

Cabinet Agencies' Performance Audit Action Item(s) & Status

Open Public Records Practices at 30 Government Entities

(See also [cabinet agency response](#) for full context to Washington State Auditor's Office (SAO) [report](#), May 2008)

Agencies included in the performance audit: (Note: eight out of the 30 audited are cabinet agencies) Department of Corrections, Office of Financial Management, Department of General Administration, Department of Labor and Industries, Washington State Lottery, Washington State Patrol, Department of Revenue, and Department of Social and Health Services.

SAO Issues Summary:

1. Thirty-one of 300 unannounced public records requests (10 percent) were considered non-responsive (response not received by requestor). An additional seven responses (2 percent) were either non-conforming or incomplete.
2. Some entities do not accommodate one or more means of communicating public records requests and therefore do not provide the public with the fullest assistance.
3. Some entities did not provide complete and satisfactory explanations for redactions of public records and some records were improperly redacted.
4. Some entities provided the requested public records in a less timely manner than their peers.

The table below shows the current status of action items the agency initiated to address issues identified in the performance audit report. Please see the [cabinet agency response](#) for additional context and any additional steps already taken.

For an explanation of the columns below, [see the legend](#).

Issue	Status	Action Steps	Lead Agency	Due Date	Current Resources?	Budget Impact?	Legislation Required?	Notes
1	Completed	Training to third-party security personnel regarding walk-in public records requests at the noted agency has been completed	Lottery	N/A	Yes			
1	Completed	Agencies will continue to provide multiple avenues for submitting public records requests and contacting agency public records officers, to ensure that requests are received and processed	All	On-going	Yes			

Issue	Status	Action Steps	Lead Agency	Due Date	Current Resources?	Budget Impact?	Legislation Required?	Notes
		appropriately.						
1	Completed	Agencies have already established policies consistent with the Public Records Act, and will consider incorporating the advisory Model Rules if they have not already done so.	All	On-going	Yes	Yes		
1	Completed	Agencies will evaluate the identified best practices to determine which may be applied.	All	On-going		Maybe		
2	Completed	Agencies have already established policies consistent with the Public Records Act, and will consider incorporating the advisory Model Rules if they have not already done so.	All	N/A				The response notes that the eight cabinet agencies in the report accommodate all forms of public records requests, and provide the public with the fullest assistance in accordance with the Model Rules of the Public Records Act and state public records law (RCW 42.56).
2, 4	Completed	Each agency in the audit currently makes training on the Public Records Act available to its staff. For example, DSHS trained 18,000 individuals on the basic elements of public records disclosure in 2006-2007. Some agencies offer on-line or web-based training. Many Public Records Officers also regularly receive and provide training that counts as continuing legal education (CLE) credits.	All	On-going				2013 WSP Update: WSP's public records officer is a member of WAPRO (Wa. Assn. of Public Records Officers) and obtains free training by virtue of membership on the training committee.
2	Completed	Agencies will continue to accommodate multiple modes	All			Possible		

Issue	Status	Action Steps	Lead Agency	Due Date	Current Resources?	Budget Impact?	Legislation Required?	Notes
		of requesting public records. Several agencies are evaluating a change to their web sites to allow web forms to be submitted directly through the site.						
2	Completed	Agencies that receive large numbers of requests have already developed information that outlines how public records requests can be made, and that information is readily available to the public.	All					
3	Completed	DOC and DOR provide comprehensive training and resource materials on legal exemptions to staff who respond to records requests. They also make training on the Public Records Act available to their staff, and offer regular on-line or web-based training.	DOC & DOR	N/A	Yes			Records provided by cabinet agencies during the audit were appropriately redacted. Two responses did not cite the specific legal exemption for the redaction. Since the other responses did include the statutory reason, we believe it was an oversight and not an indication of a systemic problem. Both agencies took steps to ensure that the explanations of redactions are included in future records requests. 2013 WSP Update: WSP Records Officer coordinate appropriately with the AGO when advice is needed.
3	Completed	DOC and DOR have already taken steps to ensure the specific exemption that applies to each redaction is provided to the requestor.	DOC & DOR	N/A	Yes			

Issue	Status	Action Steps	Lead Agency	Due Date	Current Resources?	Budget Impact?	Legislation Required?	Notes
4	In-progress	In 2007, the Governor directed agencies to undertake a significant effort to explore opportunities for providing records electronically. Funding requested for this effort was not allocated in the 2008 legislative session. Nonetheless, a multi-agency task force has already been formed to assist agencies in sharing best practices and addressing the challenges presented by electronic document requests.	All			Yes		
4	Completed	In 2007, the Office of Financial Management implemented a public records request list service especially for large, complex, or electronic document requests. The goal is to encourage communication among agency records officers and to ensure full compliance with the law, avoid costly errors by improving timeliness, and provide full, consistent approaches to responses.	N/A					
	Completed	The Risk Management Division of the Office of Financial Management is holding training forums for agency public records officers. The first forum was held in March	OFM	N/A	Yes			

Issue	Status	Action Steps	Lead Agency	Due Date	Current Resources?	Budget Impact?	Legislation Required?	Notes
		2008. Two more forums are currently planned, including one in eastern Washington.						
4	Completed	Agencies that receive large volumes of public records requests will evaluate the proposed gains in efficiency and also effectiveness of changing to a method of prioritizing incoming requests versus continuing to process requests with a “first in, first out” approach.	All	N/A	Yes			
4	Completed	The Department of Corrections is working with the public and the Attorney General’s Office to develop new rules for electronic disclosure of its public records.	DOC	N/A	Yes	Maybe		
4	Completed	Agencies will continue to use email to respond to public records requests whenever possible.	All	On-going	Yes			
4	Completed	Agencies will continue to provide large records requests in installments when appropriate.	All	On-going	Yes			
	Completed	Agencies will continue to provide requestors with estimates of how long it will take to fulfill public records requests, when extending more than five days.	All	On-going	Yes			