



JOSH GREEN, M.D.
GOVERNOR

STATE OF HAWAII
OFFICE OF INFORMATION PRACTICES

CHERYL KAKAZU PARK
DIRECTOR

NO. 1 CAPITOL DISTRICT BUILDING
250 SOUTH HOTEL STREET, SUITE 107
HONOLULU, HAWAII 96813
Telephone: (808) 586-1400 FAX: (808) 586-1412
E-MAIL: oiip@hawaii.gov
www.oiip.hawaii.gov

OIP'S REPORT OF STATE
AGENCIES' UIPA RECORD REQUEST
YEAR-END LOGS for FY 2023

(For record requests received from July 1, 2022 through June 30, 2023)

Hawaii's Office of Information Practices ("OIP") has prepared this report based on information posted at data.hawaii.gov on the Master UIPA Record Request Year-End Log for FY 2023 ("Master Log"),¹ which compiles data from 188 State agencies² from all Executive Branch departments, the Legislature, the Judiciary, and independent agencies, such as the Office of Hawaiian Affairs, and the Oahu Metropolitan Planning Organization.

This is the tenth year that most State agencies have used the UIPA Record Request Log ("Log"). OIP reviewed each agency's Log to correct obvious errors. A summary of fees and costs by department that OIP prepared from the agencies' individual Logs is provided at the end of this report.

OIP notes that a single State agency accounted for 1,984 (46%) of the total 4,237 requests reported by all agencies. While that agency appears to have properly reported its data, its numbers were eliminated from the following report so as to not skew the overall results.³

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." § 92F-3, Hawaii Revised Statutes. Four more agencies submitted Log reports in FY 2023 than FY 2022.

³ The excluded agency was the Solid & Hazardous Waste Branch of the Department of Health, which receives the majority of its record requests from real estate agents seeking information as to whether a property has stored hazardous waste materials.

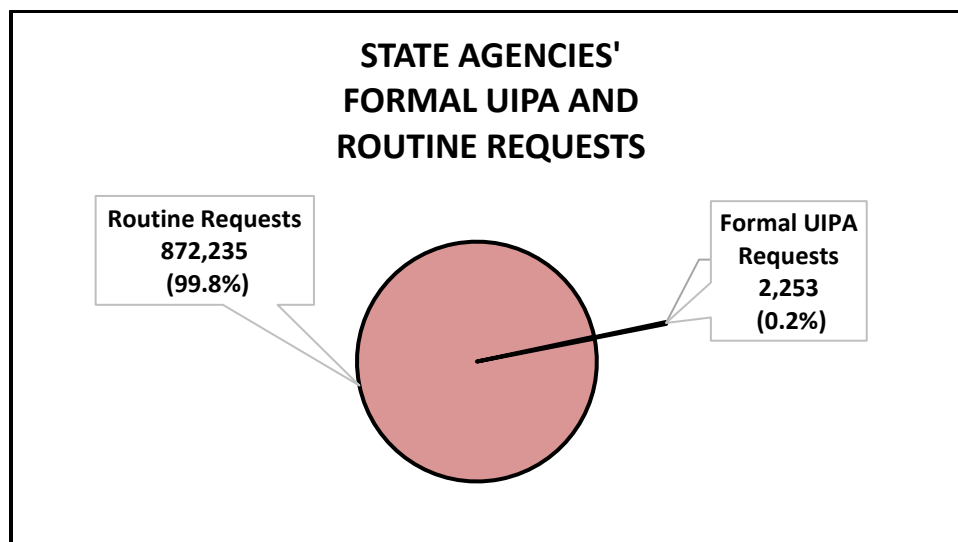
The State data for FY 2023 may be compared to the counties' data summarized in OIP's Report of County Agencies' UIPA Record Request Year-End Logs for FY 2023, as well as to prior years' State and county reports, which can be found on the [Reports page at oip.hawaii.gov](https://oip.hawaii.gov/reports).

How many requests were made to State agencies in FY 2023?

Excluding routine requests,⁴ there were 2,253 formal written record requests requiring State agencies to send notices to the requester under the UIPA. State agencies estimated that they received 872,235 routine requests for information for which fee schedules have been established and no formal UIPA response is required, such as requests for University of Hawaii transcripts or Department of Health's birth, marriage, and death records. Subpoenas for discovery of records in court cases, and responses to oral requests, or requests for agency brochures provided to the public are also not tracked by the Log as formal written record requests.

The following pie chart (**Chart 1**) shows that the 2,253 formal UIPA record requests constituted 0.2% and the estimated 872,235 routine requests comprised 99.8% of the 874,488 total requests reported by the agencies in FY 2023.

Chart 1 (State)



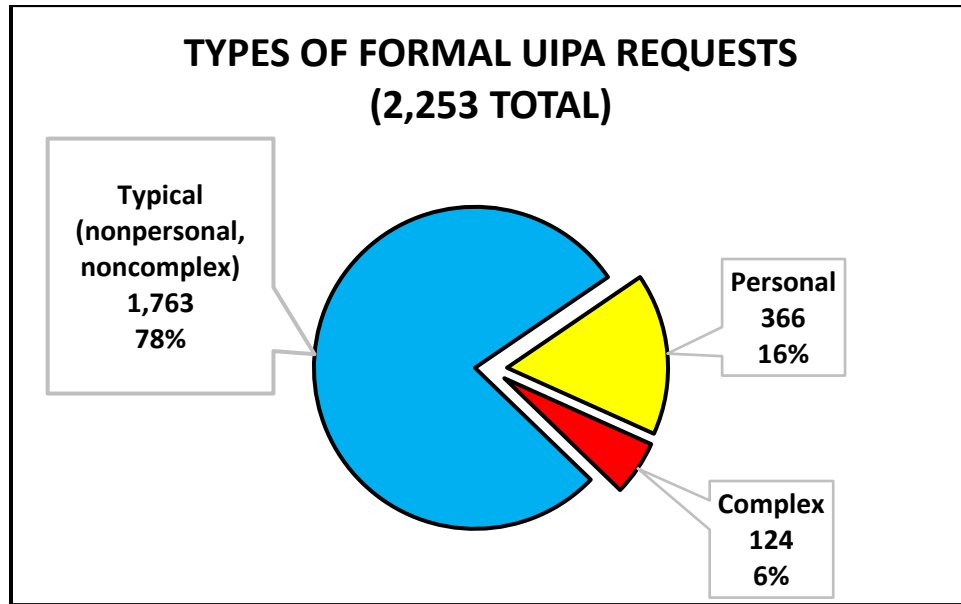
The total number of routine requests decreased 9% from the 956,052 reported by State agencies in FY 2022. The number of formal UIPA record requests increased by 6 (0.9%) in FY 2023 compared to FY 2022 (2,247). The total number of formal UIPA requests for the State (2,253) in FY 2023 was less than the total for all counties (2,839). As a percentage of all routine and UIPA record requests, the State's 0.2% for formal UIPA requests compares to 0.3% reported by all counties in FY 2023.

⁴ 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 2,253 formal requests to State agencies can be broken down into 366 (16%) personal record requests⁵ and 124 (6%) complex requests,⁶ resulting in a balance of 1,763 (78%) nonpersonal and noncomplex requests, *i.e.* “typical” requests,⁷ as shown in **Chart 2** below.

Chart 2 (State)



The State percentages for FY 2023 can be compared to the counties’ breakdown of types of cases for the same year, which showed personal record requests at 10%, complex record requests constituting 9%, and typical record requests at 81%.

⁵ 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 made under Part II.

