UIPA Record Request Log 2016 Update

Hawaii’s Public Records Law
Chapter 92F, HRS

Today’s training is not basic training on UIPA or Log. Will:

• Update on changes made to the Log and procedures, effective June 2016
• Summary of OIP’s Reports of the State and Counties’ FY 2015 year-end results

Overview

What’s New?
First, to improve and streamline the reporting process for agencies, OIP will be uploading the totals from all agency Logs to the Master Log on data.hawaii.gov, relieving the agencies of this task.

• Beginning in July 2016, agencies will submit their UIPA Logs to OIP.
• OIP will review and upload the totals onto data.hawaii.gov
Overview

What’s New?

Second, OIP has created a new 2-page Checklist to accompany agencies’ Logs:

• Lists 17 Log items and tips to review and check off before submitting to OIP with the Log.
• Different Checklists for FY 16 vs. FY 17

Overview

• What’s New?

Third, OIP has revised the FY 2017 Log:

• Routine requests have been clarified
• Enter * before name of business or nonprofit organization
• Use initials or file number for personal record requester names
• Enter “x” in column U if a lawsuit is filed by or against the agency

Columns remain in same order & collect same data.

Overview

What’s New?

Fourth, OIP has made other changes to the FY 2017 Log’s format, formulas, and later columns that do not affect data entry by agencies.

• Since you don’t need to enter data after Column AH, the Sample Training Log worksheet and printable version have been shortened and do not show all columns.
• Log form itself is an Excel spreadsheet with all columns that contain necessary statistical information for OIP – do not eliminate columns from agency’s Log that will be submitted to OIP
• Remember: Enter data only in white cells up to Column AH
Overview

- **OIP’s reports on the FY 2015 UIPA Logs:**
  - highlights of how the state and county agencies are reporting their UIPA record requests:
    - Numbers and types of requests
    - Time to complete
    - Outcomes
    - Fees and costs

Checklist

- **Using the Checklist**
  - Begins in July 2016.
  - Can be found on OIP’s Forms or Training pages at oip.hawaii.gov.
  - Two forms:
    - **FY 2016:** For reporting FY 2016 in July 2016, use the FY 2016 Checklist and the FY 2016 Log form.
    - **FY 2017:** For requests received in FY 2017, use the FY 2017 Log form and the FY 2017 Checklist.

**Agency contact information**

This checklist was prepared by:
Name: __________________________
Tel.: ___________________________
E-mail: _______________________
My UIPA coordinator is: ___________
Checklist

• **Department & agency**

  The attached UIPA Log is for:
  State____; or County: Honolulu____; Hawaii____; Kauai____; Maui____

  Department: __________________
  Agency: ____________________
  FY: __________

  For requests received from July 1 thru June 30, 20___ (due July 31), or July 1 through December 31, 20___ (due January 31).

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Checklist

• **#1 Routine requests**

  Enter the estimated number of routine record requests received by your agency:
  ____________________.

  Routine requests are requests that were made orally or in writing and were automatically granted or denied without supervisory review.

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• **#1 Routine requests**

  Requests between government agencies may be routine if they are frequently or typically granted as part of a process or requirement for a contract, grant, appropriation, or statute.

  But infrequent or atypical government requests should be logged.

  Subpoenas or discovery of records in court cases are not logged or counted as routine requests.
•#1 Routine requests

Agencies have their own methods of tracking or estimating routine requests.

Enter estimated number of routine requests in question one of the Checklist.

Checklist

•#2 Used the correct Log form

Used the correct Log form for the correct FY, which can be found on OIP’s training page (http://oip.hawaii.gov/laws-rules-opinions/uipa/uipa-record-request-log/).

Did not use the Sample Log.

Checklist

•#3 Department name & agency name

Used the drop-down lists to enter department name and agency name in columns A & B.
# Checklist

## #4 Entered data in the white cells only

- Data was not manually entered in the colored cells, which are instructions, headings, or automatically calculated by the Log.

