



## **PUBLIC RECORDS DISCLOSURE PROCEDURES MONROE FIRE DISTRICT NO. 3**

### **PURPOSE**

It is the policy of Monroe Fire District # 3 ("the District") to provide full public access to public records, to protect public records from damage or disorganization, and to provide the fullest assistance to requestors of public records with the most timely possible action on requests.

### **DISTRICT RECORDS THAT ARE SUBJECT TO DISCLOSURE**

Every record made or received by the District is presumed to be a public record that members of the public may inspect or obtain a copy of upon request. Some records in the possession of the District are exempt from public disclosure under federal, state, and/or local law. The District declares the following list as known exemptions from disclosure in accordance with WAC 44-14-060: Items specified in RCW 42.56.210 through 42.56.480.

Examples of records that the District is prohibited from disclosing or may decline to disclose include: personnel records; medical records or similar files (the disclosure of which would constitute an unwarranted invasion of personal privacy); confidential communications between the District and lawyers for the District protected by the attorney-client exemption; and proprietary financial information submitted to the District in response to a request for proposal prior to the award of a contract. If a responsive record contains both exempt and non-exempt information, the District will redact the exempt material and make the remainder of the record available to the requesting party.

The district is prohibited by statute from disclosing lists of individuals for commercial purposes.

### **INDEX OF PUBLIC RECORDS**

The District finds that creating and maintaining a central index of records is unduly burdensome and would interfere with District operations, and opts out of indexing requirements of the Public Records Act.

### **FORM AND MANNER OF REQUEST FOR PUBLIC RECORDS**

#### **A. Requests:**

Requests for the District's records should be submitted as follows:

##### **By U.S. Mail or In Person:**

Monroe Fire District No. 3  
Attn: Public Records Officer  
163 Village Court  
Monroe, WA 98272

**By Fax:** (360)794-0959

**By E-mail:** [records@monroefire.org](mailto:records@monroefire.org)

**By Telephone:** (360)794-7666

**Hours:** Monday through Friday, from 8:00 a.m. through 4:30 p.m.

Members of the public should direct their record requests to the District's public records officer, such requests given to any other personnel may delay the District's response while the request is being forwarded to the public records officer.

**Please Note:** The District does not handle patient billings at this facility. If you are in need of a patient billing record, please contact:

E.S.C.O.B.A.R.  
Attn: Rachel Hukill  
Snohomish County Fire District #7  
PO Box 12383  
Mill Creek, WA 98082-0383  
Phone: (360) 668-5357  
Fax: (360) 282-3947  
Email: rhukill@firedistrict7.com

#### **B. Method:**

When a request for public records is made, the District will provide a *Public Records Disclosure Request Form*. The form is available at the Monroe Fire District headquarters front counter. Citizens may also find the form on the District's website at [www.monroefire.org](http://www.monroefire.org). The request may be submitted on the form provided or in another format that includes the following information about the request or the requestor:

1. date and time;
2. name of the requestor;
3. full address;
4. telephone number;
5. email address ( if available);
6. title and date of the records ( if known);
7. incident date and address (if applicable);
8. location of the record (if known); and
9. whether the requestor intends to inspect the records or to obtain a photocopy of the records.

Although not legally required, a written request helps the District understand the request and respond to it in a timely and efficient manner. Members of the public are encouraged to use the District's Public Records Request Form.

To expedite processing of the request, members of the public should be as specific as possible in making the request.

### **RESPONSE TO REQUEST FOR RECORDS**

- A. Initial Response:** RCW 42.56 requires that a response be made to the request within five (5) business days after the request was received. All requests received after 4:30 p.m. will be considered to have been received on the next business day. All requests will be date stamped. The response may:
- a) Allow full access.
  - b) Deny access. If so, the following elements are essential:
    - i. Any denial must be in writing (email if provided);
    - ii. Any denial must cite the statutory basis for the denial;
    - iii. Any denial must give a brief explanation of how the exemption applies to the requested record(s).