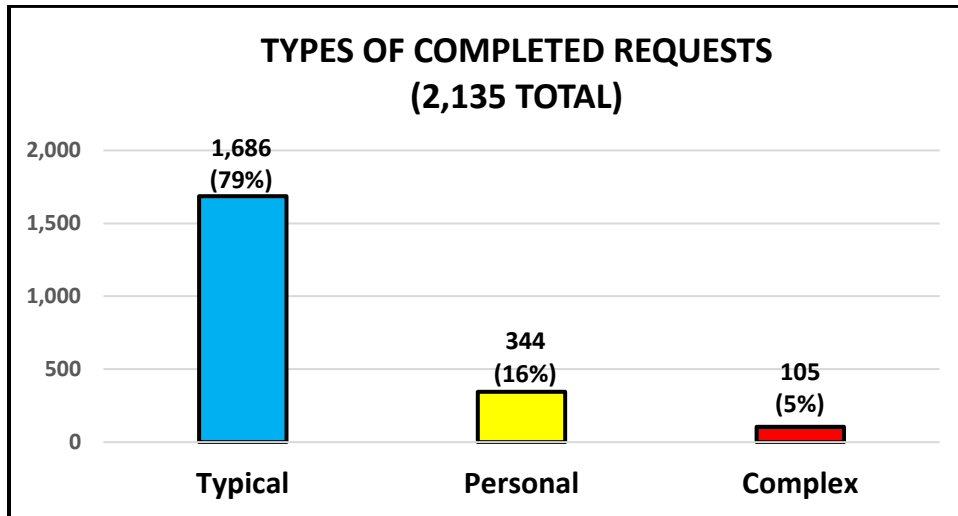
⁶ Complex record requests involve extenuating circumstances or voluminous records that prevent an agency from responding within the normal ten-day time limit.

⁷ The “typical” requests were for government records and were subject to Part II of the UIPA.

How many requests were completed?

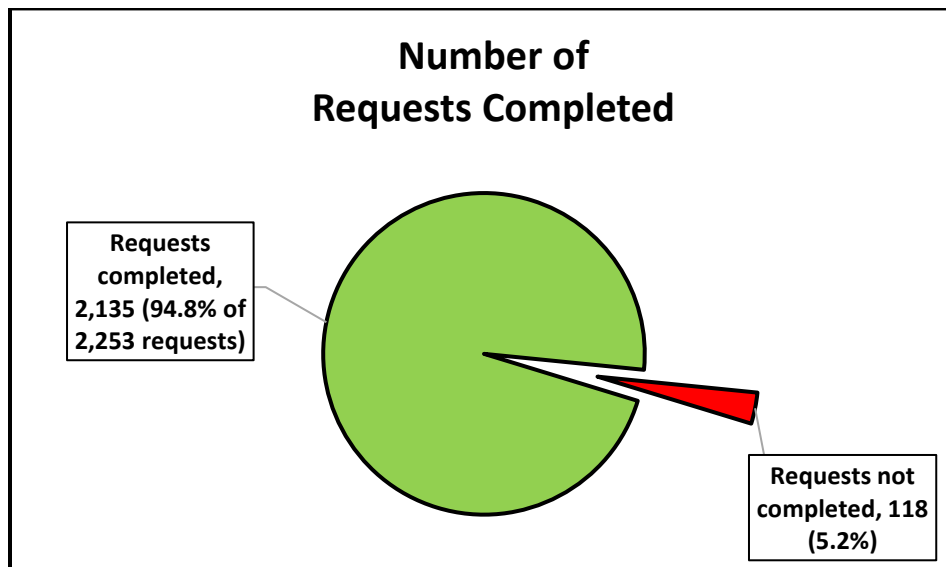
Chart 3A shows that out of 2,253 total requests received by State agencies, 2,135 requests (94.8%) were completed in FY 2023.⁸ Of the 2,135 completed requests, 344 (16%) were personal record requests, 105 (5%) were complex requests, and 1,686 (79%) were “typical” nonpersonal and noncomplex record requests.

Chart 3A (State)



Of the 2,253 formal requests received by State agencies, 2,135 (94.8%) were completed and 118 (5.2%) were not completed as of June 30, 2023, as shown in **Chart 3B** below.

Chart 3B (State)



⁸ 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, 94 cases were not completed and may have been completed in FY 2023.

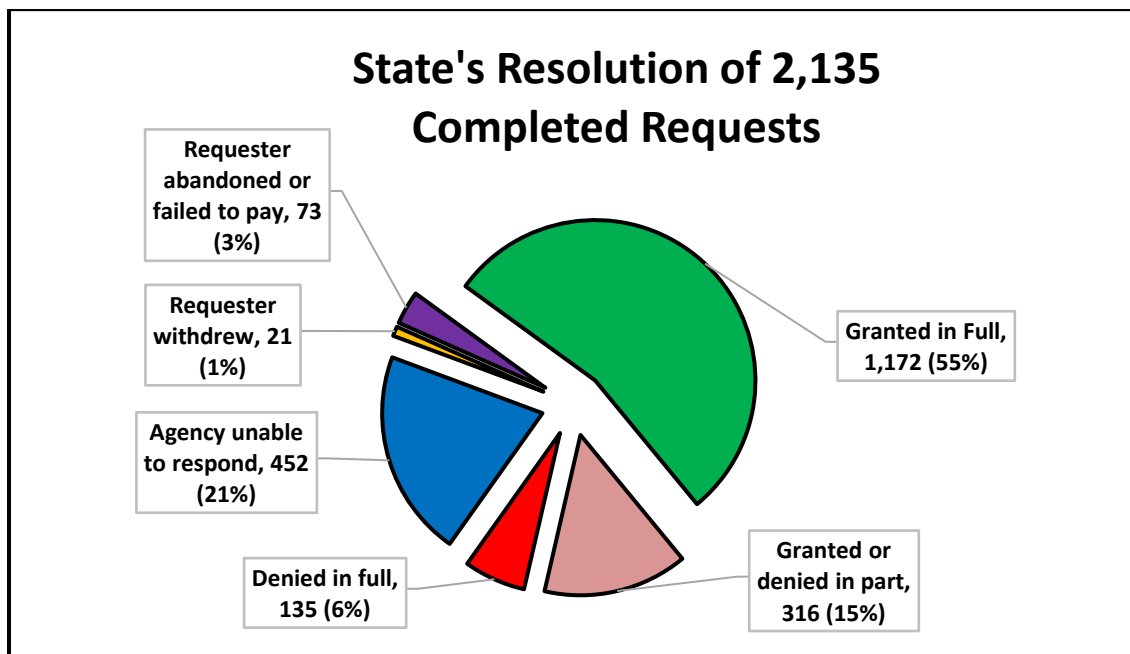
When compared to the prior year, State agencies received six more UIPA requests than in FY 2022 (2,247) and completed a slightly lower percentage of those requests (94.8% in FY 2023; 95.8% in FY 2022).

County agencies completed 97% of the 2,839 total requests that they received in FY 2023.

How were requests resolved?

Of the 2,135 requests completed by State agencies, **Chart 4** below shows that 1,172 (55%) were granted in full; 316 (15%) were granted or denied in part; 135 (6%) were denied in full; in 452 cases (21%), the agency was unable to respond; 21 (1%) cases were withdrawn by the requester; and in 73 cases (3%), the requester abandoned or failed to pay for the request.⁹

Chart 4 (State)



In comparison, Chart 4 in the FY 2022 State report shows that 55% of completed requests were granted in full; 15% were granted or denied in part; 6% were denied in full; the agency was unable to respond in 21% of the requests completed; 1% of requesters withdrew; and 3% abandoned or failed to pay.

The county agencies' overall percentages for FY 2023 are as follows: 60% were granted in full; 12% were granted or denied in part; 11% were denied in full; agency was unable to respond in 12%; requester withdrew in 1%; and the requester abandoned or failed to pay in 5% of the completed requests.

⁹ Although these results total 2,169, more than the number of completed requests (2,135), the discrepancy is due to agencies reporting more than one resolution for some completed requests.

