



SNOHOMISH COUNTY 911 PUBLIC RECORDS POLICY

Effective 08/15/2019

PURPOSE

SNOHOMISH COUNTY 911, as a public entity, is dedicated to ensuring that its required record keeping complies with all Federal, state and local laws that regulate the maintenance, storage, retention, destruction, release of confidential information and access to public records. SNOHOMISH COUNTY 911 has established the following written policy and procedures for managing records according to the provisions of the Public Records Act (Ch. 42.56 RCW) and all other state and federal statutes and regulations that govern agency records management practices. This policy is for internal administrative purposes only and in no way is intended to impose or create any duties or obligations beyond what is found in the referenced statutes.

POLICY

DEFINITIONS

Public Record. According to RCW 42.56.010(3), a “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...”

Writing. RCW 42.56.010(4) states, “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.”

Identifiable Record. An “identifiable record” is one in existence at the time the records request is made and that SNOHOMISH COUNTY 911 staff can locate after a reasonable search.

Public Records Officer. A “Public Records Officer” means the person designated to manage public records requests. See RCW 42.56.580. SNOHOMISH COUNTY 911’s Public Records Officer can be contacted by phone at 425-407-3935 or by email at records@sno911.org. Information is also available at <https://www.sno911.org/index.php/public-records/request-public-records>

Requestor. A “requestor” means the individual making the public records request.

RETENTION and DISPOSITION of PUBLIC RECORDS

SNOHOMISH COUNTY 911 shall comply with the records retention and destruction requirements and disposition recommendations contained in the *Local Government Common Records Retention*

Schedule 4.0 (May 2017) and Law Enforcement Records Retention Schedule 7.2 (January 2017) and Emergency Service (911) Retention Schedule 1.0 (November 2012), as may be revised or amended.

PUBLIC ACCESS

Rights of public access to local government records are defined by Ch. 42.56 RCW, the Public Records Act. The Public Records Act declares that local government records are exclusively public property. They are open to public access subject to limited exemption, which are intended to protect the personal privacy of individuals and the integrity of vital governmental functions. SNOHOMISH COUNTY 911 shall comply with this and all other related statutes.

RECORD INDEX

Pursuant to RCW 42.56.070(4), SNOHOMISH COUNTY 911 has determined that a formal, master index of records would be unduly burdensome in construction and maintenance in relationship to agency size and staffing. SNOHOMISH COUNTY 911 public records are maintained, retained and destroyed in accordance with the Washington State Archives Retention Schedules (see SNOHOMISH COUNTY 911 Resolution 2018-01

EMPLOYEE KNOWLEDGE

SNOHOMISH COUNTY 911 personnel dealing with records requests and release shall be familiar with all applicable sections of Ch. 42.56 RCW.

BASIC PUBLIC DISCLOSURE REQUIREMENTS

- a. A public records request must be for identifiable records. A request for all or substantially all records prepared, owned, used, or retained by an agency is not a valid request for identifiable records under this chapter, provided that a request for all records regarding a particular topic or containing a particular keyword or name shall not be considered a request for all agency's records. RCW 42.56.080(1).
- b. Requests should be submitted using the SNOHOMISH COUNTY 911 online records portal located on our website at WWW.SNO911.ORG. SNOHOMISH COUNTY 911 shall also honor requests received in person during an agency's normal office hours, by mail, email or fax, for identifiable public records unless exempted. The request needs to be submitted in a manner which makes it recognizable as a request requiring a response. Requests should include the name and email address as well as mailing address of the requester, telephone number, and provide reasonable specificity as to the records being sought.
- c. SNOHOMISH COUNTY 911 may deny a bot request that is one of multiple requests from the requester to the agency within a twenty-four hour period, if the agency establishes that responding to the multiple request would cause excessive interference with other essential functions of the agency. For purposes of this section, "bot request" means a request for public records that an agency reasonably believes was automatically generated by a computer program or script. RCW 42.56.080(3).
- d. Within five business days of receiving a public record request, SNOHOMISH COUNTY 911 shall respond by doing one of the following:
 1. Make a record available for inspection or copying during normal business hours:
 - Monday – Thursday 08:30 am-04:00 pm

- Friday 09:00 am – 01:00 pm
 - Weekends and Holidays - Closed
2. Notify the requester through the Snohomish County 911 public records portal that responsive record(s) have been uploaded.
 3. Acknowledge receipt of the request and provide a reasonable estimate of time required to respond to the request. Or, if necessary, seek clarification regarding the request, and then respond as noted
 4. Provide notification of payment requirement prior to release of responsive records.
 5. Deny the request and provide a written statement of specific reasons for denial.

