

PURPOSE

The purpose of this policy is for Central Kitsap Fire and Rescue (CKFR) to comply with the requirements of the Public Records Act by providing for consistent and predictable practices for responding to and fulfilling requests for public records in a manner consistent with the Washington State Public Records Act, Chapter 42.56 RCW.

1.0 GENERAL

- 1.1. It is the policy of Central Kitsap Fire and Rescue (CKFR) to provide access to public records in accordance with the requirements of Chapter 42.56 RCW. Procedures governing access to public records shall ensure access to public records without discrimination to requestors and shall provide appropriate safeguards for information exempted from or prohibited from disclosure by statute.

2.0 DEFINITIONS

- 2.1. "Central Kitsap Fire and Rescue (CKFR)" and the "District" includes any office, department, division, bureau, board, commission, or agency of Central Kitsap Fire and Rescue. RCW 42.56.010(1).
- 2.2. "Public Records Act (PRA)" is the Washington State Public Records Act that requires state and local agencies to make their written records available to the public for inspection and copying upon request, unless the information fits into one of the various specific exemptions in the PRA or as otherwise provided in law. The stated policy of the PRA favors disclosure and requires narrow application of the listed exemptions.
- 2.3. "Person in Interest" means the person who is the subject of a record or any representative designated by that person, except that if that person is under a legal disability, "person in interest" means and includes the parent or duly appointed legal representative.
- 2.4. "Public Record" includes any writing containing information relating to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics. This definition does not include records that are not otherwise required to be retained by the district and are held by volunteers who:

- 2.4.1. Do not serve in an administrative capacity;



- 2.4.2. Have not been appointed by the district to a district board of commission, or internship; and
- 2.4.3. Do not have a supervisory role or delegated district authority.
- 2.5. "Writing" means handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation including, but not limited to, letters, words, pictures, sounds, or symbols, or combination thereof, and all papers, maps, magnetic or paper tapes, photographic films and prints, motion picture, film and video recordings, magnetic or punched cards, discs, drums, diskettes, sound recordings, and other documents including existing data compilations from which information may be obtained or translated.
- 2.6. "Exempt record" means records or portions of records that are exempt from public disclosure. Exemptions include those identified in the Public Records Act or in other statutes incorporated by Chapter 42.56.070 RCW. Exemption from disclosure of a portion of a record does not automatically exempt the remainder of the record from disclosure. Exempt portions of records may be subject to redaction.

3.0 PUBLIC RECORDS OFFICER

- 3.1. CKFR's Fire Chief shall designate a Public Records Officer. The Public Records Officer will oversee compliance with the Public Records Act, Chapter 42.56 RCW. Other designated staff members may receive or respond to public records requests as set forth below.

4.0 PUBLIC RECORDS REQUESTS

- 4.1. Any person wishing to inspect or copy the CKRF's public records should make a request by letter, fax, or email addressed to the following:

Public Records Requests	Phone: 360-447-3574
Central Kitsap Fire and Rescue	Fax: 360-447-3590
5300 NW Newberry Hill Road, Suite 101	Email: PublicRecordsRequest@ckfr.org
Silverdale, WA 98383	

- 4.1.1. Requestors are encouraged to use the District's public records request form (Form 1004 for Public or Private Records) which is attached hereto as "Exhibit A". Email will be considered received on the date the message is received during customary business hours and not on the date it was sent.
- 4.1.2. Requests for records not received in writing may be transcribed by CKFR staff and verified with the requestor in writing.
- 4.2. To facilitate a well-timed response, the request should include the following information:



- 4.2.1. Contact information (i.e. Name, Address, Phone Number) of the requestor;
- 4.2.2. Date of request;
- 4.2.3. A detailed description of the public records being requested;
- 4.2.4. Indication of desired records format (i.e. hard copies, electronic copies, or physical file inspections). If copies are requested, include an address as to where they should be mailed;
- 4.2.5. A statement regarding whether the records requested are to be used for commercial purposes pursuant to RCW 42.56.070(8); and
- 4.2.6. Signature of the Requestor

5.0 PROCESSING OF PUBLIC RECORDS REQUESTS

- 5.1. Within five (5) business days of receiving a request, CKFR will do one or more of the following:
 - 5.1.1. Make the records available for inspection or copying, which may include providing an internet address and/or link on the District's website to the specific record requested;
 - 5.1.2. Acknowledge that it has received the request and provide a reasonable estimate of the time necessary to respond;
 - 5.1.3. Seek a clarification of the request; or
 - 5.1.4. Deny the request, providing an exemption log or other appropriate explanation if responsive exempt records exist.
- 5.2. Additional time to respond may be required based on the need to clarify what records are being sought in the request, to locate and assemble the information requested, to notify third parties or agencies affected by the request, and/or to determine whether any, or all, of the records requested are exempt from disclosure. This list is not exhaustive, and CKFR reserves the right to require additional time as permitted by the PRA or other applicable federal or state law.
- 5.3. CKFR may seek clarification from the requestor if it receives an unclear or ambiguous request for records. Such clarification may be requested and provided by telephone or in writing; however, any oral discussions regarding clarification will be confirmed in writing. If clarification is not received, CKFR may deem the request abandoned and need not respond to it.
- 5.4. A written statement of reason(s) for denying a request for disclosure will be provided to the requestor regardless of the reason for the denial.



