

Expedite  
 No hearing set  
 Hearing is set  
Date:  
Time:  
Judge/Calendar:

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON  
IN AND FOR THE COUNTY OF THURSTON

TEAMSTERS LOCAL UNION NO. 117, a  
labor organization,  
  
Plaintiff,  
  
v.  
  
STATE OF WASHINGTON,  
DEPARTMENT OF ENTERPRISE  
SERVICES, and EVERGREEN FREEDOM  
FOUNDATION d/b/a FREEDOM  
FOUNDATION,  
  
Defendants.

No. 16-2-01547-34

**DECLARATION OF MICHELLE  
WOODROW IN SUPPORT OF  
PLAINTIFF'S MOTION FOR  
PRELIMINARY INJUNCTION**

I, Michelle Woodrow, declare as follows based on personal knowledge:

1. I am President and Director of Corrections & Law Enforcement at Teamsters Local Union No. 117 ("Local 117"). I am competent to testify before a Court of law, and I have personal knowledge of the matters contained herein.

2. Local 117 is a labor organization representing 16,000 men and women at 200 employers across Washington State.

1           3.       Approximately 60 of these workers are bindery and lithography professionals  
2 employed by DES, while approximately 5,400 are correctional officers and other employees  
3 providing services throughout the Washington State corrections system.

4           4.       The relationship between Local 117 and the State Agencies is governed by the  
5 terms of their respective collective bargaining agreements as well as applicable statutes,  
6 including RCW 41.06 and RCW 41.80.

7           5.       On or about April 8, 2016, an agent of the Office of Financial Management  
8 (“OFM”) informed me that on or about April 7, 2016, an agent of the Foundation submitted a  
9 request for public records to DES.  
10

11           6.       The request specifically sought “[t]he first name, last name, middle initial,  
12 birthdate and work email address of every current Department of Enterprise Services employee  
13 represented by Teamsters Local 117.” Attached hereto as **Exhibit A** is a true and correct copy of  
14 the request, as received by Local 117.  
15

16           7.       The same individual at OFM informed me that on or about April 6, 2016, Jamie  
17 Lund, Senior Policy Analyst for the Foundation, submitted a request for public records to the  
18 DOC that was essentially identical in nature, seeking “[t]he first name, last name, middle initial,  
19 birthdate and work email address of every current Department of Corrections employee  
20 represented by Teamsters Local 117.” Attached hereto as **Exhibit B** is a true and correct copy of  
21 the request, as received by Local 117.  
22

23           8.       In response to the Foundation’s PRA requests, both DES and DOC have indicated  
24 to Local 117 that they intend to provide the Foundation with the requested information absent an  
25 injunction by the Court.  
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**DECLARATION OF SERVICE**

I, Jennifer Woodward, hereby declare under penalty of perjury under the laws of the State of Washington that on May 6, 2016, I caused the foregoing Declaration of Michelle Woodrow in Support of Plaintiff's Motion for Preliminary Injunction to be electronically filed with the Clerk of the Court using the Thurston County e-Filing system, and caused a true and correct copy of the same to be sent via email, per agreement of counsel, to:

Morgan Damerow  
*morgand@atg.wa.gov*

Ohad Lowry  
*ohadl@atg.wa.gov*

David Dewhirst  
*ddewhirst@myfreedomfoundation.com*

Nick Dagostino  
*ndagostino@myfreedomfoundation.com*

SIGNED this 6th day of May, 2016, at Seattle, Washington.

  
\_\_\_\_\_  
Jennifer Woodward  
Paralegal

# Exhibit A

From: "**Vazquez, Robin (OFM)**" <[robin.vazquez@ofm.wa.gov](mailto:robin.vazquez@ofm.wa.gov)>  
Date: Mon, Apr 11, 2016 at 4:53 PM -0700  
Subject: FW: PRR - DES - Teamsters Local 117  
To: "Michelle Woodrow" <[Michelle.Woodrow@Teamsters117.org](mailto:Michelle.Woodrow@Teamsters117.org)>  
Cc: "Mitchell, Ann (OFM)" <[Ann.Mitchell@OFM.WA.GOV](mailto:Ann.Mitchell@OFM.WA.GOV)>

Hello Michelle,

Per your request dated 4/11/16 during our phone conversation, you'll find below the public disclosure request for information related to the local 117 bargaining unit members employed by DES.

