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**OIP'S REPORT OF COUNTY AGENCIES'
UIPA RECORD REQUEST
YEAR-END LOGS for FY 2023**
(For record requests received from July 1, 2022 through June 30, 2023)

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 2023 (“Master Log”)¹ for 85 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 2023 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 2023. 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 58% (1,658)

¹ “UIPA” refers to Hawaii’s Uniform Information Practices Act (Modified), chapter 92F, Hawaii Revised Statutes (HRS). 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 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.

of total requests received by counties (2,839 total), many of the overall averages in the Charts have been skewed by Honolulu’s larger numbers.

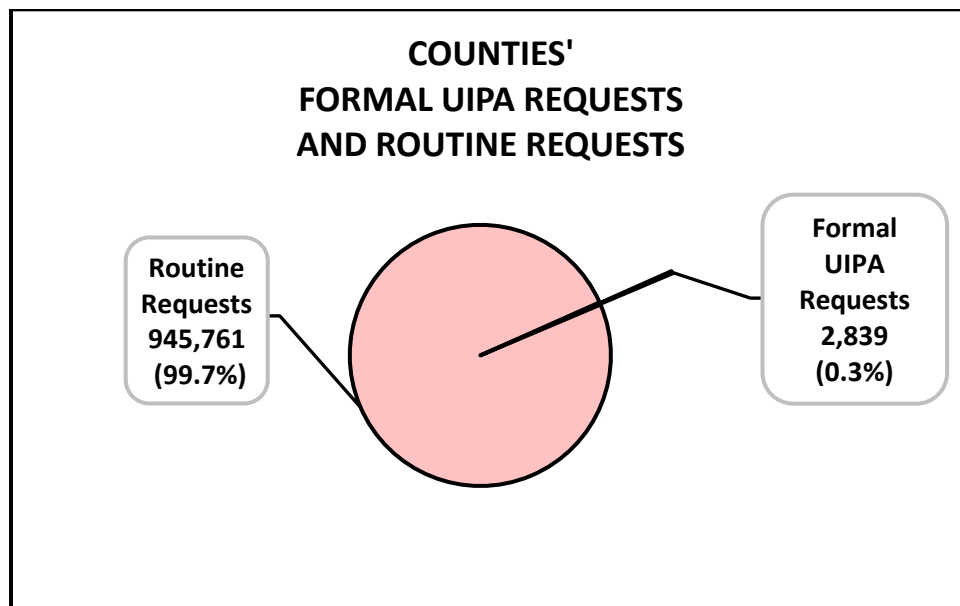
How many requests were made to the counties in FY 2023?

Excluding routine requests,³ there were 2,839 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 945,761 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.

In FY 2023, formal UIPA record requests increased by 493 (21%), and all counties reported 945,761 routine requests, down from 1,102,074 in FY 2022.

The following pie chart (**Chart 1**) shows that the 2,839 formal UIPA record requests constituted 0.3% and the estimated 945,761 routine requests comprised 99.7% of the total requests reported by the county agencies in FY 2023. **Table 1** breaks down these numbers by county.

Chart 1 (Counties)



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, vehicle and drivers’ licenses, or agency brochures).

Table 1

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

	<u>Formal Requests</u>	<u>Routine Requests</u>	<u>ALL</u>
Honolulu	1,658 (2%)	84,563 (98%)	86,221
Hawaii	764 (1%)	843,563 (99%)	844,327
Kauai	251 (15%)	1,382 (85%)	1,633
Maui	166 (1%)	16,253 (99%)	16,419
All Counties	2,839 (0.3%)*	945,761 (99.7%)*	948,600

* = percentage of all counties' totals.

No * = percentage of each county's totals.

What kinds of requests were made?

The formal requests received by all counties (2,839) can be broken down into 292 (10%) personal record requests⁴ and 254 (9%) complex requests,⁵ resulting in a balance of 2,293 (81%) nonpersonal and noncomplex requests, *i.e.* “typical” requests,⁶ as shown in **Chart 2** below. **Table 2** shows the breakdown by county.

The total number of formal UIPA requests to all counties increased from 2,346 in FY 2022 to 2,839 in FY 2023. The number of complex cases decreased from 255 in FY 2022 to 254 in FY 2023, and the number of personal requests increased from 189 to 292. The number of “typical” requests increased from 1,902 to 2,293 in FY 2023.

Chart 2 (Counties)

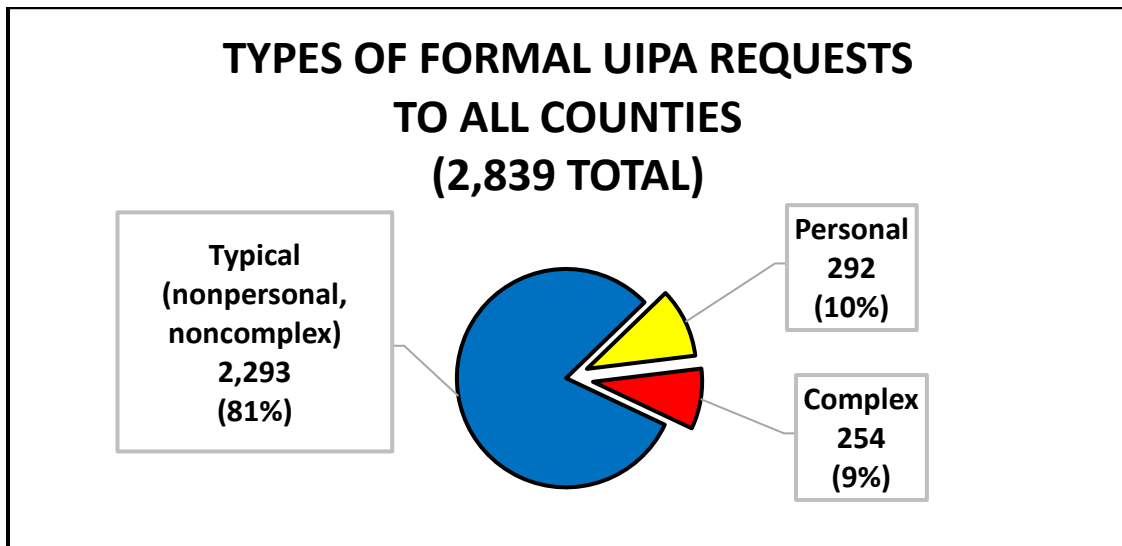


Table 2
Types of Formal UIPA Requests Received by County

	<u>Typical</u>	<u>Personal</u>	<u>Complex</u>	<u>ALL</u>
Honolulu	1,371 (82%)	145 (9%)	142 (9%)	1,658 (66%)*
Hawaii	675 (88%)	62 (4%)	27 (5%)	764 (16%)*
Kauai	113 (45%)	79 (31%)	59 (24%)	251 (8%)*
Maui	134 (81%)	6 (4%)	26 (15%)	166 (10%)*
All Counties	2,293 (81%)*	292 (10%)*	254 (9%)*	2,839 (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 the types of requests that were completed in FY 2023. Of 2,839 total requests received by all county agencies, 2,773 (97%) were completed in FY 2023, compared to 95% completed in FY 2022.⁷ Of the 2,773 requests completed in FY 2023, 288 (10%) were personal record requests, 240 (9%) were complex requests, and 2,245 (81%) were “typical” nonpersonal and noncomplex record requests.

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)

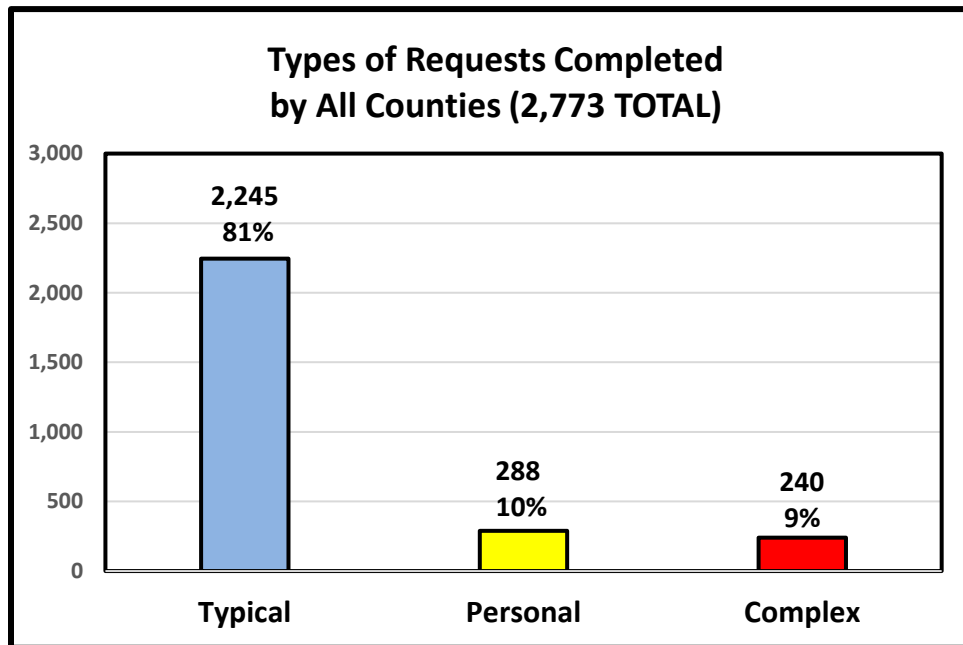


Table 3A
Types of Requests Completed
(2,773 Total) – by County

	Typical	Personal	Complex	ALL
Honolulu	1,348 (81%)	143 (7%)	132 (12%)	1,623 (68%)*
Hawaii	653 (91%)	61 (4%)	26 (5%)	740 (17%)*
Kauai	110 (72%)	79 (17%)	56 (11%)	245 (8%)*
Maui	134 (71%)	5 (13%)	26 (16%)	165 (7%)*
All Counties	2,245 (81%)*	288 (10%)*	240 (9%)*	2,773 (100%)*

* = percentage of all counties’ totals.