- c) Allow access with deletion of personal details which would violate individual privacy. Deleted portions must be explained in the same manner as denial of access.
- d) Explain that the District does not have the requested record, or
- e) Give a reasonable estimate of the time required to complete the response.

**B. Communication Method:** All communications between the Public Records Officer and the Requestor shall be via email unless the Requestor does not provide an email address or requests otherwise.

**C. Need for Additional Time:** Additional time to respond to a request may be based upon the need to:

- a) Clarify the scope and intent;
- b) Locate, review, and assemble;
- c) Notify third persons or agencies affected (see "Notification of Affected Parties"); or
- d) Determine whether any of the information is exempt and whether a denial should be made as to all, or part, of the request.

**D. Final Written Response:** The District's response shall be deemed complete and final upon providing a written response by the District to the requestor that will either:

- a) confirm the requester's receipt or inspection of the requested records has been completed;
- b) deny the records request and outline the exemptions for denial;
- c) notify the requester that the records are available for inspection or production after receipt of any applicable fees; or
- d) close the request due to the requester's failure to clarify the scope or intent of their request after the City has sought such clarification in writing.

## **INSPECTION OF RECORDS**

**A. Availability of Inspections:**

- a) Public records shall be available for inspection during the customary office hours of the headquarters District Monday through Friday, excluding legal holidays, 8:00 a.m. through 4:30 p.m., subject to the availability of staff to ensure the protection of public records from damage or disorganization.
- b) In the event a requestor seeks only to inspect the records, the District shall notify the requestor in writing once the records are available for inspection.

**B. Duration:** Records that have been assembled for inspection shall be made available to the requestor for a period of no more than (30) thirty calendar days.

**C. Custody:** Due to the potential for loss or damage, all records shall remain in the District's custody. Members of the public may examine records at Monroe Fire District headquarters, but not alter, mark on, destroy an original record during inspection, or remove the physical records from the District.

**D. Selection:** To select a paper record for copying during an inspection, a requestor must use a nonpermanent method such as a removable adhesive note or paperclip. The District may, in its sole discretion, require District personnel to remain physically present with the requestor during the record inspection process.

## **FEES - WAC 44-14-070**

Prior to the release of copies of any public record, applicable fees shall be collected. The following listed fees are subject to change.

**Inspection of Records:** No fee shall be charged for the inspection of District documents.

**Copies:** For documents copied to the order of the requester, the District charges \$0.15 per page (or per side) for standard black and white photocopies. Color copies are charged at \$0.50 cents per page.

If the request is for paper copies, a 10% deposit of the estimated total copying charge may be required to be paid prior to photocopying.

The public shall be charged the actual out-of-pocket costs for the reproduction of documents if the requester has requested documents and staff workload issues or the volume of copies requested necessitate sending the documents out to a reliable copy source for copying.

**CD:** All copies will be disclosed in electronic form if acceptable to the Requestor: CDs with electronic copies are \$1 per CD.

**Postage:** Records mailed at the Requestors wishes will be done after payment of postage or delivery charges and the cost of any container or envelope used to send the public records to the Requestor.

The District charges the actual cost of postage used when the requesting party asks the District to send copies of the responsive records through the U.S. mail. If the requesting party requests other means of delivery, the requesting party shall be charged for the cost of such delivery.

**Email:** The District does not charge a fee to email copies of electronic records.

**Staff Time:** The District may not charge for the staff time spent in locating a public record or for making a record available for inspection.

**Method of Payment:** Fees can be paid in cash, cashier's check or money order made payable to "Monroe Fire District No. 3."

