

# **Bond Case Briefs**

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## **PUBLIC RECORDS - WASHINGTON**

### **Worthington v. Westnet**

**Supreme Court of Washington - January 22, 2015 - P.3d - 2015 WL 276401**

Records requester brought action against regional drug task force, alleging that task force formed under the Interlocal Cooperation Act (ICA) had wrongfully denied his request for records pursuant to the Public Records Act (PRA). The Superior Court granted task force's motion to dismiss. Requester appealed. The Court of Appeals affirmed. The Supreme Court granted review.

The Supreme Court of Washington held that:

- Provision of interlocal agreement stating that task force was not an "agency" for purposes of PRA was not binding on the courts, and
- Interlocal agreement could not designate task force as a nonentity if doing so would conflict with PRA obligations and requirements.

Self-imposed terms of interlocal agreement stating that drug task force was not an "agency" for purposes of the Public Records Act (PRA) did not establish as a matter of law that the task force was not an agency, absent evidence of whether the task force operated independently, maintained its own records, or effectively existed as a separate government agency.

Under the provision stating that the Public Records Act (PRA) governs in the event of conflict with any other act, an interlocal agreement creating a drug task force could not designate the task force as a nonentity if doing so would conflict with PRA obligations and requirements, unless another contributing agency could satisfy the task force's PRA obligations on the task force's behalf.