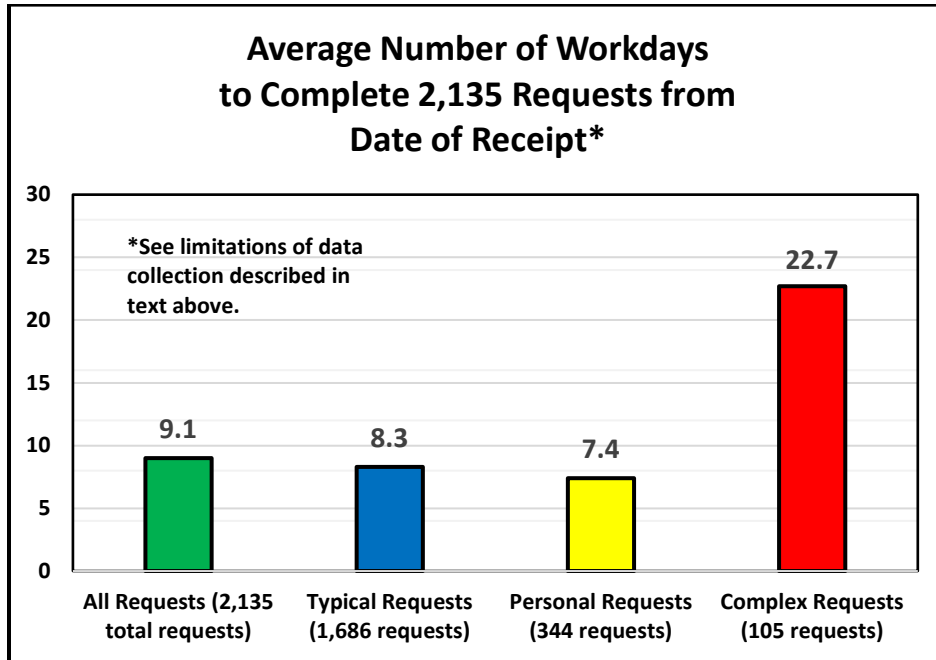
How long did it take to complete requests?

To calculate the number of working days taken 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 State agencies reported providing initial responses within ten business days to 1,980 requests, or 87% of all requests. (Column I of the Log) In 138 (6%) of the requests, the agencies reported that they needed initial clarification of the request, which may partly explain why they were not able to send their notice or acknowledgement to requesters within ten workdays. In the remaining 7% of all cases, the agencies did not check the Column I box to indicate that they provided their initial responses within ten days of receiving the requests.

As shown in the following bar graph, **Chart 5**, it took an average of 9.1 workdays from date of receipt to complete all record requests, based on 19,364 workdays to complete 2,135 requests. (Columns N and AP of the 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 8.3 days to complete 1,686 typical (79% of all requests) record requests; 7.4 days to complete 344 personal record requests (16% of all requests); and 22.7 days to complete 105 complex requests (5% of all requests). (Columns AQ through AS of the Log)

Chart 5 (State)



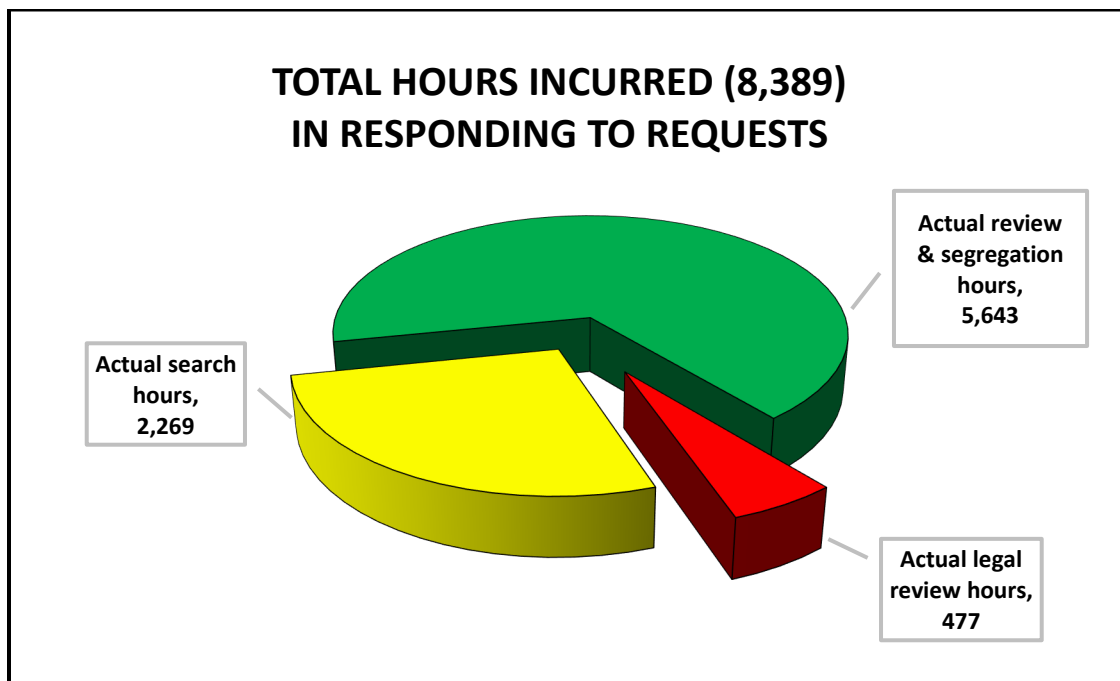
When **Chart 5** for FY 2023 is compared to State agencies' prior year's results, the average number of workdays to complete all requests has increased (8.0 workdays in FY 2022 to 9.1 days in FY 2023). The average number of workdays to complete typical requests increased slightly (7.7 workdays in FY 2022 vs. 8.3 in FY 2023). The average number of workdays to complete the personal record requests increased significantly from 4.7 workdays in FY 2022 to 7.4 days in FY 2023. The average number of workdays to complete the complex record requests decreased from 25.3 workdays in FY 2022 to 22.7 days in FY 2023.

While there were considerable differences in each county's data, the overall average number of workdays to complete all counties' requests in FY 2023 was 9.9 workdays compared to 9.1 for State agencies.

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 hours, 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.¹⁰

The totals in Columns AT through BA of the Log show the number of SRS hours that State agencies worked to respond to 2,253 total record requests received. As Chart 6 shows below, State agencies took a total of 8,389 hours to respond to requests in FY 2023. The total is broken down into 2,269 for actual search hours; 5,643 for review and segregation hours; and 477 for legal review hours.

Chart 6 (State)



¹⁰ Chart 6 also includes the time spent by agencies working on the 73 pending cases that were not completed at the end of FY 2022, many of which were received toward the end of the year or were complex requests.

Based on the total number of SRS hours, and excluding legal review hours, it took an average of 3.47 total SRS hours of work for each of the 2,253 record requests received in FY 2023, as shown in **Chart 7** and the explanatory table that follows. Of the 2,253 record requests (see Chart 2), the 1,763 typical record requests each took an average of 1.33 SRS hours, and 366 personal record requests each took an average of 1.62 SRS hours of agency work. The 124 complex record requests each took an average of 40.21 SRS hours, which is 30 times longer than the typical request.

Chart 7 (State)

