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OIP'S REPORT OF COUNTY AGENCIES' UIPA RECORD REQUEST YEAR-END LOGS for FY 2019

(For record requests received from July 1, 2018 through June 30, 2019)

The Hawaii Office of Information Practices (“OIP”) has prepared this report based on information posted by OIP at data.hawaii.gov on the Master UIPA Record Request Year-End Log for FY 2019 (“Master Log”)¹ for 88 executive, legislative, and independent agencies² from all four counties.

OIP reviewed each agency’s Log to correct obvious errors and uploaded agencies’ entries onto the Master Log. The revised Master Log totals are available at data.hawaii.gov. A summary of fees and costs by department that OIP prepared from the agencies’ individual Logs is provided at the end of this report.

The county data for FY 2019 may be compared to the prior year’s county and state reports as well as the state data summarized in OIP’s Report of State Agencies’ Master UIPA Record Request Year-End Log for FY 2019. All state and county reports are available on the [Reports page at oiip.hawaii.gov](http://oiip.hawaii.gov).

The overall Charts in this report are based on the totals and averages for all counties. There may be significant differences between counties, however, as shown in the accompanying Tables. Moreover, because of the significantly higher numbers of formal requests reported by the City and County of Honolulu, which resulted in Honolulu requests comprising 69% (1,607) of total requests from all counties (2,335 total), many of the overall averages in the Charts have been skewed by Honolulu’s larger numbers.

¹ For the Master Log, go to <https://data.hawaii.gov/Government-Wide-Support/OIP-Master-UIPA-Record-Request-Year-End-Log-for-FY/pwcd-mmyy/data>. For a sample form and training on the UIPA Record Request Log, go to OIP’s UIPA training page at <http://oiip.hawaii.gov/laws-rules-opinions/uipa/uipa-record-request-log/>.

² “Agency” is defined by the Uniform Information Practices Act (“UIPA”) as “any unit of government ... but does not include the nonadministrative functions of the courts of this State.” Section 92F-3, Hawaii Revised Statutes.

How many requests were made to the counties in FY 2019?

Excluding routine requests,³ there were 2,335 formal written record requests requiring county agencies to send notices to the requesters under the state’s Uniform Information Practices Act (“UIPA”), chapter 92F, Hawaii Revised Statutes (“HRS”). County agencies estimated that they received 345,151 routine requests for information that were made orally, did not require a UIPA response, or were automatically granted or denied without supervisory review, such as requests for the Medical Examiner’s death certificates, most police reports, and requests for agency brochures. Subpoenas for discovery of records in court cases are not tracked by the Log.

The following pie chart (**Chart 1**) shows that the 2,335 formal UIPA record requests constituted 0.7% and the estimated 345,151 routine requests comprised 99.3% of the total requests reported by the agencies. **Table 1** breaks down these numbers by county.

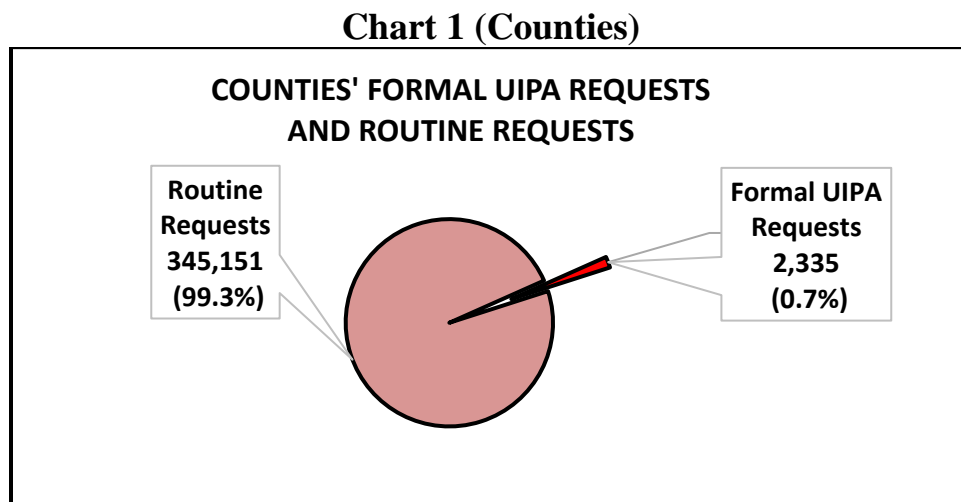


Table 1

**Formal UIPA Requests
and Routine Requests – by County**

	<u>Formal Requests</u>	<u>Routine Requests</u>	<u>ALL</u>
Honolulu	1,607 (2%)	83,737 (98%)	85,344
Hawaii	196 (1%)	231,202 (99%)	231,398
Kauai	229 (5%)	4,326 (95%)	4,555
Maui	303 (1%)	25,886 (99%)	26,189
All Counties	2,335 (1%)*	345,151 (99%)*	347,486

* = percentage of all counties’ totals.

No * = percentage of each county’s totals.

³ Routine requests are requests that are made orally (such as by telephone or over the counter), requests that do not require a UIPA response, or requests that are automatically granted or denied without supervisory review (such as for most police reports or agency brochures).

What kinds of requests were made?

The 2,335 formal requests to all counties can be broken down into 294 (13%) personal record requests⁴ and 358 (15%) complex requests,⁵ resulting in a balance of 1,683 (72%) nonpersonal and noncomplex requests, *i.e.* “typical” requests,⁶ as shown in **Chart 2** below. **Table 2** shows the breakdown by county.

Chart 2 (Counties)

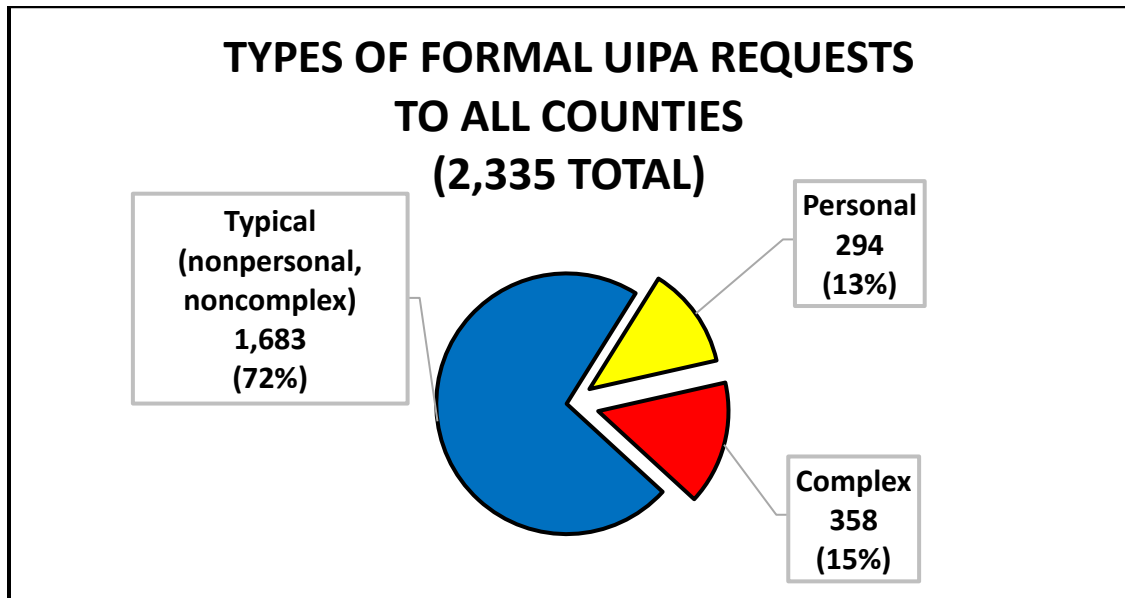


Table 2

**Types of Formal UIPA Requests
(2,335 Total) – by County**

	<u>Typical</u>	<u>Personal</u>	<u>Complex</u>	<u>ALL</u>
Honolulu	1,080 (67%)	189 (12%)	338 (21%)	1,607 (69%)*
Hawaii	186 (94%)	5 (3%)	5 (3%)	196 (8%)*
Kauai	185 (51%)	35 (39%)	9 (10%)	229 (10%)*
Maui	232 (77%)	65 (21%)	6 (2%)	303 (13%)*
All Counties	1,683 (72%)*	294 (13%)*	358 (15%)*	2,335 (100%)*

* = percentage of all counties’ totals.

⁴ A personal record request is one “about” the requester and seeks the requester’s own personal information that is readily accessible in a file or location with the requester’s name or identifying information. Personal record requests are subject to Part III of the UIPA, and have different requirements than government record requests under Part II.

⁵ Complex record requests involve extenuating circumstances or voluminous records that prevent an agency from fulfilling the request within the usual ten days.

⁶ The “typical” requests were for government records and were subject to Part II of the UIPA.

How many requests were completed?

Chart 3A shows that out of 2,335 total requests received by all county agencies, 2,205 (94%) requests were completed in FY 2019.⁷ Of the 2,205 completed requests, 254 (12%) were personal record requests, 340 (15%) were complex requests, and 1,611 (73%) were “typical” nonpersonal and noncomplex record requests below. **Table 3A** shows the breakdown by county.

As with the previous Table 2, there are significant differences between counties when they are viewed separately in Table 3A.

