <b>36(d)</b>   | <b>Attorney Work Product – Mediation Privilege</b> - RCW 42.56.290; RCW 7.07.030; RCW 7.07.070; & RCW 42.56.070(1)              | RCW 7.07.030 and RCW 7.07.070 provide for confidentiality relating to mediations. RCW 42.56.290 exempts from disclosure records that are not discoverable when an agency is a party to a controversy                                            |                                          |
| <b>37(a)</b>   | <b>Deliberative Process – Executive Policy</b> - RCW 42.56.280                                                                  | Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended, to include executive policy draft information.                                                  |                                          |

# Public Records Exemption Codes List



| Redaction Code | Exemption                                                                                                          | Comments                                                                                                                                                                                                                                                                                                                                                                   | Notes for PDC<br>(Do NOT include on Log)                                                                                                                                                                                                                             |
|----------------|--------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 37(b)          | <b>Deliberative Process – Collective Bargaining</b> - RCW 42.56.280                                                | Preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended, to include collective bargaining.                                                                                                                                                                                          |                                                                                                                                                                                                                                                                      |
| 38             | <b>Copyright Material Federal Copyright Act</b> - 17 U.S.C., §§ 102, 301, and 106(1); & RCW 42.56.070(1)           | The responsive record is subject to copyright protection under 17 U.S.C. § 102. 17 U.S.C. § 106(1) gives a copyright owner the exclusive rights to reproduce the copyrighted work in copies. You may inspect this record by contacting [name of PDC and contact information to arrange for inspection]. This record can also be purchased by contacting:<br>_____<br>_____ | Remove the yellow highlighted portion and add the required information in both places before sending log out.<br>The requestor is entitled to view the materials (yellow section). Fair Use Doctrine may apply and allow for copying. Coordinate with PRO as needed. |
| 40(a)          | <b>Risk Management Claim Tracking File– Actions Against State</b> - RCW 4.92.210(2), & RCW 42.56.070(1)            | A centralized claim tracking system shall be maintained to provide agencies with accurate and timely data on the status of liability claims. Information in this claim file, other than the claim itself, shall be privileged and confidential.                                                                                                                            |                                                                                                                                                                                                                                                                      |
| 40(b)          | <b>Risk Management – Valuation of Specific Claims</b> - RCW 4.92.210(6), & RCW 42.56.070(1)                        | Reserves shall be established for recognizing financial liability and monitoring effectiveness. The valuation of specific claims against the state shall be privileged and confidential.                                                                                                                                                                                   |                                                                                                                                                                                                                                                                      |
| 41             | <b>Agency Party to a Controversy – WSP Tort Claim Files</b> - RCW 42.56.290; RCW 5.60.060(2)(a), & RCW 4.92.210(2) | Records that are relevant to a controversy to which an agency is a party but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts are exempt from production.                                                                                                                             |                                                                                                                                                                                                                                                                      |
| 59             | <b>State Procurement Records – Bids In Progress</b> - RCW 39.26.030(2) & RCW 42.56.070(1).                         | This procurement (RFP # [redacted]) is still in progress and no apparent successful bidder has been chosen or announced. The requested documents are exempt from disclosure until WSP announces the apparent successful bidder.                                                                                                                                            | Remove the yellow highlighted portion and add the required information before sending log out.                                                                                                                                                                       |
| 61             | <b>Personally Identifying Information - Contractor/Vendor Employee</b> – RCW 42.56.420(6) & 28 CFR Part 20         | Personally identifiable information of employees, and other security information consisting of [redacted] [i.e., explain the specific type of PII redacted – such as name, address, etc.], of a private cloud service provider that has entered into a criminal justice information services agreement as contemplated by the United States                                | Remove the yellow highlighted portion and add the required information before sending log out.                                                                                                                                                                       |