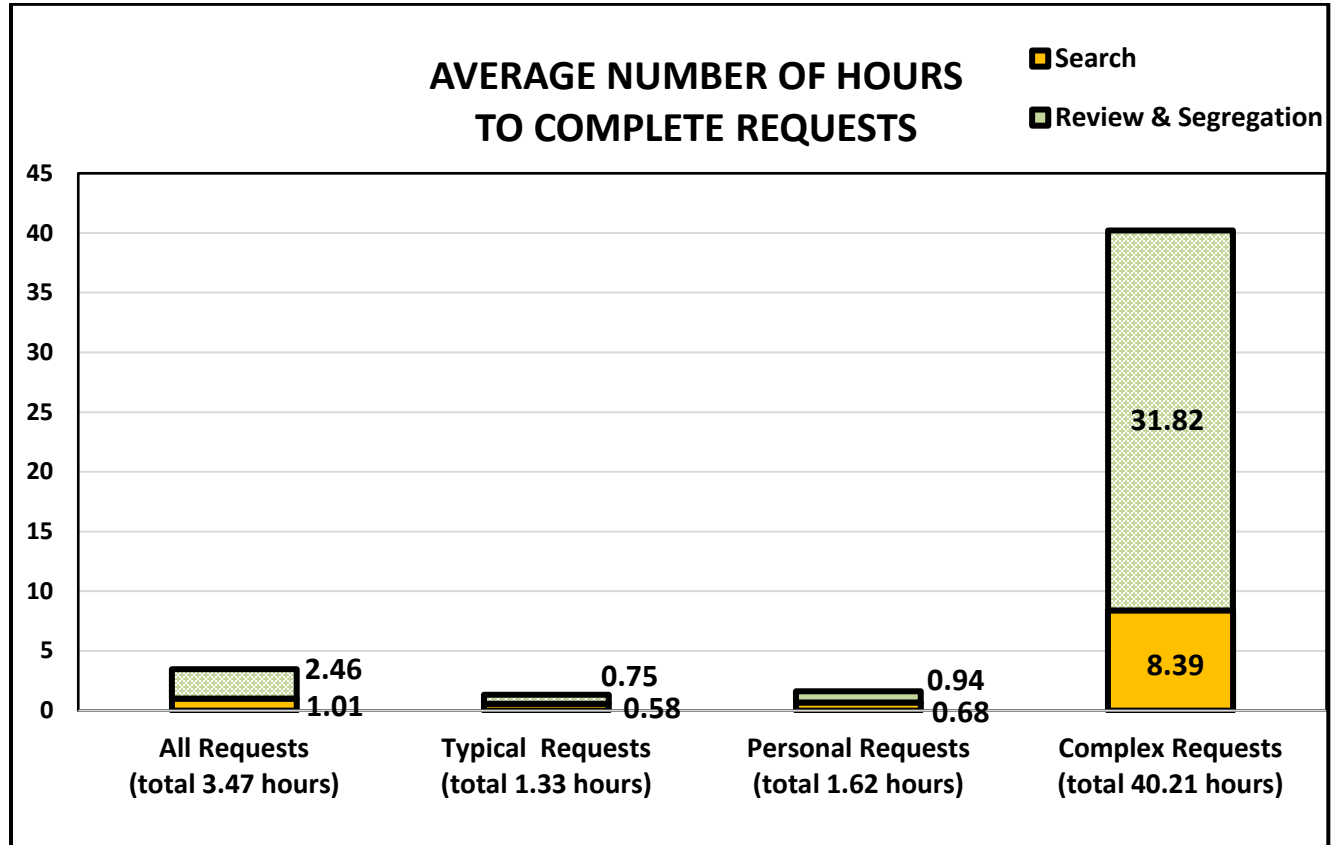


Table 7
Average Number of Hours Spent Responding to Requests

	<u>Search</u>	<u>Review & Segregation</u>	<u>Total SRS hours</u>
All requests	1.01	2.46	3.47
Typical	.58	.75	1.33
Personal	.68	.94	1.62
Complex	8.39	31.82	40.21

In comparison to last year, there has been an increase in the average amount of SRS hours spent responding to all requests (3.47 in FY 2023 vs. 2.35 hours in FY 2022) and a decrease for typical requests (1.33 hours in FY 2023 vs. 2.55 hours in FY 2022). The average time spent responding to complex requests increased over six-fold to 40.21 hours in FY 2023 from 6.26 hours in FY 2022. The average SRS hours spent responding to personal requests more than doubled to 1.62 hours in FY 2023 from .68 hours in FY 2022.

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 the **Chart 8A** and the descriptive table that follows. In summary, the agencies incurred gross fees and costs of \$134,412 but could only charge \$119,087 for fees and costs allowed under OIP's rules, and they actually collected from requesters \$10,209 (7%).

Please note that the data in **Chart 8A** and the explanatory table on the next page include gross and net fees and costs for all 2,253 requests, even if they were not completed or charged to requesters. Moreover, the gross incurred SRS fees of \$125,824 (as shown in the left column of Chart 8A) do not include fees reported for legal review hours (477 hours) or SRS fees for personal records. If those nonchargeable amounts were included, and \$8,588 in gross copying and delivery costs were included, then the gross incurred fees and costs would be higher than the \$134,412 shown in the far left column of **Chart 8A** on the following page.

While agencies incurred fees and costs in all 2,253 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 2,135 completed requests (1,686 typical; 344 personal; 105 complex. See Chart 3A).

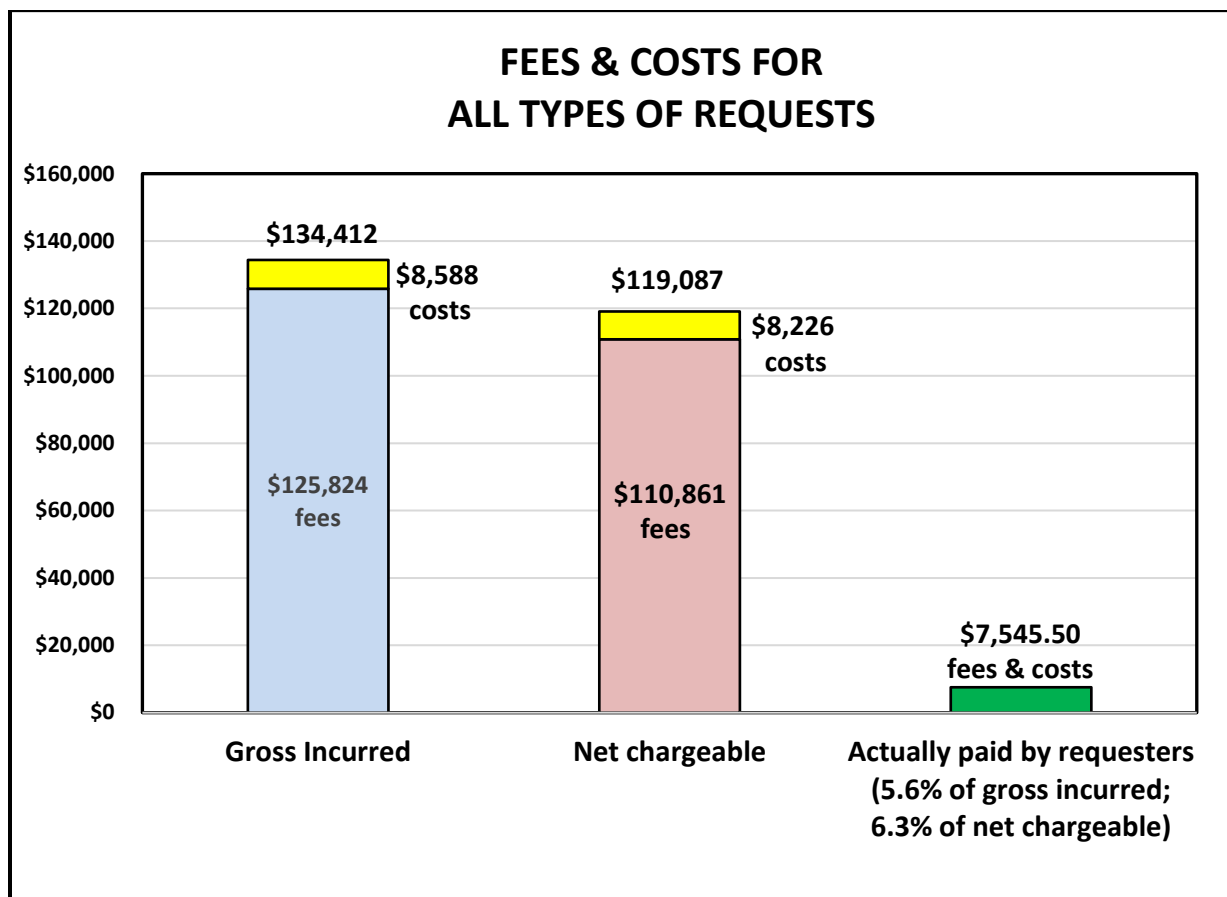
Chart 8A below visualizes the totals for all types of requests reported on the FY 2023 Master Log as follows:

\$134,412 in total gross fees and costs incurred for all 2,253 cases, consisting of \$125,824 in fees and \$8,588 in costs

\$119,087 in total net chargeable fees and costs in all 2,253 cases, consisting of \$110,861 in fees and \$8,226 in costs

\$7,545.50 in fees and costs actually paid in 2,135 completed cases.