## #5 Requester’s Name:

- Entered Requester’s name, initials or file number in column D.
- Name can be “Anonymous” at Requester’s request.

## Note: New in FY 2017 (for record requests received July 1, 2016 to June 30, 2017):

- Requester’s Name: One asterisk (*) was added before the name, initials or file number in column D if it could be determined that the request was made on behalf of a for-profit or non-profit organization, business, law firm, insurance company, newspaper/TV/radio station, or other commercial entity.
Checklist

**#6 Personal record request**

- Entered one “x” in column F if the request was for a personal record “about” the individual requesting the record.

(If properly entered, corresponding cells in Log columns AB and AC highlighted in purple.)

**#7 Date agency received request**

- Entered the date by month/day/year (e.g., 7/1/15) in columns G and H

- Column G date of receipt falls within the period being reported on the Log.

**#8 Date agency sent notice; initial response sent within 10 work days; initial clarification needed**

- Entered one “x” and **not dates** in column I if the agency sent its initial response within 10 work days.
- Entered one “x” and **not dates** in column J if the agency needed initial clarification of a request.
### Checklist

#### #9 Complex requests

- Entered one “x” in column K if request involved extenuating circumstances or voluminous records.
- Also entered one “x” in column L if agency responded in increments.

#### #10 Date completed

- Entered the date (by month/day/year) that the agency made the records available or gave its final response to a request in column M.
- Each completed request has a number in column N that was automatically calculated (number of days to complete each request).
- There are no error messages or unexplainably high numbers in column N.

#### #11 Final resolution of requests:

- Each request has only one final outcome, so there is only one “x” entered between columns O through T.
Checklist

**#12 UIPA lawsuits:**

• Entered one “x” in column U, if a UIPA lawsuit was filed by or against the agency during the reporting period for the Log.

Checklist

**#13 Search, review & segregation (SRS) and legal review hours:**

• Entered the hours in **15-minute increments** (columns V, W, X); .25 = 15 minutes, .50 = 30 minutes, .75 = 45 minutes, 1.0 = 1 hour.
• At a minimum, **.25 search hours** was entered for every request that is granted in full or in part.
• **Used periods, not commas,** to enter the hours, so no error message #VALUE!

Checklist

**#14 Additional response fees:**

• Entered an estimated amount in column AA if non-chargeable fees were incurred to respond to a request, such as attorney fees or court costs.
# Checklist

**#15 Fee waivers**

- Waivers only for fees, not costs

- Entered a negative ($30.00) in column AB for a $30 fee waiver OR a negative ($60.00) in column AC if a $60 public interest fee waiver was granted.

- Nothing manually entered in the purple colored boxes (indicating personal record requests)

- "Total" amounts in cells AB10 and AC10 have been automatically calculated as whole numbers, not fractions

**#16 Copy/delivery costs:**

- The net chargeable copy and delivery costs in column AG do not exceed the gross incurred copy and delivery costs in column AF.
Checklist

• #17 Total fees and costs paid by requester:

• The amount actually paid by the Requester in column AH does not exceed the net fees and costs chargeable that the Log automatically calculated in Column AI.

Checklist

• Instructions

• Before submitting to OIP your agency’s completed UIPA Record Request Log for FY 2016, please review the data entries, correct any data entry errors, and complete this checklist.

• Please submit your completed Log and Checklist to OIP (oip@hawaii.gov) by the January 31 and July 31 deadlines each year.

• OIP will upload your Log totals and routine requests estimate to the Master Log on data.hawaii.gov.