## Public Records Exemption Codes List



| Redaction Code | Exemption                                                                                                                  | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              | Notes for PDC<br>(Do NOT include on Log) |
|----------------|----------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
|                |                                                                                                                            | department of justice criminal justice information services security policy, as authorized by 28 CFR Part 20.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                          |
| <b>67(a)</b>   | <b>Firearms Purchase Denial Form – RCW 36.28A.400(3)</b>                                                                   | The withheld record is a firearms purchase denial form. Pursuant to chapter 261, Laws of 2017, the WSP received this record to include its information in an electronic database accessible by law enforcement. Information and records prepared, owned, used, or retained by the WSP pursuant to chapter 261, Laws of 2017 are exempt from public inspection and copying under chapter 42.56 RCW.                                                                                                                                                                                                                                                                    | NEW                                      |
| <b>67(b)</b>   | <b>Information from a Purchase Denial Form in an Electronic Database Accessible by Law Enforcement – RCW 36.28A.400(3)</b> | The withheld record is information from a firearms purchase denial form, which was entered into an electronic database accessible by law enforcement. Pursuant to chapter 261, Laws of 2017, the WSP entered this information into an electronic database accessible by law enforcement. Information and records prepared, owned, used, or retained by the WSP pursuant to chapter 261, Laws of 2017 are exempt from public inspection and copying under chapter 42.56 RCW.                                                                                                                                                                                           | NEW                                      |
| <b>67(c)</b>   | <b>Documentation of a Person's Appeal of Ineligibility to Possess a Firearm - RCW 36.28A.400(3)</b>                        | The withheld record is documentation of a person's appeal to possess a firearm. The WSP received this record pursuant to chapter 261, Laws of 2017. Under chapter 261, Laws of 2017, a person who has been denied a firearms purchase may submit documentation to the WSP that the person has appealed background check denial. Upon receipt of this documentation, the WSP removes the person's record of the denial in the electronic database accessible by law enforcement.<br>Information and records prepared, owned, used, or retained by the WSP pursuant to chapter 261, Laws of 2017 are exempt from public inspection and copying under chapter 42.56 RCW. | NEW                                      |
| <b>67(d)</b>   | <b>12 Month Notice to Person Who Has Appealed Ineligibility to Possess a Firearm - RCW 36.28A.400(3)</b>                   | The withheld record is a 12 month notice sent to a person who provided documentation of an appeal of the person's firearms ineligibility to WSP. Pursuant to chapter 261, Laws of 2017, the WSP is required to provide notice to the person every 12 months that the person must provide documentation that the appeal is pending of the WSP will put the record of the firearms purchase denial back into the electronic database.                                                                                                                                                                                                                                   | NEW                                      |