SNOHOMISH COUNTY 911 is not required to *create* records in order to respond to a request for certain information. Rather, SNOHOMISH COUNTY 911 must produce identifiable records for review and copying that are in existence at the time of the request.

SNOHOMISH COUNTY 911 may not ask the reason for the disclosure request, except when the request is for a list of persons, SNOHOMISH COUNTY 911 should ask whether it is to be used for a commercial purpose. If such a list is to be used for a commercial purpose, disclosure should be denied. (RCW 42.56.070).

THIRD PARTY NOTIFICATION

Pursuant to RCW 42.56.540, Third Party Notification is provided for most requests when the request involves a party other than the requestor and there is a potential exemption that could be asserted. This does not apply to requests from other Law Enforcement entities or other such privileged parties. Appropriate consideration of RCW 42.56.240(1)(2) is also applied at the discretion of the SNOHOMISH COUNTY 911 Director.

PROCESS

SNOHOMISH COUNTY 911 receives

CHARGES FOR COPYING

SNOHOMISH COUNTY 911 cannot charge for the time required to locate a public record, but can charge for the reasonable costs if a person requests *copies* of public records. The cost for producing sound files on compact disks shall include reproduction time as well as actual costs for the disk and mailing (RCW 42.56.120). Fees greater than \$2.00 will incur charges as follows:

- a. When an electronic version of a paper record is requested, a scanning fee of \$0.10 per page cost will be applied when the number of responsive pages is greater than 20 pages.
- b. \$0.05 per each four electronic files or attachment uploaded to email, cloud-based data storage service, or other means of electronic delivery.
- c. \$0.10 per gigabyte for the transmission of public records in an electronic format or for the use of agency equipment to send the records electronically will be applied when the number of gigabytes exceeds 20.
- d. A \$3.50 processing fee will be charged for reproduction of radio or phone recording(s) onto a compact disk. An additional \$1.00 will be charged for each copy produced.

- e. The maximum per page cost for photocopies can only exceed \$0.15 if the agency has determined that its actual costs exceed \$0.15 per page. SNOHOMISH COUNTY 911 will only apply the \$0.15 per page cost to requests whose total responsive copies are greater than 15 pages.
- f. In addition to charges for providing copies of records, when the request requires the use of information technology expertise to prepare data compilations or when such customized access services are not used by SNOHOMISH COUNTY 911 for other purposes, SNOHOMISH COUNTY 911 may charge the requestor the actual cost to fulfill the request.
- g. Outside vendors may be used for unusual formats or large quantities. SNOHOMISH COUNTY 911 may charge for the actual costs of using an outside vendor to fulfill the request.
- h. SNOHOMISH COUNTY 911 may require a deposit not to exceed ten percent of the estimated cost before making copies for large requests, if the request is estimated to exceed \$25.00, if the requestor has an outstanding unpaid balance from a prior request, or if the requestor has abandoned prior requests. If the request is made available on a partial or installment basis, SNOHOMISH COUNTY 911 may charge for each part of the request as it is provided.

SNOHOMISH COUNTY 911 is only able to accept payment by money order or cashier's check. Payment should be made out to SNOHOMISH COUNTY 911 and either mailed or delivered to:

1121 SE Everett Mall Way, Suite 200
Everett, WA, 98208

Records will be produced for SNOHOMISH COUNTY 911 user agencies, prosecuting attorney's and public defenders, free of charge.

