

## PUBLIC RECORDS REQUEST

**Pursuant to RCW 42.56.580(1):** Each state and local agency shall appoint and publicly identify a public records officer whose responsibility is to serve as a point of contact for members of the public in requesting disclosure of public records and to oversee the agency's compliance with the public records disclosure requirements of this chapter. A state or local agency's public records officer may appoint an employee or official of another agency as its public records officer.

**At the City of Oak Harbor, please contact the Public Records Officer.** A Request for Public Records form may be obtained from:

- The Public Records Officer; or
- The City's website [www.oakharbor.org](http://www.oakharbor.org) by going to the Public Records button on the yellow ribbon and clicking on the link to this form.

### INFORMATION FROM THE WASHINGTON STATE OFFICE OF THE ATTORNEY GENERAL

We provide this information as a guide – not a legal document.

**Obtaining public records:** This state's basic law regarding inspection and copyright of public records is in its **Public Records Act, Chapter 42.56 RCW**. The Act establishes a strong state policy for disclosure of public records. But, there are some exemptions and limitations too. This is an attempt to give you an overview of your right to access public records. If you would like more specific information, you should refer to the Act itself.

#### **What records are public?**

A public record is any state or local record relating to:

- the conduct of government; or
- the performance of a governmental function

and which is:

- prepared;
- used; or
- retained by any state or local agency.

A local agency can include:

- a city;
- county;
- district; or
- similar governmental entity.

The record may be in a variety of forms such as:

- writing;
- a recording;
- a picture;
- an electronic disk;
- a magnetic tape; or
- e-mail.

**What public records are available for inspection?**

All records maintained by state and local agencies are available for public inspection unless law specifically exempts them. You are entitled access to public records under reasonable conditions, and to copies of those records upon paying the costs of making the copy. In most cases, you do not have to explain why you want the records. However, specific information may be necessary to process your request. An agency may require information necessary to establish if disclosure would violate certain provisions of law.

**Exempt records.**

While the state strongly encourages disclosure of public records, state law does allow for some information to be withheld. These "exemptions" are listed in the [Public Records Act](#) (Chapter 42.56 RCW). Other exemptions are found elsewhere in Washington law, and in federal law. Many of the exemptions are designed to protect the privacy rights of other individuals. Other exemptions are designed to protect the investigative functions of law enforcement and other agencies with investigative responsibilities, as well as the legitimate business interests of other citizens. You should refer to the Public Records Act for specific exemptions. If you are denied access to a public record, the agency must identify the specific exemption or other law it believes justifies its denial and explain how that exemption applies to your request.

**An agency is not required to create records.**

While, in general, an agency must provide access to existing public records in its possession, an agency is not required to collect information or organize data to create a record not existing at the time of the request. The more precisely you can identify the record you seek, the more responsive the agency can be.

**Records cannot be used for commercial purposes.**

The information obtained through a request for public records cannot be used for commercial purposes.