



Title:	Public Records	
Type:	POLICY and PROCEDURES	Adopted: June 2019
Section:	ADMINISTRATION	Revised: April 2024

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Public Records

I. OVERVIEW/PURPOSE/SCOPE

All records of the District, except those that fall within specific exemptions, must be available for public inspection. The Public Records Acts of the State of Washington (chapter 42.56 RCW) allows broad access to a variety of records. The Board of Fire Commissioners is mindful of the need for availability of public records, the privacy of individuals, and of the desirability of efficient administration of the District. Therefore, this policy establishes the process and guidelines for the public to access records of the Fire District.

II. POLICY

The District shall make their records that are not exempt from public disclosure by law, available to the public for inspection and copying with the least possible delay and expense to the requesting party.

III. DEFINITIONS

Copying – a generic term relating to getting a public record to a person; this may involve accessing a website, actual physical paper or other means as appropriate and available to the District.

Invasion of privacy – a person’s “right to privacy” or “persona; privacy” is invaded or violated only if disclosure of information about the person 1) would be highly offensive to a reasonable person and 2) is not of legitimate concern to the public.

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 includes electronic communications and images. Communications related to District business from a personal device or a personal account are considered public records and are not necessarily exempt from public disclosure.

Writing - means handwriting, typewriting, printing, photo stating, 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.



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IV. PRINCIPLES and GUIDELINES

- A. The Deputy Chief of Administration will serve as the Public Records Officer; all requests for public records should be immediately forwarded to the DC of Administration. The Public Records Officer will provide full assistance to requesters; ensure that public records are protected from damage, disorganization, and improper disclosure; and prevent the fulfillment of any PRA request from causing excessive interference with the District's essential functions.
- B. Public records are generally open to inspection during normal administrative business hours: Monday through Friday, 8 AM – 5 PM, excluding holidays. Records must be inspected at the District Headquarters, 1231 Franz St SE, Lacey, WA 98503.
- C. Any member of the public may obtain copies of non-exempt District records by submitting a request; requests should contain the date of the request, contact information and a description of the record(s) requested.
 1. The District's Public Records Request form is available:
 - a. on the District's website, at <https://www.laceyfire.com/contact-us/#public-records-requests>;
 - b. in person at the District Headquarters Station at 1231 Franz St SE, Lacey, WA 98503; and
 - c. by calling the Headquarters Station (360-491-2410) and requesting the form.
 2. A request may be sent to records@laceyfire.com
 3. Requests may be faxed to 360-491-2806
 4. Requests for healthcare information must be signed by the person whose information is on the record, or by that person's authorized representative. The District may accept a signed release from a person's attorney in lieu of the District Authorization to Release Healthcare Information form.
 5. A request must be for identifiable public records. A request for all or substantially all records of the District will not be considered a valid request.
 6. Bot requests – multiple requests from a requester within a 24-hour period that are believed to be automatically generated by a computer program – may be denied due to excessive interference with essential functions.
- D. The District is not required to create records that do not otherwise exist in order to accommodate a request for information or records.
- E. The Public Records Officer will promptly respond to records requests received by the District.
 1. Within five business days of receipt of a request, the Public Records Officer shall do one or more of the following:
 - a. Notify the requester in writing that the records are available;



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- b. Send copies of the records to the requester if copying fees have been received (unless waived by the District) or other terms of payment are agreed upon, with a letter acknowledging or closing the request as appropriate;
 - c. Send a letter acknowledging the request and providing a reasonable estimate of when records or an installment of records will be available (the Public Records Officer may revise the estimate of when records will be available);
 - d. Send a letter acknowledging the request and asking the requester to provide clarification for a request that is unclear, and provide, to the greatest extent possible, a reasonable estimate of time the District will require to respond to the request if it is not clarified; or
 - e. Send a letter denying the request.
- 2. The District reserves the right to direct requesters to the District website if a requested record is posted to the website. The Public Records Officer shall make reasonable efforts to assist any requester who cannot easily access the internet.
 - 3. If the District does not respond to a public records request in writing within five business days of receipt of the request, the requester should contact the Public Records Officer to determine the reason for the failure to respond.
- F. Requests for a large number of records may be responded to in installments.
 - G. Public records requests are not continuing or perpetual in nature; the record or records pertaining to the request, if not exempt, will be provided if they exist as of the date the request was submitted. However, after closing a request, if additional documents are discovered, the District will contact the requester notifying them of the additional documents.
 - H. The District will provide space to inspect public records.
 - I. A request is considered abandoned and can be closed if the requester has not inspected the record(s) or claimed the record(s), including any individual installment, within 30 days after notification that the records or installment of records is available. The Public Records Officer will notify the requester in writing of this 30-day time period prior to closing a request on that basis.
 - J. Upon completion of a request, the Public Records Officer will send a closing communication to the requester that includes the following elements:
 - 1. A statement of why the request is being closed and, as applicable, how the request was fulfilled;
 - 2. A statement that the Public Records Act's one-year statute of limitations to seek judicial review under RCW 42.56.550 begins to run as of the date of the closing communication because the District's response to the request is fully complete;
 - 3. Invites the requester to contact the Public Records Officer if there are follow-up questions regarding the District's response.