RECORDS PRODUCTION IN INSTALLMENTS

SNOHOMISH COUNTY 911 may produce records for a request on a partial or installment basis and charge for each part of the request as it is provided.

CLOSED OR ABANDONED REQUESTS

If the requestor withdraws the request; fails to meet his or her obligations to claim, inspect, review, or download a records production or an installment of a records production; or fails to pay the deposit or final payment for copies of the requested records, the request may be considered to be closed or abandoned, whether individual or grouped, and SNOHOMISH COUNTY 911 is not obligated to fulfill the balance of the request. SNOHOMISH COUNTY 911 will deem a request abandoned, whether individual or grouped, if either of the following occurs:

- a. A requestor fails to arrange to inspect records or claim copies of records, including installments, within 15 days following notification by SNOHOMISH COUNTY 911 that responsive records are available for inspection or copying. If, within 15 days, the requestor fails to inspect or claim an available installment, SNOHOMISH COUNTY 911 will discontinue its search for the remaining records and close the request; or
- b. A requestor fails to respond to SNOHOMISH COUNTY 911's request for clarification within 30 days of such request and the entire request is unclear.

MULTIPLE REQUESTS

In order to provide the fullest assistance to all records requestors and to prevent excessive interference with other essential functions of the agency, SNOHOMISH COUNTY 911 may process multiple requests from the same requestor, as follows: (1) consecutively rather than simultaneously; (2) treat multiple requests from the same requestor as a single request; or (3) process multiple similar requests from different requestors together as a group.

NO DUTY TO SUPPLEMENT RESPONSES

SNOHOMISH COUNTY 911 is not obligated to hold current records requests open to respond to requests for records that may be created in the future. If a public record is created or comes into the possession of SNOHOMISH COUNTY 911 after a request is received by SNOHOMISH COUNTY 911, it is not responsive to the request and will not be provided. A new request must be made to obtain later-created public records. (WAC 44-14-04004(4))

RECORDS WHICH ARE EXEMPT AND MAY BE WITHHELD OR REDACTED

The disclosure of SNOHOMISH COUNTY 911 records will be governed by appropriate state, federal, and local laws and the procedures outlined in this policy. Washington state law and other statutes provide that some records are exempt from public inspection, but only to the extent required to protect a right of privacy and/or a vital government interest. Careful review of records needs to be made to determine if any exemption applies and/or if any records are subject to attorney-client privilege before their release. If a portion of a public record is exempt from disclosure or prohibited from being disclosed, the portion that is exempt or prohibited should be *redacted* (blacked-out or other technique), and the rest of the record disclosed. If an entire public record is exempt from disclosure or prohibited from being disclosed, the public record may be withheld.

Whenever SNOHOMISH COUNTY 911 denies disclosure of a record or a portion of a record, the agency shall provide a log citing the specific exemption relied upon and a brief explanation of how the exemption applies to the record withheld in accordance with RCW 42.56.210(3).

If the request is pursuant to a pending claim, claim incident, or lawsuit involving SNOHOMISH COUNTY 911 and/or a user agency, SNOHOMISH COUNTY 911 may notify WCIA and/or the assigned defense counsel before the response is made.

SNOHOMISH COUNTY 911 COMMONLY USED EXEMPTIONS

Exemptions commonly used by SNOHOMISH COUNTY 911 are provided in ATTACHMENT A; however, the list provided is in no way considered a comprehensive list of all the exemptions which may apply to SNOHOMISH COUNTY 911 records.

Appeal Process: If you feel that information has been withheld, you may file a written appeal with the Snohomish County 911 Executive Director within five (5) business days from the date of the response letter/email. The appeal must include your name and address and a copy of the correspondence noting what was withheld with a brief statement identifying the basis of the appeal.