⁷ Requests that were completed in FY 2023 may have included those carried over from an earlier year. Likewise, requests that were not completed in FY 2023, may be completed in a later fiscal year. In FY 2022, 116 county cases were not completed and may have been completed in FY 2023.

Of the 2,839 formal requests received by all county agencies, 2,773 (98%) were completed and 66 (2%) were not completed as of June 30, 2023, as shown in **Chart 3B** below. **Table 3B** shows the breakdown by county. The overall percentages for the prior year were 95% completed and 5% not completed.

Chart 3B (Counties)

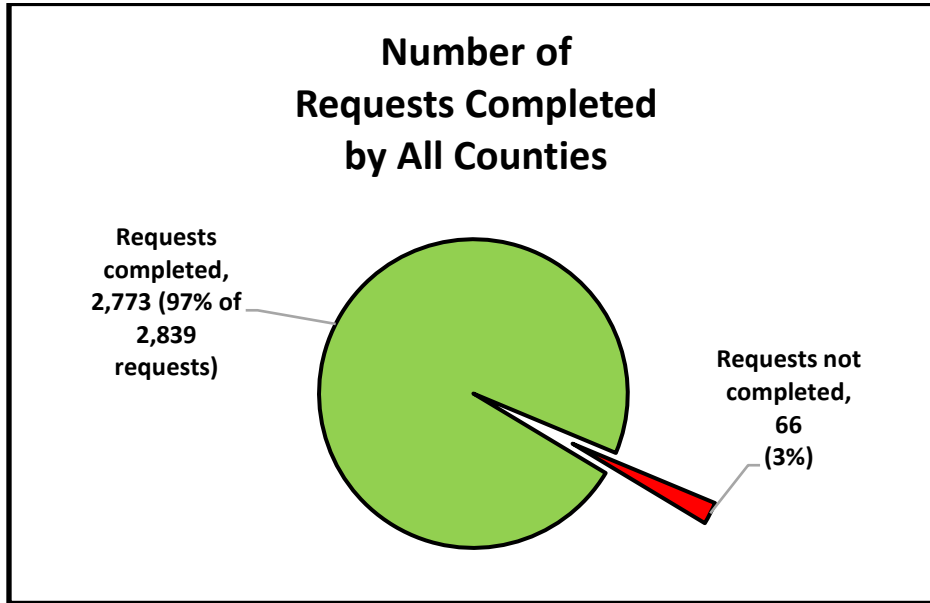


Table 3B
Number of Requests Completed by County

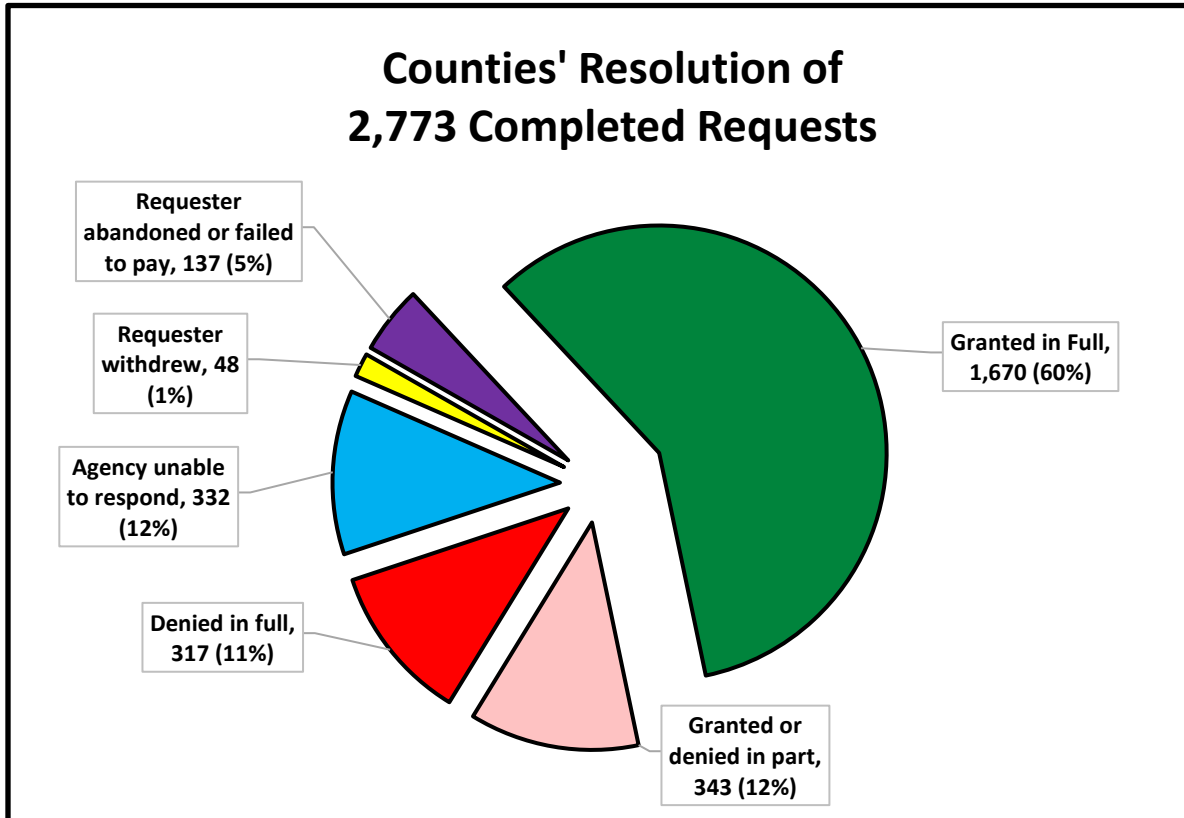
	<u>Completed</u>	<u>Not Completed</u>	<u>% Not Completed</u>
Honolulu	1,623	35	2%
Hawaii	740	24	3%
Kauai	245	6	2%
Maui	165	1	1%
All Counties	2,773	66	2%*

* = percentage of all counties' totals

How were requests resolved?

Of the 2,773 requests completed by the county agencies, **Chart 4** below shows that 1,670 (60%) were granted in full; 343 (12%) were granted or denied in part; 317 (11%) were denied in full; in 332 (12%), the agency was unable to respond; 48 (1%) were withdrawn by the requester; and in 137 (5%), 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.⁸

Chart 4 (Counties)



⁸ Although the Chart 4 requests by county total more than the number of completed requests (2,773), the discrepancy is due to agencies not reporting a resolution for some completed requests and reporting more than one resolution for other completed requests.

Table 4
Resolution of 2,773* Completed Requests – by County

	Granted in Full	Granted in Part	Denied in Full	Unable to Respond	Requester Withdrawn	Requester Abandoned	
Honolulu	819 (50%)	275 (17%)	292 (18%)	174 (10%)	37 (2%)	92	(5%)
Hawaii	521 (70%)	53 (7%)	13 (2%)	108 (14%)	11 (1%)	29	(4%)
Kauai	199 (81%)	13 (5%)	11 (4%)	27 (11%)	0 (0%)	10	(4%)
Maui	131 (80%)	2 (1%)	1 (1%)	23 (14%)	0 (0%)	6	(4%)
All Counties	1,670 (60%)**	343 (12%)**	317 (11%)**	332 (12%)**	48 (1%)**	137	(5%)**

*The percentages are based on the number of completed cases reported by each county in Table 3B, which total 2,773. Because counties may have reported more than one type of resolution for a case, or none at all, the number of case resolutions do not match the number of cases completed by each county.

** = percentage of all counties' totals, based on 2,773 total completed requests; may not add to 100% due to agencies not reporting a resolution or reporting more than one resolution for some cases.

When the overall county data for FY 2023 is compared to the prior year, there was an increase in the percentage of completed requests that were granted in full (60% vs. 58%), in requests that were denied in full (11% vs. 4%), and a slight decrease in those that were granted in part (12% vs. 13%).

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 county agencies reported providing initial responses within ten business days for 2,599 requests, or 92% of all 2,839 requests received. (Column I of the Master Log) In 264 (9.5%) of requests received, 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.

As shown in the following bar graph, **Chart 5**, it took an average of 9.9 workdays from date of receipt to complete all counties’ record requests, based on 27,444 workdays to complete 2,773 requests. (Columns N and AP of the Master Log; see also Chart 3A for numbers of completed requests.) When broken down by type of request, Chart 5 shows that it took an average of 8.5 days to complete 2,245 typical record requests (81% of all requests); 12.4 days to complete 288 personal record requests (10% of all requests); and 20.6 days to complete 240 complex requests (9% of all requests). (Columns AQ through AS of Master Log) **Table 5** shows the breakdown by county.

