

# **Bond Case Briefs**

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## **PUBLIC RECORDS - WASHINGTON**

### **Fortgang v. Woodland Park Zoo**

**Supreme Court of Washington - January 12, 2017 - 387 P.3d 690**

Requester brought action against private nonprofit organization that operated city zoo, alleging it violated the Public Records Act (PRA) by failing to disclose documents related to zoo's elephants.

The Superior Court granted summary judgment in favor of organization. Requester appealed. The Court of Appeals affirmed. Requester sought review, which was granted.

The Supreme Court of Washington, en banc, held that:

- Government function factor weighed against finding that organization was functional equivalent of government agency and, thus, subject to PRA disclosure requirements;
- Government funding factor was inconclusive as to whether organization was equivalent of government agency;
- Government control factor weighed against finding that organization was equivalent of government agency;
- Entity's origin factor weighed against finding that organization was equivalent of government agency; and
- Organization was not functional equivalent of government agency, and thus was not subject to disclosure requirements under PRA.