Chart 3A (Counties)

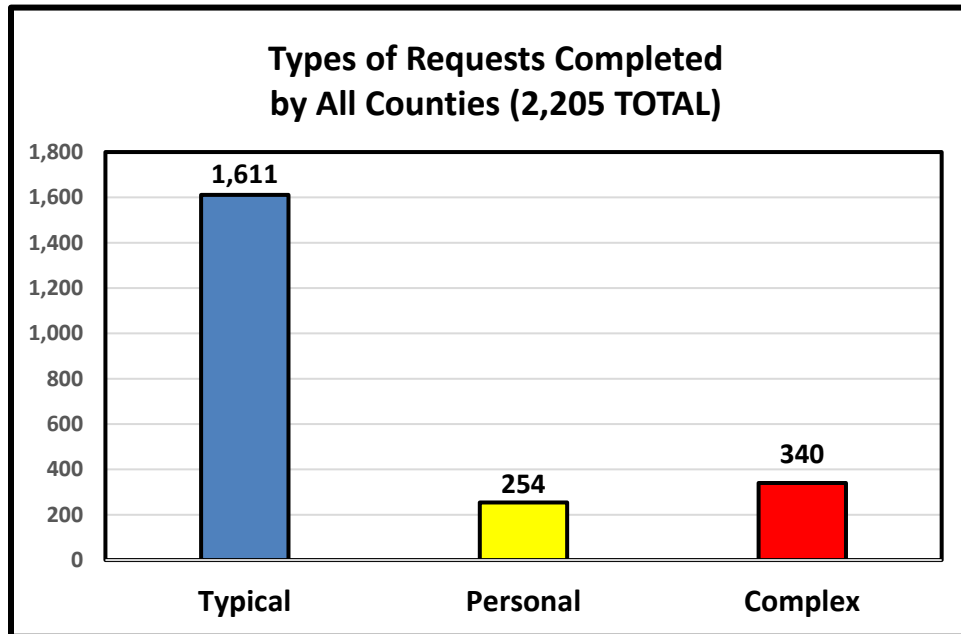


Table 3A

Types of Requests Completed (2,205 Total) – by County

	<u>Typical</u>	<u>Personal</u>	<u>Complex</u>	<u>ALL</u>
Honolulu	1,024 (69%)	149 (10%)	320 (21%)	1,493 (67.7%)*
Hawaii	177 (94%)	5 (3%)	5 (3%)	187 (8.5%)*
Kauai	182 (81%)	35 (15%)	9 (4%)	226 (10.2%)*
Maui	228 (76%)	65 (22%)	6 (2%)	299 (13.6%)*
All Counties	1,611 (73%)*	254 (12%)*	340 (15%)*	2,205 (100%)*

* = percentage of all counties’ totals.

⁷ Requests that were completed in FY 2019 may have included those carried over from an earlier year. Likewise, requests that were not completed in FY 2019, may be completed in a later fiscal year. In FY 2018, 120 county cases were not completed and may have been completed in FY 2019.

Of the 2,335 formal requests received by all county agencies, 2,205 (94%) were completed and 130 (6%) were not completed as of June 30, 2019, as shown in **Chart 3B** below. **Table 3B** shows the breakdown by county.

Chart 3B (Counties)

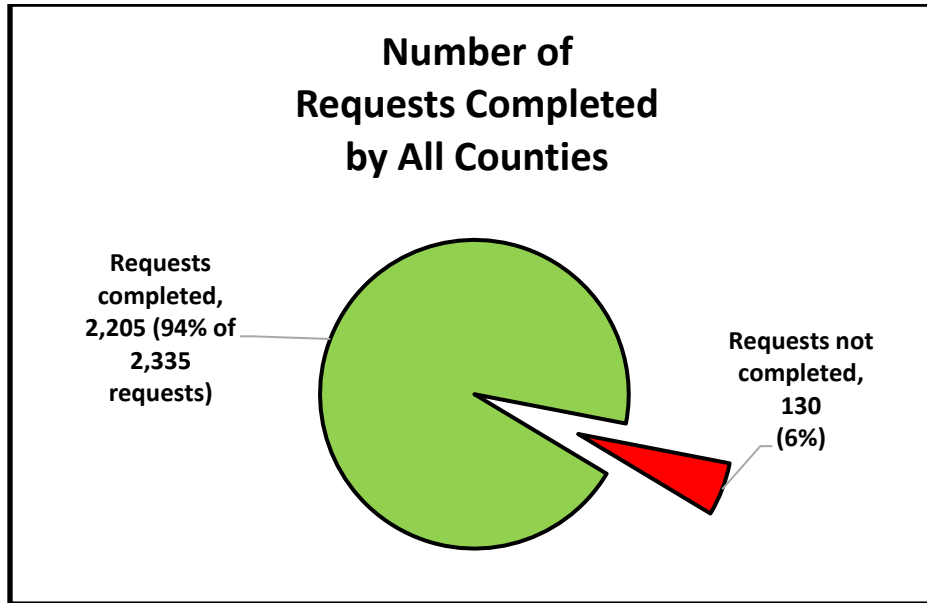


Table 3B

Number of Requests Completed – by County

	<u>Completed</u>	<u>Not Completed</u>	<u>% Not Completed</u>
Honolulu	1,493	114	7%
Hawaii	187	9	5%
Kauai	226	3	1%
Maui	299	4	1%
All Counties	2,205	130	6%*

* = percentage of all counties' totals.

How were requests resolved?

Of the 2,205 requests completed by the county agencies, **Chart 4** below shows that 1,776 (81%) were granted in full; 112 (5%) were granted or denied in part; 89 (4%) were denied in full; in 142 (6%), the agency was unable to respond; 28 (1%) were withdrawn by the requester; and in 71 (3%), the requester abandoned or failed to pay for the request. **Table 4** shows the breakdown by county, and shows significant differences in how each county resolved requests.

Chart 4 (Counties)

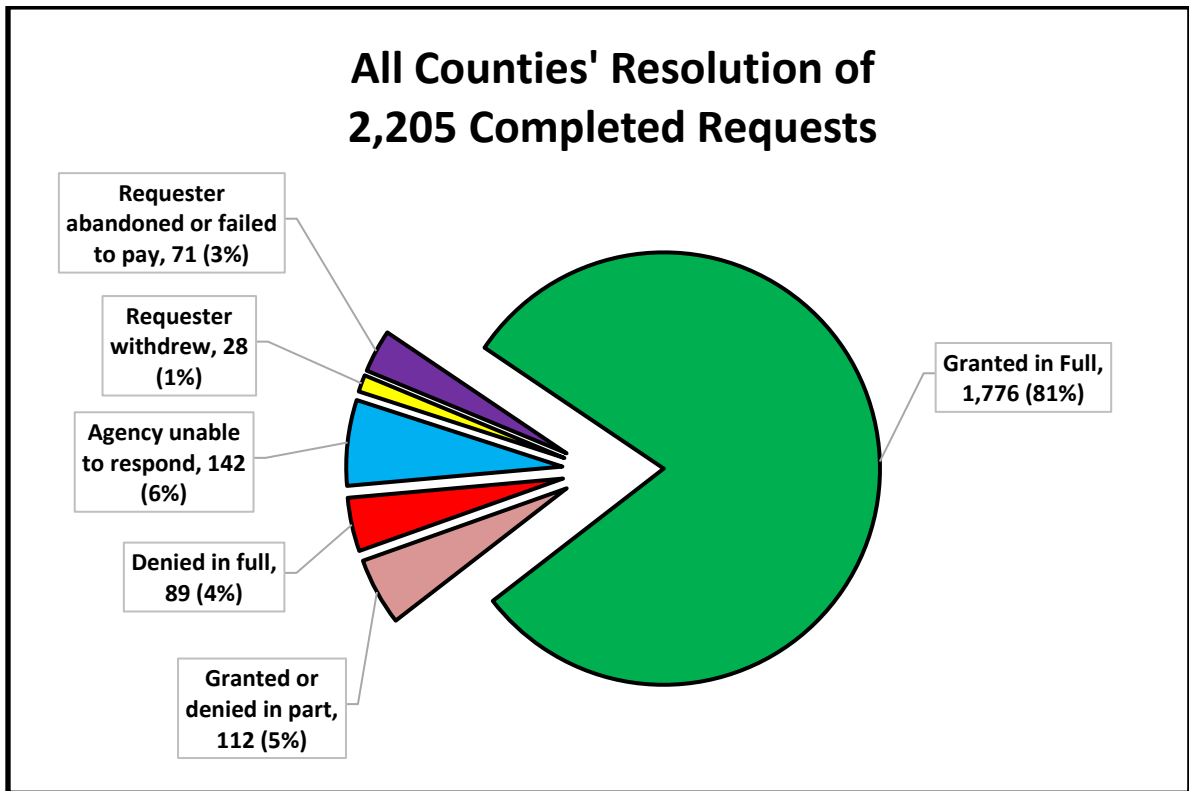


Table 4

Resolution of 2,205 Completed Requests – by County

	<u>Granted in Full</u>	<u>Granted in Part</u>	<u>Denied in Full</u>	<u>Unable to Respond</u>	<u>Requester Withdrew</u>	<u>Requester Abandoned</u>	
Honolulu	1,217 (81%)	78 (5%)	45 (3%)	102 (7%)	21 (3%)	48	(4%)
Hawaii	123 (66%)	17 (9%)	3 (2%)	22 (12%)	4 (2%)	13	(7%)
Kauai	171 (76%)	8 (4%)	35 (15%)	7 (3%)	3 (1%)	1	(1%)
Maui	265 (89%)	9 (3%)	6 (2%)	11 (3%)	0 (0%)	9	(3%)
All Counties	1,776 (81%)*	112 (5%)*	89 (4%)*	142 (6%)*	28 (1%)*	71	(3%)*

* = percentage of all counties' totals.

