



CLARK COUNTY PROSECUTING ATTORNEY'S OFFICE

Disclosure Exemptions

Driver's License numbers: RCW 42.56.230(5)
The following personal information is exempt from public inspection and copying under this chapter: Financial information as defined in RCW 9.35.005(1)(c).

RCW 9.35.005 Definitions:

(1) "Financial information" means any of the following information identifiable to the individual:

(c) ... driver's license or permit numbers, state identicard numbers issued by the department of licensing.

Social Security numbers: RCW 42.56.230(5)
The following personal information is exempt from public inspection and copying under this chapter:

Information as defined in RCW 9.35.005 including social security numbers, except where disclosure is expressly required by or governed by other law.

Personal Information: RCW 42.56.230(7)(a)
The following personal information is exempt from public inspection and copying under this chapter: Any record used to prove identity, age, residential address, social security number, or other personal information required to apply for a driver's license or identicard.

Names and addresses of vehicle owners: RCW 46.12.635 (1) Notwithstanding the provisions of chapter 42.56 RCW, the name or address of an

individual vehicle owner shall not be released by the department, county auditor, data recipient, subrecipient, or agency or firm authorized by the department except under the following circumstances: (a) The requesting party is a business entity that requests the information for use as defined by the department in rule, and in the course of business; (b) The request is a written request that is signed by the person requesting disclosure that contains the full legal name and address of the requesting party, that specifies the purpose for which the information will be used; and

(c) The requesting party enters into a disclosure agreement with the department in which the party promises that the party will use the information only for the purpose stated in the request for the information; and that the party does not intend to use, or facilitate the use of, the information for the purpose of making any unsolicited business contact with a person named in the disclosed information.

RCW 46.12.635(10) The department, county auditor, or agency or firm authorized by the department shall not release the name, any address, vehicle make, vehicle model, vehicle year, vehicle identification number, vessel make and model, vessel model year, hull identification number, vessel document number, vessel registration number, vessel decal number, or license plate number associated with an individual vehicle or vessel owner who is a participant in the address confidentiality program under chapter 40.24 RCW except as allowed in subsection (6) of this section and RCW 40.24.075.

Personal information from State motor vehicle records: Federal Exemption 18 USC (subsection) 2721 et. Seq. Except as provided in Subsection b), a State department of motor vehicles and any officer, employee, or contractor thereof, shall not knowingly disclose or otherwise make available to any person or entity personal information about any individual obtained by the department in connection with a motor vehicle record.

Abstract of driving records: RCW 46.52.130(4) Release to third parties prohibited. Any person or entity receiving an abstract of a person's driving record under subsection (2)(b) through (l) of this section shall use the abstract exclusively for his, her, or 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.

Motor vehicle case record of convictions and infractions: RCW 46.52.120(2) The records shall be for the confidential use of the director, the chief of the Washington state patrol, the director of the Washington traffic safety commission, and for such police officers or other cognizant public officials as may be designated by law.

Information obtained from National Crime Information Center (NCIC): 28 USC 534 (f)(1) Information from national crime information databases consisting of identification records, criminal history records, protection orders, and wanted person records may be disseminated to civil or criminal courts for use in domestic violence or stalking cases. Nothing in this