Chart 5 (Counties)

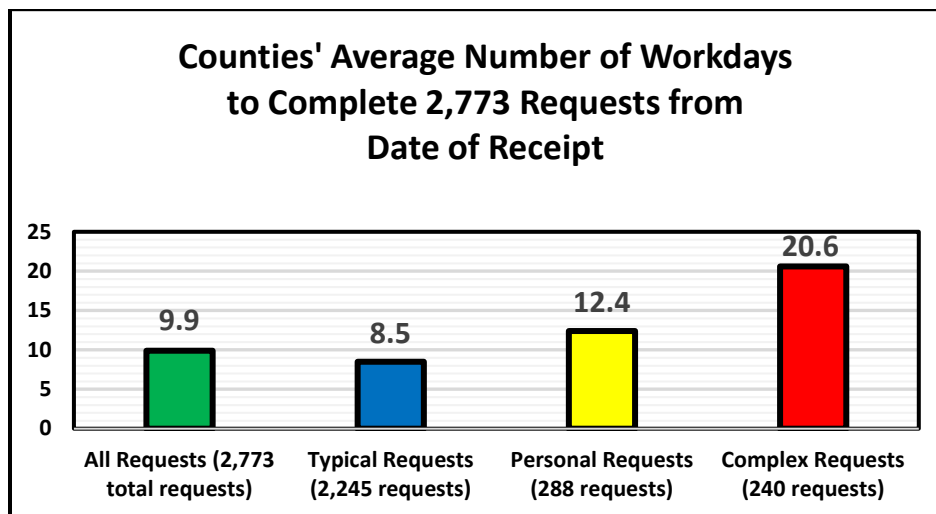


Table 5

**Average Number of Workdays to Complete 2,773 Requests
From Date of Receipt – by County**

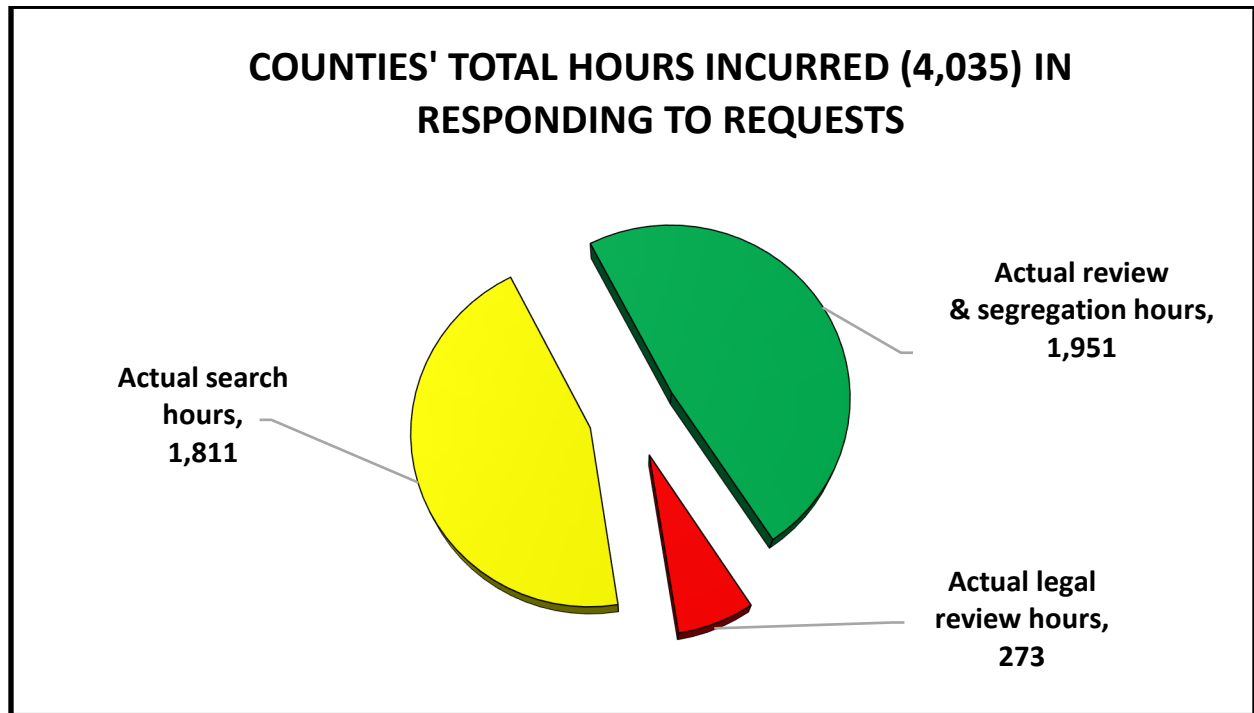
	<u>All Requests</u>	<u>Typical Requests</u>	<u>Personal Requests</u>	<u>Complex Requests</u>
Honolulu	8.7	7.5	6.1	24.9
Hawaii	13.1	10.5	35.9	25.7
Kauai	6.8	7.9	5.3	8.4
Maui	12.0	10.1	21.4	20.1
All Counties' Avg.	9.9	8.5*	12.4*	20.6*

Compared to **Chart 5** from FY 2022, all counties took more workdays, on average, to complete record requests:

<u>Days to complete</u>	<u>FY 2022</u>	<u>FY 2023</u>
Overall average	8.1	9.9
Typical record requests	6.9	8.5
Personal record requests	6.5	12.4
Complex record requests	19.5	20.6

Agencies were also 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. The totals in Columns AT through BA of the Log show the number of SRS hours that county agencies worked to respond to 2,839 total record requests received. As shown in the following **Chart 6**, the agencies reported incurring a total of 4,035 hours to respond to the 2,839 record requests received in FY 2023, of which 1,811 hours were for search, 1,951 hours were for review and segregation, and 273 hours were for legal review.⁹ **Table 6** shows the breakdown by county.

Chart 6 (Counties)



⁹ Chart 6 includes the time spent by agencies working on the 66 pending cases that were not completed at the end of FY 2023, many of which were received toward the end of the year or were complex requests. The SRS hours for requests not completed since FY 2019 have remained relatively constant at 37 or 37.25 hours each year. Including this relatively low number of hours for not completed requests provides a closer approximation of the total number of hours incurred by agencies to complete record requests, including those that agencies worked on but did not actually complete until a later fiscal year.

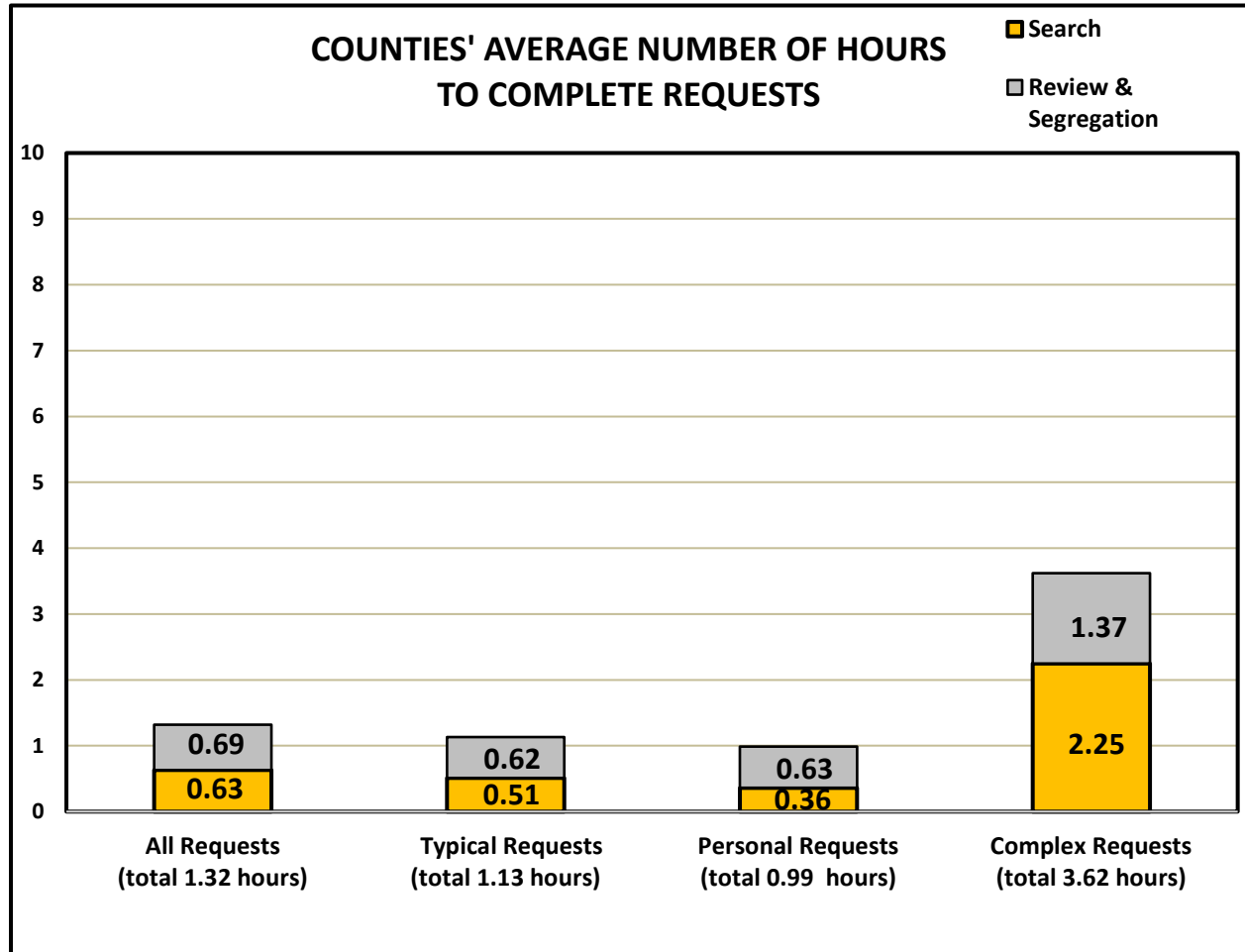
Table 6

**Total Hours Incurred (4,035)
in Responding to Requests – by County**

	Search Hours	Review & Segregation Hours	Legal Review Hours	Total Hours
Honolulu	817	1,656	260	2,733
Hawaii	634	101	13	748
Kauai	181	165	0	346
Maui	179	29	0	208
All Counties	1,811	1,951	273	4,035

Based on the total number of SRS hours, and excluding legal review hours, it took all counties an average of 1.32 total SRS hours of work for each of 2,839 record requests received in FY 2023, as shown in **Chart 7** below. Of the 2,839 record requests (see Chart 2), the 2,293 typical record requests each took an average of 1.13 SRS hours, and 292 personal record requests each took an average of 0.99 SRS hours of agency work. The 254 complex record requests each took 3.62 SRS hours on average, which is more than three times twice as long as the typical request.

Chart 7 (Counties)



In comparison to the prior fiscal year, the average number of hours spent by all counties on each complex record request has increased from 2.95 hours in FY 2022 to 3.62 hours in FY 2023. The average time spent on typical requests decreased from 1.29 hours to 1.13 hours. Average time spent for personal record requests decreased from 1.46 hours to 0.99 hours. The counties' overall average time spent responding to all types of requests decreased from 1.48 hours in FY 2022 to 1.32 hours in FY 2023. The following **Table 7** shows the breakdown by counties.