How long did it take to complete requests?

To calculate the number of working days it took to complete a request, the Log's Excel formula excluded weekends but not state holidays. Also, to avoid showing zero days for a request completed on the same day it was received, the formula added an extra day by including the date of the request (which is normally excluded when doing a manual count). Thus, the Log's calculation may inflate the days of completion by one or more days, depending on whether there were holidays or the request took more than one day to complete. To account for the inexact calculations, agencies were instructed to manually enter an "x" in Column I of their Logs when they completed a request within ten business days.

With this understanding of the limitations of the underlying formula, the agencies reported providing initial responses within ten business days to 2,176 requests, or 93% of all requests. (Column I of the Master Log) In 125 of the requests, the agencies reported that they needed initial clarification of the request, which may explain why they were not able to send their notice or acknowledgement to requesters within ten workdays in 7% of total cases.

As shown in the following bar graph, **Chart 5**, it took an average of 9.0 workdays from date of receipt to complete all record requests, based on 19,946 workdays to complete 2,205 requests. (Columns N and AP of the Master Log) When broken down by type of request, Chart 5 shows that it took an average of 8.0 days to complete 1,611 typical (noncomplex and nonpersonal) record requests; 12.7 days to complete 254 personal record requests; and 11.7 days to complete 340 complex requests. (Columns AQ through AS of Master Log) **Table 5** shows the breakdown by county.

Compared to Chart 5 from FY 2018, complex record requests are taking counties significantly less time, on average, to complete: 19.0 days in FY 2018 vs. 11.7 days in FY 2019. Personal record requests are taking more time to complete (10.9 in FY 2018 vs. 12.7 days in FY 2019), and the typical requests are taking slightly more time (7.7 in FY 2018 vs. 8.0 days in FY 2019). The overall average days to completion has gone down slightly from 9.4 in FY 2018 to 9.0 in FY 2019.

Looking at the counties individually, the biggest change from last year came in the average number of workdays spent on complex record requests. Three of the counties showed significant decreases. Honolulu went from 17.6 workdays in FY 2018 to 11.0 in FY 2019. Hawaii dropped from 26.0 workdays in FY 2018 to 10.4 in FY 2019. Maui went from 27.2 workdays in FY 2018 to 19.0 in FY 2019. Kauai, however, jumped from 11.6 workdays spent on complex record requests in FY 2018 to 26.9 in FY 2019. (Table 5)

Chart 5 (Counties)

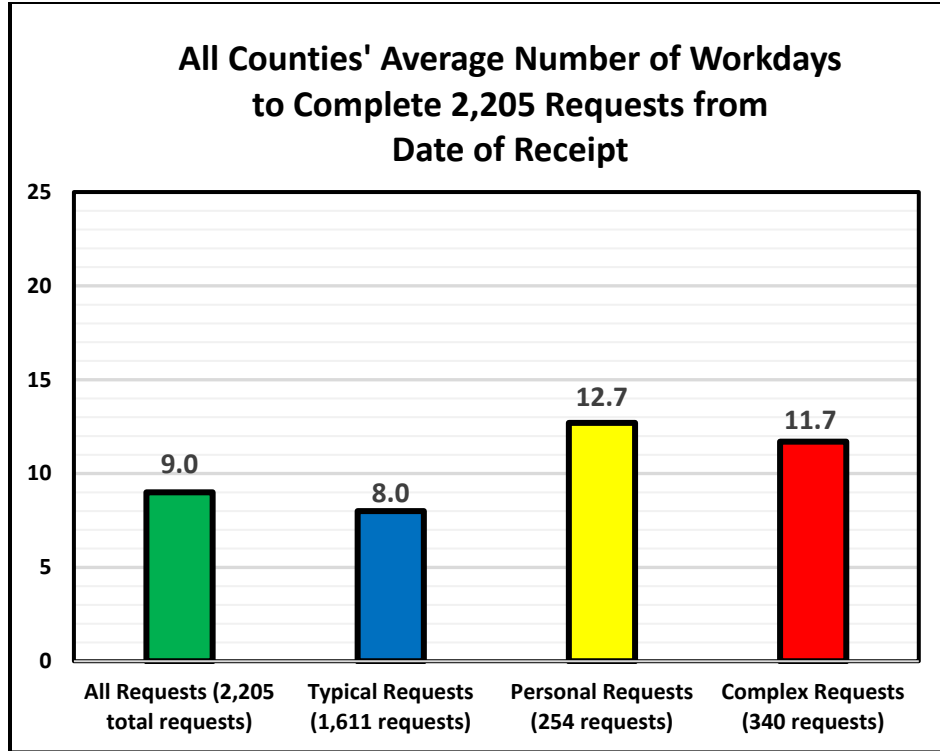


Table 5

Average Number of Workdays to Complete 2,205 Requests from Date of Receipt – by County

	<u>All Requests</u>	<u>Typical Requests</u>	<u>Personal Requests</u>	<u>Complex Requests</u>
Honolulu	9.8	9.0	13.7	11.0
Hawaii	7.5	7.3	7.0	10.4
Kauai	6.7	5.1	9.8	26.9
Maui	7.8	6.2	12.5	19.0
All Counties	9.0	8.0	12.7	11.7

Agencies were asked to keep track of the actual time that they spent on search, review (e.g., for confidentiality or privacy concerns), and segregation (e.g., redacting protected information) in 15-minute increments per hour. No less than .25 hour, or 15 minutes, was to be entered for search time for each request. Any legal research or other time spent to determine how the agency should respond or possible exemptions from disclosure could not be entered as search, review, or segregation (“SRS”), but could be separately logged by the agencies as “Legal Review” hours. As shown in the following pie **Chart 6**, the agencies reported incurring a total of 3,306 hours to respond to record requests, of which 1,414 hours were for search, 1,556 hours were for review and segregation, and 336 hours were for legal review. These figures also include the time spent by agencies working on the 130 pending cases that were not completed at the end of FY 2019. **Table 6** shows the breakdown by county.

Chart 6 (Counties)