Best,

**Robin Vazquez**

Labor Negotiator  
Office of Financial Management | Labor Relations Section  
360-407-4180 | [robin.vazquez@ofm.wa.gov](mailto:robin.vazquez@ofm.wa.gov)

"Attn: Harold Goldes, Public Records Officer

Department of Enterprise Services

1500 Jefferson Street E

PO Box 42445

Olympia, WA 98504-2445

Tel: (360) 407-8768

Fax: (360) 407-9176

Email: [docpublicdisclosureunit@doc.wa.gov](mailto:docpublicdisclosureunit@doc.wa.gov)

April 7, 2016

In accordance with RCW 42.56, I'd like to submit the following request for public records on behalf of the Freedom Foundation. Specifically, I am seeking:

The first name, last name, middle initial, birthdate and work email address of every current Department of Enterprise Services employee represented by Teamsters Local 117 including, but not limited to, the following bargaining units:

a. Non-supervisory Printing and Imaging Services-Bindery - All employees of the Department of Enterprise Services Business Resources Division Printing and Imaging Services Bindery work unit in the following job classifications: bookbinder 1, bookbinder 2, bookbinder 3, shipping lead, receiving lead, envelope adjustor, and envelope operator, excluding supervisors, confidential employees, and all other employees. PERC Decision #11342.

b. Non-supervisory Printing and Imaging Services-Litho - All employees of the Department of Enterprise Services Business Resources Division Printing and Imaging Services Litho work unit in the following job classifications: Up to 22" Press Operator, Web Press Operator, Over 22" Press Operator, Apprentice Press Assistant, Digital Print Operator 1, Digital Press Operator 2, Digital Press Operator 3, Color Digital Press Operator, and Digital Prepress Technician, excluding supervisors, confidential employees, and all other employees. PERC Decision #11341.

It is my preference to receive any responsive documents electronically in Excel file format. In accordance with RCW 42.56.070(9), the Freedom Foundation does not intend to use any responsive data for commercial purposes.

Please let me know if you would like me to clarify any aspect of this request.

Thank you."

# Exhibit B

**Lee, Youhyun 'Keira' (DOC)**

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**From:** Records Request <recordsrequest@myfreedomfoundation.com>  
**Sent:** Wednesday, April 06, 2016 5:21 PM  
**To:** doc public disclosure unit  
**Subject:** PRR - DOC - Teamsters Local 117

Attn: Debbie Nelson, Public Records Officer

Department of Corrections

DOC Public Disclosure Unit

Post Office Box 41118

Olympia, Washington 98504-1118

Phone (360)725-8854

Email: docpublicdisclosureunit@doc.wa.gov

RECEIVED

APR 07 2016

PUBLIC DISCLOSURE UNIT

April 6, 2016

In accordance with RCW 42.56, I'd like to submit the following request for public records on behalf of the Freedom Foundation. Specifically, I am seeking:

The first name, last name, middle initial, birthdate and work email address of every current Department of Corrections employee represented by Teamsters Local 117 including, but not limited to, the following bargaining unit:

a. Non-supervisory employees - All non-supervisory classified employees of the State of Washington working for the Department of Corrections in correctional institutions, the correctional industries program, the sex offender treatment program, and regional business service center, excluding persons exempt from the coverage of Chapter 41.06 RCW, employees in the Washington Management Service, confidential employees, supervisors, institutions employees in historically-excluded groups that have not been modified by subsequent orders, and all other employees of the Employer. PERC Decision #9351.

b. Supervisory employees - All supervisory classified employees of the State of Washington working for the Department of Corrections in correctional institutions, the correctional industries program, the sex offender treatment program, and regional business service center, excluding persons exempt from the coverage of Chapter 41.06 RCW, employees in the Washington Management Services, confidential employees, non-supervisory employees, institutions employees in historically-excluded groups that have not been modified by subsequent orders, and all other employees of the Employer. PERC Decision # 9351.

c. Psychiatric Social Workers - All civil service psychiatric social workers in the Washington State Department Of Corrections in the institutions, excluding supervisors, confidential employees and all other employees. PERC Decision #9322.

d. Psychology Associates – All full-time and regular part-time psychology associates of the Washington State Department Of Corrections in the institutions, excluding employees at Pine Lodge and Ahtanum View, supervisors, confidential employees, Washington Management Service employees and all other employees. PERC Decision #9780.

e. Chaplains. PERC Decision #9751.

f. Psychiatrists - All full-time and regular part-time psychiatrists of the Washington State Department Of Corrections in the institutions, excluding employees at Pine Lodge and Ahtanum View, supervisors, confidential employees, Washington Management Service employees and all other employees. PERC Decision #9752.

g. Psychologist 3&4 Non-Supervisory - All full-time and regular part-time psychologists of the Washington State Department Of Corrections in the institutions, excluding employees at Pine Lodge and Ahtanum View, Supervisors, confidential employees, Washington Management Service employees and all other employees. PERC Decision #9750.

h. Psychologist 3& 4 Supervisory. PERC Decision #9760.

