

# RiverCom

## Public Records Disclosure – List of Exemptions

This list is meant to serve as a guideline of the types of exemptions that may be withheld or redacted from RiverCom’s public records. The list is not inclusive of every exemption allowed by law or of the full description of law. The citation should be consulted for further information.

Subject	Citation	Description
911 Operations Data	RCW 38.52.575	Information contained in an automatic number identification (ANI) database, an automated location identification (ALI) database, or information voluntarily submitted to be part of or contained in a county enhanced 911 emergency communications system intended for display at a public safety answering point with incoming 911 voice or data. <b>This exemption does not prohibit public disclosure of information prepared, retained, disseminated, transmitted, or recorded, for the purpose of handling or responding to emergency calls, unless the information is exempted under other law.</b>
	RCW 38.52.577	Information obtained from an automatic number identification (ANI) database, an automatic location identification (ALI) database, or voluntarily submitted to a local agency for inclusion in an emergency notification system. <b>This exemption does not prohibit public disclosure of information by the subject of the information or an authorized representative.</b>
Law Enforcement Activities	RCW 42.56.240 (1)	Specific intelligence information and specific investigative records compiled by investigative, law enforcement, and penology agencies, and state agencies that discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or for the protection of any person’s right to privacy.
	RCW 42.56.240 (2)	Information revealing the identity of witnesses to, victims of crime, or persons who file complaints, if disclosure would endanger any person’s life, personal safety, or property. If at the time the complaint a filed the complainant, victim, or witness indicates a desire for disclosure or nondisclosure, such desire shall govern.
	RCW 42.56.240 (6)	Information contained in state, regional, or local gang databases
	RCW 43.43.710	Information contained in WSP files and records relative to the commission of any crime by any person
	RCW 43.43.856	It is unlawful for any person to divulge specific investigative information pertaining to activities related to organized crime which were obtained by reason of public employment, unless required or authorized by federal or state law.

Subject	Citation	Description
	RCW 36.28A.060 (8)	Tactical and intelligence information provided to Washington Association of Sheriffs and Police Chiefs for the first responder building mapping information system
Criminal Records Privacy Act	RCW 10.97.040	Criminal history record information pertaining to an arrest, detention, indictment, information, or other formal criminal charge made after 12/31/77, unless dispositions have been made at the time of the request for information
Department of Motor Vehicles	RCW 46.52.080, RCW 46.52.083	Most information in a police accident report is disclosable, but <u>only to the interested parties named in RCW 46.52.080</u>
	RCW 46.52.120	Motor vehicle driver license case record information
	RCW 46.52.130	Motor vehicle driver record abstracts may be disclosed but <u>only as allowed in the RCW 46.52.130</u>
	RCW 46.20.118	Photos on drivers' licenses and identification cards
	RCW 46.12.635	Names and addresses of motor vehicle or vessel owners, except where allowed by law
Vulnerable Individuals	RCW 42.56.640 (1)	Sensitive personal information of vulnerable individuals and in-home caregivers for vulnerable populations including names, addresses, global position system coordinates, telephone numbers, email addresses, social security numbers, driver license numbers, or other personally identifying information. "Vulnerable Individual" is defined in RCW 9.35.005.
	RCW 74.34.040	Identify of person making report on abuse of vulnerable adult
	RCW 74.34.067	Secondary disclosure of shared confidential information regarding vulnerable adults is prohibited
	RCW 74.34.095 (1)	Reports of abandonment, abuse, financial exploitation, or neglect; the identity of the person making a report; all reports, records, communications used or developed in an investigation
Persons with Disabilities	RCW 71A.14.070	Confidential information regarding developmentally disabled persons
Juveniles	RCW 10.97.130, RCW 42.56.240 (5)	Information identifying child victims under age 18 who are victims of sexual assaults; identifying information includes the child victim's name, address, location, photographs and, in certain cases the relationship between the child and perpetrator
Security	RCW 42.56.420 (1)	Portions of records assembled, prepared, or maintained to prevent, mitigate, or respond to criminal terrorist acts; specific and unique vulnerability assessments or specific and unique response or deployment plans.
	RCW 42.56.420 (2)	Portions of records containing specific and unique vulnerability assessments or specific and unique emergency and escape response plans