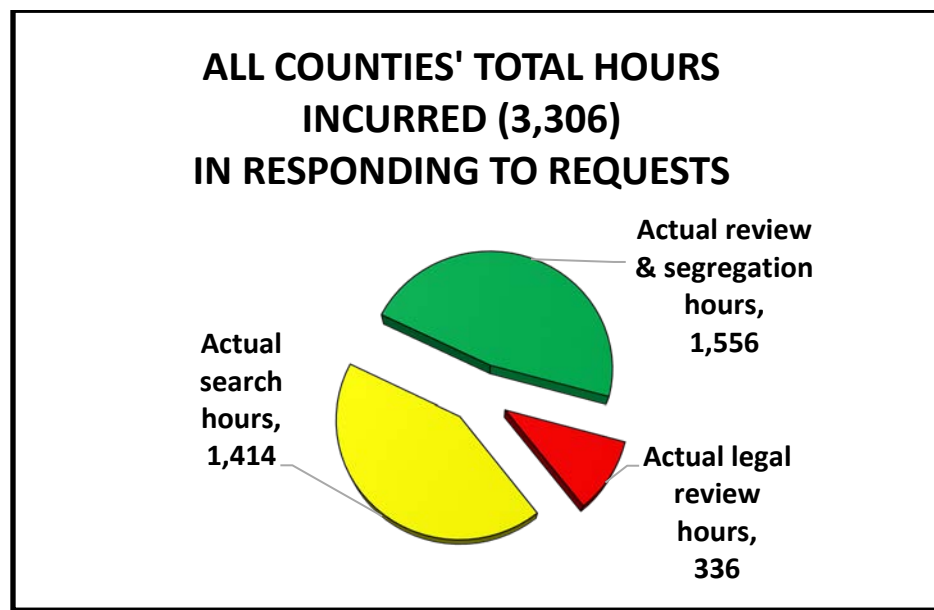


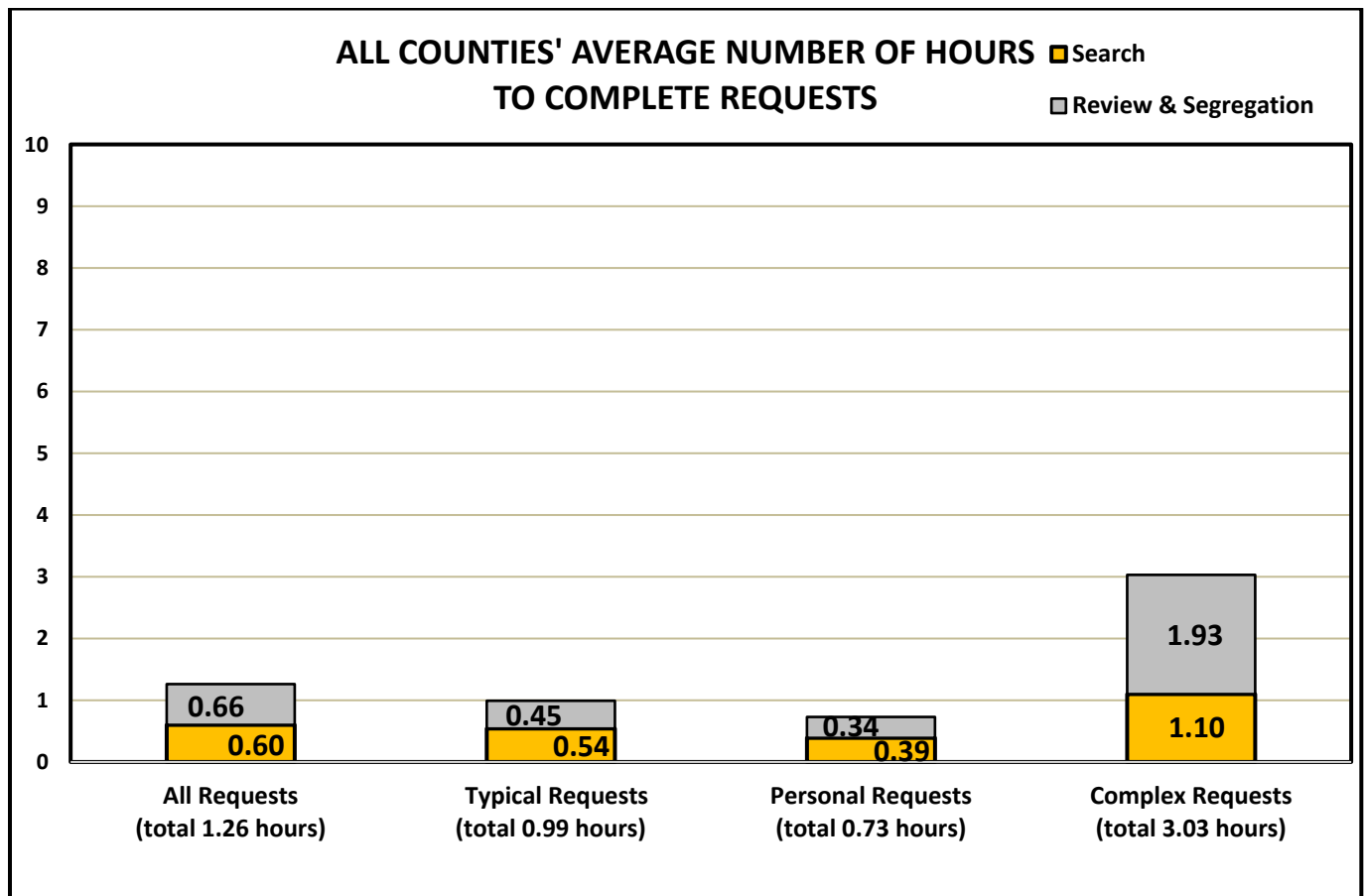
Table 6

**Total Hours Incurred (3,306)
in Responding to Requests – by County**

	<u>Search Hours</u>	<u>Review & Segregation Hours</u>	<u>Legal Review Hours</u>	<u>Total Hours</u>
Honolulu	998	1,429	325	2,752
Hawaii	186	39	3	228
Kauai	96	22	3	121
Maui	134	66	5	205
All Counties	1,414	1,556	336	3,306

The totals in Columns AT through BA of the Master Log show the number of SRS hours that county agencies worked on various types of record requests, including the 130 requests that were not completed at the end of FY 2019. Based on those SRS hours, and excluding legal review hours, it took an average of 1.26 total SRS hours of work for each of 2,335 record requests in FY 2019, as shown in **Chart 7** below. The 1,683 typical (noncomplex/nonpersonal) record requests each took an average of 0.99 SRS hours, and 294 personal record requests each took an average of 0.73 SRS hours of agency work. The 358 complex record requests each took 3.03 SRS hours on average, which is three times as long as the typical request.

Chart 7 (Counties)



In comparison to last year, the average number of hours spent by all counties on each complex record request has increased from 2.44 hours in FY 2018 to 3.03 hours in FY 2019. (Chart 7)

In comparison to the state agencies for FY 2019, the Chart 7 county averages are lower to complete typical requests: 0.99 hours for county agencies compared to 1.39 hours for state agencies to complete typical record requests. The county averages to complete personal record requests are almost the same: 0.73 hours for county agencies compared to 0.72 hours for state agencies. The county averages are 63% lower to complete complex requests: 3.03 hours for county versus 8.25 hours for state agencies.

Table 7 shows the breakdown by counties.

Table 7
Average Number of Hours
to Complete Requests – by County

<u>Honolulu:</u>	<u>Search</u>	<u>Review & Segregation</u>	<u>Total SRS hours</u>
All requests	.62	.88	1.50
Noncomplex/ Nonpersonal	.54	.65	1.19
Personal	.29	.36	.65
Complex	1.07	1.95	3.02
<u>Hawaii:</u>	<u>Search</u>	<u>Review & Segregation</u>	<u>Total SRS hours</u>
All requests	.93	.18	1.11
Noncomplex/ Nonpersonal	.87	.11	.98
Personal	2.80	0	2.80
Complex	3.60	2.60	6.20
<u>Kauai:</u>	<u>Search</u>	<u>Review & Segregation</u>	<u>Total SRS hours</u>
All requests	.42	.09	.51
Noncomplex/ Nonpersonal	.31	.11	.42
Personal	.91	.01	.92
Complex	.55	.22	.77
<u>Maui:</u>	<u>Search</u>	<u>Review & Segregation</u>	<u>Total SRS hours</u>
All requests	.44	.22	.66
Noncomplex/ Nonpersonal	.47	.23	.70
Personal	.21	.47	.68
Complex	1.66	3.33	4.99
<u>All Counties:</u>	<u>Search</u>	<u>Review & Segregation</u>	<u>Total SRS hours</u>
All requests	.60	.66	1.26
Noncomplex/ Nonpersonal	.54	.45	.99
Personal	.39	.34	.73
Complex	1.10	1.93	3.03

How much did it cost to complete record requests?

OIP's administrative rules, which were adopted in 1998, permit agencies to charge \$2.50 per 15 minutes, or fraction thereof, for search time (*i.e.*, \$10 per hour) and \$5.00 per 15 minutes, or fraction thereof, for review and segregation time (*i.e.*, \$20 per hour). Agencies are also allowed to recover their copying and delivery costs, which are governed by HRS § 92-21 and agency rules and are not set by OIP.

In order to get a better picture of the gross costs incurred by the government, agencies were asked to keep track of legal review time as well as additional response fees, such as special counsel's fees and court costs to defend lawsuits under the UIPA. These additional response fees, however, cannot be charged to the requester and they were excluded from the Log's automatic calculation of the amounts that the agencies could charge to the requester. Moreover, while agencies may incur copying or other costs for their own purposes in reviewing and segregating records, OIP's rules allow them to charge only for the copying and delivery of records actually provided to the requester. Finally, OIP's rules require that up to the first \$30 in SRS fees be waived for all requesters, and this waiver may be increased to \$60 (not \$30 plus \$60) for requests that are found by the agency to be in the public interest.

Thus, while the Log captured data about the gross fees and costs incurred by the agencies, it also calculated the net amounts, after waivers, that could be properly charged by the agencies. The agencies manually inputted into the Log the amounts that were actually paid by the requesters.

The visualizations and data on the following pages break down the fees and costs in various ways. After subtracting fee waivers, the net chargeable amounts of fees and costs that agencies could properly charge requesters is compared to the gross fees and costs that agencies incurred, and the total fees and costs that requesters actually paid, as shown in **Chart 8A**. In summary, the agencies incurred gross fees and costs of \$56,392 but could only charge \$43,737 for fees and costs allowed under OIP's rules, and they actually collected from requesters \$12,123.

Please note that the data in Chart 8A includes gross and net fees and costs for all 2,335 county requests, even if they were not completed or charged to requesters. Moreover, the gross incurred SRS fees of \$56,392 (from Column Z of the Master Log and as shown in the left column of Chart 8A) do not include fees for legal review hours (336 hours), SRS fees for personal records, or additional response fee estimates. If those nonchargeable amounts were included and \$14,749 (from Column AF of the Master Log) in gross copying and delivery costs were included, then the gross incurred fees and costs would be much higher than the \$56,392 shown in the far left column of Chart 8A.

While agencies incurred fees and costs in all 2,335 cases, whether or not they were completed or charged to requesters, the amounts actually paid by requesters in Charts 8A, 8B, and 8C are based only on the 2,205 completed requests (1,611 typical; 254 personal; 340 complex. See Chart 3A).

Chart 8A visualizes the totals for all types of requests reported on the FY 2018 Master Log:

\$56,392 in total gross fees and costs incurred for all 2,335 cases, consisting of \$41,643 in fees and \$14,749 in costs

\$43,737 in total net chargeable fees and costs chargeable in all 2,335 cases, consisting of \$29,154 in fees and \$14,583 in costs

\$12,123 in fees and costs actually paid in 2,205 completed cases.