<p>subsection shall be construed to permit access to such records for any other purpose.</p> <p><i>U.S. Dept. of Justice v. Reporters Committee For Freedom of Press, 489 U.S. 749 (U.S. Dist. Col. 1989)</i></p>	<p>departments, related agencies, or service providers</p> <p>identified in paragraphs (a)(6) and (a)(7) of this section.</p> <p>Intelligence information: RCW 42.56.240(1) exempts from release specific intelligence information and specific investigative records compiled by investigative, law enforcement and penology agencies, the non-disclosure of which is essential to effective law enforcement or for the protection of any person’s right to privacy.</p>	<p>and place of birth, race, gender, description, a complete set of fingerprints, and signature of the licensee, and the licensee's driver's license number or state identification card number if used for identification in applying for the license...A photograph of the applicant may be required as part of the application and printed on the face of the license.</p>
<p>Confidential Law Enforcement Information sheet which accompanies a protection order. RCW 7.105.105(2) –FILING—PROVISIONS GOVERNING ALL PETITIONS. The following apply to all petitions for protection orders under this chapter.</p> <p>(2) The petition must be accompanied by a confidential document to be used by the courts and law enforcement to fully identify the parties and serve the respondent. This record will be exempt from public disclosure at all times, and restricted access to this form is governed by general rule 22 provisions governing access to the confidential information form.</p>	<p>Firearm transfer records: RCW 9.41.129</p> <p>The department of licensing shall keep copies or records of applications for concealed pistol licenses provided for in RCW 9.41.070, copies or records of applications for alien firearm licenses, copies or records of applications to purchase pistols or semiautomatic assault rifles provided for in RCW 9.41.090, and copies or records of pistol or semiautomatic assault rifle transfers provided for in RCW 9.41.110. The copies and records shall not be disclosed except as provided in RCW 42.56.240(4).</p>	<p>Waiver of firearms rights: RCW 9.41.350(7) All records obtained and all reports produced, as required by this section, are not subject to disclosure through the public records act under chapter 42.56 RCW.</p>
<p>Criminal Records Privacy Act: Restricted, unrestricted information—Records. RCW 10.97.050(3) Criminal history record information which includes non-conviction data may be disseminated by a criminal justice agency to another criminal justice agency for any purpose associated with the administration of criminal justice, or in connection with the employment of the subject of the record by a criminal justice or juvenile justice agency.</p>	<p>Concealed pistol license applications: RCW 42.56.240(4) exempts from release license applications under RCW 9.41.070, except that copies of license applications or information on the applications may be released to law enforcement or corrections agencies or to persons and entities as authorized under RCW 9.41.815.</p> <p>RCW 9.41.070(4) The license application shall bear the full name, residential address, telephone number at the option of the applicant, email address at the option of the applicant, date</p>	<p>Law enforcement records: RCW 42.56.240(1) exempts from release specific intelligence information and specific investigative records compiled by investigative, law enforcement and penology agencies, the non-disclosure of which is essential to effective law enforcement or for the protection of any person’s right to privacy.</p>
<p>Dissemination of criminal history record information (restricted files): 28 CFR § 20.33(b) The exchange of criminal history record information authorized by paragraph (a) of this section is subject to cancellation if dissemination is made outside the receiving</p>		<p>Active Law enforcement records: RCW 42.56.240(1) exempts from release specific intelligence information and specific investigative records compiled by investigative, law enforcement and penology agencies, the non-disclosure of which is essential to effective law enforcement or for the protection of any person’s right to privacy.</p> <p><i>Newman v. King County, 133 Wn.2d 565 (1997)</i> <i>Cowles Publishing Co. v. Spokane, 139 Wn.2d 472 (1999)</i></p> <p>Biometric identifiers: RCW 40.26.020(5) Biometric identifiers may not be disclosed under the public records act, chapter 42.56 RCW</p>

Vital records: RCW 42.56.365 All or part of any vital records, reports, supporting documentation, vital statistics, data, or information contained therein under chapter 70.58A RCW are not subject to public inspection and copying under this chapter.

Personal Information: RCW 42.56.230(5) exempts from release credit card numbers, debit card numbers, electronic check numbers, card expiration dates, or bank or other financial information as defined in RCW 9.35.005.

Disclosure of return or tax information: RCW 82.32.330(2) Returns and tax information are confidential and privileged, and except as authorized by this section, neither the department of revenue nor any other person may disclose any return or tax information.

26 U.S. Code § 6103 - Confidentiality and disclosure of returns and return information
(a) General Rule: Returns and return information shall be confidential, and except as authorized by this title—
(2) no officer or employee of any State, any local law enforcement agency receiving information under subsection (i)(1)(C) or (7)(A), any local child support enforcement agency, or any local agency administering a program listed in subsection (1)(7)(D) who has or had access to returns or return information under this section or section 6104(c) shall disclose any return or return information obtained by him in any manner in connection with his service as such an officer or an employee or otherwise or under the provisions of this section. For purposes of this subsection, the term “officer or employee” includes a former officer or employee.