Log Results – FY 2015

Chart 1:
Number of Requests to State Agencies:

<table>
<thead>
<tr>
<th>Formal UIPA Requests</th>
<th>Routine Requests</th>
</tr>
</thead>
<tbody>
<tr>
<td>2,188 (2%)</td>
<td>87,547 (98%)</td>
</tr>
</tbody>
</table>
Chart 1: Number of Requests to County Agencies:

<table>
<thead>
<tr>
<th></th>
<th>Formal UIPA Requests</th>
<th>Routine Requests</th>
<th>All</th>
</tr>
</thead>
<tbody>
<tr>
<td>Honolulu</td>
<td>1,026 (3%)</td>
<td>30,975 (97%)</td>
<td>32,001</td>
</tr>
<tr>
<td>Hawaii</td>
<td>243 (1%)</td>
<td>19,017 (99%)</td>
<td>19,260</td>
</tr>
<tr>
<td>Kauai</td>
<td>183 (7%)</td>
<td>2,590 (93%)</td>
<td>2,773</td>
</tr>
<tr>
<td>Maui</td>
<td>63 (100%)</td>
<td>0 (0%)</td>
<td>63</td>
</tr>
<tr>
<td>All Counties</td>
<td>1,515 (3%)</td>
<td>52,582 (97%)</td>
<td>54,097</td>
</tr>
</tbody>
</table>

Chart 2: State agencies

Types of Formal UIPA Requests (2,188 Total)

- Typical (nonpersonal, noncomplex): 1,024 (48%)
- Personal: 472 (21%)
- Complex: 102 (5%)
Log Results – FY 2015

**Chart 2: County agencies**

Types of Formal UIPA Requests to All Counties (1,515 Total)

- Typical (nonpersonal, noncomplex): 1,187 (79%)
- Personal: 179 (12%)
- Complex: 149 (10%)

**Chart 3A: State agencies**

Types of Completed Requests (2,179 Total)

- Typical: 1,625
- Personal: 472
- Complex: 142

**Chart 3A: County agencies**

Types of Requests Completed by All Counties (1,427 Total)

- Typical: 1,040
- Personal: 360
- Complex: 127
Chart 3B: State agencies

Number of Requests Completed

Requests completed, 2,179 (99% of 2,188 requests)

Requests not completed, 9 (1%)

Chart 3B: County agencies

Number of Requests Completed by All Counties

Requests completed, 1,427 (94% of 1,515 requests)

Requests not completed, 88 (6%)

Chart 4: State agencies

Resolution of 2,179 Completed Requests

Granted in full, 1,453 (66%)

Granted or denied in part, 288 (14%)

Denied in full, 87 (4%)

Agency unable to respond, 259 (12%)

Requester withdrew, 34 (2%)

Requester abandoned or failed to pay, 76 (4%)
Log Results – FY 2015

**Chart 4: County agencies**

Counts' Resolution of 1,427 Completed Requests

- Granted in Full, 1,040 (73%)
- Granted or denied in part, 167 (12%)
- Denied in full, 20 (1%)
- Agency unable to respond, 167 (12%)
- Requester withdrew, 64 (5%)
- Requester abandoned or failed to pay, 56 (4%)
- Requester witheld 0

Log Results – FY 2015

**Chart 5: State agencies**

Average Number of Workdays to Complete 2,179 Requests from Date of Receipt

- All Requests (2,179 total requests)
- Noncomplex, Nonpersonal Requests (1,605 requests)
- Personal Requests (472 requests)
- Complex Requests (102 requests)

Log Results – FY 2015

**Chart 5: County agencies**

Counts' Average Number of Workdays to Complete 1,427 Requests from Date of Receipt

- All Requests (1,427 total requests)
- Noncomplex, Nonpersonal Requests (1,128 requests)
- Personal Requests (160 requests)
- Complex Requests (139 requests)
Table 5: Each County’s agencies