Chart 8A (Counties)

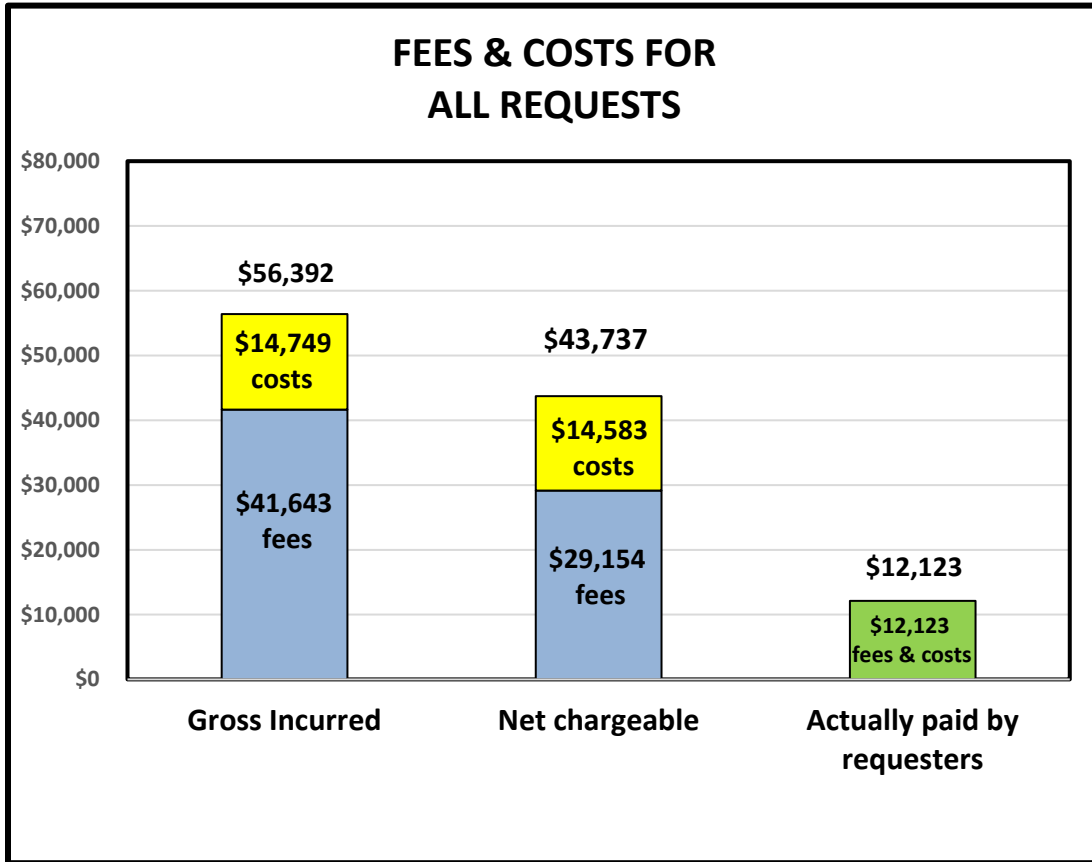


Table 8A below shows the fees and costs breakdown by county.

Table 8A

**Fees & Costs for
All Requests – by County**

	Gross Fees/Costs Incurred	Total Incurred	Net Fees/Costs Chargeable	Total Chargeable	Actually Paid
Honolulu	\$36,218/ \$11,348	\$47,566	\$27,297/ \$11,104	38,401	\$8,172
Hawaii	2,500/ 335	2,835	1,052/ 335	1,387	1,033
Kauai	1,022/ 1,530	2,552	95/ 1,528	1,623	1,091
Maui	1,903/ 1,536	3,439	710/ 1,616	2,326	1,827
All Counties	\$41,643/ \$14,749	\$56,392	\$29,154/ \$14,583	\$43,737	\$12,123

Based on the data entered by the agencies, the Master Log automatically calculated the gross fees and costs incurred (Master Log Column AN) for the 358 complex record requests filed in FY 2019 as well as the net amount that was properly chargeable (Master Log Column AM) to 340 completed complex cases. **Chart 8B** below visualizes the complex request totals reported by all counties on the Master Log as follows:

- \$25,770 gross fees and costs incurred in 358 complex cases
- \$18,160 net fees and costs chargeable in 358 complex cases
- \$ 3,852 actually paid in 340 completed complex cases.

Notably, the numbers of filed and completed complex cases in FY 2019 (358; 340) were 84-90% higher than in FY 2018 (195; 179). Not surprisingly, the gross fees and costs incurred by all counties for complex record requests (\$25,770) were 68% higher than the \$15,366 incurred in FY 2018. The net chargeable fees and costs (\$18,160) were also higher than the \$11,480 chargeable in FY 2018. The amount actually paid in completed complex cases, however, decreased from \$9,291 in FY 2018 to \$3,852 in FY 2019.

Chart 8B (Counties)

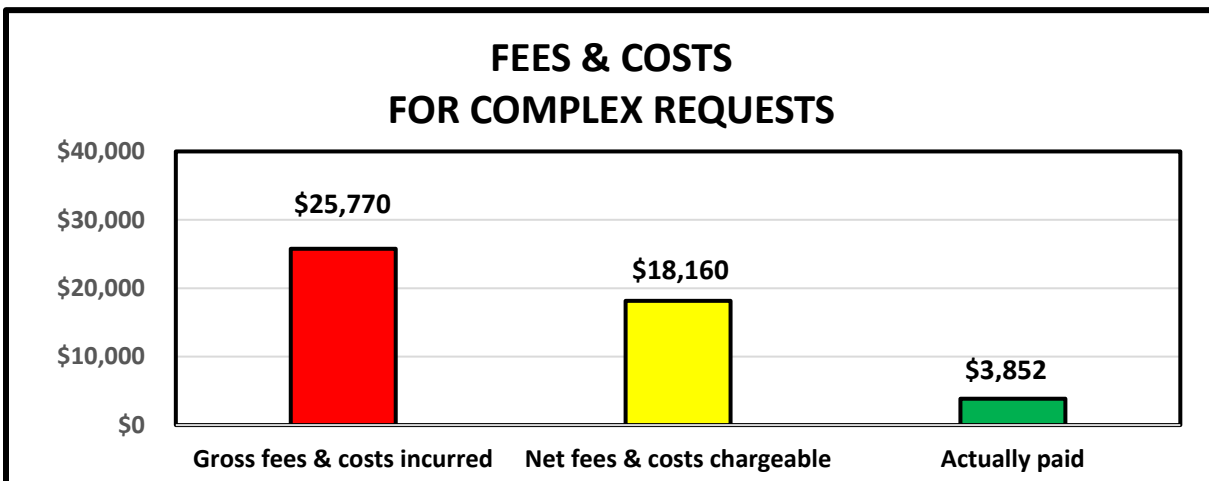


Table 8B shows the breakdown by county.

Table 8B

**Fees & Costs for
Complex Requests – by County**

	Gross Fees & Costs Incurred	Net Fees & Costs Chargeable	Actually Paid
Honolulu	\$ 24,392	\$ 17,104	\$ 2,993
Hawaii	\$ 384	\$ 347	\$ 346
Kauai	\$ 174	\$ 39	\$ 26
Maui	\$ 820	\$ 670	\$ 487
All Counties	\$ 25,770	\$ 18,160	\$ 3,852

By subtracting the totals shown for the complex requests in Chart 8B from their counterparts for all requests in Chart 8A, the bar graph in the following **Chart 8C** visualizes the totals for typical and personal record request cases as follows:

- \$37,064 gross fees and costs incurred in 1,977 typical and personal cases
- \$25,402 net fees and costs chargeable in 1,977 typical and personal cases
- \$ 8,271 actually paid in 1,865 completed typical and personal cases.

Based on a total of 1,865 completed typical and personal record requests and \$8,271 as the total amount paid by those types of requesters, the average per request calculates to \$4.43 actually paid by typical and personal record requesters. This average is misleading, however, as 1,762 requesters paid nothing, as will be seen later in Charts 11 and 12.

Chart 8C (Counties)

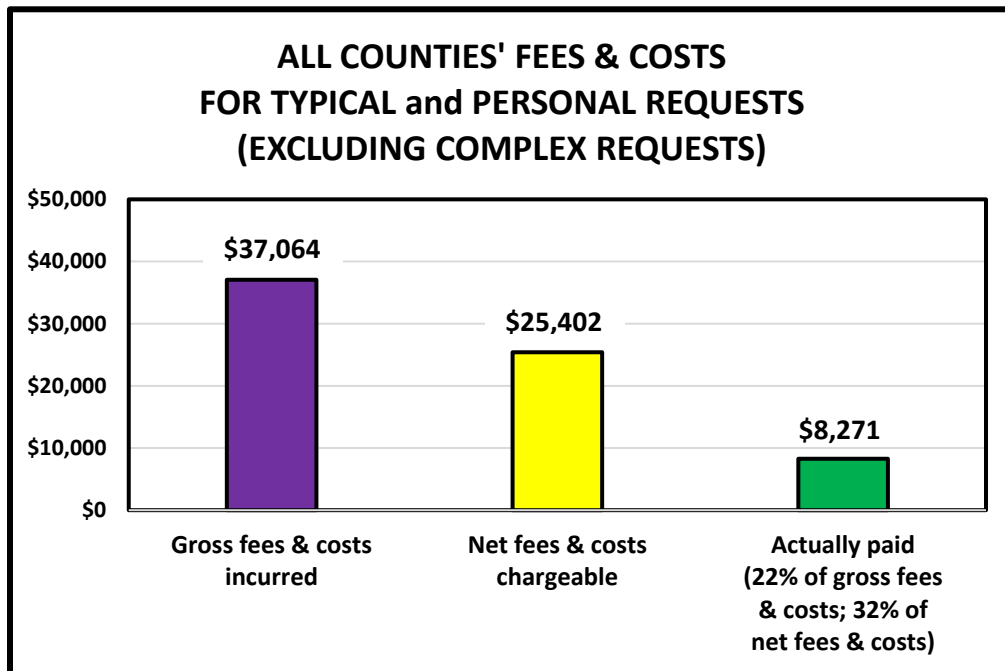


Table 8C shows the breakdown by county.