Crime victim or witness identity: RCW 42.56.240(2) exempts from release information revealing the identity of the persons who are witness to or victims of crime or who file complaints with investigative, law enforcement or penology agencies, if disclosure would endanger any person’s life, physical safety or property. If at the time a complaint is filed the complainant, victim, or witness indicates a desire for disclosure or nondisclosure, such desire shall govern.

Records relating to commission of juvenile offenses: RCW 13.50.050(3) All records other than the official juvenile court file are confidential and may be released only as provided in this chapter, RCW 13.40.215 and 4.24.550.

Records relating to commission of juvenile offenses: RCW 13.50.050(5) Except as provided in RCW 4.24.550, information 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.

Rights of child victims and witnesses: RCW 7.69A.030(4) To not have the names, addresses, nor photographs of the living child victim or witness 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 to anyone except another law enforcement agency, prosecutor, defense counsel, or private or governmental agency that provides services to the child victim or witness.

Rights of child victims and witnesses—
Confidentiality of address—Notice of right—
Penalty: RCW 7.69A.050 At the time of reporting a crime to law enforcement officials and at the time of the initial witness interview, child victims or child witnesses of violent crimes, sex crimes, or child abuse and the child's parents shall be informed of their rights to not have their address disclosed by any law enforcement agency, prosecutor's office, defense counsel, or state agency without the permission of the child victim or the child's parents or legal guardian. Intentional disclosure of an address in violation of this section is a misdemeanor.

Identity of child victim of sexual assault: RCW 42.56.240(5) exempts from release information revealing the specific details that describe an alleged or proven child victim of sexual assault under age eighteen, or the identity or contact information of an alleged or proven child victim of sexual assault who is under age eighteen. Identifying information includes the child victim's name, addresses, location, photograph, and in cases in which the child victim is a relative, stepchild, or stepsibling of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator. Contact information includes phone numbers, email addresses, social media profiles, and usernames and passwords.

Chapter 300, Laws of 2019

Audio and video recordings of child forensic interviews:
RCW 42.56.240(18) exempts from release any and all audio or video recordings of child forensic interviews as defined in chapter 26.44 RCW. Such recordings are confidential and may

<p>only be disclosed pursuant to a court order entered upon a showing of good cause and with advance notice to the child's parent, guardian, or legal custodian.</p> <p>Session Law Chap. 171, 2018 Laws</p>
<p>Patient health care records / Medical records where patient does not consent to disclosure / mental health assistance: RCW 42.56.360(2), 70.02.020(1), RCW 71.05 - Chapter 75, Laws of 2000, 45 CFR 164.502(b)</p>
<p>Mental health services, confidentiality of records: RCW 70.02.230(1) Except as provided in this section, RCW 70.02.050, 71.05.445, 74.09.295, 70.02.210, 70.02.240, 70.02.250, and 70.02.260, or pursuant to a valid authorization under RCW 70.02.030, the fact of admission to a provider for mental health services and all information and records compiled, obtained, or maintained in the course of providing mental health services to either voluntary or involuntary recipients of services at public or private agencies must be confidential.</p>
<p>Confidentiality of substance use disorder treatment patients: 42 U.S. Code § 290dd-2. Confidentiality of records (a) Requirement Records of the identity, diagnosis, prognosis, or treatment of any patient which are maintained in connection with the performance of any program or activity relating to substance abuse education, prevention, training, treatment, rehabilitation, or research, which is conducted, regulated, or directly or indirectly assisted by any department or agency of the United States</p>

<p>shall, except as provided in subsection (e), be confidential and be disclosed only for the purposes and under the circumstances expressly authorized under subsection (b).</p> <p>42 CFR § 2.1 - Statutory authority for confidentiality of substance use disorder patient records. Title 42, United States Code, Section 290dd-2(g) authorizes the Secretary to prescribe regulations.</p>
<p>Attorney Work Product Doctrine: RCW 42.56.290 – 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 disclosure.</p> <p><i>Dawson v. Daly, 120 Wn. 2d 782, 791, 845 P.2d 995 (1993)</i></p>
<p>Privileged Communications – RCW 42.56.904 ...attorney's mental impressions, actual legal advice, theories, or opinions are exempt from release.</p> <p>RCW 5.60.060(2)(a) An attorney shall not, without the consent of his/her client, be examined as to any communication made by the client to him/her, or his/her advice given thereon in the course of professional employment.</p> <p><i>Limstrom v. Ladenburg, 136 Wn.2d 595, 963 P.2d 869 (1998)</i></p>
<p>Only the Electronic portion of the record exists. Other hard-copy and supporting documents have been destroyed under RCW 40.14, of the</p>