Chart 8A (State)



When compared to the prior year's data, State agencies incurred 54% more in gross fees and costs in FY 2023 (\$134,412) compared to FY 2022 (\$86,801). There was a 34% decrease in

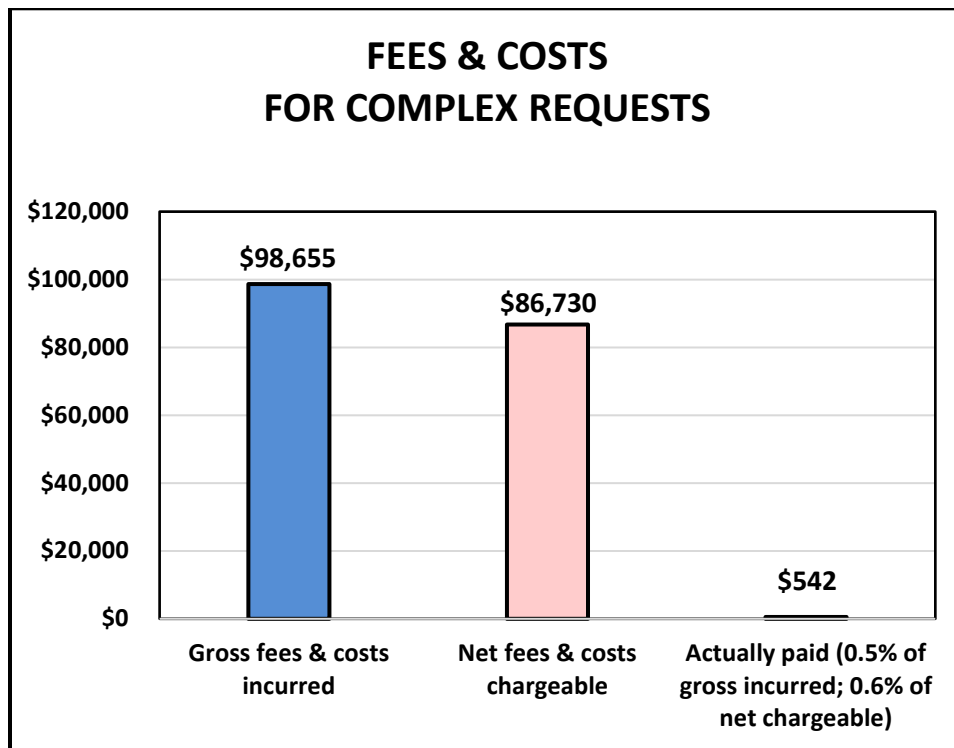
the amount of fees and costs actually paid by requesters to State agencies in FY 2023 (\$10,209) compared to FY 2022 (\$15,647).

As a result of incurring more fees and recovering less, Chart 8A shows that State agencies recovered 5.6% of gross incurred fees and costs and 6.3% of net chargeable fees and costs, which is far less than in FY 2022 when they recovered 18% of gross incurred fees and costs and 22% of net chargeable fees and costs. State agencies' overall rate of recovery was less than the counties' overall, which collected 37% of gross incurred fees and costs and 64% of net chargeable fees and costs.

Based on the data entered by the agencies, the Log automatically calculated the gross fees and costs incurred (Log Column AN) for the 124 complex record requests filed in FY 2023 (of which, 9 were still pending at the end of FY 2023) as well as the net amount that was properly chargeable (Log Column AM) to the 105 completed complex cases. **Chart 8B** below visualizes the totals for complex requests reported on the Log as follows:

\$98,655 gross fees and costs incurred in 124 complex cases
 \$86,730 net fees and costs chargeable in 124 complex cases
 \$542 actually paid in 105 completed complex cases.

Chart 8B (State)



Compared to the previous year, State agencies incurred more than six times the amount in gross fees and costs for complex records in FY 2023 (\$98,655) compared to FY 2022 (\$16,078). The amount actually paid for complex records, however, was nearly ten times less in FY 2023 (\$542) than in FY 2022 (\$5,193).

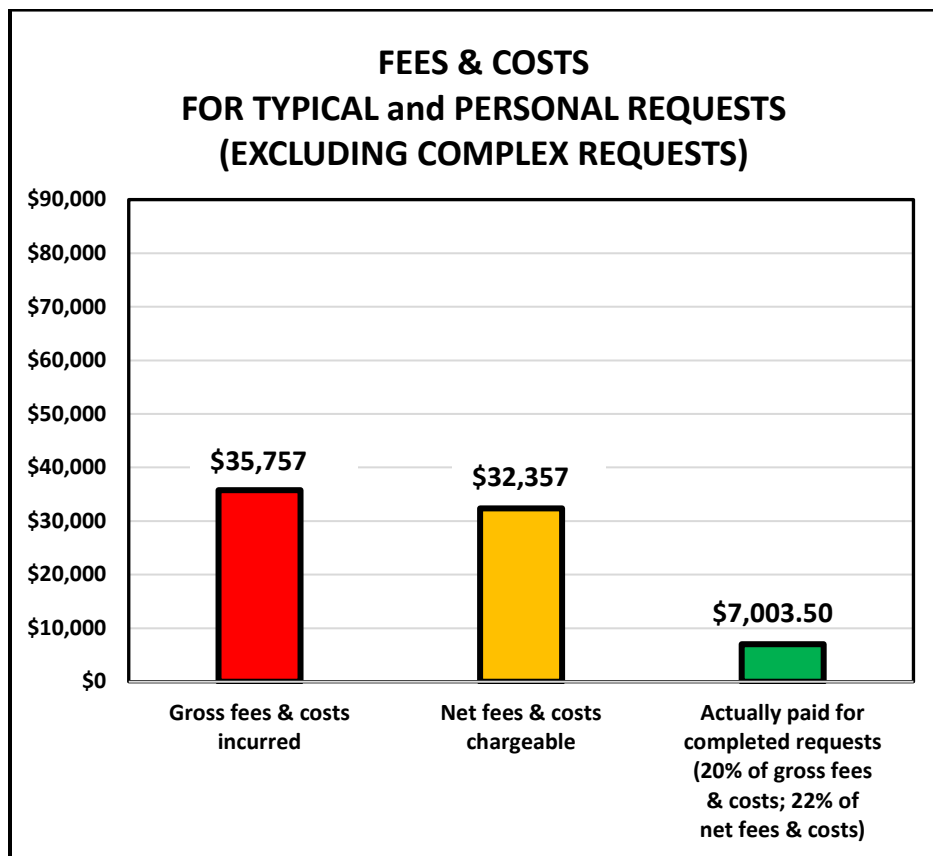
The 124 complex cases, which were 6% of all State completed requests, consumed 30 times more SRS hours than the typical request (Chart 7) and accounted for 73.3% (\$98,655 – Chart 8B) of the total gross fees and costs incurred by State agencies (\$134,412 – Chart 8A). Of the total gross fees and costs incurred by State agencies, requesters for the 124 completed complex cases paid 0.5% (\$542 – Chart 8B).

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 **Chart 8C** visualizes the totals for typical and personal record request cases as follows:

- \$35,757 gross fees and costs incurred in 2,129 typical and personal cases
- \$32,357 net fees and costs chargeable in 2,129 typical and personal cases
- \$7,003.50 actually paid in 2,030 completed typical and personal cases.

Based on a total of 2,030 completed typical and personal record requests and \$6,928 as the total amount paid by those types of requesters, the average per request calculates to \$3.41 actually paid by typical and personal record requesters. This average is misleading, however, as 1,930 requesters paid nothing, as will be seen later in **Charts 11 and 12**.

Chart 8C (State)



