

July 16, 2025

Via Email

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Re: University of Washington Institutional Animal Care and Use Committee

Dear Ms. Garland and Ms. Creighton:

I am writing on behalf of my clients, People for the Ethical Treatment of Animals, Inc. (“PETA”) and the Northwest Animal Rights Network (“NARN”) regarding the University of Washington’s Institutional Animal Care and Use Committee (“UW IACUC”—and, specifically, its practice of continuing to identify its members in appointment letters, meeting minutes, and at the IACUC meetings solely by initials.

The UW IACUC is subject to Washington’s Open Public Meetings Act (“OPMA”). By continuing to conceal the identities of its members, the UW IACUC is in violation of the OPMA’s requirement that all meetings be open and public, see RCW 42.30.030, and the OPMA’s prohibition on using secret ballots, see RCW 42.30.060(2). Further, the practice of deliberately hiding the identities of the members of the UW IACUC in meeting minutes violates the OPMA’s requirement that all minutes be recorded and open to public inspection. See RCW 42.30.035.

This conduct contravenes the clear text and purpose of the OPMA and lacks any plausibly sufficient legal justification. As you know, the Ninth Circuit has issued numerous recent decisions concerning the UW IACUC, and has repeatedly reaffirmed, for example, that members’ names do not implicate cognizable privacy or similar interests because they “are members of a ‘committee formed by the government to discharge an official purpose[.]’” *P*

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Nancy Garland and Jessica Creighton

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Page 2

Poe 5 v. Univ. of Washington, No. 24-2765, 2024 WL 4971971, at *1 (9th Cir. Dec. 4, 2024), citing *Sullivan v. Univ. of Wash.*, 60 F.4th 574, 581 (9th Cir. 2023). Likewise, the United States District Court for the Western District of Washington's recent conclusion that UW IACUC members could not hide their identities in public records because "[t]he people have a right to know who their public employees are," and so disclosure of "the identity of public employees and their duties... is consistent with these interests" and "newsworthy," *P. Poe 5, et al., v. UW, et al., Defendants, and PETA, et al., Intervenor-Defendants*, No. 2:24-CV-00170-JHC, 2025 WL 1082039, at *6 (W.D. Wash. Apr. 10, 2025) (holding that "[t]here is therefore a public interest in the release of this information that is not outweighed by Plaintiffs' personal privacy interest."), is a near-precise analog for the legislative intent codified in the OPMA. See RCW 42.30.010 ("The legislature finds and declares that all public . . . committees. . . and all other public agencies of this state and subdivisions thereof exist to aid in the conduct of the people's business. It is the intent of this chapter that their actions be taken openly and that their deliberations be conducted openly. The people of this state do not yield their sovereignty to the agencies which serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know. The people insist on remaining informed and informing the people's public servants of their views so that they may retain control over the instruments they have created."). The Western District of Washington further concluded that public disclosure of UW IACUC member identities posed no harm to the UW IACUC's past or future functioning, while finding that testimony to the contrary from the UW IACUC chair was "not entirely consistent" with actual events. See *P. Poe 5, et al.*, 2025 WL 1082039, at *6.

For the above reasons, my clients demand that the UW IACUC immediately cease identifying its members by their initials and begin identifying its members by their full first and last names in all documents and platforms to which the public has access, or may have access, including but not limited to public records, meeting minutes, and throughout the duration of meetings held pursuant to the OPMA.

Please provide your assurance that the UW IACUC will take all of the above-demanded action no later than August 7, 2025. Absent the UW IACUC's assurance that it will cease its violations of the Washington OPMA, you should consider yourself on notice of anticipated litigation.

Sincerely,



Peter Hawkes