## Public Records Exemption Codes List



| Redaction Code | Exemption                                                                                                                                       | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | Notes for PDC<br>(Do NOT include on Log)                                                                                                                                                                                                   |
|----------------|-------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                |                                                                                                                                                 | Information and records prepared, owned, used, or retained by the WSP pursuant to chapter 261, Laws of 2017 are exempt from public inspection and copying under chapter 42.56 RCW.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                               |                                                                                                                                                                                                                                            |
| <b>67(e)</b>   | <b>Proof that A Person Denied A Firearms Purchase is no Longer Ineligible to Possess Firearms</b><br>– RCW 36.28A.400(3)                        | The withheld record is proof that a person denied a firearms purchase is no longer ineligible to possess firearms. Pursuant to chapter 261, Laws of 2017, when the WSP receives satisfactory proof that a person is no longer ineligible to possess firearms, the WSP must remove any record of the person's denied firearms purchase from the electronic database accessible by law enforcement. Information and records prepared, owned, used, or retained by the WSP pursuant to chapter 261, Laws of 2017 are exempt from public inspection and copying under chapter 42.56 RCW.                                                                                                                             | NEW                                                                                                                                                                                                                                        |
| <b>67(f)</b>   | <b>WASPC Notice that a Person Has Been Approved for a Firearms Transfer</b><br>- RCW 36.28A.400(3)                                              | The withheld record is a notice that a person has been approved for a firearms transfer. Pursuant to chapter 261, Laws of 2017, when the WSP receives WASPC notice that a person previously denied purchase of a firearm has subsequently been approved for the firearms transfer, the WSP must remove any record of the person's denied firearms purchase from the electronic database accessible by law enforcement. Information and records prepared, owned, used, or retained by the WSP pursuant to chapter 261, Laws of 2017 are exempt from public inspection and copying under chapter 42.56 RCW.                                                                                                        | NEW                                                                                                                                                                                                                                        |
| <b>Medical</b> |                                                                                                                                                 |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  |                                                                                                                                                                                                                                            |
| <b>42(a)</b>   | <b>Health Care Information</b> 45 CFR Sec. 160 and 164; RCW 70.02.005(4); RCW 70.02.020; RCW 42.56.360(2); RCW 42.56.070(1), & RCW 42.56.240(1) | The Public Records Act provides "chapter 70.02 RCW applies to public inspection and copying of health care information of patients." RCW 42.56.360(2). The legislature has stated "It is the public policy of this state that a patient's interest in the proper use and disclosure of the patient's health care information survives even when the information is held by persons other than health care providers." RCW 70.02.005(4). Health care information may not be disclosed without the patient's consent or statutory authority provided in RCW 70.02.050, or 70.02.200 through 70.02.240. A state agency that obtains patient health care information pursuant to RCW 70.02.050 and 70.02.200 through | Blue highlighted areas should be removed as the medical records are NOT part of an investigative file.<br><br>Remove highlighting if leaving these items in before sending out.<br><br>For use with a health care provider's records only. |

## Public Records Exemption Codes List



| Redaction Code               | Exemption                                                                                                                                                                                 | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          | Notes for PDC<br>(Do NOT include on Log) |
|------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
|                              |                                                                                                                                                                                           | <p>70.02.240 shall adopt rules establishing their record acquisition, retention, destruction, and security policies that are consistent with chapter 70.02 RCW. RCW 70.02.290(1). Thus, health care information retained by a state agency remains subject to chapter 70.02 RCW's disclosure restrictions.</p> <p>Additionally, the withheld or redacted record was collected as part of a law enforcement agency's investigation. Specific investigative records compiled by investigative and law enforcement agencies, the nondisclosure of which is essential for the protection of any person's right to privacy, are exempt from production under the Public Records Act. Disclosure of health care information: (1) would be highly offensive to a reasonable person; and (2) not of legitimate concern to the public.</p> |                                          |
| <b>42(b)</b>                 | <b>Mental Illness – Health Care Information –</b><br>70.02.020; RCW 70.02.050; RCW 70.02.230; & RCW 42.56.360(2)                                                                          | The fact of admission and all information and records compiled, obtained, or maintained in the course of providing services to either voluntary or involuntary recipients of services for mental illness at public or private agencies are confidential                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                          |
| <b>42(c)</b>                 | <b>Prescription Records –</b> RCW 18.64.245 & RCW 42.56.070(1)                                                                                                                            | Such records of prescriptions shall be for confidential use in the pharmacy, for inspection by the pharmacy quality assurance commission, or any officer of the law only.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |                                          |
| <b>42(d)</b>                 | <b>Patient/Client Personal Information in Public Institution or Public Health Agency files –</b><br>RCW 42.56.230(1); RCW 42.56.360(2); RCW 42.56.070(1); RCW 70.02.020; & 45 CFR 164.502 | Personal information in any files maintained for patients or clients of public institutions or public health agencies are exempt.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                          |
| <b>Public Agency Clients</b> |                                                                                                                                                                                           |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   |                                          |
| <b>43(a)</b>                 | <b>Voter Registration Records -</b> RCW 29A.08.710, & RCW 42.56.070(1)                                                                                                                    | The following information contained in voter registration records or files regarding a voter or a group of voters is available for public inspection and copying, except as provided in RCW 40.24.060: The voter's name, address, political jurisdiction, gender, date of birth, voting record, date of registration, and registration number. No                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                          |