Subject	Citation	Description
	RCW 42.56.420 (4)	Information regarding public and private infrastructure and security of computer and telecommunication networks, including security passwords, security programs and access codes, access codes for c software applications, security and service recovery plans, security risk assessments, and security test results to the extent that identify specific system vulnerabilities, and the release of such information may increase risk to the confidentiality, integrity, availability of security, information technology infrastructure, or assets
General Business Activities	RCW 40.14.030 (2)	Records transferred to state archives
	WAC 44-14-06002 (3)	Attorney-client privilege communications and work product
	WAC 44-14-06002 (4), RCW 42.56.280	Deliberative process including preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended, unless the record is cited by the agency
	RCW 4.24.601	Trade secrets, confidential research, development, or commercial information concerning products or business methods
	RCW 39.26.030 (2)	Bid submissions and bid evaluations for procurement are exempt until the agency announces the apparent successful bidder.
	RCW 42.56.260	Certain documents related to an agency's real estate transactions
	RCW 42.56.270 (1)	Certain records which contain valuable formulae, designs, drawings, computer source or object code, and research data obtained by agency
RCW 42.56.290	Agency records relevant to a controversy to which the agency is a party, but would not be available to another party under the rules of pretrial discovery	
Mediation Communications	RCW 7.07	Records of mediation communications that are privileged under the Uniform Mediation Act
General Personal Information	RCW 42.56.230 (1)	Personal information in files for students in public schools, patients or clients of public institutions or public health agencies, or welfare programs
	RCW 42.56.230 (3)	Personal information in files on employees, appointees, or elected officials if disclosure would violate their right to privacy
	RCW 42.56.230 (5)	Social Security Numbers, credit card numbers, debit card numbers, electronic check numbers, and other financial information, except when disclosure is required by law
	RCW 42.56.230 (6)	Personal and financial information related to a small loan or any system of authorizing a small loan in RCW 31.45.093
	RCW 42.56.230 (7)(a)	Personal information required to apply for a driver's license or identocard

Subject	Citation	Description
	RCW 42.56.230 (7)(c)	Records pertaining to license plates, drivers' licenses, or identicards that may reveal that a person was performing undercover law enforcement, confidential public health work, public assistance fraud, or child support investigations.
	RCW 42.56.230 (9)	Voluntarily submitted information contained in a database that is part of or associated with enhanced 911 emergency communications systems, or information contained or used in emergency notification systems as provided under RCW 38.52.575 and 38.52.577.
Human Resources and Employment	RCW 42.56.250 (1)	Test questions, scoring keys, and other exam information used to administer a license, employment, or academic examination
	RCW 42.56.250 (2)	Applications for public employment, including names, resumes, and other related materials submitted with respect to an applicant
	RCW 42.56.250 (4)	Residential addresses, phone numbers, personal email addresses, social security numbers, drivers' license numbers, identicard numbers, and emergency contact information of public employees or volunteers and or their dependents
	RCW 42.56.250 (5)	Records regarding pending investigation of employment discrimination
	RCW 42.56.250 (6)	Investigative records of an agency conducting an active and ongoing investigation of a possible unfair practice or of a possible violation of other federal, state, or local laws prohibiting discrimination in employment.
	RCW 42.56.250 (8)	Photographs and month and year of birth of employees of criminal justice agencies
	RCW 42.56.250 (10)	Global positioning system data that would indicate the location of the residence of a public employee or volunteer using the global positioning device.
	RCW 42.56.440	Discharge papers of a veteran of the armed forces of the United States (as filed at the office of the County Auditor)
	RCW 42.56.360 (1)(j)	All documents pursuant to a wellness program under RCW 41.04.362, except for statistical reports that do not identify an individual
	RCW 42.56.230 (4)	Federal tax withholding data
	RCW 46.52.120, RCW 46.52.130	Driving license records showing traffic violations, convictions and accidents
	RCW 41.06.160, RCW 41.06.167	Salary and fringe benefit survey information identified with a private employer

Subject	Citation	Description
	RCW 26.23.040	Information obtained from the Department of Social and Health Services
	RCW 26.23.120 (1)	Information or records concerning individuals who owe a support obligation or for whom support enforcement services are being provided which are obtained or maintained by the Washington State support registry, or the Division of Child Support.
	RCW 49.76.040 (8)(a), RCW 49.76.090	Information provided by an employee regarding leave related to domestic violence, sexual assault, or stalking and any written or oral statement, documentation, record, or corroborating evidence provided by the employee.
Industrial Insurance	RCW 51.16.070 (2)	Industrial insurance information in employer records
	RCW 51.28.070	Information contained in industrial insurance claim files and records of injured workers
Employment Security Department	RCW 42.56.410, RCW 50.13.015, RCW 50.13.020, RCW 50.13.040, RCW 50.13.100	Information and records of the Employment Security Department

Notes:

- RiverCom is not authorized to provide public records consisting of a list of individuals for commercial use.
- RiverCom may seek sufficient or additional information from a requestor to determine and/or allow if a statute prohibits disclosure.
- Per RCW 42.56.540, the examination or release of any specific public record may be enjoined if, upon motion and affidavit by an agency or its representative or a person who is named in a record or whom the record specifically pertains, the superior court for the county in which the movant resides or in which the record is maintained, find that the examination or release of the records would not be in the public interest, would substantially and irreparably damage any person, or would substantially and irreparably damage vital government function. RiverCom maintains the option to notify persons named in the record or to whom the record specifically pertains, that a release of a record has been requested, unless required by law to provide such notice.
- Per RCW 42.56.565, persons serving criminal sentences may be enjoined from obtaining certain non-exempt public records.