Table 7

**Average Number of Hours Spent
Responding to Requests – by County**

<u>Honolulu:</u>	<u>Search</u>	<u>Review & Segregation</u>	<u>Total SRS hours</u>
All requests	.49	.99	1.48
Noncomplex/ Nonpersonal	.40	.93	1.33
Personal	.24	.93	1.17
Complex	1.63	1.73	3.36
<u>Hawaii:</u>	<u>Search</u>	<u>Review & Segregation</u>	<u>Total SRS hours</u>
All requests	.82	.13	.95
Noncomplex/ Nonpersonal	.69	.08	.77
Personal	.09	.27	.36
Complex	5.92	1.03	6.95
<u>Kauai:</u>	<u>Search</u>	<u>Review & Segregation</u>	<u>Total SRS hours</u>
All requests	.72	.65	1.37
Noncomplex/ Nonpersonal	.69	.73	1.42
Personal	.81	.37	1.18
Complex	1.23	1.10	2.33
<u>Maui:</u>	<u>Search</u>	<u>Review & Segregation</u>	<u>Total SRS hours</u>
All requests	1.07	.17	1.24
Noncomplex/ Nonpersonal	.52	.13	.65
Personal	.33	.16	.49
Complex	4.11	.38	4.49
<u>All Counties:</u>	<u>Search</u>	<u>Review & Segregation</u>	<u>Total SRS hours</u>
All requests	.63	.69	1.32
Noncomplex/ Nonpersonal	.51	.62	1.13
Personal	.36	.63	0.99
Complex	2.25	1.37	3.62

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 \$62,013 but could only charge \$36,165 for fees and costs allowed under OIP's rules, and they actually collected from requesters \$23,207.

Please note that the data in **Chart 8A** includes gross and net fees and costs for all 2,839 county requests made in FY 2023, even if they were not completed or charged to requesters. Moreover, the gross incurred SRS fees of \$62,013 (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 (282.5 hours), SRS fees for personal records, or additional response fee estimates. If those nonchargeable amounts were included and \$9,416.87 (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 \$62,013 shown in the far left column of **Chart 8A**.

While agencies incurred fees and costs in all 2,839 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 2,773 completed requests (2,245 typical; 288 personal; 240 complex. See Chart 3A).

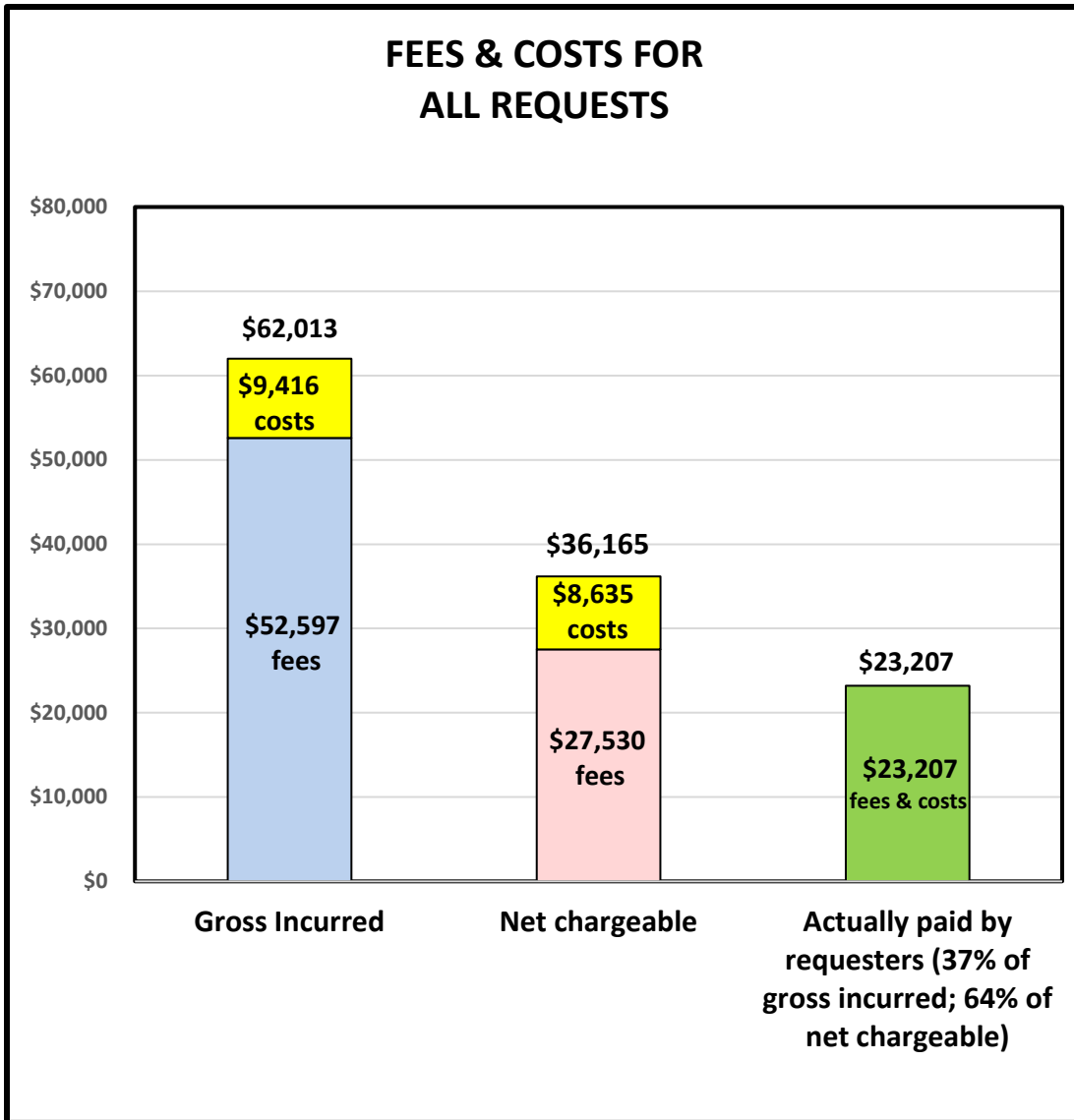
Chart 8A visualizes the totals for all types of requests reported on the FY 2023 Master Log as follows:

\$62,013 in total gross fees and costs incurred for all 2,839 cases, consisting of \$52,597 in fees and \$9,416 in costs

\$36,165 in total net chargeable fees and costs chargeable in all 2,839 cases, consisting of \$27,530 in fees and \$8,636 in costs

\$23,207 in fees and costs actually paid in 2,773 completed cases.

Chart 8A (Counties)



Overall, Chart 8A shows that the counties recovered 37% of gross incurred fees and costs, and 64% of the net chargeable fees and costs.

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

Table 8A

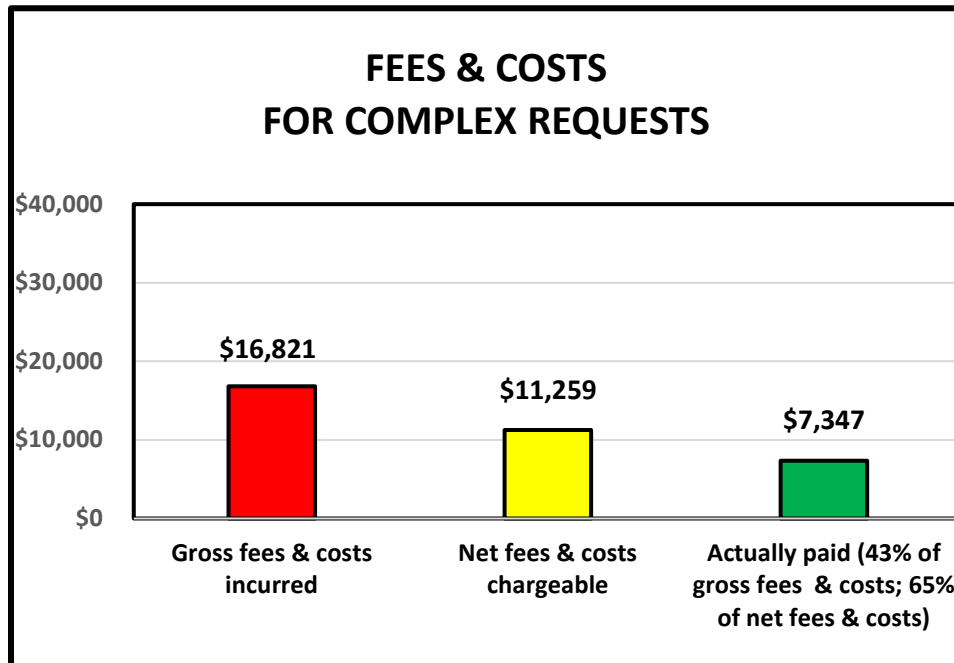
Fees & Costs for All Requests – by County

	<u>Gross Fees/Costs Incurred</u>		<u>Total Incurred</u>	<u>Net Fees/Costs Chargeable</u>		<u>Total Chargeable</u>	<u>Actually Paid</u>
Honolulu	\$38,304/	\$7,986	\$46,290	\$19,244/	\$7,358	\$26,602	\$19,834
Hawaii	7,958/	60	8,018	5,514/	60	5,574	574
Kauai	3,998/	1,283	5,281	1,877/	1,130	3,007	2,265
Maui	2,337/	87	2,424	1,895/	87	982	534
All Counties	\$52,597/	\$9,416	\$62,013	\$27,530/	\$8,635	\$36,165	\$23,207

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 254 complex record requests filed in FY 2023 as well as the net amount that was properly chargeable (Master Log Column AM) to 240 completed complex cases. Chart 8B visualizes the complex request totals reported by all counties on the Master Log as follows:

- \$16,821 gross fees and costs incurred in 254 complex requests made
- \$11,259 net fees and costs chargeable in 254 complex requests made
- \$ 7,347 actually paid in 240 complex requests completed

Chart 8B (Counties)



The 240 complex cases, which were 9% of all counties' completed cases, required more than three times as many SRS hours to complete than the typical record request (Chart 6) and accounted for 26.5% (\$16,492 – Chart 8B) of the total gross fees and costs incurred by all counties (\$62,013 – Chart 8A), of which requesters for the 240 complex cases paid 11.8% (\$7,347 – Chart 8B).