<table>
<thead>
<tr>
<th>County</th>
<th>All Requests</th>
<th>“Typical” Requests</th>
<th>Personal Requests</th>
<th>Complex Requests</th>
</tr>
</thead>
<tbody>
<tr>
<td>Honolulu</td>
<td>9.7</td>
<td>9.1</td>
<td>6.7</td>
<td>33.3</td>
</tr>
<tr>
<td>Hawaii</td>
<td>5.6</td>
<td>4.4</td>
<td>15.8</td>
<td>6.7</td>
</tr>
<tr>
<td>Kauai</td>
<td>6.1</td>
<td>2.5</td>
<td>6.3</td>
<td>12.8</td>
</tr>
<tr>
<td>Maui</td>
<td>12.9</td>
<td>13.1</td>
<td>4.0</td>
<td>(none)</td>
</tr>
<tr>
<td>All Counties</td>
<td>8.8</td>
<td>8.3</td>
<td>7.1</td>
<td>13.4</td>
</tr>
</tbody>
</table>

Chart 6: State agencies

Chart 6: County agencies
Log Results – FY 2015

Chart 7: State agencies

AVERAGE NUMBER OF HOURS TO COMPLETE REQUESTS

<table>
<thead>
<tr>
<th></th>
<th>Search</th>
<th>Review &amp; Segregation</th>
</tr>
</thead>
<tbody>
<tr>
<td>All Requests (total 3.06 hours)</td>
<td>1.39</td>
<td>1.67</td>
</tr>
<tr>
<td>Non-Complex Non-Personal Requests (total 2.52 hours)</td>
<td>1.52</td>
<td>2.20</td>
</tr>
<tr>
<td>Personal Requests (total 0.49 hours)</td>
<td>0.30</td>
<td>0.19</td>
</tr>
<tr>
<td>Complex Requests (total 10.19 hours)</td>
<td>2.38</td>
<td>3.88</td>
</tr>
</tbody>
</table>

Log Results – FY 2015

Chart 7: County agencies

COUNTIES’ AVERAGE NUMBER OF HOURS TO COMPLETE REQUESTS

<table>
<thead>
<tr>
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</thead>
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<td>0.19</td>
</tr>
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<td>2.38</td>
<td>3.88</td>
</tr>
</tbody>
</table>

Log Results – FY 2015

Chart 8A: State agencies

FEES & COSTS FOR ALL REQUESTS

<table>
<thead>
<tr>
<th>Gross Incurred</th>
<th>Net chargeable</th>
<th>Actually paid by requesters</th>
</tr>
</thead>
<tbody>
<tr>
<td>$66,452</td>
<td>$41,603</td>
<td>$35,820</td>
</tr>
<tr>
<td>$62,603</td>
<td>$35,453</td>
<td>$26,235</td>
</tr>
<tr>
<td>$26,235</td>
<td>$35,820</td>
<td>$37,603</td>
</tr>
</tbody>
</table>
Log Results – FY 2015

Chart 8A: County agencies

FEES & COSTS FOR ALL REQUESTS

- Gross fees & costs incurred: $68,269
- Net fees & costs chargeable: $58,636
- Actually paid by requesters: $12,745

Chart 8B: State agencies

FEES & COSTS FOR COMPLEX REQUESTS

- Gross fees & costs incurred: $17,970
- Net fees & costs chargeable: $15,071
- Actually paid: $2,123

Chart 8C: County agencies

COUNTIES’ FEES & COSTS FOR COMPLEX REQUESTS

- Gross fees & costs incurred: $30,121
- Net fees & costs chargeable: $27,926
- Actually paid: $3,381
Log Results – FY 2015

**Chart 8C: State agencies**

<table>
<thead>
<tr>
<th>Gross fees &amp; costs incurred</th>
<th>Net fees &amp; costs chargeable</th>
<th>Actually paid (15.5% of gross fees &amp; costs; 23.21% of net fees &amp; costs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$51,381</td>
<td>$35,480</td>
<td>$20,343</td>
</tr>
</tbody>
</table>