Please mail or deliver your appeal to:

Snohomish County 911
Attention: Executive Director
1121 SE Everett Mall Way, Suite 200
Everett, Washington 98208

IMPOUNDING MASTER RECORDINGS

In the event that a court order requires a master recording be impounded, the following will be done:

- a. SNOHOMISH COUNTY 911 shall preserve the specific sound file(s) originally pulled and responsive to the Public Records Act Request, and preserve it in a WAV or MP3 format, so it may be easily reproduced again in the future.
- b. All official recordings reproduced onto CD from SNOHOMISH COUNTY 911's recording system shall be labeled with an official SNOHOMISH COUNTY 911 logo, given the clear designation "SNOHOMISH COUNTY 911 MASTER RECORDING REPRODUCTION" and provide the date created, name and the position of person reproducing and certifying the recording's authenticity. This is an essential step in order to preserve the chain of custody to other Law Enforcement agencies and/or for court purposes.
- c. SNOHOMISH COUNTY 911 shall secure the Master Recording Disk as well as the Computer Aided Dispatch (CAD) log if applicable in a secure location.
- d. User agencies consider the Master Copy Reproduction provided by SNOHOMISH COUNTY 911 their official copy for future evidence and will not request the impounding of SNOHOMISH COUNTY 911 recording.

ATTACHMENT – A

Snohomish County 911

FREQUENTLY USED DISPATCH CENTER EXEMPTIONS FOR PUBLIC RECORDS REQUESTS

This reference document identifies subjects that are frequently requested in public records requests. Exemptions for and prohibitions against the disclosure of public records are identified in the Washington Public Records Act, Chapter 42.56 RCW, and other statutes which exempt or prohibit disclosure of specific information or records. See RCW 42.56.070(1).

Topic	Description
CRIMINAL HISTORY	
<p>Criminal History Record Information – Non-Conviction Data</p> <p>See RCW 42.56.070(1); RCW 10.97.030, .050</p>	<p>Withhold the record because the WASIS RAP sheet contains non-conviction data as defined by RCW 10.97.030(8). RCW 10.97.050 authorizes the dissemination of non-conviction data in specific circumstances. RCW 10.97.050 does not authorize disclosure of non-conviction data in response to a public records request.</p>
<p>Criminal History Record Information - WASIS RAP Sheet</p> <p>See RCW 42.56.070(1); RCW 10.97.050, .100; RCW 42.56.130. Also consider RCW 10.97.040, .070, .080</p>	<p>Withhold the record because it is a RAP sheet from the Washington State Information System (WASIS). Non-conviction information may not be produced to the public. Any law enforcement agency that receives information under this rule may not disseminate such information outside of such agency.</p>
<p>Criminal History Record Information/Source Document</p> <p>See RCW 42.56.070(1); RCW 43.43.710</p>	<p>Withhold the record because it is a source document retained by the SNOHOMISH COUNTY 911's Identification and Criminal History Section. The source document is submitted from courts and/or arresting law enforcement agencies to provide the date for the Washington State Information System (WASIS). The information contained in the files and records of the Criminal History Section relative to the commission of any crime by any person shall be considered privileged and shall not be made public or disclosed.</p>
<p>Criminal History Record Information – FBI Rap Sheet</p> <p>See 42.56.070(1); 28 CFR § 20.33(a)</p>	<p>Withhold the record because it is a RAP sheet from the FBI's III database. The SNOHOMISH COUNTY 911 requested and obtained this record under 28 CFR § 20.33(a). A criminal justice agency is prohibited from re-disclosing this record for a purpose unrelated to the purpose requested under 28 CFR § 20.33(a).</p>

This is a non-exhaustive list. Determinations about whether specific public records and/or information are exempt require a fact-intensive analysis because each request, the circumstances, and other considerations are different. Consult legal advice if you have questions regarding a specific request.