Table 8B shows the breakdown by each county of fees and costs for complex requests.

Table 8B

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

	Gross Fees & Costs Incurred	Net Fees & Costs Chargeable	Actually Paid
Honolulu	\$ 11,155	\$ 7,964	\$ 5,671
Hawaii	\$ 2,247	\$ 1,627	\$ 356
Kauai	\$ 1,791	\$ 1,164	\$ 926
Maui	\$ 1,299	\$ 739	\$ 394
All Counties	\$ 16,492	\$ 11,494	\$ 7,347

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:

\$45,522 gross fees and costs incurred in 2,585 typical and personal requests made
\$24,908 net fees and costs chargeable in 2,585 typical and personal requests made
\$16,212 actually paid in 2,533 typical and personal requests completed

Based on a total of 2,533 completed typical and personal record requests and \$16,212 as the total amount paid by those types of requesters, the average per request calculates to \$6.40 actually paid by typical and personal record requesters. This average is misleading, however, as 2,391 requesters paid nothing, as will be seen later in Charts 11 and 12.

Chart 8C (Counties)

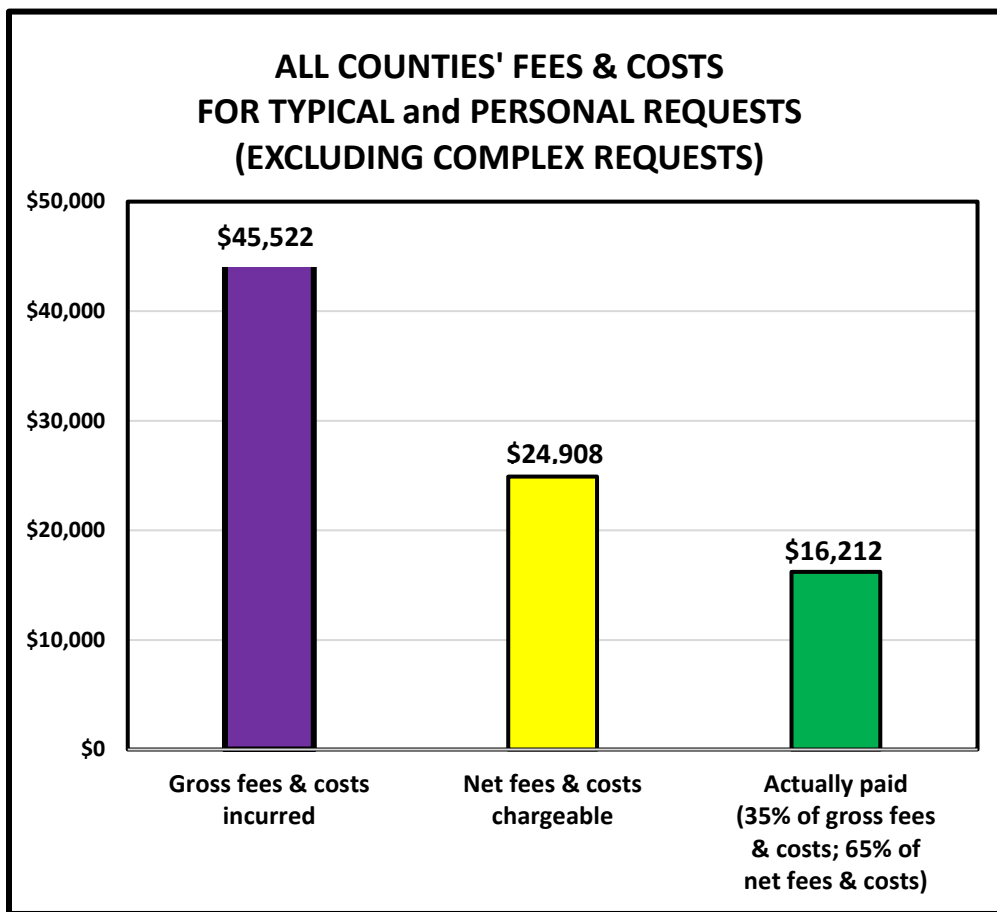


Table 8C shows the breakdown by county.

Table 8C

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

	Gross Fees & Costs Incurred	Net Fees & Costs Chargeable	Actually Paid
Honolulu	\$ 35,135	\$ 18,638	\$ 14,163
Hawaii	\$ 5,771	\$ 3,947	\$ 573
Kauai	\$ 3,490	\$ 1,843	\$ 1,338
Maui	\$ 1,125	\$ 243	\$ 140
All Counties	\$ 45,521	\$ 24,671	\$ 16,214

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 1,359 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 288 completed requests in FY 2023 (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 834 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 2,773 as the total number of completed cases, **Chart 9** below shows that the agencies reported granting \$30 fee waivers for 1,349 requests (49%) and \$60 fee waivers for 65 requests (2%). When compared to FY 2022, the counties are providing a smaller percentage of \$30 fee waivers (down from 54%) and a smaller percentage of \$60 fee waivers (down from 4%).

Chart 9 (Counties)

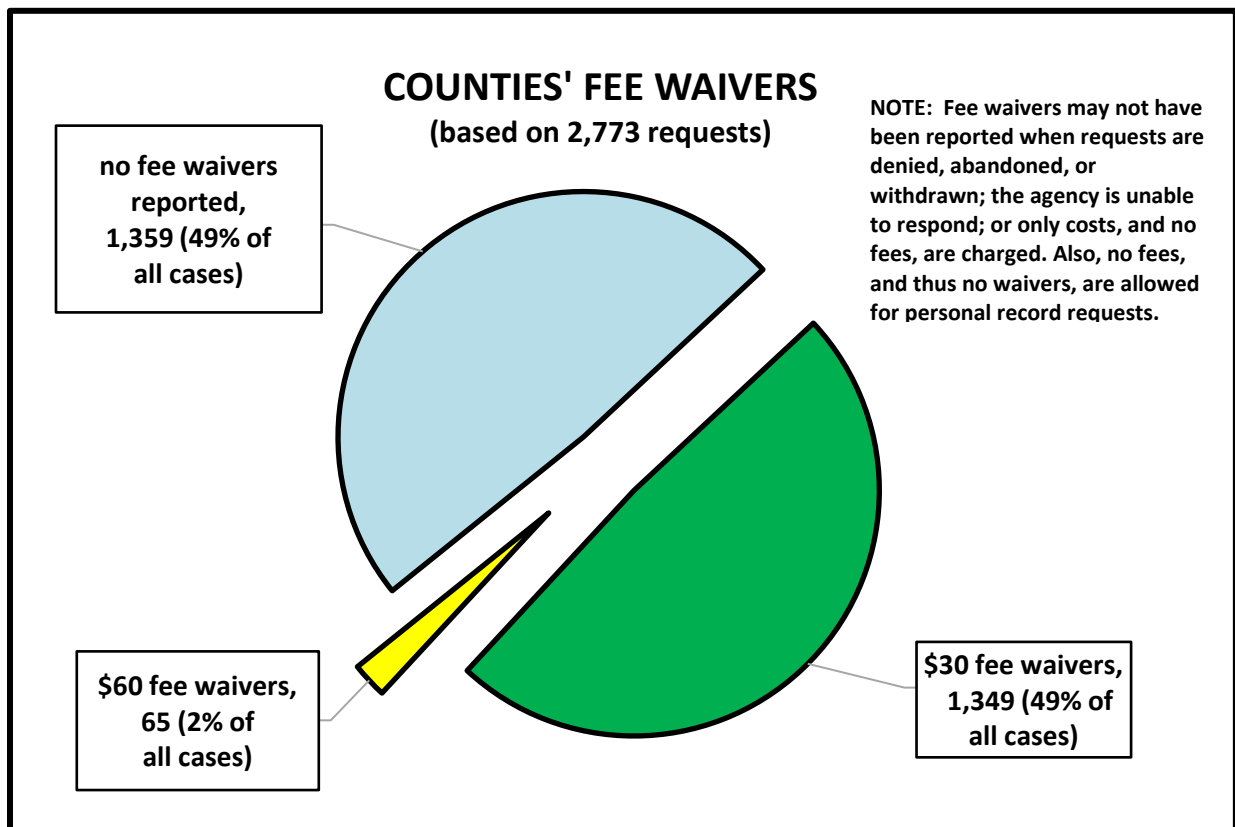


Table 9 shows the breakdown by county.