**Chart 8C: County agencies**

<table>
<thead>
<tr>
<th>Gross fees &amp; costs incurred</th>
<th>Net fees &amp; costs chargeable</th>
<th>Actually paid (15.5% of gross fees &amp; costs; 23.21% of net fees &amp; costs)</th>
</tr>
</thead>
<tbody>
<tr>
<td>$9,364</td>
<td>$40,343</td>
<td>$9,164</td>
</tr>
</tbody>
</table>

Log Results – FY 2015

**Chart 9: State agencies**

**FEE WAIVERS** (based on 2,179 completed cases)

- $50 fee waivers requested
- 80% of all completed
- 20% fee waivers, 1st 1-5% of completed cases
- 50% fee waivers, 1-5% of completed cases
- 1,381, 15% of all completed cases

NOTE: Fee waivers may not have been granted when requests are denied, abandoned, or withdrawn, or the agency is unable to respond.
Log Results – FY 2015

Chart 9: County agencies

COUNTIES’ FEE WAIVERS (based on 1,515 cases)

NOTE: Fee waivers may not have been granted when requests are denied, abandoned, or withdrawn, or when the agency is unable to respond.

$30 fee waivers, 80 (5.3% of all cases)

$60 fee waivers, 1,066 (70% of all cases)

$0 fee waivers, 387 (26% of all cases)

Log Results – FY 2015

Chart 11: State agencies

NUMBER OF REQUESTERS BY AMOUNTS PAID IN 2,179 COMPLETED CASES

$0 - $4.99 (56.5%)

$5 - $49.99 (28.6%)

$50 - $99.99 (18.2%)

$100 or more (5.6%)

Log Results – FY 2015

Chart 11: County agencies

NUMBER OF REQUESTERS BY AMOUNTS PAID IN 1,427 CASES COMPLETED BY ALL COUNTIES

$0 - $4.99 (28%)

$5 - $49.99 (14%)

$50 - $99.99 (12%)

$100 or more (36%)
Log Results – FY 2015

**Chart 12: State agencies**

Breakeown of $37,603 in fees & costs paid for 2,179 completed record requests

Log Results – FY 2015

**Chart 12: County agencies**

Breakeown of $12,745 in fees & costs paid for 1,427 record requests completed by all counties

Log Results – FY 2015

**Table 10: State agencies**

<table>
<thead>
<tr>
<th>DEPT</th>
<th>DIVISION/AGENCY</th>
<th>PERSONAL AMOUNT COLLECTED</th>
<th>COMPLEX AMOUNT COLLECTED</th>
<th>TYPICAL AMOUNT COLLECTED</th>
<th>TOTAL AMOUNT COLLECTED</th>
</tr>
</thead>
<tbody>
<tr>
<td>AG</td>
<td>AG</td>
<td>0 $</td>
<td>-</td>
<td>9 $</td>
<td>-</td>
</tr>
<tr>
<td>DOA</td>
<td>PIPQ</td>
<td>0 $</td>
<td>3 $</td>
<td>107.20</td>
<td>5 $</td>
</tr>
<tr>
<td>DOA</td>
<td>ADC</td>
<td>0 $</td>
<td>0 $</td>
<td>6 $</td>
<td>-</td>
</tr>
<tr>
<td>DOA</td>
<td>AGRPIPEST</td>
<td>0 $</td>
<td>0 $</td>
<td>27 $</td>
<td>-</td>
</tr>
<tr>
<td>DOA</td>
<td>CHAIRPERSON</td>
<td>0 $</td>
<td>2 $</td>
<td>2 $</td>
<td>5.49</td>
</tr>
</tbody>
</table>
Log Results – FY 2015

