



Joint Legislative Audit and Review Committee

Public Records Data Collection

Geneva Johnston

Joint Legislative Audit and Review Committee (JLARC)

The Legislature's **performance auditors** since 1973.

Bipartisan committee of 8 Senators and 8 Representatives.

Nonpartisan staff conduct studies using professional audit standards.

Studies are **assigned** by the Legislature or the Committee itself.



Public Records Data Collection

Why are we here?

Who must report?

When is reporting required?

How do agencies report?

What needs to be reported?

Why are we here?

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

- Passed during the 2017 Legislative session
- Went into effect July 23, 2017

Wanted to answer questions about cost, staff time, and other factors related to public records requests

Annual, ongoing reporting requirement



Who must report?

Agencies, as defined by the Public Records Act ([RCW 42.56.010](#))

- **State agency** includes every state office, department, division, bureau, board, commission, or other state agency
- **Local agency** includes every county, city, town, municipal corporation, quasi-municipal corporation, or special purpose district, or any office, department, division, bureau, board, commission, or agency thereof, or other local public agency.

In most cases, it is clear whether an organization is considered an “agency” for the purposes of the PRA. In some cases, however, it may be less apparent. For example, a county may be comprised of several “agencies” as each separately elected official may control an independent department that would qualify as an agency. In that case each of the separate county agencies would make its own determination about whether it meets the \$100,000 threshold for required reporting.

When is reporting required?

Agencies with at least \$100,000 of staff and legal costs associated with fulfilling public records requests during the prior year (January 1 – December 31) are required to report.

Agencies below the \$100,000 threshold may voluntarily report.



When is reporting required?

Deadline is set in statute (RCW 40.14.026)

July 1

Ongoing reporting, due every year by July 1st



How do agencies report?

JLARC implemented an online reporting system that all agencies use to submit data

Agencies use a variety of tools to collect data internally and prepare it for submission

Reporting system is available on the JLARC website

<https://leg.wa.gov/jlarc/Pages/publicRecAdmin.aspx>

What needs to be reported?

Performance metrics are outlined in [RCW 40.14.026\(5\)](#)

JLARC worked with consultants, advisory groups, and work groups to develop definitions for metrics and provide guidance for agencies

The metrics include a wide array of information including:

- Number of requests
- Costs
- Time to respond to requests



6th year of data collection

2017 - first year of data collection (partial year)

July 23, 2017 – December 31, 2017

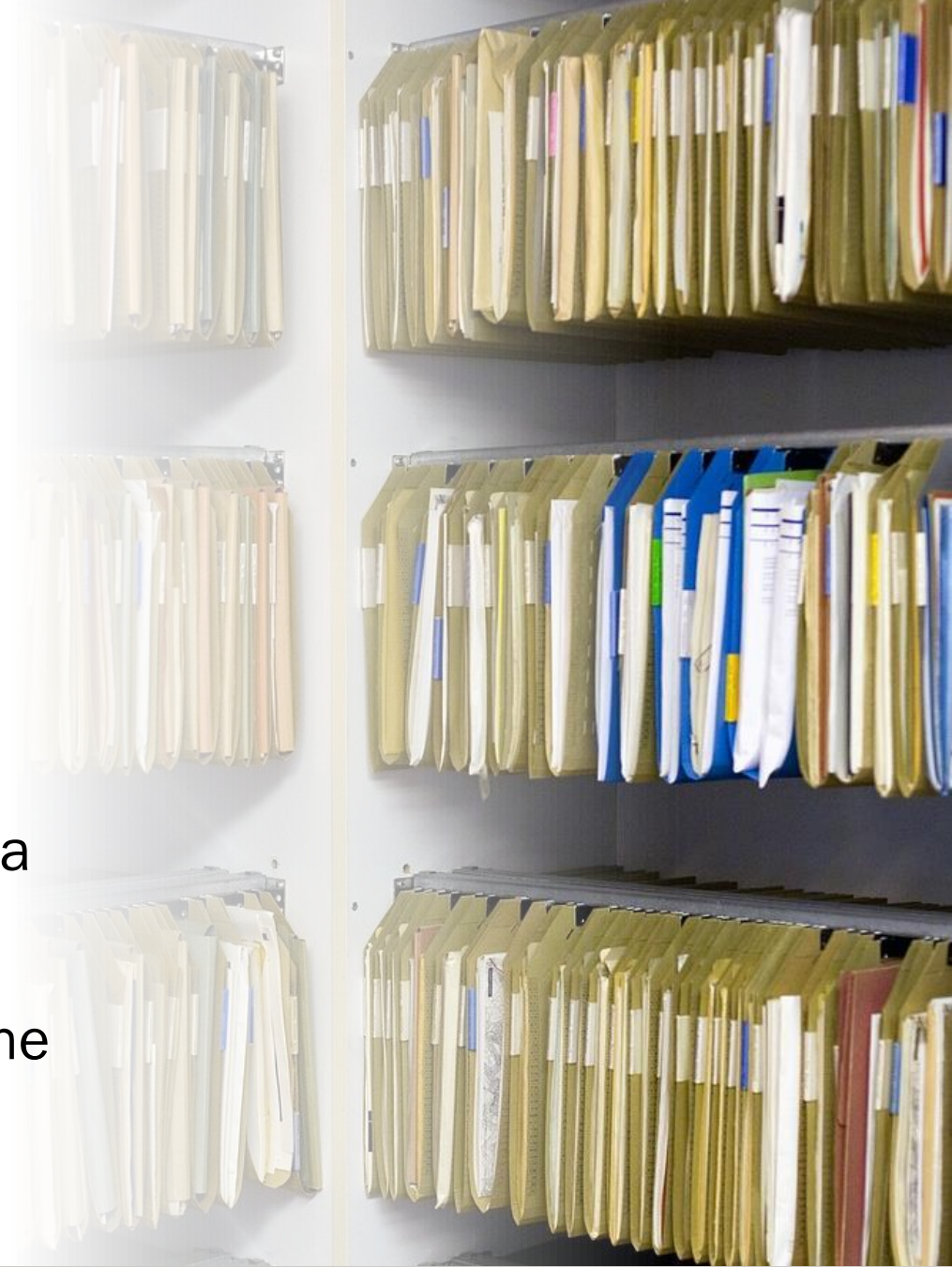
2018 - metrics were modified, clarified, or removed

