



City of Selah

Common Exemptions Applied to Public Records Requests

The information below is a resource for requestors to use in identifying information associated with a redaction applied to a requested record. If the applied exemption is not in this list, please refer to the exemption log provided with your request.

Exemption	Description
RCW 42.56.070(1); 18 USC §§2721 & 2725(3)	Personal information including photograph, social security number, driver identification number, name, address (not zip code), telephone number, and medical or disability information may not be disclosed by a government agency who received such information from the Department of Licensing, except in particular instances defined in 18 USC § 2721(b).
RCW 42.56.070(1); HIPAA, 45 CFR Part 160, 164; RCW 70.02.020; RCW 70.02.005(4).	Disclosure of health care information without the patient's consent is prohibited. Disclosure is only allowed with the patient's written authorization, a court order, or in connection with certain discovery requests.
RCW 42.56.280	Preliminary drafts, notes, recommendations, intra-agency memos in which opinions are expressed, policies formulated or recommended are exempt, except that a specific record is not exempt when publicly cited by agency in connection with agency action.
RCW 42.56.230(2)	Personal information of a child enrolled in parks and recreation program, youth development program, or after-school program is exempt
RCW 42.56.070(1); 5 USC §552(a); RCW 42.56.050; RCW 42.56.230(5)	The Privacy Act of 1974 evinces Congress' intent that social security numbers are a private concern. RCW 42.56.230(5). Credit card numbers, debit card numbers, electronic check numbers, credit expiration dates, bank/other financial information as defined in RCW 9.35.005 including social security numbers are exempt except when disclosure is expressly required by or governed by other law
RCW 42.56.230(5); RCW 9.35.005	Credit card numbers, debit card numbers, electronic check numbers, credit expiration dates, bank/other financial information as defined in RCW 9.35.005 including social security numbers are exempt except when disclosure is expressly required by or governed by other law
RCW 42.56.070(1); RCW 42.41.030(7)	The identity of a reporting employee/volunteer shall be kept confidential to the extent possible under law, unless the employee authorizes the disclosure of his or her identity in writing

RCW 42.56.250(6)	Investigative records related to an active, on-going investigation of a violation of a law against discrimination in employment. This investigation is active and on-going and involves an allegation of employment discrimination
RCW 42.56.230(3); RCW 42.56.050	Identity of employee/volunteer subject to an <i>unsustained</i> internal investigation of misconduct, release of which violate the employee/volunteer’s right to privacy due to the highly offensive nature of the allegations
RCW 42.56.250(1)	Test questions, scoring keys, and other examination data used to administer an employment/volunteer examination are exempt
RCW 42.56.250(2)	Applications for public employment or volunteering, including name, resume, other related materials submitted by or with respect to applicant
Article I, Section 7, Washington State Constitution	Employee/volunteer full name and corresponding birthdate is exempt. See also Washington Public Employees Assoc., et. al. v. WA State Center for Childhood Deafness & Hearing Loss, 1 Wash. App. 2d 225 (2017)
RCW 42.56.250(4)	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 electronic mail addresses, social security numbers, driver's' license numbers, identicard number, 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 electronic mail addresses, social security numbers, and emergency information of dependents of employees or volunteers of a public agency
RCW 42.56.240(1); RCW 42.56.050	Specific intelligence information and records compiled by investigative, law enforcement, penology agencies, and state agencies vested with the responsibility to discipline members of any profession, the nondisclosure of which is essential to effective law enforcement or the protection of any person’s right to privacy
RCW 42.56.240(2)	Information revealing the identity of persons who are witnesses to or victims of crime or who file complaints with any investigative, law enforcement, or penology agencies, if disclosure would endanger any person’s life, physical safety, or property, or they indicate a desire for anonymity at the time of initial contact
RCW 42.56.070(1); RCW 42.56.240(5); RCW 10.97.130	Information revealing the identity of child victims of sexual assault who are under age 18 are exempt – including name, address, location, photograph, and in cases in which the child victim is a relative or stepchild of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator
RCW 13.50	Records related to a Juvenile

<p>RCW 42.56.070(1); RCW 5.60.060(2)(a)</p>	<p>Communication between client and attorney for the purpose of obtaining or providing legal advice is exempt.</p>
<p>RCW 42.56.070(1); RCW 5.60.060(2)(a); RCW 42.56.290.</p>	<p>Communications between attorney and client that reveals opinions/impressions of attorney or information prepared/collected/assembled in litigation or anticipation of litigation or related to client advice is exempt.</p>
<p>RCW 42.56.240(14)(a)</p>	<p>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:</p> <ul style="list-style-type: none"> • Any areas of a medical facility, counseling, or therapeutic program office where: a patient is registered to receive treatment, is receiving treatment, is waiting for treatment, or is being transported in the course of treatment; and/or • Healthcare information that is shared with patients, patients’ families or among the care team
<p>RCW 42.56.240(14)(b)</p>	<p>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:</p> <ul style="list-style-type: none"> • 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; • The interior of a place of residence where a person has a reasonable expectation of privacy; • An intimate image; • A minor; • The body of a deceased person; • 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; and/or • 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.