

New Public Records Abuse Law to be Put to the Test

Local News

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OLYMPIA... In an ironic twist, a law to prevent frivolous or excessive public records requests by inmates in state prisons will be used for the first time against an inmate requesting information pertaining to the law from the very person who wrote the law. An incarcerated offender has requested "any and all records in any format, from any agency and/or person, relating to the prospective and subsequent passing, directly or indirectly, of HB 1181 and SB 5130." It's expected to become the first legal test of the measure.

"I think it's fitting that the very person who prompted the law in the first place will be the legal test case to try it out," Carrell said. "It's ironic that the individual is an inmate seeking excessive public records on bills that prevent inmates from seeking excessive public records." The governor signed [Senate Bill 5130](#), which contained an emergency clause and took effect immediately, on March 20. The bill, sponsored by [Sen. Mike Carrell](#), R-Lakewood, limits public-record requests by inmates by allowing courts to reject requests made to harass or intimidate an agency, its employees or any person. It also limits requests if disclosure of the record is likely to threaten the security of correctional facilities, the safety and security of staff or other persons, or the deterrence of criminal activity. The request, made by Walla Walla State Penitentiary inmate Alan Parmelee, goes on to ask for "any and all records, e-mails, memos, notes, and things in any format, such as from any state agency, municipal agency, person(s), and organizations relating to the eventual presentation or/and subsequent passings of the respective bills in the broadest sense of disclosure, even if not relied on specifically, including any opposing records information." "I think it's entirely appropriate that we use this new law to send a very clear message to felons who are not working on their case, but who are just out to get public information to use for their own, possibly malicious purposes," Carrell said. "This is an important test, and I think it's one that we will likely win thanks to the new law."