

WAC 323-10-080 Review of denials of public records. (1) Petition for internal administrative review of denial of access. Any person who objects to the initial denial or partial denial of a records request may petition in writing (including email) to the public records officer for a review of that decision. The petition shall include a copy of or reasonably identify the written statement by the public records officer or designee denying the request.

(2) Consideration of petition for review. The public records officer shall promptly provide the petition and any other relevant information to the special assistant to the director. The petition will be affirmed or reversed within five business days following the military department's receipt of the petition, or within such other time as the military department and the requestor mutually agree.

(3) Review by the attorney general's office. Pursuant to RCW 42.56.530, if the military department denies a requestor access to public records because it claims the record is exempt in whole or in part from disclosure, the requestor may request the attorney general's office to review the matter. The attorney general has adopted rules on such requests in WAC 44-06-160.

(4) Judicial review. Any person may obtain court review of denials of public records requests pursuant to RCW 42.56.550 at the conclusion of two business days after the initial denial regardless of any internal administrative appeal.

[Statutory Authority: RCW 42.56.010 and 42.56.100. WSR 12-09-089, § 323-10-080, filed 4/18/12, effective 5/19/12; § 323-10-080, filed 2/13/74.]