<p>Washington State General Records Retention Schedules.</p> <p>Only the Electronic portion of the record exists. Other hard-copy and supporting documents have been sent to Washington Association of Sheriffs and Police Chiefs (WASPC) RCW 42.56.240(3) Exempts from release any records of investigative reports prepared by any state, county, municipal, or other law enforcement agency pertaining to sex offenses contained in chapter 9A.44 RCW or sexually violent offenses as defined in RCW 71.09.020, which have been transferred to the Washington association of sheriffs and police chiefs for permanent electronic retention and retrieval pursuant to RCW 40.14.070(2)(b).</p> <p>Inmate records: Jail records protected under RCW 70.48.100(2)</p> <p>RCW 70.48.100 Jail Register, open to the public – Records confidential - Exception</p> <p>(2) Except as provided in subsections (3) and (4) of this section, the records of a person confined in jail shall be held in confidence and shall be made available only to criminal justice agencies as defined in RCW 43.43.705; or (c) For use in court proceedings upon the written order of the court in which the proceedings are conducted; or (g) Upon the written permission of the person.</p> <p><i>Zabala v. Okanogan County, No. 34961-6-III (2018)</i></p>
<p>Law enforcement intelligence records: RCW 42.56.240(1) exempts from release specific intelligence information and specific investigative records compiled by investigative, law enforcement and penology agencies, the</p>

non-disclosure of which is essential to effective law enforcement or for the protection of any person's right to privacy.

Fischer v. Washington State Dept. of Corrections P.3d (2011)

Gronquist v. Dept. of Corrections, State of WA (2013)

Gaston v. State of WA Dept. of Corrections (2018)

Nondisclosure of the locations and capabilities of the surveillance cameras in Clark County jail is essential to effective law enforcement.

RCW 68.50.105

Autopsies, postmortems — Reports and records confidential — Exceptions.

(1) Reports and records of autopsies or postmortems shall be confidential, except that the following persons may examine and obtain copies of any such report or record: The personal representative of the decedent as defined in RCW 11.02.005, any family member, the attending physician or advanced 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 68.50.105 (3)...For the purposes of this section, the term "family" means the surviving spouse, state registered domestic partner, or any child, parent, grandparent, grandchild, brother, or sister of the decedent, or any person who was guardian of the decedent at the time of death.

RCW 46.52.065

Blood samples to state toxicologist— Analysis—Availability, admissibility of reports. Every coroner or other official performing like functions shall submit 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. Blood samples shall be taken and submitted in the manner prescribed by the state toxicologist. The state toxicologist shall analyze these blood samples to determine the concentration of alcohol and, where feasible, the presence of drugs or other toxic substances. The reports and records of the state toxicologist relating to analyses made pursuant to this section shall be confidential: PROVIDED, That the results of these analyses shall be reported to the state patrol and made available to the prosecuting attorney or law enforcement agency having jurisdiction: PROVIDED FURTHER, That the results of these analyses may be admitted in evidence in any civil or criminal action where relevant and shall be made available to the parties to any such litigation on application to the court.

Security: RCW 42.56.420(4) exempts from release information regarding the public and private infrastructure and security of computer and telecommunications networks, consisting of security passwords, security access codes and programs, access codes for secure software applications, security and service recovery plans, security risk assessments, and security test results to the extent that they identify specific system vulnerabilities, and other such information the release of which may increase risk to the confidentiality, integrity, or

availability of security, information technology infrastructure, or assets.

RCW 42.56.230(3) The following personal information is exempt from public inspection and copying under this chapter:

Personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy.