ATTACHMENT – A

DRIVER AND VEHICLE LICENSING INFORMATION	
<p>Driver’s License, Permit, and Identocard Numbers</p> <p>See RCW 42.56.230(5); RCW 9.35.005(1)</p> <p>See <i>also</i> Personal Information section below.</p>	<p>Redact identification numbers in driver’s licenses, driver’s permits, and Identocards. RCW 42.56.230(5) exempts “other financial information”, as defined in RCW 9.35.005(1), from production under the Public Records Act. “Financial information” in RCW 9.35.005(1) includes driver’s license numbers, permit numbers and state Identocard numbers issued by the Department of Licensing</p>
<p>Dept. of Licensing Records Driver’s Privacy Protection Act – Licensee Address</p> <p>See RCW 42.56.070(1); 18 USC § 2721; 18 USC § 2725(3), (4)</p>	<p>Redact or withhold the motor vehicle record, including name, individual’s photograph, address, telephone number, Social Security number, driver’s license number, and medical and disability information from the Department of Licensing. Under the Driver’s Privacy Protection Act, 18 U.S.C. § 2721, the SNOHOMISH COUNTY 911 may not disclose personal information about any individual in connection with a motor vehicle record unless the disclosure is a permissible use under 18 U.S.C. § 2721(b). 18 U.S.C. § 2725(3)’s definition of “personal information” includes an individual’s address.</p>
<p>Abstract Copy of Driving Record</p> <p>See RCW 42.56.070(1); RCW 46.52.130(3)</p>	<p>Redact or withhold copies of the Abstract of Driving Record from the Department of Licensing. Any entity receiving an abstract of a person’s driving record shall use the abstract exclusively for its own purposes or as otherwise expressly permitted under this section, and shall not divulge any information contained in the abstract to a third party.</p>
<p>Vehicle/Vessel Registration Information – Name or Address of Vehicle Owner</p> <p>See RCW 42.56.070(1); RCW 46.12.635</p>	<p>Redact or withheld the record because it contains vehicle/vessel registration information, including the name and address of an individual vehicle/vessel owner on a Department of Licensing record. The name or address of an individual vehicle owner shall not be released.</p>
<p>Dept. of Licensing Records - Driver’s Privacy Protection Act – Licensee Name</p> <p>See RCW 42.56.070(1); 18 USC § 2721; 18 USC § 2725(3)</p>	<p>Redact the record because it is a motor vehicle record from the Department of Licensing. Under the Driver’s Privacy Protection Act, 18 U.S.C. § 2721, SNOHOMISH COUNTY 911 may not disclose personal information about any individual in connection with a motor vehicle record unless the disclosure is a permissible use under 18 U.S.C. § 2721(b). 18 U.S.C. § 2725(3)’s definition of “personal information” includes an individual’s name.</p>

This is a non-exhaustive list. Determinations about whether specific public records and/or information are exempt require a fact-intensive analysis because each request, the circumstances, and other considerations are different. Consult legal advice if you have questions regarding a specific request.

ATTACHMENT – A

<p>Records or Information that May Reveal the Identity of Those Performing Certain Covert Law Enforcement, Confidential or Sensitive Regulatory Activities</p> <p>See RCW 42.56.230(7)(c)-(d). See also RCW 46.08.066.</p>	<p>Redact or withhold the record because it contains the vehicle/vessel license plate, driver's license or Identocard, or other information that may, alone or in combination with other records, may reveal that an individual is/was performing undercover or covert law enforcement, confidential public health work, public assistance fraud, or child support investigative activity.</p>
CRIMINAL AND JUVENILE RECORDS	
<p>Certain Intelligence and Investigative Files, Including Police and Code Enforcement Investigations</p> <p>See RCW 42.56.240(1)</p>	<p>Redact the information or withhold the record because it contains investigative files, including police and code enforcement investigations, to the extent nondisclosure is essential for effective law enforcement or for the protection of any person's right to privacy</p>
<p>Identifying Information for Victims or Witnesses of Crimes Under Certain Circumstances</p> <p>See RCW 42.56.240(2), (5)</p>	<p>Redact information revealing the identity of certain persons who are witnesses to or victims of crime or who file complaints with investigative, law enforcement, or penology agencies, other than the commission, if disclosure would endanger any person's life, physical safety, or property. If at the time a complaint is filed the complainant, victim or witness indicates a desire for disclosure or nondisclosure, such desire shall govern.</p>
<p>Identifying Information Revealing Witnesses or Victims of Violent Crimes, Sex Crimes, or Child Abuse Who Are Under Age 18.</p> <p>See RCW 42.56.240(5); RCW 7.69A.030, .050</p>	<p>Redact identifying information, such as the witness' or child victim's name, address, location, photograph, and in cases in which the child victim is a relative or stepchild of the alleged perpetrator, identification of the relationship between the child and the alleged perpetrator.</p>
<p>Applications for Concealed Pistol Licenses Under Certain Circumstances</p> <p>See RCW 42.56.240(4)</p>	<p>Redact or withhold information contained in concealed pistol license applications</p>