**Table 10: State agencies**

<table>
<thead>
<tr>
<th>Amount Collected</th>
<th>COUNTY DEPARTMENT</th>
<th>PERSONAL AMOUNT COLLECTED</th>
<th>COMPLEX AMOUNT COLLECTED</th>
<th>TYPICAL AMOUNT COLLECTED</th>
</tr>
</thead>
<tbody>
<tr>
<td>Under $5</td>
<td>9</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>$5 to $49.99</td>
<td>6</td>
<td>1</td>
<td>$12.50</td>
<td>1</td>
</tr>
<tr>
<td>$50 to $99.99</td>
<td>6</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>$100 to $499.99</td>
<td>27</td>
<td>1</td>
<td>$5.49</td>
<td></td>
</tr>
<tr>
<td>$500 to $999.99</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>$1,000 &amp; over</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

**Percentage of completed requests:**

- 11% for $0 - $49.99
- 10% for $50 - $99.99
- 79% for $100 - $499.99
- 79% for $500 - $999.99
- 79% for $1,000 & over

**All counties totals:**

- 160 requests
- $1,572.51 personal
- $3,381.33 complex
- $7,778.97 typical
- $1,560.25 total

Log Results – FY 2015

**Table 10: County agencies**

<table>
<thead>
<tr>
<th>COUNTY DEPARTMENT</th>
<th>PERSONAL AMOUNT COLLECTED</th>
<th>COMPLEX AMOUNT COLLECTED</th>
<th>TYPICAL AMOUNT COLLECTED</th>
</tr>
</thead>
<tbody>
<tr>
<td>MANHATTAN TOTALS</td>
<td>11</td>
<td>0</td>
<td>$12.33</td>
</tr>
<tr>
<td>ALL COUNTIES TOTALS</td>
<td>160</td>
<td>$1,572.51</td>
<td>$3,381.33</td>
</tr>
</tbody>
</table>

**Percentage of completed requests:**

- 11% personal
- 10% complex
- 79% typical
- 79% total

Log Results – FY 2015

**Table 10 Supplement: Summary of Fees and Costs Paid by Requesters – State agencies**

- Over $10,000:
  - 1. DOT/HiWAYS – Experian Information Solutions - $12,796.96
  - 2. DOT/HiWAYS – RL Polk - $12,796.96
  - TOTAL = $25,593.92

- $1,000 - $9,999.99:
  - 1. OHA – Andrew Walden (media) - $1,647.75
  - TOTAL = $1,647.75

* Appears to be a request from an attorney, media, commercial or non-profit organization.
Log Results – FY 2015

Table 10 Supplement: Summary of Fees and Costs Paid by Requesters – State agencies

<table>
<thead>
<tr>
<th>Category</th>
<th>Total Paid</th>
<th>Calculation</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL paid by requesters $50+</td>
<td>$36,075.67</td>
<td></td>
</tr>
<tr>
<td>Plus total paid by requesters $5 to $49.99</td>
<td>$1,324.86</td>
<td></td>
</tr>
<tr>
<td>Plus total paid by requesters under $5</td>
<td>$203.34</td>
<td></td>
</tr>
<tr>
<td>TOTAL paid for all requests</td>
<td>$37,603.87</td>
<td></td>
</tr>
</tbody>
</table>

Log Results – FY 2015

Table 10 Supplement: Summary of Fees and Costs Paid by Requesters – Counties

<table>
<thead>
<tr>
<th>Category</th>
<th>Total Paid</th>
<th>Calculation</th>
</tr>
</thead>
<tbody>
<tr>
<td>TOTAL paid by requesters $50+</td>
<td>$9,336.93</td>
<td></td>
</tr>
<tr>
<td>Plus total paid by requesters $5 to $49.99</td>
<td>$2,754.63</td>
<td></td>
</tr>
<tr>
<td>Plus total paid by requesters under $5</td>
<td>$653.75</td>
<td></td>
</tr>
<tr>
<td>TOTAL paid for all requests</td>
<td>$12,745.31</td>
<td></td>
</tr>
</tbody>
</table>

MAHALO!
Need Help?

• Call OIP (808) 586-1400
• E-mail: oip@hawaii.gov
• OIP website: oip.hawaii.gov