# Public Records Exemption Codes List



| Redaction Code | Exemption                                                                                                                                          | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                  | Notes for PDC<br>(Do NOT include on Log)                                                                    |
|----------------|----------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
|                |                                                                                                                                                    | other information from voter registration records or files is available for public inspection or copying.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |                                                                                                             |
| <b>43(b)</b>   | <b>Voter Registration Agency - RCW 29A.08.720(1)</b>                                                                                               | The identity of the office or agency at which any particular individual registered to vote is not available for public inspection and shall not be produced to the public.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                |                                                                                                             |
| <b>44(a)</b>   | <b>Public Assistance Client - Personal Information in Public Institution Files - RCW 42.56.230(1)</b>                                              | Personal information in any files maintained for clients of public institutions is exempt from public inspection and copying.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                             | If the record is also a medical record, also use code 42(a) here.<br>(For residents of state institutions.) |
| <b>44(b)</b>   | <b>Public Assistance Clients (Clients of Public Health and Welfare Agencies) - RCW 42.56.230(1); RCW 74.04.060(1), (3); &amp; RCW 42.56.070(1)</b> | Personal information in any files maintained for welfare recipients is exempt from production. Agencies are prohibited from disclosing the contents of any records, files, papers and communications, directly connected with the administration of public health programs. Public assistance records for programs administered under RCW Title 74 are confidential.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                      |                                                                                                             |
| <b>45</b>      |                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                           |                                                                                                             |
| <b>46</b>      | <b>Employment Security Department Records - RCW 50.13.020, RCW 50.13.060(9), RCW 50.13.100, RCW 42.56.410, &amp; RCW 42.56.070(1)</b>              | The legislature recognizes that records and information held by the department of employment security could be misused. Therefore, they define a right of privacy and confidentiality as regards individual and employing unit records maintained by the department of employment security. The disclosure of any records or information by a governmental agency which has obtained the records or information from the department of employment security under RCW 50.13.060 is prohibited unless all details identifying an individual or employing unit are deleted or the individual or employing unit consents to the disclosure. Additionally, under RCW 42.56.410, records subject to chapter 50.13 RCW provided to another individual or organization for operational, research, or evaluation purposes are exempt from disclosure under the Public Records Act. |                                                                                                             |
| <b>47</b>      | <b>Students - Education Records - Family Educational Rights and Privacy Act - 20 U.S.C. sec. 1232g(b)(4);; RCW 42.56.070(1) &amp;</b>              | Personal information in any files maintained for students in public schools is exempt from public inspection and copying. Disclosure of information from education records is prohibited without the consent of the student.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                              |                                                                                                             |