This is a non-exhaustive list. Determinations about whether specific public records and/or information are exempt require a fact-intensive analysis because each request, the circumstances, and other considerations are different. Consult legal advice if you have questions regarding a specific request.

ATTACHMENT – A

<p>Juvenile Records Under Certain Circumstances</p> <p>See RCW 42.56.070(1); RCW 13.50.050; 13.50.100(2), (7)</p>	<p>Redact information consisting of juvenile justice records (e.g., the juvenile was a victim of abandonment, abuse, neglect, etc.)</p>
<p>Confidential Informants Concerning Controlled Substances or Commercial Sexual Abuse of a Minor</p> <p>See RCW 42.56.070(1); RCW 9.73.230</p>	<p>Redact the identity of confidential informants involved in the recording of activities related to controlled substances or commercial sex abuse of minors.</p>
<p>NCIC Restricted Files: Supervised Release Files</p> <p>See RCW 42.56.070(1); 28 CFR § 20.20(a); 28 CFR § 20.33</p>	<p>Withhold the record because it is a supervised release file from the FBI’s NCIC database. The SNOHOMISH COUNTY 911 requested and obtained this record under 28 CFR § 20.33(a). Under 28 CFR § 20.20, the NCIC system is subject to the disclosure limitations in 28 CFR § 20.33. 28 CFR § 20.33(d) prohibits a criminal justice agency from re-disclosing this record for a purpose unrelated to the purpose requested under 28 CFR § 20.33(a).</p>
<p>NCIC Restricted Files: Gang Files</p> <p>See RCW 42.56.070(1); 28 CFR § 20.20(a); 28 CFR § 20.33</p>	<p>Withhold the record because it is a gang file from the FBI’s NCIC database. The SNOHOMISH COUNTY 911 requested and obtained this record under 28 CFR § 20.33(a). Under 28 CFR §20.20, the NCIC system is subject to the disclosure limitations in 28 CFR § 20.33. 28 CFR § 20.33(d) prohibits a criminal justice agency from re-disclosing this record for a purpose unrelated to the purpose requested under 28 CFR § 20.33(a).</p>
<p>NCIC Restricted Files: Terrorist Files</p> <p>See RCW 42.56.070(1); 28 CFR § 20.20(a); 28 CFR § 20.33</p>	<p>Withhold the record because it is a terrorist file from the FBI’s NCIC database. The SNOHOMISH COUNTY 911 requested and obtained this record under 28 CFR § 20.33(a). Under 28 CFR §20.20, the NCIC system is subject to the disclosure limitations in 28 CFR § 20.33. 28 CFR §20.33(d) prohibits a criminal justice agency from re-disclosing this record for a purpose unrelated to the purpose requested under 28 CFR § 20.33(a).</p>

This is a non-exhaustive list. Determinations about whether specific public records and/or information are exempt require a fact-intensive analysis because each request, the circumstances, and other considerations are different. Consult legal advice if you have questions regarding a specific request.