It is my preference to receive any responsive documents electronically in Excel file format. In accordance with RCW 42.56.070(9), the Freedom Foundation does not intend to use any responsive data for commercial purposes.

Please let me know if you would like me to clarify any aspect of this request.

Thank you,

Jami Lund

Senior Policy Analyst | Freedom Foundation

JLund@myFreedomFoundation.com

360.956.3482 | PO Box 552 Olympia, WA 98507

myFreedomFoundation.com

# Exhibit C

**From:** Goldes, Harold (DES) <harold.goldes@des.wa.gov>  
**Sent:** Thursday, April 21, 2016 7:51 AM  
**To:** Goldes, Harold (DES)  
**Subject:** NOTICE OF INTENT TO DISCLOSE PUBLIC RECORDS  
**Attachments:** PRR - DES - Teamsters Local 117; PRR - DES - CWA; PRR - DES - WFSE  
**Importance:** High

Dear Colleague-

On April 7, 2016, DES received three public records requests from the Freedom Foundation seeking the following: first name, last name, middle initial, birthdate and work email address of every current Department of Enterprise Services employee represented by Teamsters Local 117, Washington Federation of State Employees, and the Communications Workers of America 37082 (CWA)/The Newspaper Guild, Local 37082.

These requests are attached. The records requested are public records. DES will disclose these records to the Freedom Foundation on May 6, 2016.

The purpose of this email is to provide notice:

- i to all affected employees that DES intends to disclose the requested records.
- i to employees represented by the Washington Federation of State Employees (WFSE) under Article 28.2 of the 2015-2017 Collective Bargaining Agreement that the records described above have been requested and will be released.
- i that the public records act allows a person to seek court protection against this disclosure. (RCW 42.56.540 [2]Court protection of public records[2]).

If you have any questions about this records request, please contact Harold Goldes, Public Records Officer, at (360) 407-8768 or [harold.goldes@des.wa.gov](mailto:harold.goldes@des.wa.gov).

HAROLD GOLDES JD  
OFFICE OF RISK MANAGEMENT  
360.407.8768 (o) / 360.480.8425 (c)  
DEPARTMENT OF ENTERPRISE SERVICES MS:41410  
1500 JEFFERSON STREET SE, OLYMPIA, WA 98504-1410

# Exhibit D

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From: DOC Public Records  
Sent: Monday, April 25, 2016 12:01 PM  
To: DOC Public Records <[docpublicrecords@DOC1.WA.GOV](mailto:docpublicrecords@DOC1.WA.GOV)>  
Subject: Official Staff Notification re: Public Records Request

DOC Staff:

This email serves as official notification that the department has received 2 separate public records requests from the Freedom Foundation asking for the first name, last name, middle initial, birthdate and work email address of every DOC employee represented by both Teamsters 117 and the Washington Federation of State Employees. A copy of these requests are attached for your reference. If you are not a member of the Teamsters or Federation then these requests do NOT apply to you.

The purpose of this email is to:

1. Notify you that if you are a member of either of the above unions, then your name, work email and date of birth is a part of department records that have been requested under the Public Records Act, RCW 42.56,

2. Provide you a copy of the request, and
3. Provide you opportunity to pursue court action to stop the release of these records, should you choose to do so.

In addition, please note that given the fact that DOC is a criminal justice agency, there is an exemption found in RCW 42.56.250(8), that allows the agency to redact the month and year of employee birth dates. As such, the department intends on releasing your full name, work email address and the actual day of birth NOT the month or year.

Attached, you will find a copy of the requests we are responding to as well as general steps should you choose to pursue court action to stop the release of your name, work email and day of birth only. If you do want to prohibit disclosure of this information, you will need to send a temporary restraining order signed by the court no later than close of business Friday, May 13, 2016 to [docpublicrecords@doc1.wa.gov](mailto:docpublicrecords@doc1.wa.gov), otherwise the requested information will be released.

Please be mindful of the Acceptable Use of Technology policy, DOC 280.100 in your communications regarding these requests. If you have any questions, you may contact us by email at [docpublicrecords@doc1.wa.gov](mailto:docpublicrecords@doc1.wa.gov) or call (360) 725-8673.

Sincerely,