# Public Records Exemption Codes List



| Redaction Code               | Exemption                                                                                                    | Comments                                                                                                                                                                                                                                                                                                        | Notes for PDC<br>(Do NOT include on Log) |
|------------------------------|--------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
|                              | RCW 42.56.230(1)                                                                                             |                                                                                                                                                                                                                                                                                                                 |                                          |
| 48                           | <b>Sex offender notification request</b> - RCW 42.56.240(8)                                                  | Information submitted to the statewide unified sex offender notification and registration program under RCW 36.28A.040(6) by a person for the purpose of receiving notification regarding a registered sex offender, including the person's name, residential address, and e-mail address                       |                                          |
| 49                           | <b>Nursing Homes - Complaints</b> -RCW 18.51.190; & RCW 42.56.070(1)                                         | The name of any individual complainant or other person mentioned in a nursing home complaint shall not be disclosed to the licensee.                                                                                                                                                                            |                                          |
| 68                           | <b>Vulnerable Adult Report</b><br>RCW 74.34.095(1)(c)                                                        | Reports of abandonment, abuse, financial exploitation, or neglect, the identity of the person making the report; and all files, reports, records, communications, and working papers used or developed in the investigation or provision of protective services are confidential and not subject to disclosure. | NEW Code #                               |
| <b>General/Miscellaneous</b> |                                                                                                              |                                                                                                                                                                                                                                                                                                                 |                                          |
| 51(a)                        | <b>Financial information -Credit &amp; Debit Card Numbers</b> - RCW 42.56.230(5)                             | Credit card numbers, debit card numbers, electronic check numbers, credit expiration dates, or bank or other financial account numbers are not disclosable, except when production is expressly required by or governed by other law.                                                                           |                                          |
| 51(b)                        | <b>Financial information -Credit Card Expiration Dates</b> - RCW 42.56.230(5)                                | Credit card numbers, debit card numbers, electronic check numbers, credit expiration dates, or bank or other financial account numbers are not disclosable, except when production is expressly required by or governed by other law.                                                                           |                                          |
| 51(c)                        | <b>Financial information - Bank &amp; Financial Account Numbers</b> - RCW 42.56.230(5)                       | Credit card numbers, debit card numbers, electronic check numbers, credit expiration dates, or bank or other financial account numbers are not disclosable, except when production is expressly required by or governed by other law.                                                                           |                                          |
| 51(d)                        | <b>Financial information - Electronic Check Numbers</b> - RCW 42.56.230(5)                                   | Credit card numbers, debit card numbers, electronic check numbers, credit expiration dates, or bank or other financial account numbers are not disclosable, except when production is expressly required by or governed by other law.                                                                           |                                          |
| 51(e)                        | <b>Financial information - (Criminal Racketeering)</b> - RCW 42.56.230(5); RCW 42.56.070(1); & RCW 9A.82.170 | Credit card numbers, debit card numbers, electronic check numbers, credit expiration dates, or bank or other financial account numbers are not disclosable, except when production is expressly required by or governed by other law. Disclosure by the attorney general, county prosecuting                    |                                          |

## Public Records Exemption Codes List



| Redaction Code | Exemption                                                                                                            | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                | Notes for PDC<br>(Do NOT include on Log)                                                                                    |
|----------------|----------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------|
|                |                                                                                                                      | attorney, or any peace officer or other person designated by the attorney general or the county prosecuting attorney, of information obtained under this section, except in the proper discharge of official duties, is punishable as a misdemeanor.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                             |
| <b>52</b>      | <b>Fireworks</b> - RCW 42.56.460                                                                                     | All records obtained and all reports produced as required by state fireworks law, chapter 70.77 RCW, are exempt from disclosure.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        |                                                                                                                             |
| <b>53</b>      | <b>Ephedrine sales tracking system</b> - RCW 42.56.240(7)                                                            | Data from the electronic sales tracking system established in RCW 69.43.165 shall not be disclosed.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                             |
| <b>54(a)</b>   | <b>State Excise Tax Returns</b> - RCW 82.32.330(2), & RCW 42.56.070(1)                                               | State excise tax returns are confidential and privileged and except as authorized by RCW 82.32.330, neither the department of revenue nor any other person may disclose any return.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                             |
| <b>54(b)</b>   | <b>State Excise Tax Information</b> - RCW 82.32.330(1)(c)(2), & RCW 42.56.070(1)                                     | State excise tax information (consisting of (i) a taxpayer's identity, (ii) the nature, source, or amount of the taxpayer's income, payments, receipts, deductions, exemptions, credits, assets, liabilities, net worth, tax liability deficiencies, over assessments, or tax payments, (iii) whether the taxpayer's return was, is being, or will be examined or subject to other investigation or processing, (iv) a background file document relating to a written determination, and (v) other data received by, recorded by, prepared by, furnished to, or collected by the department of revenue with respect to the determination of a tax, penalty, interest, fine, forfeiture, or other imposition, or offense) is confidential and privileged and except as authorized by RCW 82.32.330, neither the department of revenue nor any other person may disclose tax information. |                                                                                                                             |
| <b>54(c)</b>   | <b>State Property tax information – Confidential and proprietary information</b> - RCW 84.08.210; & RCW 42.56.070(1) | RCW 84.08.210(1) defines tax information to mean confidential income data and proprietary business information obtained by the Department of Revenue in the course of carrying out the duties now or hereafter imposed upon it in Title 84 that has been communicated in confidence in connection with the assessment of property and that has not been publicly disseminated by the taxpayer, the disclosure of which would be either highly offensive to a reasonable person and not a legitimate concern to the public or would result in an unfair competitive disadvantage to the taxpayer. Tax information, as defined by RCW                                                                                                                                                                                                                                                     | This is a highly conditional exemption. Contact the PRO if you believe this exemption applies to records you are reviewing. |

