

2019 Legislative Priorities

Washington Coalition for Open Government has established the following priorities for legislative action during the 2019 session. The Coalition encourages its members and concerned citizens throughout Washington to contact members of the Legislature and ask for their support of these priorities.

1. **Treat Legislative Records the Same as Other Public Records.** The people have a right to know who is seeking to influence our laws, and the basis for the choices lawmakers make. The records of our city councils, county commissioners, school boards, and other governing bodies are open to public inspection, and so should be the records of state legislators! State legislators should be subject to the Public Records Act like every other legislative body in the state, with appropriate exemptions that are in the public
2. **Advisory Committee Meetings Should be Open to the Public.** Public agencies often create boards, committees, task forces, or other groups to analyze policy alternatives and make. Too often these advisory groups meet outside the public eye, so people can't see what options were considered and understand why some were excluded. All this work should be open to the public, with meeting times and places announced in advance. Let's stop developing policies in secret!
3. **Reimburse Records Requestors Forced to Defend Against an** Sometimes when a public records request is made and the agency says it plans to release the records, a third party will sue to block release. The requester is then forced to pay an attorney to fight the injunction to get the records. Today the requester can't recover their legal costs. Requesters who win in court and get the records they asked for should always have their legal costs paid by the losing party. The Sunshine Committee has recommended this change as well.
4. **Public Employee Birthdates Must Remain Public.** We oppose making public employee birthdates exempt from disclosure under the Public Records Act. Many people have the same or similar names, and the only way to tell them apart is to know their birthdate. This is important when comparing records across databases, such as when checking to see if public employees have criminal records or have been previously fired for inappropriate behavior. A birthdate by itself can't be used for identity theft, and they have traditionally been public

The following additional items of concern to open government advocates will be also be supported:

- Extend the local government technology grant program created in HB 1594 (2017).
- Provide voluntary alternative dispute resolution for PRA and OPMA cases that is faster and less expensive than superior court, and does not impair plaintiff's ability to choose to file a suit or receive penalties if they
- Approve legislation proposed by the Sunshine Committee that received unanimous support from committee
- Require exemptions to the PRA to be contained within or referenced from RCW 56.
- Create an exemption in the PRA for audio and video recordings of lawfully-closed
- Create a private right of action under the PRA for improper destruction of public
- Prevent agencies from initiating litigation against public records requesters such as for declaratory

- Clarify that agencies cannot escape PRA penalties by leaving a request open indefinitely, and that litigation to force release of records can start as soon as access to a record is denied.
- Amend the state constitution to eliminate any notion of “Executive Privilege” under the PRA.
- Restore the original intent of the attorney-client communications exemption in the
- Improve transparency of tax preferences by releasing records of uses of such
- Oppose weakening of the PRA through changes in process or expansion of
- Require an opportunity for public comment before final action is taken under the
- Officials who violate the OPMA should be penalized even without proof they knew the meeting was
- Clarify in the OPMA that serial and virtual meetings, including through electronic media or third parties, are illegal.
- Prohibit use of pseudonyms when voting on motions such as selecting employees to hire or appointees to public office, boards, or
- Prohibit governing boards from declaring themselves to be continuously in all-day public meetings.

