

Subject:	PUBLIC ACCESS TO DEPARTMENT RECORDS
Section:	PPG# 3300
Chapter:	Community Relations
Effective Date:	7/1/98

1.0 POLICY

- 1.1** Mindful of the right of individuals to privacy and of the desirability of efficient administration of the fire district, full access to information concerning the administration and operations of the department shall be afforded to the public as provided by the Public Disclosure Law. Public access to department records shall be afforded according to the procedures developed by the chief and periodically reviewed by the board of commissioners.

“Fire department records” include any writing, printing, photocopying, photographing, etc., containing information relating to the conduct of operations and functions of the department which is prepared, owned, used, or retained by the department. “Fire department records” do not include the personal notes and memoranda of staff which remains in the sole possession of the maker and which are not generally accessible or revealed to other persons.

The chief shall have responsibility and authority for ensuring compliance with the display, availability, inspection, and copying requirements of state law and this policy. The department does not maintain an index of records because such an indexing method would be unduly burdensome to a limited office staff and, if done, would hamper current department activities. This shall not preclude interested public in making requests to review records, which are accessible to the public.

The department shall make available for public inspection and copying all department records, or portions, except those which contain the following information:

1. Personal information in files maintained for staff members or commissioners to the extent that disclosure would violate their right to privacy (RCW 42.17.310 (1) (b)).
2. The contents of real estate appraisals, made for or by the department relative to the acquisition of property, until the project is abandoned or until such time as all of the property has been acquired, but in no event shall disclosure be denied for more than three years after the appraisal

(RCW 42.17.310 (1)(g).

3. Preliminary drafts, notes, recommendations, and intra-office memoranda in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by the department in connection with any department action (RCW 42.17.310 (1) (i).
4. Records which are relevant to a controversy in which the department is a party but which the records would not be available to another party under the rules of pre-trial discovery for cases pending in the superior courts (RCW 42.17.310 (1) (j).
5. Records or portions of records the disclosure of which would violate personal rights of privacy (RCW 42.17.260(1) and RCW 42.17.310 (2).

If the department denies any request, in whole or in part, for inspection and copying of records, the district shall provide the requesting party with a written statement of the reason for the denial setting forth the specific exemption (and statutory section) which applies.

If the record which is requested for inspection and/ or copying contains both information exempted from disclosure and nonexempt information, the department shall, to the extent practicable, produce the record with the exempt portion deleted and shall provide a written explanation for the deletion.

The department shall not provide access to lists of individuals, which the requesting party intends to use for commercial purposes, or which the department reasonably believes shall be used for commercial purposes if such access is provided.

The chief is authorized to seek an injunction to prevent the disclosure of records otherwise discloseable when he/ she determines that there is reasonable cause to believe that the disclosure would clearly not be in the public interest and would substantially and irreparably damage any person or would substantially or irreparably damage vital governmental functions.

4.0 REFERENCES

Legal References: RCW 52.14.100 Power and duties
RCW 42.17.250-340 Public records