Table 8C

**Fees & Costs for Typical and Personal Requests
(Excluding Complex Requests) – by County**

	<u>Gross Fees & Costs Incurred</u>	<u>Net Fees & Costs Chargeable</u>	<u>Actually Paid</u>
Honolulu	\$ 29,539	\$ 21,124	\$ 5,179
Hawaii	\$ 2,521	\$ 1,038	\$ 687
Kauai	\$ 2,438	\$ 1,584	\$ 1,065
Maui	\$ 2,566	\$ 1,656	\$ 1,340
All Counties	\$ 37,064	\$ 25,402	\$ 8,271

The difference between the net amounts that agencies can charge versus the actual amounts paid by requesters may be explained in large part by the fee waivers that agencies must grant under OIP rules. Up to \$30 in SRS fees are waived in most cases; up to \$60 in SRS fees may be waived if the request meets the public interest requirements. Note that no refunds are given to requesters whose SRS fees are less than the waiver amounts.

There were no fee waivers in 834 completed cases, which may be partially explained by the following reasons. No fees, and thus no waivers, are allowed for personal record requests, which totaled 254 completed requests in FY 2019 (see Chart 3A). Moreover, fee waivers are only entered when SRS fees are entered, so there would generally be no waivers in most of the 330 cases where requests were denied in full, abandoned, or withdrawn, or when the agency was unable to respond (see Chart 4). Also, fee waivers are automatically entered by the Log only when the agency enters SRS hours, but not when only costs, and no SRS hours are entered.

Using 2,205 as the total number of completed cases, **Chart 9** below shows that the agencies reported granting \$30 fee waivers for 985 requests (45%) and \$60 fee waivers for 386 requests (17%). **Table 9** shows the breakdown by county.

Chart 9 (Counties)

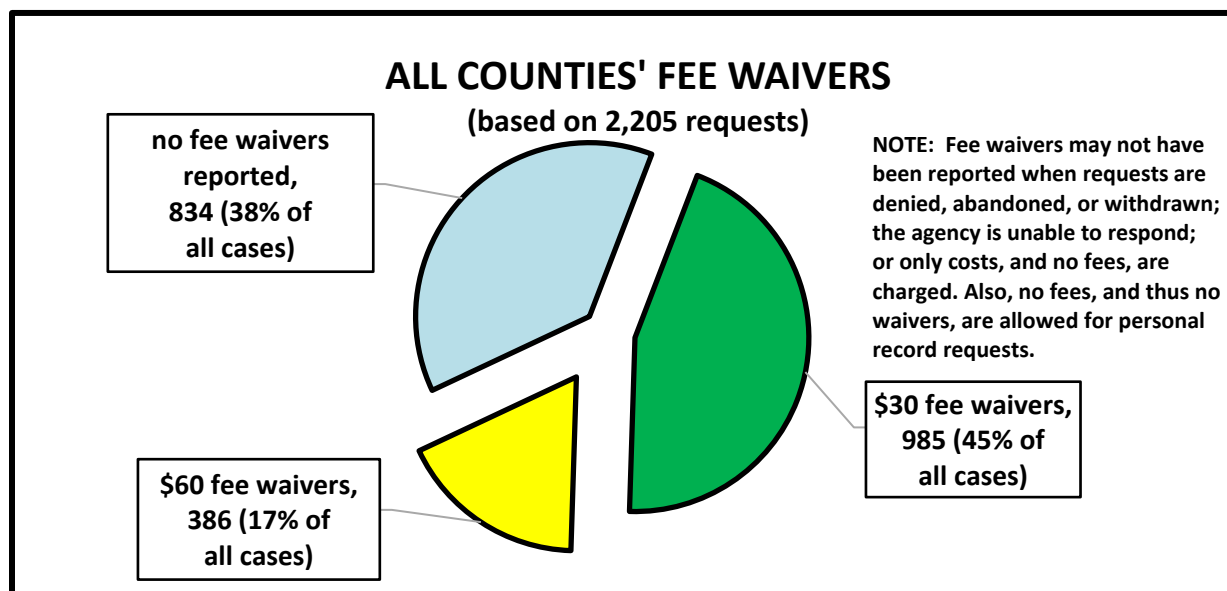


Table 9
Fee Waivers – by County

	<u>\$30 Fee Waivers</u>	<u>\$60 Fee Waivers</u>	<u>No Fee Waivers</u>
Honolulu	581 (39%)	377 (25%)	535 (36%)
Hawaii	96 (51%)	2 (1%)	89 (48%)
Kauai	155 (69%)	2 (1%)	69 (30%)
Maui	153 (51%)	5 (2%)	141 (47%)
All Counties	985 (45%)*	386 (17%)*	834 (38%)*

* = percentage of all counties' totals

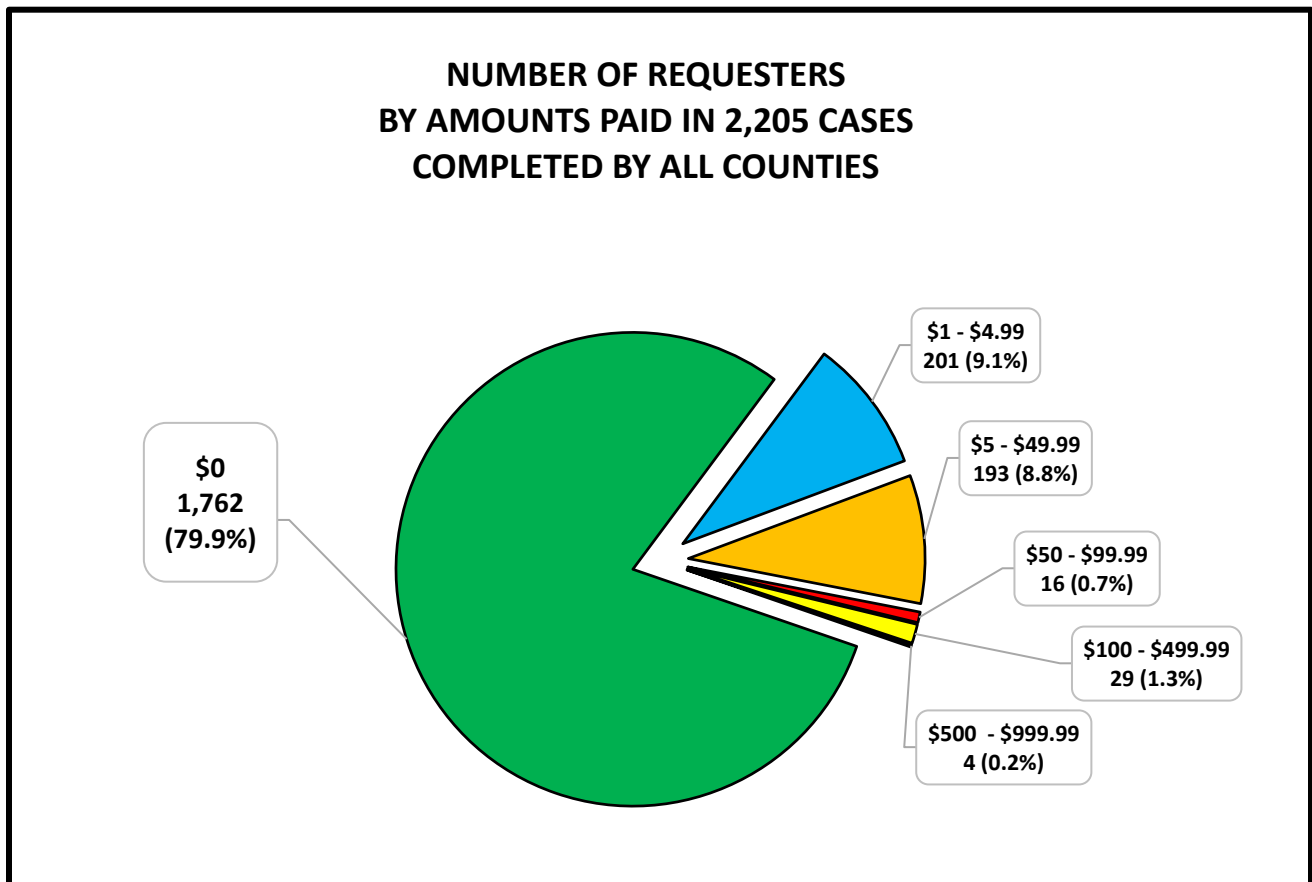
By reviewing each agency’s Log, OIP compiled the data found in **Table 10**, which is attached at the end of this report. For the 2,205 total completed requests, a total of \$12,123 was paid by requesters for fees and costs per Table 10. Table 10 lists the data by county and provides subtotals for each county.

Based on the 2,205 completed requests, **Chart 11** below shows that 1,762 requesters (79.9%) paid nothing, 201 requesters (9.1%) paid \$1 to \$4.99 per request; 193 requesters (8.8%) paid \$5 to \$49.99; 16 requesters (0.7%) paid \$50 to 99.99; 29 requesters (1.3%) paid \$100 to \$499.99; and 4 requesters (0.2%) paid \$500 to \$999.99.