6.0 NOTICE TO THIRD PARTIES

- 6.1. If the requested records contain personal information that identifies an individual or organization or other information that may affect rights to others and may be exempt from disclosure, the Public Records Officer may, prior to providing the records, give notice to such others whose rights may be affected by the disclosure.
- 6.2. The notice to the affected person(s) shall include a copy of the records request, the date CKFR intends to release the records, and how the individual or organization can prevent the record's release. CKFR will release such records by the specified date if no one objects or the contacted party does not respond by the specified date.
- 6.3. The foregoing procedure shall not create any rights to third parties to such notice.

7.0 RECORDS EXEMPT FROM DISCLOSURE

- 7.1. The Public Records Officer will evaluate each records request and determine if all or part of the record is exempt from disclosure. If all or part of the record being requested is exempt, the Public Records Officer will state the specific exemption and provide a brief explanation to the requestor as to why the record or a portion of the record is being withheld.
- 7.2. If only a portion of a record is exempt from disclosure, but the remainder is not exempt, the Public Records Officer will redact the exempt portions, provide the non-exempt portions, and indicate to the requestor why portions of the record are being redacted.
- 7.3. In addition to the exemptions listed in Public Records Act, other laws prohibit the disclosure of certain classes of information from public inspection and copying. Some of these exemptions are listed below. This list is for informational purposes and is not intended to be exhaustive or exclusive. Public records may be exempt under other laws.

Table 1 - Washington State Statutes

RCW 4.24.550	Information on sex offenders to public
RCW 5.60.070	Court-ordered mediation records
RCW 19.34.240(3)	Private digital signature keys
RCW 19.108.020	Misappropriation of trade secrets
RCW 19.215.020	Destruction of personal health and financial information
RCW 19.215.030	Compliance with federal rules
RCW 26.44.030	Reports of child abuse/neglect
RCW 42.23.070(4)	Municipal officer disclosure of confidential information prohibited



RCW 42.41.030(7)	Identity of local government whistleblower
RCW 42.41.045	Non-disclosure of protected information (whistleblower)
RCW 48.62.101	Local government insurance transactions - access to information
RCW 50.13.060	Access to employment security records by local government agencies
RCW 51.28.070	Worker's compensation records
RCW 51.36.060	Physician information on injured workers
RCW 70.123.075	Client records of domestic violence programs

Table 2 - Federal Statutes

42 U.S.C. §405(c)(2)(vii)(I)	Limits on Use and Disclosure of Social Security Numbers.
5 U.S.C. § 552a	Federal Privacy Act

- 7.4. Pursuant to the PRA, CKFR reserves the right to seek to prohibit the examination of any specific record if CKFR determines that the examination is clearly not in the public's interest and will substantially and irreparably damage any person or will substantially and irreparably damage vital governmental functions.

8.0 PROVISION AND INSPECTION OF RECORDS

- 8.1. Non-exempt public records will be available for inspection and/or copying during the District's normal business hours of Monday through Friday 8:00 a.m. to 4:30 p.m. Records may be inspected at the business office which is located at 5300 NW Newberry Hill Road, Suite 101, Silverdale WA 98383.
- 8.1.1. No member of the public may remove any public records from a viewing area. They shall not disassemble, alter, transfer or destroy any public records.
- 8.1.2. Records provided for public inspection shall be returned in the same condition, file sequence and/or order they were provided.
- 8.1.3. Inspection or copying shall be denied and the records shall be withdrawn if the person or persons inspecting or copying the records is engaging in conduct likely to damage or substantially disorganize them, or to interfere with other essential District functions.
- 8.2. Records requested in an electronic format will be provided in an electronic format that is generally commercially available, or in a format that is reasonably translatable from the format in which the district keeps the record.



8.3. The requestor must claim or review the assembled records within thirty (30) days of CKFR's notification to him or her that the records are available for inspection or copying. CKFR will notify the requestor in writing of this requirement and inform the requestor that he or she should contact the district to make arrangements to claim or review the records.

8.4. If the requestor or a representative of the requestor fails to claim or review the records within the thirty-day period or make other arrangements, CKFR may close the request and re-file the assembled records (WAC 44-14-04005).