Table 9
Fee Waivers – by County

	<u>\$30 Fee Waivers</u>	<u>\$60 Fee Waivers</u>	<u>No Fee Waivers</u>
Honolulu	974 (60%)	43 (3%)	606 (37%)
Hawaii	183 (25%)	0 (0%)	557 (75%)
Kauai	12 (52%)	13 (5%)	104 (43%)
Maui	64 (39%)	9 (5%)	92 (56%)
All Counties	1,349 (49%)*	65 (2%)*	1,359 (49%)*

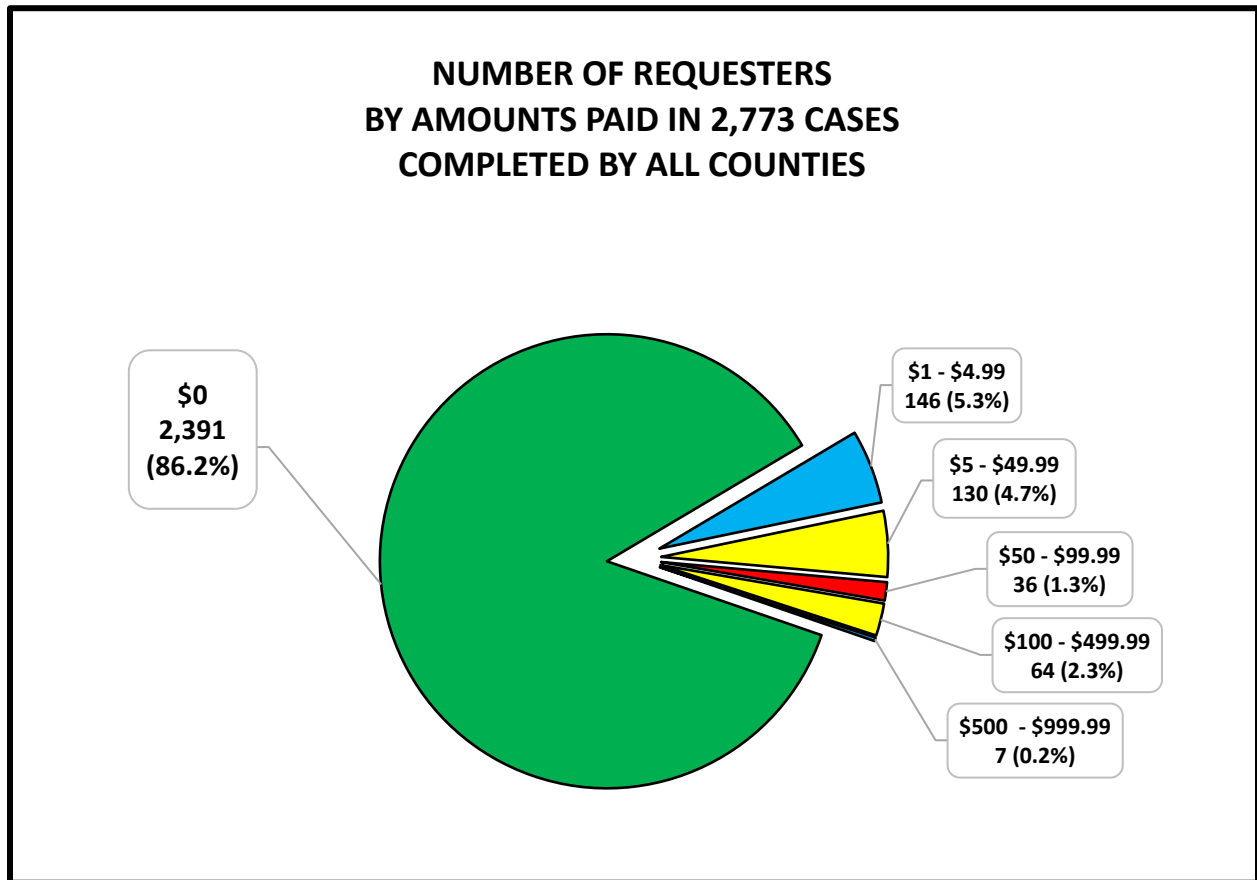
* = percentage of all counties' totals

By reviewing each county agency’s Logs, OIP compiled the data found in **Table 10 Supplement: Summary of Fees & Costs Paid by Requesters**, which is attached at the end of this report. For the 2,773 total completed requests, a total of \$23,207.99 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 data compiled in Table 10 for 2,773 completed requests, **Chart 11** below shows that 2,391 requesters (86.2%) paid nothing; 146 requesters (5.3%) paid \$1 to \$4.99 per request; 130 requesters (4.7%) paid \$5 to \$49.99; 36 requesters (1.3%) paid \$50 to 99.99; 64 requesters (2.3%) paid \$100 to \$499.99; and 7 requesters (0.2%) paid \$500 to \$999.99. Of the 107 requesters who paid \$50 or more, at least 88 requesters (82%) were reported by county agencies as representing attorneys, media, or for-profit or nonprofit organizations.

Compared to Chart 11 for FY 2022, the percentage breakdown is similar, with 86.2% paying no fees and costs in FY 2023 compared to 85.1% in FY 2022. No requesters paid \$1,000 or more in FY 2023, compared to two in FY 2022.

Chart 11 (Counties)

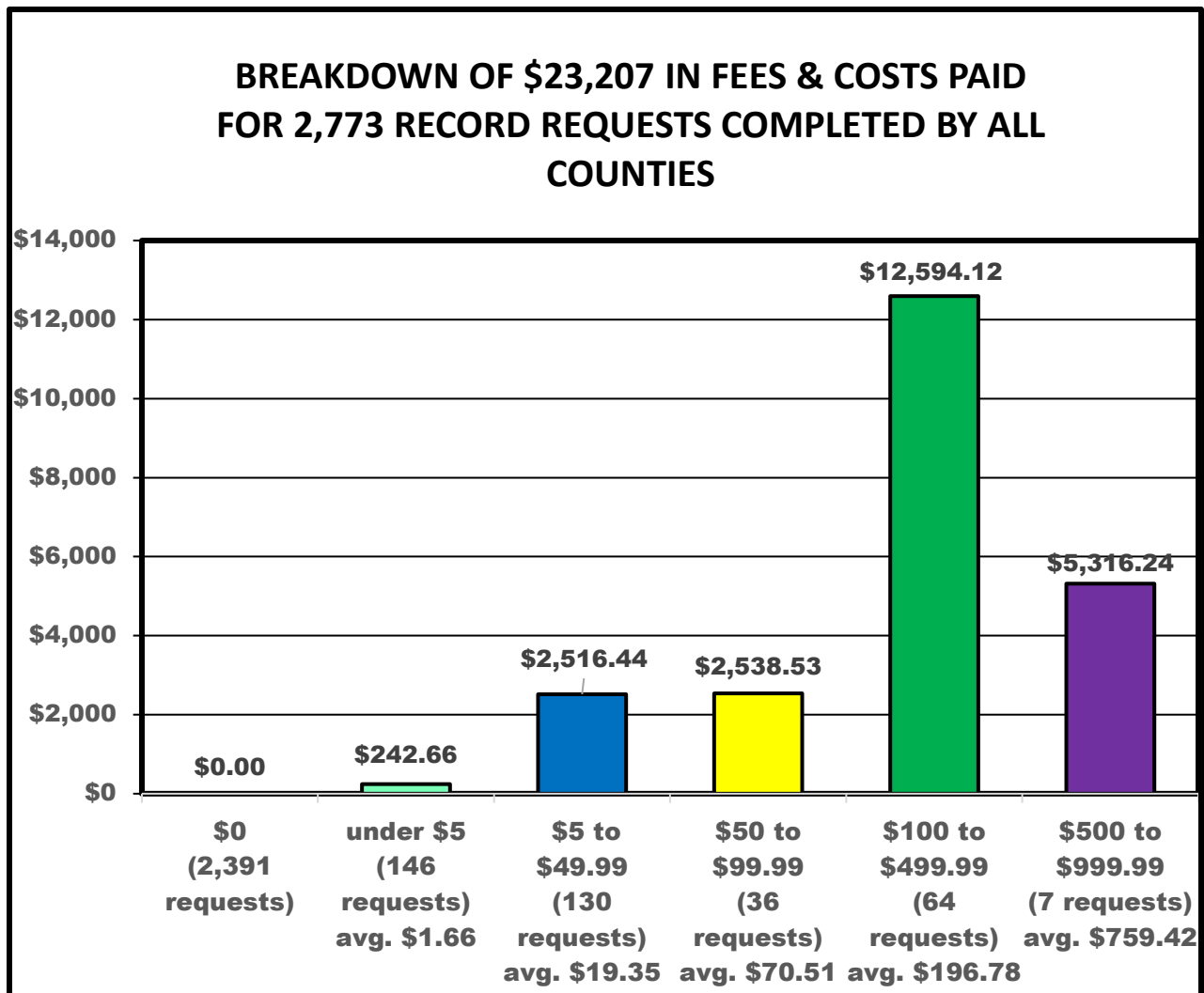


Again using Table 10’s data, **Chart 12** below shows the breakdown of the \$23,207 in fees and costs paid in 2,773 completed cases. As Chart 12 shows, 2,391 requesters (86.2% of 2,773 completed requests) paid nothing, and 382 requesters (13.8% of completed requests) paid a total of \$23,207. Of the 382 requesters that paid any amount, 146 requesters (38.2%) paid less than \$5, for a total of \$242.66 or average of \$1.66 per request. Another 130 requesters (34.0 % of paying requesters) paid between \$5 and \$49.99, for a total of \$2,516.444 or average of \$19.35.

Thirty-six requesters (9.4% of paying requesters) paid between \$50 and \$99.99, for a total of \$2,538.53 or average of \$70.51. Sixty-four requesters (16.7% of paying requesters) paid between \$100 and \$499.99, for a total of \$12,594.12 or average of \$196.78. Seven requesters (1.8% of paying requesters) paid between \$500 and \$999.99, for a total of \$5,316.24 or average of \$759.42.

The counties collected slightly more for fees and costs from requesters in FY 2023 (\$23,207) than in FY 2022 (\$22,449).

Chart 12 (Counties)



COUNTY AGENCIES' SUMMARY FOR FY 2023

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, which 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](https://oip.hawaii.gov/reports/).

While there were significant differences between counties, the overall average for 85 county agencies reporting in FY 2023 showed that typical requests comprised 81% of all requests (Chart 2), were granted in whole or in part 72% of the time (Chart 4), and were completed in 8.5 work days on average (Chart 5). Of all county requests, 97% were completed in FY 2023 (Chart 3B), and 86.2% of all completed requests paid nothing for fees and costs (Chart 11).

The Log tracks only the formal UIPA record requests made to agencies. In FY 2023, county agencies reported a total of 2,839 formal UIPA record requests (Chart 1), which is 493 (21%) more than reported in FY 2022 (2,346). The formal requests can be broken down into 254 (9%) complex record requests, 292 (10%) personal record requests, and 2,293 (81%) "typical" requests (Chart 2).