Dawson v. Daly, 120 Wn.2d 782, 845 P.2d 995 (1993)

Employment and licensing: RCW 42.56.250(1)(d) exempts from release the following 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 of any public agency: Residential addresses, residential telephone numbers, personal wireless telephone numbers, personal email addresses, social security numbers, driver's license numbers, identocard numbers, payroll deductions including the amount and identification of the deduction, and emergency contact information of employees or volunteers of a public agency, and the names, dates of birth, residential addresses, residential telephone numbers, personal wireless telephone numbers, personal email addresses, social security numbers, and emergency contact information of dependents of employees or volunteers of a public agency.

<p>RCW 42.56.250(1)(b) The following employment and licensing information is exempt from public inspection and copying under this chapter:</p> <p>All applications for public employment, including the names of applicants, resumes, and other related materials submitted with respect to an applicant.</p>
<p>Employment and licensing: RCW 42.56.250(1)(a) exempts from release Test questions, scoring keys, and other examination data used to administer a license, employment, or academic examination.</p>
<p>Payroll deductions RCW 42.56.250(1)(d) Section RCW 42.56.250(4) is amended to expressly exempt from disclosure information regarding “payroll deduction including the amount and identification of the deduction” contained within personnel records and public employment-related records.</p> <p>Chapter 106, Laws of 2020</p>
<p>Employment Authorization Verification: 8 U.S. Code § 1324a(b)(5) Limitation on use of attestation form: A form designated or established by the Attorney General under this subsection and any information contained in or appended to such form, may not be used for purposes other than for enforcement of this chapter and sections 1001, 1028, 1546, and 1621 of title 18.</p>
<p>Employment and licensing: RCW 42.56.250(1)(h) exempts from release photographs and month and year of birth in the personnel files of employees or volunteers of a</p>

<p>public agency, including employees and workers of criminal justice agencies as defined in RCW 10.97.030. The news media, as defined in RCW 5.68.010(5), shall have access to the photographs and full date of birth.</p>
<p>Family and Medical Leave Act – Recordkeeping requirements. 29 CFR § 825.500 (g) Records and documents 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.</p> <p>RCW 42.56.230(3) exempts from release personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy.</p>
<p>Confidentiality of domestic violence leave records: RCW 49.76.040(8)(a) Except as provided in (b) of this subsection, an employer shall maintain the confidentiality of all information provided by the employee under this section, including the fact that the employee or employee's family member is a victim of domestic violence, sexual assault, or stalking, that the employee has requested or obtained leave under this chapter, and any written or oral statement, documentation, record, or corroborating evidence provided by the employee.</p> <p>(b) Information given by an employee may be disclosed by an employer only if: (i) Requested or consented to by the employee; (ii) Ordered by a court or administrative agency; or</p>

<p>(iii) Otherwise required by applicable federal or state law.</p>
<p>RCW 42.56.230(3) The following personal information is exempt from public inspection and copying under this chapter: personal information in files maintained for employees, appointees, or elected officials of any public agency to the extent that disclosure would violate their right to privacy.</p> <p>Investigative records: RCW 42.56.240(1) exempts from release specific intelligence information and specific investigative records compiled by investigative, law enforcement and penology agencies, the non-disclosure of which is essential to effective law enforcement or for the protection of any person’s right to privacy.</p> <p>RCW 42.56.050. A person's "right to privacy," "right of privacy," "privacy," or "personal privacy," as these terms are used in this chapter, is invaded or violated only if disclosure of information about the person: (1) would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public.</p> <p><i>Dawson v. Daly</i>, 120 Wn.2d 782, 845 P.2d 995 (1993)</p> <p><i>Bainbridge Island Police Guild v. City of Puyallup</i> (2011)</p> <p><i>West v. Port of Olympia</i> (2014)</p>
<p>RCW 42.56.250(1)(f) Exempts from release investigative records compiled by an employing agency in connection with an investigation of a possible unfair practice under chapter 49.60 RCW or of a possible violation of other federal,</p>

state, or local laws or an employing agency's internal policies prohibiting discrimination or harassment in employment. Records are exempt in their entirety while the investigation is active and ongoing. After the agency has notified the complaining employee of the outcome of the investigation, the records may be disclosed only if the names of complainants, other accusers, and witnesses are redacted, unless a complainant, other accuser, or witness has consented to the disclosure of his or her name. The employing agency must inform a complainant, other accuser, or witness that his or her name will be redacted from the investigation records unless he or she consents to disclosure.