8.5. PROVIDING RECORDS IN INSTALLMENTS

8.5.1. When the request is for a large amount of records, the Public Records Officer or designee may elect to provide access for inspection and copying in installments.

8.5.2. In such cases, the Public Records Officer or designee shall provide a reasonable estimate in the initial response as to when the first installment will be available and when further installments are anticipated.

8.5.3. If within thirty (30) days the requester fails to arrange for the inspection of the first installment or any subsequent installments, the Public Records Officer or designee may stop searching for the remaining records and close the request.

8.6. EXCESSIVE REQUESTS

8.6.1. A request for all or substantially all records of an agency not relating to a particular topic is not a valid request for identifiable records under the PRA. CKFR may deny multiple automatically generated (bot) requests that come from the same source within a 24-hour period, if the requests cause excessive interference with the other essential functions of the District.

8.7. COMPLETION OF INSPECTIONS AND WITHDRAWN OR ABANDONED REQUESTS

8.7.1. When the inspection of the requested records is complete and all requested copies are provided, the Public Records Officer or designee will indicate that CKFR has completed a diligent search for the requested records and made any located non-exempt records available for inspection.

8.7.2. When the requestor either withdraws their request, or fails to fulfill his or her obligations to inspect the records or pay the deposit or final payment for the requested copies, the Public Records Officer or designee will close the request and indicate to the requester that the District has closed the request.

8.8. LATER DISCOVERED DOCUMENTS



8.8.1. If, after CKFR has informed the requestor that it has provided all available records, the District becomes aware of additional responsive documents existing at the time of the request, it will promptly inform the requester of the additional documents and provide them on an expedited basis.

8.9. NO DUTY TO SUPPLEMENT RESPONSES OR CREATE NEW RECORDS

8.9.1. CKFR is not obligated to hold current records requests open to respond to requests for records that may be created in the future. A new request must be made to obtain later created public records.

8.9.2. The District is not obligated to create a new record to satisfy a records request.

9.0 ORGANIZATION OF PUBLIC RECORDS

9.1. CKFR finds that maintaining an index for use by the public as provided in RCW 42.56.070(3) would be unduly burdensome and would interfere with District operations given the high volume, various locations, and types of public records received, generated, and otherwise acquired by the District. RCW 42.56.070(4).

9.2. Notwithstanding the foregoing, CKFR will maintain its records in a reasonably organized manner and take reasonable actions to protect records from damage and disorganization.

9.3. A variety of records are available on the District's website at www.ckfr.org. Requestors are encouraged to view the documents available on the web site prior to submitting a records request

10.0 COSTS OF PROVIDING COPIES OF PUBLIC RECORDS

10.1. No fee will be charged for locating public records, or for making public records available for inspection.

10.2. GENERAL RECORDS

10.2.1. The general records of the District are defined as all district public records except for medical incident reports. For records requests requiring copies of these records, the requestor shall pay the appropriate reproduction and mailing costs listed in the following table. The Public Records Officer may elect to waive these fees with permission from the Fire Chief.

10.2.2. CKFR has calculated the actual costs it charges for providing photocopies pursuant to Chapter 42.56.070 RCW and identified in the Statement of Cost attached hereto as Exhibit B.

10.2.3. The District finds calculating the cost for providing electronic copies, including those cost related to production, file transfer, storage and transmission is unduly burdensome and will charge the default rate provided in Table 3.



Table 3 - General Records Costs

MEDIA OR FORMAT	COST
Black & white paper photocopies or printed copies of electronic records when requested by the requestor (8½ x 11, per side)	\$0.29 per page
Color copies (8½ x 11, per side)	Billed for actual cost
Large paper copies (11x17, drawings, etc.)	Billed for actual cost
Scanning or creating electronic documents from existing paper copies using Agency equipment	\$0.10 per page
CD-ROM, DVD or other form of physical digital media	Billed at actual cost
Records uploaded to email or cloud -based data storage service, or other means of electronic delivery	\$0.05 per each 4 electronic files or attachments
Records transmitted in electronic format or for use of agency equipment to send records electronically.	\$0.10 per gigabyte
Postage and Mailing Costs	Actual cost of postage and mailing materials

10.3. MEDICAL INCIDENT REPORTS

10.3.1. The District medical incident reports include Fire (WAFIRS), Medical (MIR) and Hazardous incidents. Chapter 70.02.010(37) RCW and WAC 246-08-400 allow health care providers to charge fees for searching and duplicating health care records. For records requests requiring copies of Medical Incident Reports, the requestor shall pay the appropriate reproduction and mailing costs listed in the following table. CKFR will not calculate the actual costs it charges for providing public records if in doing so would be unduly burdensome. The Public Records Officer may elect to waive these fees with permission from the Fire Chief.