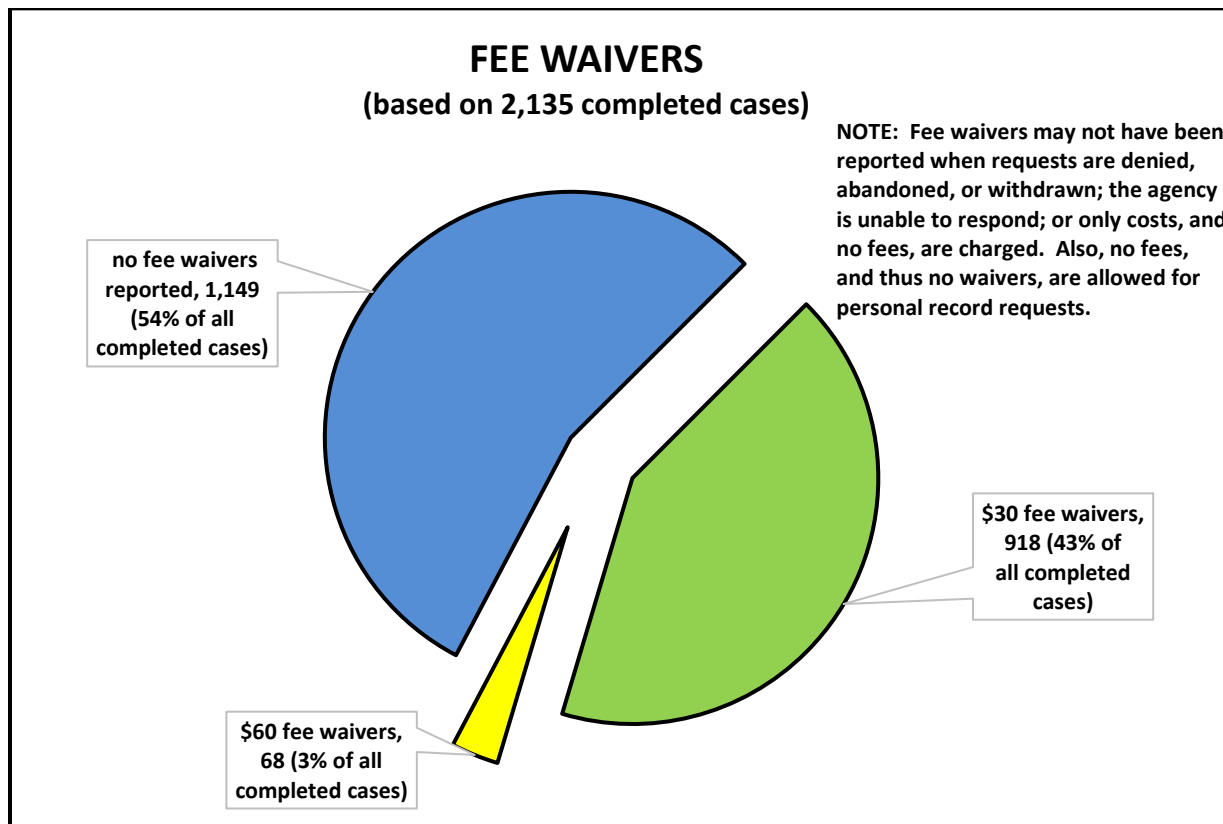
Compared to the prior year, State agencies incurred in gross fees and costs for typical and personal record requests 48% less in FY 2023 (\$35,757) than in FY 2022 (\$73,914). The amounts actually paid by the requesters in FY 2023 (\$7,003.50), which is 33% less than the amount paid in FY 2022 (\$10,453).

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.¹¹ Note that no refunds are given to requesters whose SRS fees are less than the waiver amounts.

There were no fee waivers in 1,149 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 366 in FY 2023. (see **Chart 3A**) Moreover, waivers are only entered when SRS fees are entered, so there would generally be no waivers in most of the 681 cases where requests were denied, abandoned, or withdrawn, or when the agency was unable to respond. (See **Chart 4**) Also, fee waivers are automatically entered by the Log when the agency enters SRS hours, but not when only costs, and no SRS hours, are entered.

Using 2,135 as the total number of completed cases, **Chart 9** below shows that the State agencies reported granting \$30 fee waivers for 918 requests (43%) and \$60 fee waivers for 68 requests (3%). In 2023, no fee waivers were reported in 55% of the cases compared to 50% in FY 2022.

Chart 9 (State)



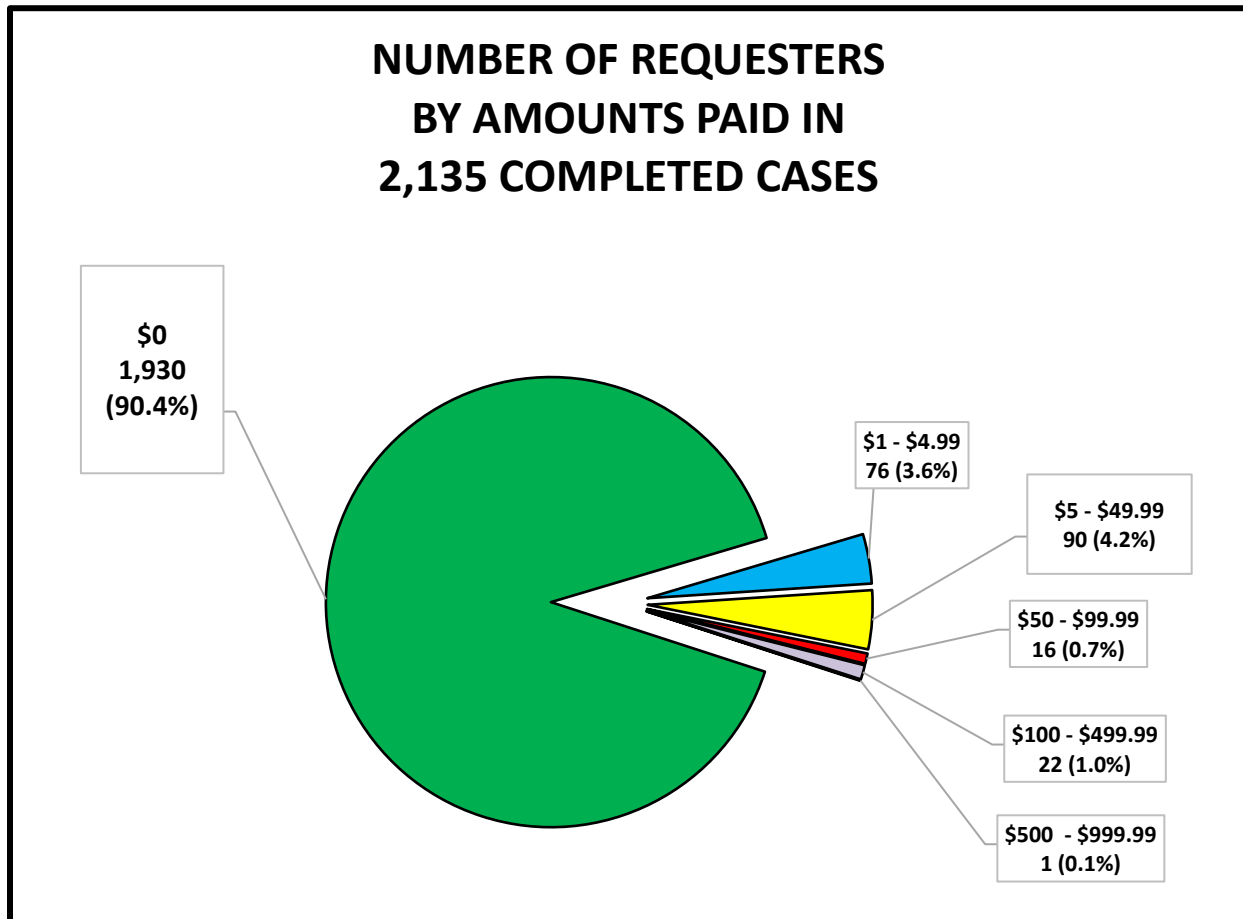
¹¹ In FY 2016, the Log form was changed to automatically enter fee waivers whenever SRS fees were entered (except for personal record requests where no fees could be charged).

By reviewing each State agency’s Log, OIP compiled the data found in **Table 10**, which is attached at the end of this report. Based on 2,135 total completed requests, a total of \$7,545.50 was paid by requesters for fees and costs per Table 10.

Based on the data compiled in Table 10 for 2,135 completed requests, **Chart 11** below shows that 1,930 requesters (90.4%) paid nothing; 76 requesters (3.6%) paid \$1 to \$4.99 per request; 90 requesters (4.2%) paid \$5 to \$49.99; 16 requesters (0.7%) paid \$50 to 99.99; 22 requesters (1.0%) paid \$100 to \$499.99; 1 requester (0.1%) paid \$500 to \$999.99; and no requesters paid \$1,000 and over in fees and costs. Of the 39 requesters who paid \$50 or more, at least 22 requesters (56%) were reported by State agencies as representing attorneys, media, or for-profit or nonprofit organizations in the attached **Table 10 Supplement: Summary of Fees & Costs Paid by Requesters**.

Compared to the prior year, about the same percentage of State requesters in FY 2023 (90.4%) paid no fees and costs than in FY 2022 (87.8%). Similarly, 86.2% of the county requesters in FY 2023 paid no fees and costs.