#### **NOTIFICATION OF AFFECTED PARTIES: INJUNCTIVE ACTION**

- A. Third Party Rights:** When a request seeks disclosure of a particular record containing information regarding other persons, the District may, in its sole discretion, notify said persons in writing and inform them of their right to seek an injunction from the Superior Court enjoining the disclosure. In such circumstances, production of the requested record may be postponed for a reasonable period in order to provide the affected parties with a reasonable opportunity to seek injunctive relief. The District shall honor any order enjoining disclosure of a particular record issued from a court of competent jurisdiction.
- B. Notice:** The District's practice is to give affected parties ten (10) business days notice and indicate the deadline date to avoid any confusion. In some cases, more time may be appropriate such as when numerous notices are required.
- C. Vital Government Interests:** When a request seeks disclosure of a particular record that would substantially and irreparably damage vital government functions of the District or another public agency, the District may, in its sole discretion, obtain an injunction from the Superior Court enjoining such disclosure. In such circumstances, the District shall postpone disclosure of the requested record until the Superior Court has issued a final ruling concerning the matter.

#### **DISCLOSURE OF RECORDS**

**Default Media:** All copies will be disclosed in their original form unless the Requestor agrees to a different format.

**Email:** If the responsive records are in an electronic form, the requesting party may request the District to provide the records via email. Records sent via email must be in an electronic format that preserves the integrity of the records and cannot contain any exempt information. There is no limit on the number of pages that may be sent electronically, but the total size of the transmission must be less than 10 MB.

**Fax:** If the responsive records are less than ten (10) pages, the District, at the District's option, may fax copies to the requesting party without payment of any fee. Records more than ten pages will not be available via fax.

**Later Discovered Records:** A request is not continuing in nature. The District must only provide access to public records in existence at the time of the request; it is not obligated to supplement responses. Therefore, if a public record is created or comes into the possession of the District after the request is received by the District, it is not responsive to the request and need not be provided. In the event additional records are created after the date of the requestor's original request, the requestor will need to submit a new request. However, if a record responsive to the request is discovered after a request has been closed, the District will provide the later-discovered records to the requestor in accordance with WAC 44-14-040(11).

**Partial/Installment Basis:**

In complying with the obligation to make requested records available "promptly", the District may make records available on a "partial or installment basis" as records that are part of a larger set of requested records are assembled or made ready for inspection or disclosure.

1. If the District does make a request available on a partial or installment basis, the District will charge for each part of the request as it is provided.
2. If an installment of a records request is not claimed or reviewed after 30 calendar days, the District is not obligated to fulfill the balance of the request.
3. The District may require a deposit in an amount not to exceed ten (10) percent of the estimated cost of providing copies for a request.

**Liability:** No public agency, official, employee or custodian shall be liable, nor shall a cause of action exist, for any loss or damage based upon the release of a public record if the public agency, public official, public employee, or custodian acted in good faith in attempting to comply with the act.

**ABANDONED REQUESTS**

The District shall hold any responsive records for thirty (30) calendar days after the date of its written response to the requesting party. A requesting party who is unable to inspect the records or collect the copies within that thirty (30) day period, may contact the District's public records officer, or designee, to make arrangements to inspect or collect the copies at a later date. After the thirty (30) day period, however, if the requesting party has not made such arrangements within the District, the District shall return the records to their appropriate files or storage. After that time, the requesting party will need to submit a new request to obtain the records.

**RECORDS RETENTION**

- A. **Retention Schedule:** The District has the obligation to maintain all electronic files and paper records in accordance with the Washington State Archivist Records Retention Schedule.
- B. **Destruction:** If a requested record is scheduled shortly for destruction and the District receives a public records request for it, the record will not be destroyed until the request is resolved.

- C. **Notification:** The District will notify all employees and agents who have control over requested documents and files that they should not destroy or otherwise jeopardize the integrity of those documents and files.

### **NOTICE OF PRIVACY PRACTICES**

When responding to emergency medical calls, the District obtains protected health information about its patients in order to provide the best emergency medical care possible. The District is committed to treating and using all protected health information obtained responsibly. The District treats all health care information about its patients with care and under strict policies of confidentiality that its staff is committed to following at all times. A copy of the District's privacy practices will be provided to the requesting party upon request.

### **REFERENCES**

RCW 42.56 Public Records Act  
WAC 44-14 Public Records Act- Model Rules