



**TCOMM 911**

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# TCOMM911 Policies and Procedures

**POLICY:**                   **106 – Public Records Requests**

**DATE REVISED:**   **May 8, 2019**

**CANCELS:**               **May 2, 2018**

Approved/Adopted by TCOMM911 Board of Directors

This policy applies to TCOMM911 Employees

## **Purpose:**

To establish guidelines for the release of public records and ensure compliance with the requirements of the Public Records Act (PRA), Chapter 42.56 RCW (Revised Code of Washington).

## **Policy:**

### 1. Authority

RCW 42.56, titled the Public Records Act, requires each local agency to make nonexempt public records available for inspection and copying, in accordance with published rules.

### 2. Public Records Officer

Any person wishing to request access to public records of TCOMM911, or seeking assistance in making such a request should contact the Public Records Officer of TCOMM911:

Keith Flewelling  
Thurston 9-1-1 Communications  
2703 Pacific Ave SE Suite A  
Olympia, WA 98501  
360-704-2730  
Email: [records@tcomm911.org](mailto:records@tcomm911.org)

The Public Records Officer will oversee compliance with the act but another Thurston 9-1-1 Communications staff member may process the request. Therefore, these rules will refer to the Public Records Officer or designee.

Additional information and the public record request form can be found on TCOMM911's website at: [www.tcomm911.org](http://www.tcomm911.org).



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## 3. Processing Public Records Requests

Within five business days of receipt of the request, the Public Records Officer will either:

- a. Request additional clarification
- b. Provide a reasonable estimate of when the records will be available
- c. Make the records available for inspection
- d. Provide copies of the records (if requested)
- e. Deny the request

## 4. Disclosure of Public Records to Requestor

### a. Inspection of Public Records

Once the public records request has been processed, the records will be available for inspection Monday – Friday 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 4:00 p.m., excluding federal holidays. Records must be inspected at 2703 Pacific Ave SE, Suite A, Olympia, WA 98501. All records shall be maintained in their original condition and shall not be removed from this location. There is no fee for inspecting public records. Records that have been retrieved for review shall be made available to the requestor for an initial period of 30 calendar days. This period may be extended upon agreement of the Public Records Officer and the requestor in order to provide a reasonable amount of time to inspect the records. In the event the requestor fails to arrange to review the records within 30 calendar days of being notified that the records are available for review, the records request shall be deemed satisfied and closed. If the requestor wishes to review the records after the initial request is closed, they will be required to submit a new request for the records and the process will begin again anew.

### b. Partial or Installment Basis

If TCOMM911 determines that records responsive to a public records request are voluminous, the Agency may make the records available for review or copying on a partial or installment basis as the records are assembled and become available for review. An installment of records that has been copied shall be made available to the requestor for an initial period of 30 calendar days. This period may be extended upon agreement of the Public Records Officer and the requestor in order to provide a reasonable amount of time to inspect the records. In the event the requestor fails to retrieve an installment of copied records, or to contact the Public Records Officer to arrange to review an installment of records within 30 calendar days of being notified that the records are available for review, the records request shall be deemed satisfied and closed. If the



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requestor wishes to obtain the records after the initial request is closed, they will be required to submit a new request for the records and the process will begin anew.

## c. Requestor's Failure to Respond

If the requestor does not respond to any of TCOMM911's responses to receive all or installments of the responsive records to the request, the request will be closed 30 days from receipt of the request.

## d. Later Discovered Documents

If, after TCOMM911 has informed the requestor that it has provided responsive records, TCOMM911 becomes aware of additional responsive records existing at the time of the request, the Agency will promptly inform the requestor of the additional records and provide them as soon as possible.

## 5. Final Response to a Public Records Request

TCOMM911's response to a public records request shall be deemed complete and final upon:

- a. The requestor's inspection of the records; or
- b. Notification to the requestor that the copies requested are available for payment and pick-up; or
- c. Delivery by electronic mail of electronic records; or
- d. If records are provided on an installment basis, the requestor's inspection of the final installment, notification that the final installment copies are ready for pick-up or payment, delivery by e-mail of the final installment, or by deposit into the U.S. Mail of the final installment; or
- e. Notification to the requestor that no records could be reasonably located which are responsive to the request; or
- f. Upon TCOMM911's final determination of any appeal filed pursuant to these procedures.

## 6. Copies & Reproduction of Public Records

A list of current fees for copying and reproducing public records is available from the Public Records Officer and is also available on the Agency's website at: [www.tcomm911.org](http://www.tcomm911.org). TCOMM911 may, in its discretion, require the requestor to deposit a sum equal to ten percent of the estimated copying and reproduction cost prior to duplication of the records. In the event a deposit is required, the Public Records Officer, or designee, will notify the requestor of the necessity of the deposit.



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TCOMM911 may impose a customized service charge if determined that the records request requires the use of information technology expertise to prepare data compilations, or provided customized electronic access services when such compilations and customized access services are not used by the Agency for other business-related purposes. Requestors will be notified in advance of the estimated cost, along with an explanation of why the customized service charge applies and a description of the specific expertise required, so that the request may be amended to avoid or reduce cost, if desired.

Payment may be made by check or money order payable to Thurston 9-1-1 Communications. Cash is only accepted if exact change is provided.

## 7. Public Records Exemptions

TCOMM911 is not required to permit public inspection and copying of records for which public disclosure of the record is prohibited, restricted or limited by state or federal statute or regulation, RCW 42.56.070. The Public Records Act stipulates that a number of types of documents are exempt from public inspection (RCW 42.56.230 through RCW 42.56.480).

If TCOMM911 believes that a record is exempt from disclosure and should be withheld:

- a. The Public Records Officer or designee will state the specific exemption and provide a brief explanation of why the record or a portion of the record is being withheld.
- b. If only a portion of the record is exempt from disclosure, the Public Records Officer or designee will redact the exempt portion, provide the nonexempt portion, and indicate why portions of the records are being redacted.

## 8. Process to Review Public Records Request Denials

If TCOMM911 has denied a public records request, a written petition to review the denial may be submitted to the Public Records Officer. The petition shall include a copy of the original denial letter or reasonably identify the original records request.

Once a written petition has been received, the Public Records Officer or designee shall promptly provide the petition and any other relevant information to the Executive Director or designee. The Executive Director shall immediately consider the petition and either affirm or reverse the denial within two business days.

At the conclusion of the two business days, any person may obtain a court review of the denial pursuant to RCW 42.56.550 regardless of any internal administrative appeal.

## 9. Third Party Notice



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In the event that the requested record(s) contain information that may affect the rights of other persons of interest and/or may be exempt from disclosure, TCOMM911 may, prior to providing the records, give notice to such other persons of interest whose rights may be affected by disclosure. The notice shall include a complete copy of the public records request. Third parties shall be given a reasonable time to obtain and provide to TCOMM911 an order from the court preventing or limiting disclosure.

## 10. Public Records Index

The Public Records Act requires all public agencies to maintain and make available a current index of certain public records. However, the Public Records Act also provides that if maintaining such an index would be unduly burdensome, or would interfere with agency operation, a public entity need not maintain such an index but it must issue and publish a formal order specifying the reasons why and the extent to which compliance would be unduly burdensome. Thurston 9-1-1 Communications has determined that maintaining an index is unduly burdensome, costly, and would interfere with agency operations due to the number and complexity of records generated by the organization.