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K. Fees

- As stated in Resolution 892, incorporated herein by reference, the District is not calculating the actual costs of providing public records, including electronic records, because to do so would be unduly burdensome for the following reasons: the District does not have the resources to conduct a study to determine actual copying costs for all of its records; to conduct such a study would interfere with other essential District functions; and, through the legislative process, the public and requesters have commented on and been informed of authorized fees and costs provided in the Public Records Act, including RCW 42.56.120 and other laws. Accordingly, it is more cost efficient, expeditious, and in the public interest for the District to adopt the state legislature's approved fees and costs for most of the District's records, as authorized in RCW 42.56.120 and set forth in the District's fee schedule.
- Fee Schedule.

Photocopies or printed copies of electronic public records when requested by the person requesting records	\$0.15 per page
Scanned records	\$0.10 per page
Records uploaded to email, or cloud-based data storage service, or other means of electronic delivery	\$0.05 per 4 electronic files
Records transmitted in an electronic format	\$0.10 per gigabyte
CD, DVD, thumb drive, or other digital storage media or device	Actual cost
Postage or delivery charges	Actual cost of postage or delivery, plus actual cost of any container or envelope used to mail or deliver records

- The above charges may be combined to the extent that more than one type of charge applies to copies produced in response to a particular request. The requester may ask for a summary of applicable charges before any copies are made.
- The District may, as an alternative to the above fees, charge a flat fee of up to \$2.00 for any request where the Public Records Officer reasonably estimates and documents that the costs under the fee schedule are clearly equal to or more than \$2.00. If the request is being fulfilled in installments, no additional flat fee will be charged for any installment after the first installment.



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5. Depending on the size, nature (e.g., color copies), or number of requested copies, document copying may be contracted to another provider, and the actual cost of the copies shall be the responsibility of the requester.
6. For larger requests, the District may require a deposit of up to ten percent of the estimated costs of copying all of the records. The Public Records Officer may also require the payment of the remainder of the copying costs before providing all of the records, or the payment of the costs of copying an installment before providing that installment.
7. The Public Records Officer may elect to waive the fees for a request for purposes of administrative convenience or based on other reasonable grounds. Additionally, the District may agree to an alternative fee arrangement with a requester.
8. The District may charge a customized service charge for the actual costs incurred for requests requiring information technology expertise to prepare data compilations, or provide customized electronic access services when such compilations and customized access services are not used by the District for other District purposes. In the event the District believes the request requires such expertise or customization, the District will notify the requester of the customized service charge, explain why the charge applies, describe the specific expertise needed, and provide a reasonable estimate of the cost of the charge. The notice will provide the requester an opportunity to amend the request to avoid the customized service charge.

- L. As previously adopted in Resolution 609-04-94, maintaining a current index as provided in RCW 42.56.070 would unduly burden and interfere with District operations because the District does not have sufficient staff to do so. Records are not maintained in a centralized location/file but rather by the individual service or program.
- M. Some records are exempt from disclosure, in whole or in part, based on the PRA, the laws and regulations identified below, or under other state or federal law. If the District believes that a record is exempt from disclosure and should be withheld, the Public Records Officer shall provide the requester with a brief written explanation of why the record is being withheld. 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 nonexempt portions, and provide a brief written explanation to the requester of why portions of the record are being redacted. An exemption log may be provided to the requester to assist in identifying and explaining the basis for specific redactions or withholdings.

The following statutes are listed in addition to any exemptions in Chapter 42.56 RCW. This list is for informational purposes and is not intended to be exclusive or exhaustive. Public records may be exempt from disclosure under other laws.