2020 - Legislature required to report

2022 - 5th full year of data reported

345 unique agencies have reported public records data since 2018

JLARC staff provide guidance, definitions, and the online reporting system, but do not verify the accuracy of the data reported by agencies.



2022 reporting

7% (168) Above the \$100k threshold.
Report submittal required.

3% (62) Below the \$100k threshold.
Chose to submit optional report.

10% (230) TOTAL AGENCIES SUBMITTED DATA

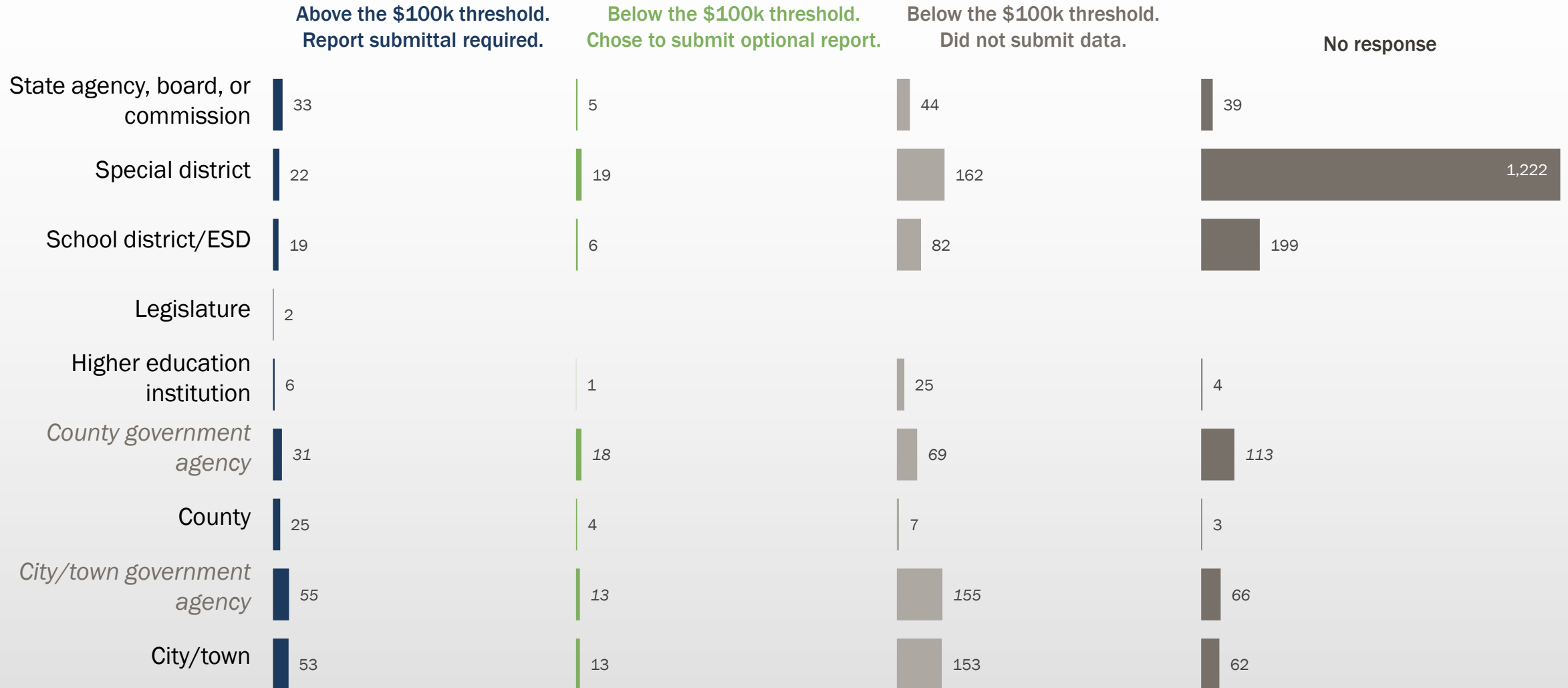
22% (537) Below the \$100k threshold.
Did not submit data.