Chapter 349, Laws of 2019

RCW 42.56.250(1)(i) exempts from release any employee's name or other personally identifying information, including but not limited to birthdate, job title, addresses of work stations and locations, work email address, work phone number, bargaining unit, or other similar information, maintained by an agency in personnel-related records or systems, or responsive to a request for a list of individuals subject to the commercial purpose prohibition under RCW 42.56.070(8), if the employee has provided the documentation required by this chapter.

Chapter 458, Laws of 2023

Claim files and records confidential: RCW 51.28.070(1) Information contained in the claim files and records of injured workers, under the provisions of this title, shall be deemed confidential and shall not be open to public

inspection (other than to public employees in the performance of their official duties), but representatives of a claimant, be it an individual or an organization, may review a claim file or receive specific information therefrom upon the presentation of the signed authorization of the claimant.

Vulnerable adult investigative records: RCW 74.34.095
(1) The following information is confidential and not subject to disclosure, except as provided in this section:
(a) A report of abandonment, abuse, financial exploitation, or neglect made under this chapter;
(b) The identity of the person making the report; and
(c) All files, reports, records, communications, and working papers used or developed in the investigation or provision of protective services.

RCW 42.56.640(1) Sensitive personal information of vulnerable individuals and sensitive personal information of in-home caregivers for vulnerable populations is exempt from inspection and copying under this chapter.

Religious affiliation exemption: RCW 42.56.235 All records that relate to or contain personally identifying information about an individual's religious beliefs, practices, or affiliation are exempt from disclosure under this chapter.

Dash camera recording; pending litigation: RCW 9.73.090(1)(c) No sound or video recording made under this subsection (1)(c) may be duplicated and made available to the public by a law enforcement agency subject to this section until final disposition of any criminal or

civil litigation which arises from the event or events which were recorded. Such sound recordings shall not be divulged or used by any law enforcement agency for any commercial purpose.

Body worn camera recording; highly offensive material:

RCW 42.56.240(14) exempts from release body worn camera recordings to the extent nondisclosure is essential for the protection of any person's right to privacy as described in RCW 42.56.050, including, but not limited to, the circumstances enumerated in (a) of this subsection. A law enforcement or corrections agency shall not disclose a body worn camera recording to the extent the recording is exempt under this subsection.

RCW 42.56.050. A person's "right to privacy," "right of privacy," "privacy," or "personal privacy," as these terms are used in this chapter, is invaded or violated only if disclosure of information about the person: (1) would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public.

Body worn camera recording; areas of a medical facility where a patient is receiving treatment:

RCW 42.56.240(14) exempts from release body worn camera recordings to the extent nondisclosure is essential for the protection of any person's right to privacy as described in RCW 42.56.050, including, but not limited to, the circumstances enumerated in (a) of this subsection. A law enforcement or corrections agency shall not disclose a body worn camera

recording to the extent the recording is exempt under this subsection.

RCW 42.56.240(14)(a) Disclosure of a body worn camera recording is presumed to be highly offensive to a reasonable person under RCW 42.56.050 to the extent it depicts:

(i)(A) Any areas of a medical facility, counseling, or therapeutic program office where:

- (I) A patient is registered to receive treatment, receiving treatment, waiting for treatment, or being transported in the course of treatment; or
- (II) Health care information is shared with patients, their families, or among the care team.

RCW 42.56.050. A person's "right to privacy," "right of privacy," "privacy," or "personal privacy," as these terms are used in this chapter, is invaded or violated only if disclosure of information about the person: (1) would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public.

Body worn camera recording; patient health care information protected under HIPAA:

RCW 42.56.240(14) exempts from release body worn camera recordings to the extent nondisclosure is essential for the protection of any person's right to privacy as described in RCW 42.56.050, including, but not limited to, the circumstances enumerated in (a) of this subsection. A law enforcement or corrections agency shall not disclose a body worn camera recording to the extent the recording is exempt under this subsection.