ATTACHMENT – A

<p>NCIC Restricted Files: Immigration Violator Files</p> <p>See RCW 42.56.070(1); 28 CFR § 20.20(a); 28 CFR § 20.33</p>	<p>Withhold the record because it is an immigration violator file from the FBI's NCIC database. The SNOHOMISH COUNTY 911 requested and obtained this record under 28 CFR § 20.33(a). Under 28 CFR §20.20, the NCIC system is subject to the disclosure limitations in 28 CFR § 20.33. 28 CFR §20.33(d) prohibits a criminal justice agency from re-disclosing this record for a purpose unrelated to the purpose requested under 28 CFR § 20.33(a).</p>
<p>NCIC Restricted Files: National Sex Offender Registry Files</p> <p>See RCW 42.56.070(1); 28 CFR § 20.20(a); 28 CFR § 20.33</p>	<p>Withhold the record because it is from the National Sex Offender Registry file from the FBI's NCIC database. The SNOHOMISH COUNTY 911 requested and obtained this record under 28 CFR § 20.33(a). Under 28 CFR § 20.20, the NCIC system is subject to the disclosure limitations in 28 CFR § 20.33. 28 CFR § 20.33(d) prohibits a criminal justice agency from re-disclosing this record for a purpose unrelated to the purpose requested under 28 CFR § 20.33(a).</p>
<p>NCIC Restricted Records: Historical Protection Order Files</p> <p>See RCW 42.56.070(1); 28 CFR § 20.20(a); 28 CFR § 20.33</p>	<p>Withhold the record because it is from the historical protection order file from the FBI's NCIC database. The SNOHOMISH COUNTY 911 requested and obtained this record under 28 CFR § 20.33(a). Under 28 CFR §20.20, the NCIC system is subject to the disclosure limitations in 28 CFR § 20.33. 28 CFR §20.33(d) prohibits a criminal justice agency from re-disclosing this record for a purpose unrelated to the purpose requested under 28 CFR § 20.33(a).</p>
<p>NCIC Restricted Files: Identity Theft Records</p> <p>See RCW 42.56.070(1); 28 CFR § 20.20(a); 28 CFR § 20.33</p>	<p>Withhold the record because it is from the identity theft file from the FBI's NCIC database. The SNOHOMISH COUNTY 911 requested and obtained this record under 28 CFR § 20.33(a). Under 28 CFR § 20.20, the NCIC system is subject to the disclosure limitations in 28 CFR § 20.33. 28 CFR § 20.33(d) prohibits a criminal justice agency from re-disclosing this record for a purpose unrelated to the purpose requested under 28 CFR § 20.33(a).</p>
<p>NCIC Restricted Files: Protective Interest Records</p> <p>See RCW 42.56.070(1); 28 CFR § 20.20(a); 28 CFR § 20.33</p>	<p>Withhold the record because it is from the protective interest file from the FBI's NCIC database. The SNOHOMISH COUNTY 911 requested and obtained this record pursuant to 28 CFR § 20.33(a). Under 28 CFR § 20.20, the NCIC system is subject to the disclosure limitations in 28 CFR § 20.33. 28 CFR § 20.33(d) prohibits a criminal justice agency from re-disclosing this record for a purpose unrelated to the purpose requested under 28 CFR § 20.33(a).</p>

This is a non-exhaustive list. Determinations about whether specific public records and/or information are exempt require a fact-intensive analysis because each request, the circumstances, and other considerations are different. Consult legal advice if you have questions regarding a specific request.