Of the 49 requesters who paid \$50 or more, at least 37 requesters (75.5%) in the attached **Table 10 Supplement: Summary of Fees & Costs Paid by Requesters** were reported by county agencies as representing attorneys, media, or for-profit or nonprofit organizations.

Compared to the prior year, a greater percentage in FY 2019 (79.9%) paid no fees and costs than in FY 2018 (69.3%).

Chart 11 (Counties)

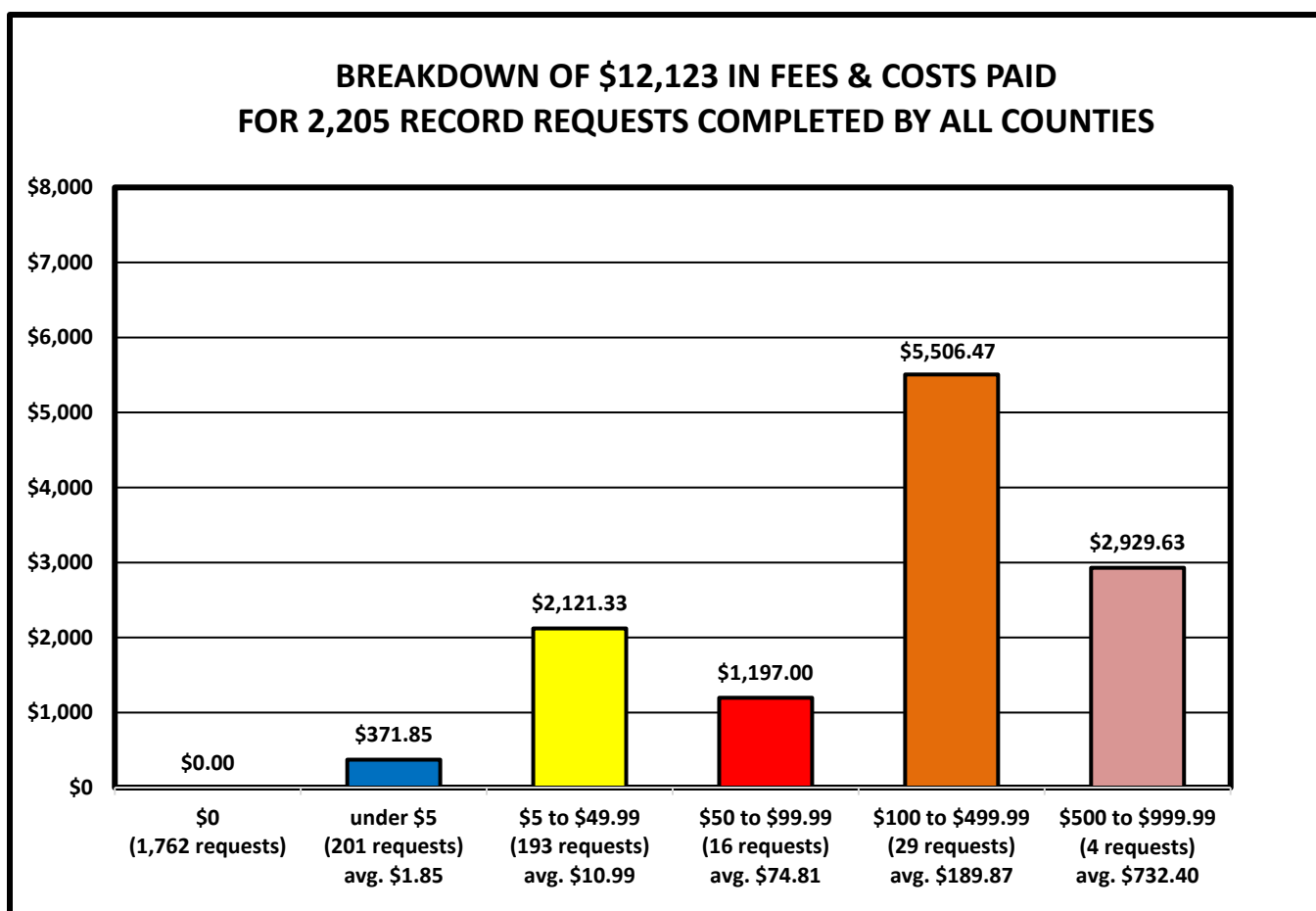


Again using Table 10’s data, **Chart 12** below shows the breakdown of the \$12,123 in fees and costs paid in 2,205 completed cases. As Chart 12 shows, 1,762 requesters (79.9% of 2,205 completed requests) paid nothing, and 443 requesters (20.1% of 2,205 completed requests) paid a total of \$12,123. Of the 443 requesters that paid any amount, 201 requesters (45.3%) paid less than \$5, for a total of \$371.85 or average of \$1.85 per request. Another 193 requesters (43.5% of paying requesters) paid between \$5 and \$49.99, for a total of \$2,121.33 or average of \$10.99.

Sixteen requesters (3.6% of paying requesters) paid between \$50 and \$99.99, for a total of \$1,197.00 or average of \$74.81. Twenty-nine requesters (6.5% of paying requesters) paid between \$100 and \$499.99, for a total of \$5,506.47 or average of \$189.87. Four requesters (0.9% of paying requesters) paid between \$500 and \$999.99, for a total of \$2,929.63 or average of \$732.40.

The counties collected less for fees and costs from requesters in FY 2019 (\$12,123) than in FY 2018 (\$15,574).

Chart 12 (Counties)



COUNTY AGENCIES' SUMMARY

In closing, OIP would like to thank the county agencies that participated in recording their Log data and providing it to OIP. OIP appreciates the counties' cooperation in providing Log data that has been very helpful in understanding how the UIPA is working in Hawaii to provide public access to records maintained by county governments. The county data can now be compared to the state and prior years' county data, which was summarized in OIP's other reports found on the Reports page at oip.hawaii.gov.

Overall, the FY 2019 data shows that the typical county record request was granted in whole or in part and was completed in eight work days, and the typical requester paid nothing for fees and costs. Excluding an estimated 345,151 routine requests, county agencies logged 2,335 formal UIPA record requests in FY 2019. (Chart 1) Of the 2,335 formal UIPA record requests that were received, 294 (13%) were personal record requests, 358 (15%) were complex requests, and 1,683 (72%) were typical (noncomplex/nonpersonal) record requests. (Chart 2)

County agencies completed 2,205 requests, or 94% of the 2,335 requests received in FY 2019. (Chart 3B) Of the completed cases, 254 were personal (12%), 340 were complex (15%), and 1,611 (73%) were typical record requests. (Chart 3A)

Of the 2,205 completed requests, 86% were granted in full or in part, 4% were denied in full, and the agency was unable to respond or the requester withdrew or abandoned the request in the remaining 10% of the county cases. (Chart 4)

It took all county agencies an average of 9.0 days to respond to 2,205 completed requests. (Chart 5) When broken down by type of requests, the average days to complete the "typical" request was 8.0 days; personal requests averaged 12.7 days; and complex requests averaged 11.7 days. After adjusting for the Log's formulas causing the inflation of completion days, county agencies averaged about seven work days to complete 1,611 typical record requests, which are 73% of all completed cases. (Chart 5)

In terms of hours worked per request, county agencies took a total of 3,306 hours to respond to all requests, which includes nonchargeable time for legal review and the 130 requests that were not completed in FY 2019. (Chart 6) When broken down into chargeable search, review, and segregation hours for both completed and pending cases, agencies worked an average of 0.99 hours for a typical request, 0.73 hours for a personal record request, and 3.03 hours for a complex request. (Chart 7)

County agencies incurred \$56,392 in gross fees and costs (excluding legal review hours, personal record fees, and additional response fee estimates) to respond to all requests, of which \$12,123 (21%) was actually paid by all requesters. (Chart 8A) Although the 340 complex requests comprised only 15% of all completed requests, they consumed more than three times as many SRS hours compared to the typical request, and complex requests disproportionately accounted for \$25,770 (45.6%) of the gross fees and costs incurred by agencies. (Charts 2, 7, 8A and 8B) Requesters for the 340 completed complex record requests paid \$3,852 (31%) of the \$12,123 total amount recovered from all county requesters. (Charts 8A and 8B)

Fee waivers were granted in 62% of 2,205 cases. (Chart 9) Almost half (985, or 45%) of requests were granted \$30 fee waivers, while 386 requests (17%) were allowed the \$60 public interest fee waivers. The 834 cases in which no fee waivers were reported may be explained, in part, by cases that were denied (89), withdrawn (28), or abandoned (71); for which the agency was unable to respond (142); for personal records (254) for which no fees may be charged; or because only costs, and no fees, were charged. (Charts 4 and 9)

In the 2,205 completed county cases, 1,762 (79.9%) requesters paid nothing, and 443 (20.1%) requesters paid for fees or costs. (Charts 11 and 12; Table 10) Of the 443 requesters that paid any amount, 201 (45.3%) paid less than \$5, and 193 (43.5%) paid between \$5 and \$49.99 for their requests. (Charts 11 and 12; Table 10) Only 49 requesters (11.0% of all paying requesters) paid \$50 or more per request, of whom at least 37 requesters (75.5%) were reported by the agencies as representing law firms, media, or commercial, or other for-profit or non-profit entities. (Table 10 Supplement) As in years past, it appears from the Table 10 Supplement that most fees and costs are being paid by for-profit entities, and not by individual requesters.