Of the 2,773 requests completed by all counties (Chart 3B), 60% were granted in full, 12% were granted or denied in part, 11% were denied in full, the agency was unable to respond to 12%, the requester withdrew in 1%, and the requester abandoned the request in 5% of the county cases. (Chart 4) The following summary compares how cases were resolved by the counties in Chart 4 for FY 2022 versus FY 2023.

<u>How Resolved</u>	<u>FY22 Counties</u>	<u>FY23 Counties</u>
Granted in full	58%	60%
Partially granted/denied	13%	12%
Denied in full	4%	11%
Agency unable to respond	21%	12%
Requester withdrew	1%	1%
Requester abandoned/failed to pay	4%	5%

It took all county agencies an average of 9.9 days to respond to 2,773 completed requests of any type in FY 2023. (Chart 5) When broken down by type of requests, the counties' average days to complete the "typical" request in FY 2023 was 8.5 days; personal requests averaged 12.4 days; and complex requests averaged 20.6 days. Because of the increase in time to complete typical and personal record requests in FY 2023, it took counties 9.9 days on average to complete each request compared to 8.1 days in FY 2022. (Chart 5)

In terms of hours worked per request, county agencies took a total of 4,035 hours to respond to all requests, which includes nonchargeable time for legal review and the 66 requests that were not completed in FY 2023. (Chart 6) When broken down into chargeable search, review, and segregation hours for both completed and pending cases, county agencies worked an average of 1.13 hours for a typical request, 0.99 hours for a personal record request, and 3.62 hours for a complex request. (Chart 7) The counties' overall average time spent responding to all types of requests decreased to 1.32 hours in FY 2023 versus 1.48 hours in FY 2022.

For FY 2023, county agencies incurred \$62,013 in gross fees and costs (excluding legal review hours, personal record fees, and additional response fee estimates) to respond to all requests, of which \$23,207 (37%) was actually paid by all requesters. (Chart 8A) Although the 240 complex requests comprised 9% 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 \$16,192 (27%) of the gross fees and costs incurred by all county agencies (\$62,013), only 11.8% of which (\$7,349) was actually paid by complex record requesters. (Charts 2, 3A, 7, 8A and 8B)

Fee waivers by county agencies were granted in 51% of 2,773 completed cases. (Chart 9) For 1,349 (49%) of the requests, \$30 fee waivers were granted, while 65 requests (2%) were allowed the \$60 public interest fee waivers. The 1,359 cases in which no fee waivers were reported may be explained, in part, by cases that were denied (317), withdrawn (48), or abandoned (137); for which the agency was unable to respond (332); for personal records (288) for which no fees may be charged; or because only costs, and no fees, were charged. (Charts 4 and 9)

In the 2,773 completed county cases, 2,391 (86.2%) requesters paid nothing, and 382 (13.8%) requesters paid for fees and/or costs. (Charts 11 and 12; Table 10) Of the 382 requesters that paid any amount, 146 (38.2%) paid less than \$5, and 130 (34.0%) paid between \$5 and \$49.99 for their requests. (Charts 11 and 12; Table 10) Only 107 requesters (28.0% of all paying requesters) paid \$50 or more per request, of whom at least 88 requesters (82.2%) were identified 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, for county UIPA record requests.

TABLE 10: FY 2023 FEES & COSTS COLLECTED (by county agency for completed requests)

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
CC HON	CITY AUDITOR	0	\$ -	0	\$ -	6	\$ -	\$ -	6													
CC HON	CITY CLERK	0	\$ -	1	\$ -	41	\$ 129.25	\$ 129.25	41							1	\$129.25					\$129.25
CC HON	COUNTY COUNCIL	0	\$ -	0	\$ -	7	\$ 47.50	\$ 47.50	5			2	\$47.50									\$47.50
CC HON	CORPORATION COUNSEL	0	\$ -	0	\$ -	22	\$ 632.25	\$ 632.25	19			1	\$13.00			2	\$619.25					\$632.25
CC HON	COUNCIL SERVICES	0	\$ -	0	\$ -	1	\$ -	\$ -	1													
CC HON	CUSTOMER SERVICES	0	\$ -	0	\$ -	1	\$ -	\$ -	1													
CC HON	DESIGN & CONSTRUCTION	0	\$ -	1	\$ 920.00	10	\$ -	\$ 920.00	10									1	\$920.00			\$920.00
CC HON	EMERGENCY MGMT	2	\$ -	0	\$ -	0	\$ -	\$ -	2													
CC HON	ENTERPRISE SERVICES	0	\$ -	0	\$ -	1	\$ -	\$ -	1													
CC HON	ENVIRONMENTAL SVCS	0	\$ -	1	\$ 490.50	6	\$ 30.00	\$ 520.50	5			1	\$30.00			1	\$490.50					\$520.50
CC HON	ETHICS COMMISSION	2	\$ -	1	\$ -	5	\$ -	\$ -	8													
CC HON	BOARD OF WATER SUPPLY	0	\$ -	1	\$ -	49	\$ -	\$ -	50													
CC HON	FACILITIES MAINTENANCE	0	\$ -	0	\$ -	0	\$ -	\$ -														
CC HON	HON AUTHORITY RAPID TRANS	0	\$ -	4	\$ -	9	\$ -	\$ -	13													
CC HON	HONOLULU FIRE DEPT	130	\$ -	43	\$ -	376	\$ -	\$ -	549													
CC HON	HUMAN RESOURCES	0	\$ -	1	\$ -	7	\$ -	\$ -	8													
CC HON	INFO TECHNOLOGY	0	\$ -	0	\$ -	2	\$ -	\$ -	2													
CC HON	LIQUOR COMMISSION	4	\$ 1.75	24	\$ 798.65	240	\$ 647.93	\$ 1,448.33	129	95	\$157.16	38	\$591.42	3	\$162.75	3	\$537.00					\$1,448.33
CC HON	MAYOR/ MANAGE DIR	0	\$ -	0	\$ -	1	\$ -	\$ -	1													
CC HON	MEDICAL EXAMINER	0	\$ -	1	\$ -	3	\$ -	\$ -	4													
CC HON	HONOLULU POLICE DEPT	1	\$ -	35	\$ 1,307.26	362	\$ 10,056.20	\$ 11,363.46	275	27	\$45.00	38	\$1,069.57	18	\$1,371.53	37	\$6,856.87	3	\$2,020.49			\$11,363.46
CC HON	POLICE COMMISSION	1	\$ -	1	\$ 329.74	6	\$ 51.45	\$ 381.19	4	1	\$4.25	2	\$47.20			1	\$329.74					\$381.19
CC HON	PARKS & RECREATION	0	\$ -	3	\$ 284.66	14	\$ 4.25	\$ 288.91	15	1	\$4.25					1	\$284.66					\$288.91
CC HON	PLANNING & PERMIT	0	\$ -	7	\$ 96.00	29	\$ 308.75	\$ 404.75	18	2	\$3.75	14	\$225.00	1	\$74.25	1	\$101.75					\$404.75
CC HON	TRANSPORTATION SERVICES	0	\$ -	0	\$ -	10	\$ 290.00	\$ 290.00	8							2	\$290.00					\$290.00
CC HON	BUDGET & FISCAL/ ADMIN	1	\$ -	0	\$ -	3	\$ -	\$ -	4													
CC HON	BUDGET&FISCAL/BUDGET ADMIN	0	\$ -	0	\$ -	0	\$ -	\$ -														
CC HON	BUDGET & FISCAL/ ACCOUNTING	0	\$ -	0	\$ -	5	\$ -	\$ -	5													
CC HON	BUDGET & FISCAL/ REAL PROP	0	\$ -	0	\$ -	12	\$ -	\$ -	12													
CC HON	BUDGET & FISCAL/ FISCAL CIP	0	\$ -	0	\$ -	0	\$ -	\$ -														
CC HON	BUDGET & FISCAL/ INTERNAL	0	\$ -	0	\$ -	0	\$ -	\$ -														
CC HON	BUDGET & FISCAL/ TREASURY	0	\$ -	0	\$ -	46	\$ 1,620.50	\$ 1,620.50	25	14	\$10.75	2	\$31.50	1	\$65.75	3	\$732.75	1	\$779.75			\$1,620.50
CC HON	BUDGET & FISCAL/ PURCHASING	1	\$ -	5	\$ 1,380.75	73	\$ 407.00	\$ 1,787.75	62	3	\$11.50	7	\$158.75	4	\$297.50	2	\$542.00	1	\$778.50			\$1,787.75

**TABLE 10 SUPPLEMENT: SUMMARY OF FEES & COSTS PAID BY REQUESTERS
FY 2023
COUNTIES**

\$500 - \$999.99:

- * 1. C&C/ BUDGET & FINANCE/ PURCHASING – Sugita Kobayashi - \$778.50
- * 2. C&C/ DESIGN & CONSTRUCTION – Hawaii Operating Engineers Industry Stabilization Fund - \$920.00
- * 3. KAUAI/ KAUAI POLICE DEPT. - Vin Safety - \$817.50
- * 4. C&C/ BUDGET & FINANCE/ TREASURY – Mitchell Mizokami - \$779.75
- * 5. C&C/ HONOLULU POLICE DEPT. – Hawaii Innocence Project - \$875.50
- * 6. C&C/ HONOLULU POLICE DEPT. – Bickerton Law Group - \$570.48
- * 7. C&C/ HONOLULU POLICE DEPT. – Tom Petrus & Miller - \$574.51

TOTAL = \$5,316.24

\$100 - \$500:

- * 1. C&C/ ENVIRONMENTAL SERVICES – B. Hall - \$490.50
- * 2. C&C/ CITY CLERK – Voter Reference Foundation - \$129.25
- * 3. C&C/ BUDGET & FINANCE/ PURCHASING – FOIA Professional Services - \$427.50
- * 4. C&C/ BUDGET & FINANCE/ PURCHASING – Civil Beat - \$114.50
- 5. C&C/ BUDGET & FINANCE/ TREASURY – CC - \$215.50
- 6. C&C/ BUDGET & FINANCE/ TREASURY – KC - \$265.25
- * 7. C&C/ BUDGET & FINANCE/ TREASURY – James Hochberg law - \$252.00
- 8. C&C/ LIQUOR COMMISSION – Benjamin Sadoski - \$102.50
- * 9. C&C/ LIQUOR COMMISSION – James Tenant - \$180.00
- * 10. C&C/ CORP COUNSEL – Honolulu Star-Advertiser - \$450.50
- * 11. C&C/ CORP COUNSEL – Honolulu Star-Advertiser - \$168.75
- * 12. C&C/ PARKS - Allyson Blair - \$284.66
- * 13. C&C/ TRANSPORTATION SERVICES – Kakaako Land Company - \$105.00
- 14. C&C/ TRANSPORTATION SERVICES – Stephen Bose - \$185.00
- * 15. C&C/ POLICE COMMISSION – Civil Beat - \$329.74
- * 16. C&C/ PLANNING & PERMITTING – Robert Miyashita- \$101.75
- * 17. C&C/ HONOLULU POLICE DEPT. – Bickerton Law Group - \$185.30
- * 18. C&C/ HONOLULU POLICE DEPT. – State Farm Mutual Auto Ins. - \$135.32
- * 19. C&C/ HONOLULU POLICE DEPT. – Remillard Huynh & Barbor - \$153.75
- 20. C&C/ HONOLULU POLICE DEPT. – G. Hawat - \$153.75
- * 21. C&C/ HONOLULU POLICE DEPT. – SIMS Hawaii - \$280.00
- * 22. C&C/ HONOLULU POLICE DEPT. – John Mullen & Company - \$207.50
- * 23. C&C/ HONOLULU POLICE DEPT. – R. Johl - \$210.00
- * 24. C&C/ HONOLULU POLICE DEPT. – Bashein & Bashein Co. - \$110.32
- 25. C&C/ HONOLULU POLICE DEPT. – B. Penrose - \$453.06
- 26. C&C/ HONOLULU POLICE DEPT. – S. Koa - \$185.00
- * 27. C&C/ HONOLULU POLICE DEPT. – Sam King, Esq. - \$111.25

- 28. C&C/ HONOLULU POLICE DEPT. – A. Dorsett - \$163.75
- * 29. C&C/ HONOLULU POLICE DEPT. – SIMS Hawaii - \$148.75
- * 30. C&C/ HONOLULU POLICE DEPT. – A. Kang - \$150.00
- * 31. C&C/ HONOLULU POLICE DEPT. – SIMS Hawaii - \$140.00
- * 32. C&C/ HONOLULU POLICE DEPT. – Rosenberg McKay Hoffman - \$190.00
- * 33. C&C/ HONOLULU POLICE DEPT. – Bickerton Law Group - \$111.50
- * 34. C&C/ HONOLULU POLICE DEPT. – Bickerton Law Group - \$184.25
- * 35. C&C/ HONOLULU POLICE DEPT. – Law Offices of Myles Breiner - \$121.25
- * 36. C&C/ HONOLULU POLICE DEPT. – SIMS Hawaii - \$272.50
- 37. C&C/ HONOLULU POLICE DEPT. – J. Perry - \$208.75
- * 38. C&C/ HONOLULU POLICE DEPT. – Progressive Claims - \$107.90
- * 39. C&C/ HONOLULU POLICE DEPT. – SIMS Hawaii - \$443.75
- * 40. C&C/ HONOLULU POLICE DEPT. – Law Office of Gregory Wilder - \$186.30
- * 41. C&C/ HONOLULU POLICE DEPT. – Tom Petrus & Miller - \$100.26
- 42. C&C/ HONOLULU POLICE DEPT. – J. Yunits - \$188.75
- * 43. C&C/ HONOLULU POLICE DEPT. – John Mullen & Co. - \$186.25
- * 44. C&C/ HONOLULU POLICE DEPT. – John Mullen & Co. - \$113.75
- * 45. C&C/ HONOLULU POLICE DEPT. – Durrett Lang Morse - \$210.51
- * 46. C&C/ HONOLULU POLICE DEPT. – SIMS Hawaii - \$148.75
- * 47. C&C/ HONOLULU POLICE DEPT. – Bickerton Law Group - \$109.25
- * 48. C&C/ HONOLULU POLICE DEPT. – SIMS Hawaii - \$222.50
- 49. C&C/ HONOLULU POLICE DEPT. – T. Gardner - \$186.25
- * 50. C&C/ HONOLULU POLICE DEPT. – Sedgwick Claims Mgmt. - \$207.50
- * 51. C&C/ HONOLULU POLICE DEPT. – SIMS Hawaii - \$128.75
- * 52. C&C/ HONOLULU POLICE DEPT. – SIMS Hawaii - \$290.00
- * 53. C&C/ HONOLULU POLICE DEPT. – Progressive Claims \$150.40
- * 54. C&C/ POLICE COMMISSION – Civil Beat - \$329.74
- * 55. HAWAII/ HOUSING – Patricia Cummins - \$105.00
- * 56. HAWAII/ FIRE DEPT. – AEI Consultants - \$108.75
- * 57. HAWAII/ INFORMATION TECHNOLOGY – Yeh & Kim - \$140.00
- * 58. KAUAI/ POLICE DEPT. – Vin Safety - \$301.00
- * 59. KAUAI/ POLICE DEPT. – Vin Safety - \$239.50
- 60. KAUAI/ POLICE DEPT. – C. Kanei - \$115.00
- * 61. KAUAI/ PLANNING – M.M. - \$152.80
- * 62. KAUAI/ PLANNING – C.T. - \$102.30
- * 63. MAUI/ PLANNING – Merle Tashiro - \$142.00
- 64. MAUI/ PLANNING – Revere Associates - \$252.00

TOTAL = \$12,594.12

\$50 - \$99.99:

1. C&C/ LIQUOR COMMISSION – Rob Sobier - \$50.75
- * 2. C&C/ LIQUOR COMMISSION – Kenneth Morris - \$60.25
- * 3. C&C/ LIQUOR COMMISSION – Dennis Bosiverte- \$51.75
- * 4. C&C/ BUDGET & FINANCE/ PURCHASING – Digitech- \$55.50
- * 5. C&C/ BUDGET & FINANCE/ PURCHASING – Ashbritt - \$64.00
- * 6. C&C/ BUDGET & FINANCE/ PURCHASING – Smart Procure - \$90.00
- * 7. C&C/ BUDGET & FINANCE/ PURCHASING – Point Panic Productions - \$88.00
8. C&C/ BUDGET & FINANCE/ TREASURY – Dean Masaki - \$65.75
- * 9. C&C/ PLANNING – AEI Consultants - \$74.25
10. C&C/ HONOLULU POLICE DEPT. – M. Hicks - \$70.00
- * 11. C&C/ HONOLULU POLICE DEPT. – Law Office of G. Wilder - \$57.58
- * 12. C&C/ HONOLULU POLICE DEPT. – Law Office of G. Wilder - \$96.21
- * 13. C&C/ HONOLULU POLICE DEPT. – Remillard Huynh & Barbour - \$53.75
- * 14. C&C/ HONOLULU POLICE DEPT. – John Mullen & Co. - \$96.25
15. C&C/ HONOLULU POLICE DEPT. – J. Maikui - \$63.75
- * 16. C&C/ HONOLULU POLICE DEPT. – Jason Szep - Only Fans - \$85.00
- * 17. C&C/ HONOLULU POLICE DEPT. – Bickerton Law Group - \$91.50
- * 18. C&C/ HONOLULU POLICE DEPT. – Law Offices of James Stone - \$76.26
- * 19. C&C/ HONOLULU POLICE DEPT. – Remillard Huynh & Barbour - \$58.75
- * 20. C&C/ HONOLULU POLICE DEPT. – Law Office of Gregory Wilder - \$66.24
- * 21. C&C/ HONOLULU POLICE DEPT. – Brown Bradshaw & Moffatt - \$75.60
- * 22. C&C/ HONOLULU POLICE DEPT. – Progressive Claims - \$67.90
- * 23. C&C/ HONOLULU POLICE DEPT. – Chong Nishimoto Sai Nakamura - \$83.75
- * 24. C&C/ HONOLULU POLICE DEPT. – Law Office of Gregory Wilder - \$83.99
25. C&C/ HONOLULU POLICE DEPT. – C. Kimsel - \$73.75
26. C&C/ HONOLULU POLICE DEPT. – R. Tahir - \$77.50
- * 27. C&C/ HONOLULU POLICE DEPT. – Remillard Huynh & Barbour - \$93.75
- * 28. HAWAII/ HOUSING – Patricia Tummins - \$65.00
- * 29. HAWAII/ HOUSING – Carlsmith Ball LLP - \$77.50
- * 30. KAUAI/ HOUSING – Leila Rothwell Sullivan - \$50.00
31. KAUAI/ POLICE DEPT. – R. Cummings - \$60.00
- * 32. KAUAI/ POLICE DEPT. – DeCosta Hempey LLC \$82.25
- * 33. KAUAI/ POLICE DEPT. – SIMS Hawaii - \$57.50
- * 34. KAUAI/ POLICE DEPT. – Garden Island Newspaper - \$59.00
- * 35. KAUAI/ POLICE DEPT. – Honolulu Civil Beat - \$62.50
- * 36. MAUI/ PLANNING – Lung Rose Voss - \$53.00

TOTAL = \$2,538.53

GRAND TOTAL paid by requesters \$50+ = \$20,448.89

Plus total paid by requesters \$5 to \$49.99 = 2,516.44

Plus total paid by requesters under \$5 = 242.66

TOTAL paid for all requests = \$23,207.99

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