# Interview Takeaways

## Methodology

Between Monday, June 25th and July 3rd I conducted six 30 minute to 1 hour long open-ended interviews with former and current WSDOT Public Disclosure Request (PDR) Coordinators. Three interviews occurred face-to-face, one of which was a group interview involving four members of the HQ staff. Three interviews were conducted remotely, one on the phone and two through GoToMeeting. These remote interviews were recorded to ensure accurate transcription.

Interviewees were chosen at first from PRD Request dataset pulled from the departments FileMaker database. Current employees whose names are listed as values in the “Assigned” Column of the database, which signifies the coordinator assigned to a specific request entry, were contacted. Subsequent interviewees where chosen using the Snowball method, or using previous interviewees suggestions of contacting other coordinators who are knowledgeable on the subject of DPRs.

## Takeaways

### The record request procedure is heavy standardized, but the process itself is variable:

1. Procedures for Documentation
   1. PublicDisclosureFilePlan.xlxs
      1. WorkFlow
      2. File Plan Qs
      3. Essential Records Qs
      4. Data Classification
2. Crosswalk for Exemptions
   1. Do not have yet

These standards make it easier for Coordinators to know how to perform a request, and make the request process uniform from region to region. Washington State Public Disclosure Law plays a part in this. For example, a coordinator must respond to a request within five business days.

However, there is a lot of variability to the process of responding to record requests. A question that on its surface seems simple may turn out to be very complicated once as the request process unfolds. The communication skills are key to the job of the coordinator for this reason. Constant changes: legal (court rulings and statues), and internal (job turnover in record departments within WSDOT) exacerbate the complexity of the work. In fact, decision making is so circumstantial that no one person has the institutional knowledge to answer all WSDOT public disclosure requests alone. PDR work is thus highly collaborative in nature, involving the input of co-workers, record managers, and managers within WSDOT.

Depending different factors a request may be denied, accepted, or accepted in part:

1. Who is Requesting:
   1. LPR (License Plate Readers) are only given to the vehicle’s owner
   2. Third Party businesses wanting Employee records or proprietary records from a contractor will be denied their request
2. When are they Requesting:
   1. Project Award bids are not open for disclosure until bid is officially awarded
   2. Employee Investigation are not open until the investigation is closed
3. Why are they Requesting:
   1. This question cannot be asked of a requestor, however there are ways to insure records are not used for specific reasons.
      1. Collision Data
         1. Wavier promising not to sue WSDOT
      2. Critical Infrastructure Plans
         1. If given, wavier promising not to share data
4. What is being Requested:
   1. Many records have personally identifying information
   2. Retention spans vary greatly between different types of records
   3. Different record types reside in different places are held in different types of media
      1. Engineering requests are tied to a location
         1. Right of Ways
         2. Bridge and Road Plans
      2. Records of the same type may be in different places due to differing ages and differing media

### Unclear Requests Require Communications with the Requestor

For now these communications are not in one shared place. Each coordinator saves the correspondence, mostly email, that go back and forth between themselves and the requestor they are working within files on their own personal computer. For my purposes this means I only have the initial request and the coordinator interpretation of that original request in my dataset. However, with the new GovQA Management System, all parts for the procedure will be streamlined and unified. All correspondence will go through GovQA.

### Anecdotally, Right of Way Plans are a good candidate for open disclosure, because the records are both frequently requested and do not have many exemption risks associated with them.

Right of Way was mentioned as a frequently requested datasets in all interviews. Other frequently requested datasets differ by Group: LPR (Headquarters), Variable Message Sign Messages and Speed Limits on I-90 (South Central), and Bridge Plans (Engineering).

Some frequently requested records, though frequently requested and approved are not good candidates for open data:

* LPR are only given to the particular vehicle’s owners
* Bridge Plans are considered critical infrastructure and are therefore given on very strict case-by-case basis

Other records may not have any exemption issues, however may prove to be liability for WSDOT stakeholders if records relating to them are posted publicly.

* WSDOT Contractors
  + Certified Payroll for Contractors
    - Has sensitive information, which must be redacted
      * Non-WSDOT Worker Name
      * Last four of SSN
* Signal Training Diagrams and CAD Drawings
  + Are not considered Intellectual Property, but in private practice are kept disclosed
* WSDOT Employees
  + Personnel Folders and Lists of Meeting Attendees
    - No legal disclosure issues, but stakeholder concern
    - WSDOT employees don’t want personal data openly accessible
    - Could be used for commercial purposes

Though Right of Way Plan records are both popular and carry little risk in disclosure, they will be costly to make open. As of now, the majority of plans are not digitized. Besides digitizing the records, it is possible to convert the plans into GIS data; instead of having a list of records, a user could find the same data from an interactive map. This would be a bonus to both public users and Engineering staff, because it would make a two-step process, finding the map location of a request and then finding the corresponding record, a one-step process.

### Up to date information on who to contact for specific records and where these records reside is needed.

Between standard procedures, the exemption cross-walk, honing communication skills, and collaborating with co-workers, coordinators generally feel equipped to interpret and respond record requests; though the need for consistently up to date procedures was expressed. Most coordinator felt the challenge lies in communication outside the department. Getting in contact with the proper records manager, and then finding the proper records is a major time consumer and source of frustration.

## Conclusion

PDRs, and WSDOT requests in particular, require immense institutional knowledge and collaboration. Any proposed technique delivered to WSDOT must take into account how coordinators have already learned to deal with the challenges of interpreting, assessing, and delivering PDRs to their public requestors. Coordinators should be considered integral to the open data decision making process: they are not only on the front lines of the public disclosure decision making process, but are also the employees who have the most contact with the public requestors an open data platform serves.

Since WSDOT PDR are so rich in complexities, requiring a team of coordinators to work in coordination with themselves to fulfill requests, an articulated and organized version of their collective knowledge needs to be included in open data decision making. A circumstance catalog for requested WSDOT records types would create that tool. According to Frederik Zuiderveen Borgesius, Jonathan Gray, and Mireille van Eechoud in their Berkeley Technology Law Journal article*, Open Data, Privacy, and Fair Information Principles: Towards a Balancing Framework*: “ A circumstance catalogue lists factors that might be considered when assessing whether, under which conditions, and how a dataset can be released.” The questions that a circumstance catalog considers are the very same questions that PDR Coordinator answer every day at work. Organizing this collective knowledge and saving it for decision makers down the line could potentially streamline the PDR process and help include valuable voices in conversations around open data.