

# **Bond Case Briefs**

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## **PUBLIC RECORDS - WASHINGTON**

### **West v. Puyallup**

**Court of Appeals of Washington, Division 2 - February 21, 2018 - P.3d - 2018 WL 989868**

Requestor brought Public Records Act (PRA) action seeking disclosure of posts made by city council member on her personal social media page.

The Superior Court granted summary judgment in favor of city. Requestor appealed.

The Court of Appeals held that:

- Public official's posts on personal social media page could constitute public records subject to disclosure under Public Records Act (PRA), but
- City council member's posts to her personal social media page were not prepared within scope of her official capacity as city council member.

Public official's posts on a personal social media page can constitute an agency's public records subject to disclosure under the Public Records Act (PRA) if the posts relate to the conduct of government and are prepared within a public official's scope of employment or official capacity.

City council member's posts to her personal social media page were not prepared within scope of her official capacity as city council member, and therefore posts were not "public records" within meaning of Public Records Act (PRA); although almost all of the posts at least referred to government activities, position as city council member did not require that she post on social media, city did not direct that council member prepare the posts, and posts did not contain specific details of council member's work as a city council member or regarding city council discussions, decisions, or other actions, rather posts merely provided general information about City activities and occasionally about council member's activities.