RCW 42.56.240(14)(a) Disclosure of a body worn camera recording is presumed to be highly

offensive to a reasonable person under RCW 42.56.050 to the extent it depicts:

(i)(B) 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 purposes of chapter 70.02 RCW.

RCW 42.56.050. A person's "right to privacy," "right of privacy," "privacy," or "personal privacy," as these terms are used in this chapter, is invaded or violated only if disclosure of information about the person: (1) would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public.

Body worn camera recording; interior of a place of residence where a person has a reasonable expectation of privacy.

RCW 42.56.240(14) exempts from release body worn camera recordings to the extent nondisclosure is essential for the protection of any person's right to privacy as described in RCW 42.56.050, including, but not limited to, the circumstances enumerated in (a) of this subsection. A law enforcement or corrections agency shall not disclose a body worn camera recording to the extent the recording is exempt under this subsection.

RCW 42.56.240(14)(a) Disclosure of a body worn camera recording is presumed to be highly offensive to a reasonable person under RCW 42.56.050 to the extent it depicts:
(ii) The interior of a place of residence where a person has a reasonable expectation of privacy.

RCW 42.56.050. A person's "right to privacy," "right of privacy," "privacy," or "personal privacy," as these terms are used in this chapter, is invaded or violated only if disclosure of information about the person: (1) would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public.

Body worn camera recording; intimate image:

RCW 42.56.240(14) exempts from release body worn camera recordings to the extent nondisclosure is essential for the protection of any person's right to privacy as described in RCW 42.56.050, including, but not limited to, the circumstances enumerated in (a) of this subsection. A law enforcement or corrections agency shall not disclose a body worn camera recording to the extent the recording is exempt under this subsection.

RCW 42.56.240(14)(a) Disclosure of a body worn camera recording is presumed to be highly offensive to a reasonable person under RCW 42.56.050 to the extent it depicts:
(iii) An intimate image.

RCW 42.56.240(14)(g) For purposes of this subsection (14):
(ii) "Intimate image" means an individual or individuals engaged in sexual activity, including sexual intercourse as defined in RCW 9A.44.010 and masturbation, or an individual's intimate body parts, whether nude or visible through less than opaque clothing, including the genitals, pubic area, anus, or postpubescent female nipple.

RCW 42.56.050. A person's "right to privacy," "right of privacy," "privacy," or "personal

privacy," as these terms are used in this chapter, is invaded or violated only if disclosure of information about the person: (1) would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public.

Body worn camera recording; minors:

RCW 42.56.240(14) exempts from release body worn camera recordings to the extent nondisclosure is essential for the protection of any person's right to privacy as described in RCW 42.56.050, including, but not limited to, the circumstances enumerated in (a) of this subsection. A law enforcement or corrections agency shall not disclose a body worn camera recording to the extent the recording is exempt under this subsection.

RCW 42.56.240(14)(a) Disclosure of a body worn camera recording is presumed to be highly offensive to a reasonable person under RCW 42.56.050 to the extent it depicts:
(iv) A minor.

RCW 42.56.050. A person's "right to privacy," "right of privacy," "privacy," or "personal privacy," as these terms are used in this chapter, is invaded or violated only if disclosure of information about the person: (1) would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public.

Body worn camera recording; body of a deceased person:

RCW 42.56.240(14) exempts from release body worn camera recordings to the extent nondisclosure is essential for the protection of any person's right to privacy as described in

RCW 42.56.050, including, but not limited to, the circumstances enumerated in (a) of this subsection. A law enforcement or corrections agency shall not disclose a body worn camera recording to the extent the recording is exempt under this subsection.

RCW 42.56.240(14)(a) Disclosure of a body worn camera recording is presumed to be highly offensive to a reasonable person under RCW 42.56.050 to the extent it depicts:

(v) The body of a deceased person.

RCW 42.56.050. A person's "right to privacy," "right of privacy," "privacy," or "personal privacy," as these terms are used in this chapter, is invaded or violated only if disclosure of information about the person: (1) would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public.