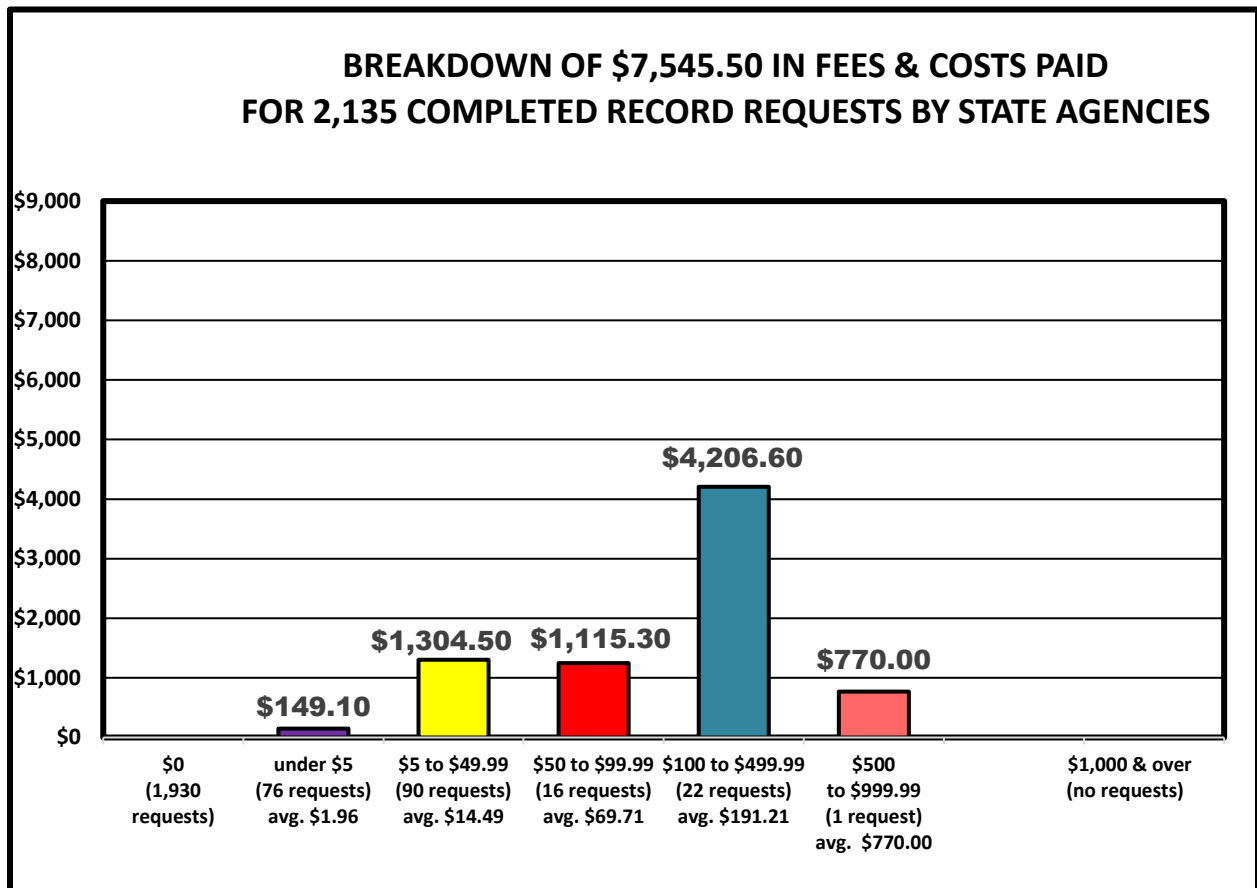
Chart 11 (State)



Again using Table 10's data, **Chart 12** below shows the breakdown of the \$7,545.50 in fees and costs paid in 2,135 completed cases. As Chart 12 shows, 1,930 requesters (90.4% of completed requests) paid nothing, and 262 requesters (12.2% of 2,153 requesters) paid a total of \$15,647. Of the 205 requesters that paid any amount, 93 requesters (45% of 205 paying requesters) paid less than \$5, for a total of \$149.10 or average of \$1.96 per request. Another 90 requesters (44% of paying requesters) paid between \$5 and \$49.99, for a total of \$1,304.50 or average of \$14.49.

Sixteen requesters (7.8% of paying requesters) paid between \$50 and \$99.99, for a total of \$1,115.30 or an average of \$69.71. Twenty-two requesters (10.7% of paying requesters) paid between \$100 and \$499.99, for a total of \$4,206.60 or an average of \$191.21. Finally, one requester (1% of paying requesters) paid between \$500 and \$999.99, for a total of \$770.00.)

Chart 12 (State)



STATE AGENCIES' SUMMARY

In closing, OIP would like to thank the State agencies that participated in recording their Log data and providing this information to OIP. OIP appreciates the agencies' 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 the State government. The State data can now be compared to the counties' and prior years' State data, which was summarized in OIP's other reports found on the Reports page at oip.hawaii.gov.

In brief, the FY 2023 data from 188 State agencies shows that typical record requests comprised 78% of all requests (Chart 2), were granted in whole or in part 69% of the time (Chart 4), and were completed in 8.3 work days on average (without subtracting the extra day generally added by the Log's calculations; Chart 5). Of all State requests, 94.7% were completed in FY 2023 (Chart 3B), and 90.4% of the completed requests paid nothing in fees and costs (Chart 11).

The Log tracks only the formal UIPA record requests made to agencies. In FY 2023, State agencies reported 2,253 formal UIPA record requests (Chart 1), which is 6 more than reported in FY 2022 (2,247). The formal requests can be broken down into 124 (6%) complex record requests, 366 (16%) personal record requests, and 1,763 (78%) "typical" requests (Chart 2).

State agencies completed 2,135 requests, or 94.8% of the 2,253 requests received in FY 2023, similar to the counties' completion rate of 97% for 2,839 total county requests. (Chart 3B) Of the completed State requests, 55% were granted in full, 15% were granted or denied in part, 6% were denied in full, the agency was unable to respond in 21%, and the requester withdrew in 1% and abandoned the request in 3% of the State cases. (Chart 4). While the number of completed requests was lower in FY 2023 (2,135) than in FY 2022 (2,153), the percentage of completion remained close (94.7% vs. 95.8%). Small differences occurred in how cases were resolved: a higher percentage of cases were partially granted or denied (15% vs. 12%) or were denied in full (6% vs. 8%) in FY 2023 compared to FY 2022.

The following chart compares how cases were resolved by the State in FY 2022 compared to FY 2023.

<u>How Resolved</u>	<u>FY22 State</u>	<u>FY23 State</u>
Granted in full	54%	55%
Partially granted/denied	12%	15%
Denied in full	8%	6%
Agency unable to respond	11%	21%
Requester withdrew	1%	1%
Requester abandoned/failed to pay	4%	3%

The average number of workdays to respond to all types of completed requests – 9.1 workdays – was higher than in FY 2022 (8.0 days), but lower than the counties' overall average of 9.9 days. (Chart 5) When broken down by type of requests, the average days to complete the

typical request was 8.3 days (compared to 7.7 days in FY 2022); personal requests averaged 7.4 days (compared to 4.7 days in FY 2022); and complex requests averaged 22.7 days (compared to 25.3 days in FY 2022).

In terms of average hours worked per request, State agencies reported a total of 8,389 hours to respond to all types of requests, which includes nonchargeable time for legal review and the 73 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, State agencies worked an average of 1.33 hours for a typical request (compared to 2.55 hours in FY 2022), 1.62 hours for a personal record request (compared to 0.68 hours in FY 2022), and 40.21 hours for a complex request (compared to 6.26 hours in FY 2022). (Chart 7)

For FY 2023, State agencies incurred \$134,412 in gross fees and costs (excluding legal review hours, personal record fees, and additional response fee estimates) to respond to all requests, of which only \$7,545 (5.6%) was actually paid by requesters. (Chart 8A) In comparison, in FY 2022 State agencies incurred less in gross fees and costs (\$86,801) and recovered more in actual payments by requesters (\$15,647, or 18%).

Although the 124 complex requests in FY 2023 comprised only 6% of all requests, they took 30 times longer in SRS hours compared to the typical request. Complex requests disproportionately accounted for \$98,655 (73%) of the gross fees and costs incurred by State agencies (\$134,412), of which only \$542 (0.5%) was actually paid by those requesters. (Charts 2, 7, 8A and 8B) Like the counties, the State data shows that complex record requests continue to take a disproportionate share of resources while contributing less than their fair share to payment of fees and costs.