COUNTY	DEPARTMENT	PERSONAL	AMOUNT COLLECTED	COMPLEX	AMOUNT COLLECTED	TYPICAL	AMOUNT COLLECTED	TOTAL AMOUNT COLLECTED	# \$0	# Under \$5	Amt	# \$5 to \$49.99	Amt	# \$50 to \$99.99	Amt	# \$100 to \$499.99	Amt	# \$500 to \$999.99	Amt	\$1,000 & over	Amt	TOTAL AMOUNT COLLECTED
KAUAI	PROSECUTING ATTORNEY	0	\$ -	1	\$ -	0	\$ -		1													
KAUAI	PUBLIC WORKS	18	\$ -	1	\$ -	4	\$ -		23													
KAUAI	TRANSPORTATION	0	\$ -	0	\$ -	0	\$ -															
KAUAI	PLANNING	4	\$ 105.00	0	\$ -	19	\$ 873.50	\$ 978.50	4			12	\$166.25	5	\$363.00	2	\$449.25					\$978.50
KAUAI	WATER DEPARTMENT	0	\$ -	1	\$ -	70	\$ -		71													
KAUAI	KAUAI TOTALS	35	\$111.00	9	\$26.00	182	\$954.25	\$1,091.25	188	7	\$20.00	24	\$259.00	5	\$363.00	2	\$449.25	0	\$0.00	0	\$0.00	\$1,091.25
MAUI	AUDITOR	0	\$ -	0	\$ -	1	\$ -		1													
MAUI	COUNTY COUNCIL	0	\$ -	0	\$ -	15	\$ -		15													
MAUI	CORP COUNSEL	0	\$ -	0	\$ -	4	\$ -		4													
MAUI	COUNTY CLERK	0	\$ -	2	\$ -	14	\$ 1,146.85	\$ 1,146.85	5							11	\$1,146.85					\$1,146.85
MAUI	FIRE & PUBLIC SAFETY	29	\$ -	0	\$ -	129	\$ -		158													
MAUI	HOUSING & HUMAN CON	0	\$ -	0	\$ -	6	\$ -		6													
MAUI	LIQUOR CONTROL	0	\$ -	0	\$ -	19	\$ 17.60	\$ 17.60	2	16	\$12.00	1	\$5.60									\$17.60
MAUI	PARKS & RECREATION	0	\$ -	0	\$ -	1	\$ -		1													
MAUI	PERSONNEL SERVICES	0	\$ -	0	\$ -	0	\$ -															
MAUI	PLANNING	28	\$ -	2	\$ -	6	\$ -		36													
MAUI	POLICE	8	\$ 58.45	0	\$ -	13	\$ 23.00	\$ 81.45	13	3	\$7.50	5	\$73.95									\$81.45
MAUI	WATER SUPPLY	0	\$ -	2	\$ 487.00	20	\$ 94.00	\$ 581.00	17	2	\$6.00			1	\$88.00	2	\$487.00					\$581.00
MAUI	MAUI TOTALS	65	\$58.45	6	\$487.00	228	\$1,281.45	\$1,826.90	258	21	\$25.50	6	\$79.55	1	\$88.00	13	\$1,633.85	0	\$0.00	0	\$0.00	\$1,826.90
	ALL COUNTIES TOTALS	254	\$1,442.45	340	\$3,852.42	1,611	\$6,828.31	\$12,123.18	1,762	201	\$371.85	193	\$2,121.33	16	\$1,197.00	29	\$5,506.47	4	\$2,929.63	0	\$0.00	\$12,123.18
	Percentage of 2,205 requests	12%		15%		73%			79.9%	9.1%		8.8%		0.7%		1.3%		0.2%		0.0%		

**TABLE 10 SUPPLEMENT: SUMMARY OF FEES & COSTS PAID BY REQUESTERS
FY 2019
COUNTIES**

\$1,000 - \$9,999.99:

NONE

\$500 - \$999.99:

- * 1. C&C/ LIQUOR COMMISSION – Scott Suzuki-Jones - \$913.93
- 2. C&C/ BUDGET/ PURCHASING - RQN-DES-1900053 - \$670.25 (all costs)
- * 3. C&C/ PLANNING & PERMITTING - Loren Seehase - \$836.75
- 4. HAWAII/ PUBLIC WORKS - BLD18-013 RICO-HILO - \$508.70

TOTAL = \$2,929.63

\$100 - \$500:

- 1. C&C/ BUDGET/ PURCHASING – H-Power - \$340.25
- 2. C&C/ BUDGET/ PURCHASING – RFP-BFS-1173404 - \$108.25 (all costs)
- * 3. C&C/ COMMUNITY SERVICES – ACLU of Hawaii - \$208.30
- * 4. C&C/ ENVIRONMENTAL SERVICES – Carlsmith - \$450.25 (all costs)
- * 5. C&C/ FACILITY MAINTENANCE – Aina Haina Community Association - \$109.00
- * 6. C&C/ FACILITY MAINTENANCE – Aina Haina Community Association - \$299.25
- * 7. C&C/ HONOLULU POLICE DEPT – Kurt Kagawa, Esq - \$101.72
- * 8. C&C/ PLANNING & PERMITTING – Loren Seehase - \$477.75
- * 9. C&C/ PLANNING & PERMITTING – Loren Seehase - \$108.25 (all costs)
- * 10. C&C/ PLANNING & PERMITTING – Bays Lung Rose Holma - \$196.75
- * 11. C&C/ PLANNING & PERMITTING – Watanabe Ing LLP- \$343.75 (all costs)
- * 12. C&C/ TRANSPORTATION SERVICES – *Anna H. Oshiro - \$176.50
- * 13. HAWAII/ HOUSING – Carlsmith Ball, LLP - \$346.05
- * 14. HAWAII/ PLANNING – William Swasey - \$157.30
- * 15. KAUAI/ PLANNING – A. Mizuo Lee, Esq. - \$333.00
- * 16. KAUAI/ PLANNING – Belles Graham LLP - \$116.25 (all costs)
- * 17. MAUI/ COUNTY CLERK – Catalist, LLC - \$106.70
- * 18. MAUI/ COUNTY CLERK – Democratic Party of Hawaii - \$106.70
- * 19. MAUI/ COUNTY CLERK – Catalist, LLC - \$106.70
- * 20. MAUI/ COUNTY CLERK – Republican National Committee - \$100.00
- * 21. MAUI/ COUNTY CLERK – Data Craft Inc. - \$106.65
- * 22. MAUI/ COUNTY CLERK – WCEP - \$100.00 (all costs)
- * 23. MAUI/ COUNTY CLERK – Masons Local 630 - \$106.70
- * 24. MAUI/ COUNTY CLERK – Korean American Grassroots - \$106.70

- * 25. MAUI/ COUNTY CLERK – 1360, LLC - \$100.00 (all costs)
- * 26. MAUI/ COUNTY CLERK – Catalist, LLC - \$106.70
- * 27. MAUI/ COUNTY CLERK – Maui County Republican Party - \$100.00 (all costs)
- 28. MAUI/ WATER SUPPLY – William Spence - \$160.75 (all costs)
- 29. MAUI/ WATER SUPPLY – William Spence - \$326.25

TOTAL = \$5,506.47

\$50 - \$99.99:

- 1. C&C/ BUDGET/ PURCHASING – RFP-ENV-1141408 - \$59.75 (all costs)
- 2. C&C/ BUDGET/ PURCHASING – green waste contracts - \$55.00 (all costs)
- * 3. C&C/ BUDGET/ PURCHASING – Insurance Broker Services - \$69.50 (all costs)
- * 4. C&C/ ENVIRONMENTAL SERVICES – C. Cox/ Eleemosynary Date - \$61.25
- * 5. C&C/ FACILITY MAINTENANCE – L. Kaipo Kaawaloa, Esq. - \$97.75
- 6. C&C/ BOARD OF WATER SUPPLY - Request for certified payroll - \$99.25 (all costs)
- * 7. C&C/ HONOLULU POLICE DEPT – Civil Beat - \$81.25 (all costs)
- * 8. C&C/ HONOLULU POLICE DEPT – Wilson Elser - \$52.25
- 9. C&C/ HONOLULU POLICE DEPT – Piepgrass - \$91.25
- 10. C&C/ HONOLULU POLICE DEPT – Pechet - \$78.75
- * 11. KAUAI/ PLANNING – *Kiahuna Plantation - \$58.50 (all costs)
- * 12. KAUAI/ PLANNING – *J. Ziegler, Esq. - \$87.25 (all costs)
- * 13. KAUAI/ PLANNING – Vitosek - \$66.25 (all costs)
- 14. KAUAI/ PLANNING – RH - \$53.00 (all costs)
- * 15. KAUAI/ PLANNING – Grove Farm - \$98.00 (all costs)
- * 16. MAUI/ WATER SUPPLY – Keith D. Kirschbraum - \$88.00 (all costs)

TOTAL = \$1,197.00

GRAND TOTAL paid by requesters \$50+ = \$9,633.10

Plus total paid by requesters \$5 to \$49.99 = 2,121.33

Plus total paid by requesters under \$5 = 368.75

TOTAL paid for all requests = \$12,123.18

* Reported by agency to be a request from an attorney, media, commercial or non-profit organization.