# Public Records Exemption Codes List



| Redaction Code | Exemption                                                                                                   | Comments                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Notes for PDC<br>(Do NOT include on Log)                                                                                                                                                                             |
|----------------|-------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
|                |                                                                                                             | 84.08.210(1), is confidential and privileged, and except as authorized by RCW 84.08.210, neither the Department of Revenue nor any other person may disclose tax information.                                                                                                                                                                                                                                                                                                                              |                                                                                                                                                                                                                      |
| 55             | <b>Vanpool/Commute Trip Reduction</b> – RCW 42.56.330(3)                                                    | The names, residential addresses, residential telephone numbers, and other individually identifiable records held by an agency in relation to a vanpool, carpool, or other ride-sharing program or service is not disclosable.                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                      |
| 56             | <b>Non-Business Related Emails - Public Employees</b> – RCW 42.56.230(3)                                    | "Public record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function. A purely personal record having absolutely no relation to the conduct of government is not a "public record" and the content is exempt to the extent production would violate an employee's right to privacy as (1) highly offensive to a reasonable person, and (2) not of legitimate concern to the public.                            | This exemption must be very fact-specific and applied rarely. Release of the email must meet the criteria for "highly offensive". The fact that it is personal rather than business-related alone is not sufficient. |
| 57             | <b>Stored DNA Samples or Analyses in CODIS</b> - 34 U.S.C. §12592(b)(3); 34 U.S.C. § 40706; & RCW 42.56.070 | The record is a stored DNA sample, or stored DNA analyses, from the Federal Bureau of Investigation's Combined DNA Index System (CODIS).                                                                                                                                                                                                                                                                                                                                                                   | NEW verbiage and statutory citations                                                                                                                                                                                 |
| 58             | <b>Felony Firearms Database</b> – RCW 42.56.240(10); & RCW 9.41.010                                         | The WSP is required to maintain a felony firearm offense conviction database of felony firearm offenders. Felony firearm offenders are persons who have been convicted or found not guilty by reason of insanity in this state of various felony firearm offenses. The database is only for law enforcement purposes and is not subject to public disclosure.                                                                                                                                              |                                                                                                                                                                                                                      |
| 62             | <b>Sexual Assault Tracking Kit Database</b> – RCW 42.56.240(15), & RCW 43.43.545                            | Any records and information contained within the statewide sexual assault kit tracking system established by Chapter 43.43 RCW shall be considered a specific investigative record compiled by investigative and law enforcement agencies, the nonproduction of which is essential for the protection of any person's right to privacy. Disclosure of sexual assault kit tracking system records (1) Would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public. |                                                                                                                                                                                                                      |
| 63             | <b>List of Names – Commercial</b>                                                                           | The disclosure of "lists of individuals requested for commercial purposes" is                                                                                                                                                                                                                                                                                                                                                                                                                              | NEW                                                                                                                                                                                                                  |

## Public Records Exemption Codes List



| Redaction Code | Exemption                                              | Comments                                                                                                                                                                                                 | Notes for PDC<br>(Do NOT include on Log) |
|----------------|--------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------|
|                | <b>Purpose</b><br>RCW 42.56.070(9)                     | expressly prohibited. This section "does not distinguish between different types of commercial purposes".                                                                                                |                                          |
| <b>64</b>      | <b>Employee Residence GPS Data</b> – RCW 42.56.240(13) | The global positioning system (GPS) data that would indicate the location of the residence of an employee or worker of a criminal justice agency as defined in RCW 10.97.030; is exempt from production. | NEW                                      |