32% (767) TOTAL AGENCIES REPORTED

68% (1,642) No response

It is unknown how many agencies that did not respond are above the reporting threshold, but likely many are not.

Reporting rates vary



Overview of metrics

Requests Received and Closed	Baseline: Number of requests opened, received, and closed Metric 7: Number of records requests, by type of requester
Response Time	Metric 1: Number of requests closed within five days of receiving the request Metric 2: Number of requests where an estimate beyond five days was provided Metric 3: Average and median days to final disposition
Clarified, Denied, Abandoned	Metric 4: Number of records requests where the agency sought clarification from the requester Metric 5: Number of records requests denied and common reasons Metric 6: Number of abandoned records requests
Response Format	Metric 8: Number of records requests fulfilled electronically and physically Metric 9: Number of records requests involving scanning
Time and Cost	Metric 10: Average estimated staff hours spent responding to records requests Metric 11: Cost of fulfilling records requests Metric 14: Estimated costs incurred to managing and retaining records Metric 15: Expenses recovered from requesters
Claims	Metric 12: Number of court claims filed alleging a violation Metric 13: Cost of litigating claims alleging a statutory violation

Requests received and closed

Baseline data
Metric 7

January 1, 2022 – December 31, 2022

26,250 public records requests open (*on Jan. 1*)

396,442 public records requests received (*Jan. 1 – Dec. 31*)

369,101 public records requests closed (*by Dec. 31*)

Individuals made the most public records requests **36% (143,045)**
Current or former employees made the least public records requests **1% (4,221)**

Response time

Metrics
1, 2, & 3

55% of requests were closed within five days of receiving the request

47% of requests were given an estimate beyond five days

23 average number of days to final disposition

5 median number of days to final disposition

Cities/towns reported the shortest time, with an average of **10** days to final disposition
Legislature reported the longest time, with an average of **111** days to final disposition

Clarified, denied, abandoned

Metrics
4, 5, & 6

- 7%** of requests required clarification from the requester
- 2%** of requests were denied in full
- 23%** of requests were partially denied and/or redacted
- 5%** of requests were abandoned

Counties denied the most public records requests **3.4%**
School districts/ESDs partially denied and/or redacted the most public records requests **36%**
Higher education institutions had the highest number of abandoned requests **15%**

Response format

Metrics
8 & 9

- 76%** of requests were fulfilled electronically
- 4%** of requests were fulfilled with physical records
- 2%** of requests were fulfilled combination (electronic and physical)
- 19%** of requests were closed due to no responsive records

54,902 (16%) requests required scanning

Time and cost

Metrics
10, 11, 14, & 15

2.9	average estimated staff hours spent per request
\$103 million	spent fulfilling public records requests
\$243.42	average cost per request
\$222 million	estimated costs incurred managing and maintaining public records
\$963,696	average cost per agency
\$0.3 million	of expenses recovered from requesters

School districts/ESDs reported the highest average estimated cost per request **\$1,418.26**

State agencies, boards, or commissions reported the highest total cost for managing and maintaining records **\$98 million**

Higher education institutions had the highest average staff hours per request **12**

Claims

Metrics
12 & 13

95 court claims filed alleging a violation

\$7.7 million cost of litigating claims alleging a statutory violation

State agencies, boards, or commissions reported the highest number of claims **54**
State agencies, boards, or commissions reported the highest cost of litigating claims **\$3.2 million**

Public Records Data Reporting

2022 full dataset now available: <https://leg.wa.gov/jlarc/Pages/publicRecAdmin.aspx>
Report and interactive data available January 2024

The public records system will open in Spring 2024 for 2023 data reporting

Email: JLARCPublicRecStudy@leg.wa.gov

Data Reporting and Visual Communications Analyst

Geneva Johnston

360.786.5286

Geneva.Johnston@leg.wa.gov