RCW 4.24.550	Information on sex offenders to public
RCW 5.60.070	Court-ordered mediation records
RCW 9.02.100	Reproductive privacy
RCW 18.19.180	Confidential communications with counselors



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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 26.26.450	Confidentiality of genetic testing
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
Chapter 70.02 RCW	Medical records – access and disclosure
RCW 70.24.022	Public health agency information regarding sexually transmitted diseases
RCW 70.24.105	HIV/STD records
RCW 70.58.055	Birth certificates
RCW 70.96A.150	Alcohol and drug abuse treatment programs
RCW 70.123.075	Client records of domestic violence programs
RCW 71.05.390	Information about mental health consumers
RCW 71.05.395	Ch. 70.02 RCW applies to mental health records
RCW 71.05.630	Release of mental health treatment records
RCW 71.05.640	Access to treatment records
RCW 71.34.200	Mental health treatment of minors
5 U.S.C. § 552a	Federal Privacy Act
42 U.S.C. § 290dd-2	Confidentiality of substance abuse records
42 U.S.C. § 405(c)(2)(vii)(I)	Limits on use and disclosure of social security numbers
42 C.F.R. Part 2 (2.1-2.67)	Confidentiality of alcohol and drug abuse patient records



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42 C.F.R. § 431.300-.307	Safeguarding information on applicants and recipients of medical assistance
45 C.F.R. Parts 160-164	HIPAA Privacy Rule

N. Protection of Public Records.

1. In order to protect the District's public records from damage or disorganization as required by the PRA, the District shall use the following procedures and practices:
 - a. Inspection of any public records shall be conducted in the presence of the Public Records Officer or designated staff;
 - b. No public record may be marked, defaced, torn, damaged, destroyed, unreasonably disorganized, or removed from its proper location or order by a member of the public; and
 - c. Public records maintained in a file jacket or binders, or in chronological order, may not be dismantled except for the purpose of copying, and then only by District staff.
2. The District shall deny and terminate a requester's inspection if the Public Records Officer determines that a requester, when reviewing records, acts in a manner that will damage or substantially disorganize the records or interfere with other essential District functions.

V. RELATED DOCUMENTS

- a. Request for Public Record Form (attached)
- b. Request for Healthcare Record Form (attached)
- c. <https://www.laceyfire.com/contact-us/#public-records-requests>



Request for Public Record

Requestor: Please complete this form and submit to:

Public Records Officer
Lacey Fire District 3
 1231 Franz St SE
 Lacey, WA 98503-2412

R E Q U E S T O R	Name of Requestor		Daytime Phone	
	Mailing Address			
	City	State	Zip	
	Email Address			
☐ Pick up ☐ Mail to above address ☐ Email to above address ☐ FAX to				
Requestor's Signature			Date of Request	

For Incident Report: (Please provide as much <i>specific information</i> as possible) (If illness or injury is involved, attach Authorization to Release Health Care Information form)
Date/Time of Incident: _____
Address/Location of Incident: _____
Other details: _____

Other Public Records/Information Requested: (Please provide as much <i>specific information</i> as possible)

District Representative:	Date Completed:
Incident #:	Log in system: Y or N



Authorization to Release Healthcare Information

Requestor: Please complete this form and submit to:

Public Records Officer
Lacey Fire District 3
1231 Franz St SE
Lacey, WA 98503-2412

Patient Name	Date of Birth
Name at time of incident (if different)	Daytime Phone

I request/authorize Lacey Fire District Three to release healthcare information of the patient above to:			
R E L E A S E T O	Name		
	Affiliation		Phone
	Address		FAX
	City	State	Zip
	Email Address		

For Incident Report: (Please provide as much <i>specific information</i> as possible)
Date/Time of Incident: _____
Address/Location of Incident: _____
Other details: _____

Release requiring additional, specific consent:			
I understand my initials and signature below authorize the release of healthcare information relating to testing, diagnosis or treatment for:			
_____ (Initial) HIV/AIDS	_____ (Initial) Mental Health		
_____ (Initial) Sexually Transmitted Diseases	_____ (Initial) Substance Abuse		
_____ (Initial) Reproductive Care (minors only)			
MINORS – A minor patient’s signature is required in order to release the following information: (1) conditions relating to the minor’s reproductive care including, but not limited to, contraception, pregnancy and pregnancy termination, sterilization, and sexually transmitted diseases (age 14 and older), (2) alcohol and/or drug abuse (age 13 and older), and (3) mental health conditions (age 13 and older).			
_____ Date	_____ Signature of patient or patient’s authorized representative	_____ Relationship to patient	☐ Check if patient is a minor

Signature of patient or patient’s authorized representative	Date
Relationship/status if signed by anyone other than patient (parent, legal guardian, personal representative, etc.)	

District Representative:	Date Completed:
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Incident #:

Log in system: Y or N

THIS AUTHORIZATION EXPIRES 90 DAYS FROM THE DATE SIGNED