Body worn camera recording; identity of and communications from domestic violence victim:

RCW 42.56.240(14) exempts from release body worn camera recordings to the extent nondisclosure is essential for the protection of any person's right to privacy as described in RCW 42.56.050, including, but not limited to, the circumstances enumerated in (a) of this subsection. A law enforcement or corrections agency shall not disclose a body worn camera recording to the extent the recording is exempt under this subsection.

RCW 42.56.240(14)(a) Disclosure of a body worn camera recording is presumed to be highly offensive to a reasonable person under RCW 42.56.050 to the extent it depicts:

(vi) 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, or disclosure of intimate images as defined in RCW 9A.86.010. If at the time of recording the victim or witness indicates a desire for disclosure or nondisclosure of the recorded identity or communications, such desire shall govern.

RCW 42.56.050. A person's "right to privacy," "right of privacy," "privacy," or "personal privacy," as these terms are used in this chapter, is invaded or violated only if disclosure of information about the person: (1) would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public.

Body worn camera recording; identifiable location information of a community based domestic violence program:

RCW 42.56.240(14) exempts from release body worn camera recordings to the extent nondisclosure is essential for the protection of any person's right to privacy as described in RCW 42.56.050, including, but not limited to, the circumstances enumerated in (a) of this subsection. A law enforcement or corrections agency shall not disclose a body worn camera recording to the extent the recording is exempt under this subsection.

RCW 42.56.240(14)(a) Disclosure of a body worn camera recording is presumed to be highly offensive to a reasonable person under RCW 42.56.050 to the extent it depicts:
(vii) The identifiable location information of a community-based domestic violence program as

defined in RCW 70.123.020, or emergency shelter as defined in RCW 70.123.020.

RCW 42.56.050. A person's "right to privacy," "right of privacy," "privacy," or "personal privacy," as these terms are used in this chapter, is invaded or violated only if disclosure of information about the person: (1) would be highly offensive to a reasonable person, and (2) is not of legitimate concern to the public.

RCW 42.56.425 – Election Security
The following information related to election security is exempt from disclosure under this chapter:

(c) Voter signatures on ballot return envelopes, ballot declarations, and signature correction forms, including the original documents, copies, and electronic images; and a voter's phone number and email address contained on ballot return envelopes, ballot declarations, or signature correction forms. The secretary of state, by rule, may authorize in-person inspection of unredacted ballot return envelopes, ballot declarations, and signature correction forms in accordance with [RCW 29A.04.260](#);

29A.04.260

(1) In accordance with [RCW 42.56.420](#), the following are exempt from disclosure:

(a) Voter signatures on ballot return envelopes, ballot declarations, and signature correction forms, including the original documents, copies, and electronic images; and

(b) A voter's phone number and email address contained on ballot return envelopes, ballot declarations, or signature correction forms.

(2) The secretary of state may, by rule, authorize in-person inspection of unredacted ballot return envelopes, ballot declarations, and signature correction forms. Except as provided under subsection (3) of this section, a person may not photocopy, photograph, or otherwise reproduce an image of the ballot return envelope, ballot declaration, or signature correction form. When inspecting a ballot return envelope, ballot declaration, or signature correction form in person, a person may not carry with them any materials or devices that could be used to record any voter information found on the ballot return envelope, ballot declaration, or signature correction form.

(3) Nothing in this section or *RCW [42.56.420](#)(7)(a)(iii) prevents disclosure of any information on ballot return envelopes, ballot declarations, or signature correction forms, other than a voter's signature, phone numbers, and email addresses. Nothing in this section prevents election officials from disclosing information listed in subsection (1) of this section for official purposes. The secretary of state may adopt rules identifying official purposes for which a voter's signature, phone numbers, and email addresses may be disclosed.

(4) For purposes of this section, "signature correction form" means any form submitted by a voter for the purpose of curing a missing or mismatched signature on a ballot declaration or otherwise updating the voter signature.

29A.08.710

(2)(a) 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](#) and (b)

of this subsection: The voter's name, address, political jurisdiction, gender, year of birth, voting record, date of registration, and registration number. No other information from voter registration records or files is available for public inspection or copying.

RCW 42.56.280 – Preliminary drafts, notes & recommendations

For additional potential exemptions, see [MRSC Public Records Act for Washington Cities, Counties and Special Purpose Districts](#)