Table 4 - Medical Incident Report Costs

MEDIA OR FORMAT	COST
Copying charges for pages one (1) through thirty (30)	\$1.17 per page
Copying charges for pages thirty (31) and beyond	\$0.88 per page
Clerical fee for searching and handling records	\$26.00 one-time fee
Postage and Mailing Costs	Actual cost of postage and mailing materials

10.4. Depending on the size or number of requested copies, an outside vendor may be used and the requestor will be billed for actual costs.

10.5. For larger requests, CKFR may require a deposit of up to ten percent (10%) of the estimated costs of copying all the records. The Public Records Officer or designee may also require payment for the remainder of the copying costs before providing all the



records, or payment for the costs of copying for an installment before providing the records for that installment.

- 10.6. Payment must be made by check or money order payable to Central Kitsap Fire and Rescue.

11.0 RECORDS PRESERVATION

- 11.1. CKFR shall comply with state and federal laws affecting the maintenance and preservation of public records, including but not limited to the guidelines promulgated by the Secretary of State Division of Archives and Records Management.

12.0 REVIEW OF PUBLIC RECORDS REQUEST DENIALS

- 12.1. Any person who objects to the initial denial or partial denial of a records request may petition in writing (e-mail allowed) to the Public Records Officer for a review of that decision. The petition must include a copy of, or reasonably identify, the written statement by the Public Records Officer or designee denying the request.
- 12.2. The Public Records Officer shall promptly provide the petition and any other relevant information to CKFR's Fire Chief. The Fire Chief will immediately consider the petition and either affirm or reverse the denial within five (5) business days following CKFR's receipt of the petition, or within such other time as CKFR and the requestor mutually agree.
- 12.3. Any person may obtain court review of any CKFR records decision, pursuant to RCW 42.56.550, at the conclusion of two (2) business days after the initial denial regardless of any internal administrative appeal.

13.0 DISCLAIMER OF LIABILITY

- 13.1. Neither CKFR nor any of its officers, employees, officials, or custodians shall be liable, nor shall cause of action exist, for any loss or damage based upon release of public records if the person releasing the records acted in good faith in attempting to comply with this policy.
- 13.2. This policy is not intended to expand or restrict the rights of disclosure or privacy as they exist under state and federal law. Despite the use of any mandatory terms such as "shall," nothing in this policy is intended to impose mandatory duties on CKFR beyond those imposed by state and federal law.

14.0 THIS POLICY REPLACES PREVIOUS VERSIONS

- 14.1. This Policy supersedes BOC Resolution 13-06, Public Inspection and Copying of District Records.



CENTRAL KITSAP FIRE & RESCUE



REQUEST FOR PUBLIC OR PRIVATE RECORDS

REQUESTER'S INFORMATION

Name:	Company:
Street Address:	Date of Request:
City, State, Zip Code:	Time of Request:
Phone:	Number of Copies Requested:
Email:	<input type="checkbox"/> Check here if request is for inspection only

NATURE OF REQUEST

Fire or Medical:	Court: Yes / No (circle one)	Date of Incident:
Location of Incident:		
Owner or Patient's Name:		
Release Form(s) / Subpoena Attached:		
Other Record(s):		
<input type="checkbox"/> Check here if requestor is also legal Guardian of an above-named patient.	Requestor's Signature	

FOR OFFICE USE ONLY

Incident #	Date of Incident:	Court: Yes / No (circle one)
<input type="checkbox"/> Request Granted	Date/Time:	Fee Charged:
<input type="checkbox"/> Partial Record Withheld	Date/Time:	Fee Charged:
<input type="checkbox"/> Complete Record Withheld	Date/Time:	Fee Charged:

** If records have been partially or completely withheld, there will be a CKFR Redaction Log attached stating all exemptions and the reasons for those exemptions.

<input type="checkbox"/> Check here when court copy is returned	Date/Initial
---	--------------

Signature _____

Exhibit A - FORM 1004 (04/18)
(Reference: BOC Public Records Act Disclosure Policy)



STATEMENT OF COST

As referenced under Section 10 of the Public Records Act Disclosure Policy, Central Kitsap Fire and Rescue (CKFR) has determined the actual direct costs for providing photocopies of general records of the District to be \$0.29 (twenty-nine cents) per page as shown in the detail below.

<i>Per Page Costs</i>	
<i>Copier Lease & Maintenance</i>	\$ 0.0805
<i>Paper</i>	\$ 0.0090
<i>Direct Staff Time*</i>	\$ 0.1959
<i>Total Costs</i>	<i>\$ 0.2854</i>

*Based on typical staff filling the records request at 18 seconds per page

Any additional costs associated with postage, mailing or providing alternative media will be charged at the actual cost to the District as described in Section 10 of the Policy.