ATTACHMENT – A

GENERAL PRIVACY & MEDICAL RECORDS	
<p>Personal Information When It May Violate Privacy Rights</p> <p>See RCW 42.56.230; RCW 9.35.005(1); <i>see also</i> 42 USC § 405(c)(2)(C)(viii)(I)</p>	<p>Redact personal information, including minor's identities (including family members or guardians with the same last name as the child or if those individuals have the same address as the child); appointees or elected officials of any public agency if it would violate their privacy; financial information such as credit card numbers, debit card numbers, electronic check numbers, card expiration dates, or bank or other financial information such as social security numbers, driver license numbers, driver permit numbers, and Identocard numbers; any record used to prove identity, age, residential address, social security number, or other personal information required to apply for a driver's license or Identocard. RCW 42.56.230(2)(iii), (3), (5), (7).</p> <p>42 USC 405(c)(2)(C)(viii)(I) limits the release of Social Security numbers on vital records contained in personnel files. This includes but is not limited to birth certificates, marriage certificates, and death certificates.</p>
<p>Records Containing Patients' Confidential Medical Information Under Certain Circumstances</p> <p>See RCW 68.50.105(1); RCW 70.02.005(4), .020; <i>See also</i> RCW 42.56.070(1); 45 CFR 160-164 (HIPAA)</p>	<p>Redact or withhold healthcare and medical information about patients and employees. Reports, records, and information contained in autopsies, postmortems are also confidential. See RCW 68.50.105</p>
<p>Abuse of Vulnerable Adults – Investigations and Reports</p> <p>See RCW 42.56.070(1); RCW 74.34.095</p>	<p>Redact or withhold reports of abandonment, abuse, financial exploitation, or neglect of vulnerable adults. Also exempt is the identity of the person making the report and all investigation information (e.g. records, communications) and the provision of protective services.</p>
PERSONNEL/EMPLOYEE INFORMATION	
<p>Personal Information of Employees, Appointees, and Members of the General Public if it Violates Their Privacy Rights</p> <p>RCW 42.56.050, .230(3), .230(7), .250(3); 18 U.S.C. §§ 2721, 2725(3)</p>	<p>Redact personal information including but not limited to residential addresses, residential telephone numbers, personal wireless telephone numbers, personal electronic mail addresses, social security numbers, and emergency contact information of employee or volunteers of a public agency, and the names, dates of birth, residential addresses, residential telephone numbers, personal wireless telephone numbers, personal electronic mail addresses, social security numbers, and emergency contact information of dependents of employees or volunteers of a</p>

This is a non-exhaustive list. Determinations about whether specific public records and/or information are exempt require a fact-intensive analysis because each request, the circumstances, and other considerations are different. Consult legal advice if you have questions regarding a specific request.

ATTACHMENT – A

	public agency that are held by any public agency in personnel records. Also driver license numbers, voluntary deductions, marriage status, information about dependents, and any garnishment deductions.
Personal Information – Sensitive Financial Information RCW 42.56.230(5)	Redact information that contains credit card numbers, debit card numbers, electronic check numbers, card expiration dates, or bank or other financial information, Social Security numbers, unless disclosure is expressly required by law.
Test Questions for Public Employment RCW 42.56.250(1)	Withhold test questions, scoring keys, and other examination data used to administer a license, employment or academic examination.
Application Materials for Public Employment RCW 42.56.250(2)	Redact personal information, such as names of applicants (including an existing employee applying for another agency job), resumes, and other related materials submitted concerning an applicant.
Certain Worker’s Compensation Records RCW 42.56.070(1); RCW 51.28.070	Redact information contained in worker’s compensation claim files and records for the injured worker.
The Identity of Local Government Whistleblower (Improper Governmental Action) RCW 42.56.070(1); RCW 42.41.090(7)	Redact identifying information about any employee that files an improper governmental action (whistleblower) complaint against a public entity, unless the employee authorizes the disclosure of his or her identity in writing.
OTHER RECORDS AND INFORMATION	
Certain Preliminary Drafts, Recommendations, and Intra-Agency Memoranda RCW 42.56.280	Redact or withhold preliminary drafts, notes, recommendations, and intra-agency memorandums in which opinions are expressed or policies formulated or recommended, except that a specific record is not exempt when publicly cited by an agency in connection with an agency action.

This is a non-exhaustive list. Determinations about whether specific public records and/or information are exempt require a fact-intensive analysis because each request, the circumstances, and other considerations are different. Consult legal advice if you have questions regarding a specific request.

ATTACHMENT – A

**Records Containing
Legal Advice Between
Attorneys and
Employees, Including
Attorney Work Product
and Records Created in
Anticipation of Litigation**

RCW 42.56.070(1); RCW
42.56.290; RCW
5.60.060(2)

Redact or withhold records and information regarding or related to matters involving actual or anticipated litigation. Documents prepared by attorneys in confidence or prepared by an employee at the attorney's request. Notes of interviews conducted by an investigator at the attorney's direction are protected if the records are relevant to and reasonably connected to an anticipated lawsuit.

This is a non-exhaustive list. Determinations about whether specific public records and/or information are exempt require a fact-intensive analysis because each request, the circumstances, and other considerations are different. Consult legal advice if you have questions regarding a specific request.