Fee waivers were granted by State agencies in 46% of 2,135 completed cases. (Chart 9) The majority (918, or 43%) of completed requests were granted \$30 fee waivers, while 68 requests (3%) were allowed the \$60 public interest fee waivers. The 1,149 cases in which no fee waivers were reported could be explained in part by cases that were denied (135), withdrawn (21), or abandoned (73); for which the agency was unable to respond (452); concerned personal records (344) for which no fees may be charged; or where only costs, and no fees, were charged. (Charts 3A, 4, and 9)

In the 2,135 completed State cases, 1,930 (90.4%) requesters paid nothing, similar to the 87.8% in FY 2022 that paid nothing. In FY 2023, only 205 (9.6%) of State requesters paid any amount for fees or costs. (Chart 11; Table 10) Of the 205 requesters that paid any amount, 76 (37% of paying requesters) paid less than \$5, and 90 (44%) paid between \$5 and \$49.99 for their requests. (Charts 11 and 12; Table 10) Only 39 requesters (19% of all paying requesters) paid \$50 or more per request, of whom at least 22 (56%) requesters were reported by the agencies as representing law firms, media, commercial, or other for-profit or non-profit entities. (Table 10 Supplement). Thus, as in years past, the overwhelming majority of individual requesters pay nothing while businesses or special interest entities are paying for fees and costs.

DEPT	DIVISION/AGENCY	PERSONAL	AMOUNT COLLECTED	COMPLEX	AMOUNT COLLECTED	TYPICAL	AMOUNT COLLECTED	\$0	Under \$5	Amt	\$5 to \$49.99	Amt	\$50 to \$99.99	\$100 to \$499.99	\$500 to \$999.99	\$1,000 & over
DOE	LAUPAHOEHOE	50	\$ -	10	\$ -	0	\$ -	60								
DOE	MALAMA HONUA	5	\$ -	0	\$ -	2	\$ -	7								
DOE	VOLCANO SCHOOL	0	\$ -	0	\$ -	0	\$ -									
DOE	VOYAGER PCS	6	\$ -	0	\$ -	0	\$ -	6								
DOE	WAIALAE ELEM PCS	16	\$ -	0	\$ -	0	\$ -	16								
DOE	UNIVERSITY LAB SCHOOL	0	\$ -	0	\$ -	0	\$ -									
DOE	CONNECTIONS CH SCHL	0	\$ -	0	\$ -	0	\$ -									
DOH	ADULT MENTAL HEALTH	0	\$ -	0	\$ -	6	\$ -	6								
DOH	CAMHD	24	\$ -	3	\$ -	98	\$ -	125								
DOH	ASO	0	\$ -	0	\$ -	1	\$ -	1								
DOH	ALCOHOL & DRUG ABUSE	0	\$ -	0	\$ -	1	\$ -	1								
DOH	SANITATION	0	\$ -	0	\$ -	5	\$ -	5								
DOH	CLEAN AIR BRANCH	0	\$ -	0	\$ -	16	\$ -	16								
DOH	CLEAN WATER BRANCH	0	\$ -	0	\$ -	30	\$ -	30								
DOH	SAFE DRINKING WATER	0	\$ -	0	\$ -	0	\$ -									
DOH	WASTEWATER BRANCH	0	\$ -	0	\$ -	8	\$ -	8								
DOH	FOOD & DRUG BRANCH	0	\$ -	0	\$ -	0	\$ -									
DOH	ENVIRONMENTAL MGMT	0	\$ -	0	\$ -	0	\$ -									
DOH	Environmental Planning	0	\$ -	0	\$ -	0	\$ -									
DOH	Environmental Resources	0	\$ -	0	\$ -	0	\$ -									
DOH	ENVIRONMENTAL HEALTH	0	\$ -	0	\$ -	0	\$ -									
DOH	TB CONTROL	0	\$ -	0	\$ -	0	\$ -									
DOH	DIRECTOR'S OFFICE	0	\$ -	2	\$ -	8	\$ -	10								
DOH	Planning, Policy, Prog Dev	0	\$ -	0	\$ -	0	\$ -									
DOH	OFFICE ON AGING	0	\$ -	0	\$ -	0	\$ -									
DOH	Children Spec Health Needs	0	\$ -	0	\$ -	4	\$ -	4								
DOH	WOMEN, INFANTS, CHILD	1	\$ -	0	\$ -	0	\$ -	1								
DOH	Maternal & Child Health	0	\$ -	0	\$ -	1	\$ -	1								
DOH	DEVELOP DIS (DDD)	0	\$ -	0	\$ -	2	\$ -	2								
DOH	STATE HEALTH PLANNING	0	\$ -	0	\$ -	3	\$ 4.40	2	1	\$4.40						

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

\$500 - \$999.99:

- * 1. DOT/ AIRPORTS – Kobayashi, Sugita & Goda - \$770.00**

TOTAL = \$770.00

\$100 - \$500:

- * 1. B&F/ EMPLOYEES RETIREMENT SYSTEM - Jasculca Terman Strategic Comm - \$350.50**
- * 2. B&F/ EMPLOYEE-UNION TRUST FUND - Monica Kim - \$121.60**
- * 3. DCCA/ INSURANCE – L. Hosoda/Law Firm - \$139.00**
- * 4. DCCA/ RICO – Hayden Aluli, Esq. - \$291.75**
- 5. DCCA/ RICO – JM - \$100.25**
- 6. DCCA/ RICO – CS - \$134.00**
- 7. DCCA/ RICO – TM - \$106.00**
- 8. DCCA/ RICO – JA - \$160.00**
- 9. DCCA/ RICO – JA - \$100.75**
- * 10. DCCA/ DIRECTOR – Civil Beat - \$140.00**
- * 11. DLIR/ WAGE STANDARDS – Rick Crago - \$169.00**
- * 12. DLIR/ CIVIL RIGHTS COMMISSION – Muck Rock, Michael Owens - \$117.50**
- * 13. DLNR/ CHAIRPERSON – KN - \$100.00**
- * 14. DLNR/ LAND MANAGEMENT – Mike Nakachi - \$237.50**
- * 15. DLNR/ BOATING AND OCEAN REC – Law Office of Myles S. Breiner - \$187.00**
- 16. DLNR/ BOATING AND OCEAN REC – Kai Nishiki - \$130.00**
- * 17. DLNR/ BOATING AND OCEAN REC – Mike Nakachi - \$475.00**
- * 18. JUDICIARY/ PUBLIC AFFAIRS – Erin Raasch - \$355.00**
- * 19. JUDICIARY/ PUBLIC AFFAIRS – Eric Fultz - \$170.00**
- 20. PSD – case 2023-003 - \$211.00**
- 21. PSD – case 2023-042 - \$216.00**
- 22. DOH/ HEALTH CARE ASSURANCE – AB - \$194.75**

TOTAL = \$4,206.60

\$50 - \$99.99:

- * 1. AG – Daniel Greenberg - \$70.00**
- * 2. DAGS/ PUBLIC WORKS - Blaze Lovell, Civil Beat - \$75.00**
- * 3. DCCA/ PVL - Nathan Choi, Trent Lee Caban - \$89.75**
- * 4. DCCA/ PVL - Nathan Choi, Trent Lee Caban - \$80.00**
- 5. DCCA/ PVL - DJC - \$55.55**
- 6. DCCA/ RICO – HT - \$55.50**
- 7. DCCA/ RICO - JM - \$89.50**
- 8. DCCA/ RICO – JS - \$83.50**
- 9. DCCA/ RICO – JM - \$51.50**

- 10. *DCCA/ RICO – JM - \$75.00*
- 11. *DCCA/ RICO – TA - \$66.00*
- * 12. *DLIR/ WAGE STANDARDS – Susan Charboneau - \$60.00*
- * 13. *DOT/AIRPORTS – Storm O’Toole Marcus & Fisher - \$89.00*
- 14. *DOH/ HEALTH CARE ASSURANCE – LO - \$55.00*
- * 15. *DOA/ ANIMAL INDUSTRY – AWI online - \$60.00*
- * 16. *DOA/ ASO – American Transparency - \$60.00*

TOTAL = \$1,115.30

GRAND TOTAL paid by requesters \$50+	=	\$6,091.90
Plus total paid by requesters \$5 to \$49.99	=	1,304.50
<u>Plus total paid by requesters under \$5</u>	=	<u>149.10</u>
TOTAL paid for all requests	=	\$7,545.50

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