



## **Standards and Procedures relating to Public Records Requests**

**Standard Number:** PRO-SP- 001  
**Effective Date:** May 1, 2013  
**Last Revised:** August 17, 2017

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### **1. Submitting a Public Records Request**

#### **Purpose**

This Standard defines the requirements for submitting a public records request to the County.

#### **Standard**

All public records requests shall be submitted in accordance with SCC 2.51.050 and Policy PRO-001, and related Standards and Procedures.

The Public Records Officer makes available a standardized form for submitting public records requests. This form is published online on the County website.

Alternatively, a requestor may submit a request by mail, email or fax directed to the attention of the Public Records Officer or Public Records Specialist for the appropriate County department or office, which must contain the following:

- 1) The name and contact information of the person making the request;
- 2) Reasonable notice that the request is for the disclosure of public records pursuant to the Public Records Act;
- 3) Identification of the requested records by reference to names, title, subject matter, and time frames, or other means adequate for the Public Records Officer, Public Records Specialist, or designee to locate the requested records; and
- 4) Whether or not such request is for a list of individuals.

If a request is for a list of individuals, the requestor must complete an affidavit, available on the County website.

Snohomish County does not accept “bot” requests as defined in RCW 42.56.080(3).

Requests must be for identifiable public records in accordance with RCW 42.56.080(1).



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### **Improperly filed requests**

In the event a public records request is submitted to a County employee other than the Public Records Officer or a Public Records Specialist, the employee shall immediately forward such request to the Public Records Officer or a departmental/office Public Records Specialist for intake and processing.

The Public Records Specialist, in responding to the improperly submitted request, shall notify the requestor of the proper procedure for submitting public records requests in compliance with SCC 2.51.050, Policy PRO-001, and Standard PRO-SP-001.



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### 2. Standard for Providing a Responsive Record and the Associated Cost

#### Purpose

This Standard defines how a public records request is to be produced by the County to a requestor along with the associated cost.

#### Standard

When the requested records have been identified, gathered, and reviewed, and the Exemption or Withholding Log (if appropriate) is completed, the assigned Public Records Specialist shall notify the requestor that the records are available for inspection or purchase. If the records will be purchased, the Public Records Specialist shall inform the requestor of the cost of the records. Additionally, the County will provide a statement of estimated costs upon request from the requestor and will provide the requestor with an opportunity to alter their request to reduce costs.

Payment must be received before public records are provided to the requestor.

The County may request a 10% deposit be paid prior to producing copies of records.

The County may provide records in installments. An installment shall consist of various sizes and content types. Once an installment has been made available, the County is not obligated to continue gathering and preparing records until payment for the available installment is received.

The County charges fees in accordance with SCC 2.51.100, as follows:

<b><u>Paper copies</u></b>	15 cents per page
<b><u>Scanned copies</u></b>	10 cents per page
<b><u>Records uploaded to email, cloud-based storage, CD/DVD, or flash drive</u></b>	5 cents each per every 4 electronic files or attachments
<b><u>Records transmitted in electronic format</u></b>	10 cents per gigabyte (GB)



**Snohomish County**

<b><u>Digital Storage Media Device (CD/DVD, flashdrive)</u></b>	Actual Cost
<b><u>Envelope</u></b>	Actual Cost
<b><u>Postage</u></b>	Actual Cost
<b><u>Customized Service Charge</u></b>	When the request would require the use of IT expertise to prepare data compilations or when such customized access services are not used by the agency for other business purposes. The agency may charge the actual cost. The agency must notify the requestor that it will be doing a customized service and can require a 10 percent deposit.

If the fee for the responsive public records totals less than \$1.00 the County shall waive the fee, in accordance with RCW 42.56.120(4).



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Records shall be provided in accordance with Public Records Request Policy PR-001. All records provided in .pdf format shall be numbered with department identifiers and page/bates numbers in the PRO approved format, unless an exception has been granted by the PRO.

In the letter notifying the requestor that the requested records are available, the Public Records Specialist shall notify the requestor that if the records are not paid for, picked up, or an appointment made for inspection within 30 days, the request will be administratively closed and the records re-filed in their original locations. The notification shall provide a date certain when the request will be considered abandoned.



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### 3. Procedure for Responding to a Public Records Request

#### Purpose

This Procedure defines how the County will respond to a public records request.

#### Procedure

The Public Records Officer, his/her designee, or the assigned Public Records Specialist shall respond to a request for public records within five (5) business days. Such response shall do one of the following:

- 1) Make the requested records available ;
- 2) If the requested records are already available on the County website, the response should provide the specific website address to the requestor;
- 3) Acknowledge receipt of the request and provide a reasonable estimate of the time when records will be made available. The following is a list of acceptable reasons for identifying that additional time is needed:
  - a. time necessary to locate and assemble the requested records;
  - b. time necessary notify the persons affected by the request;
  - c. time necessary to determine whether any of the responsive records or information contained in the responsive records is exempt from production; or
  - d. time needed considering availability of departmental resources.
- 4) Seek clarification for a request that is unclear and provide a reasonable estimate of time the County will require to respond to the requestor if it is not clarified; or
- 5) Deny the public records request.

The County may only deny the production of portions of records, or withhold records in their entirety, based on an applicable legal exemption. The PRO shall maintain an approved list of Exemption Language Codes and an Exemption Language Key which identify applicable legal exemptions.

The County shall stamp the approved Exemption Language Codes records when denying the production of portions of records. The County shall provide the requestor with the approved Exemption Language Key at no charge every time the County denies the production of portions of records.



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The County shall provide a Withholding Log if records are withheld in their entirety. The Withholding Log shall use the approved Exemption Language Codes. The County shall provide the requestor with the approved Exemption Language Key at no charge every time the County withholds records in their entirety.

If a public records request is received that concerns a subject known to involve litigation that is pending, threatened or anticipated, the Public Records Officer shall promptly notify the Prosecuting Attorney and Risk Manager of the request. The response information and the date of response must be recorded in the Public Records Request Tracking application at the time the response is delivered.



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### 4. Procedure for Managing Files

#### Purpose

This Procedure describes the process for managing files and internal processing related to a public records request.

#### Procedure

##### Managing Files

Each Public Records Specialist shall maintain a file for each public records request he/she is responsible for handling, as assigned by the Public Records Officer. In addition to a hard copy file of responsive records (if any), each Public Records Specialist shall maintain an electronic file on the County's K Drive. The electronic Public Records Request file for each request shall include:

- 1) The original request and all correspondence with the requestor;
- 2) A record of non-transitory correspondence with other County departments and offices;
- 3) Copies of all records provided to the requestor in the format provided; and
- 4) Any records redacted or withheld, in both their un-redacted and redacted forms.

The Public Records Specialist shall maintain a log identifying the search conducted for responsive records, including individuals contacted, locations searched, and key words used for searching of electronic record. This log may be maintained along with copies of the responsive records in either the electronic or hard copy file.

Each Public Records Specialist is responsible for gathering, reviewing, redacting (if appropriate), creating an Exemption or Withholding Log (if appropriate), and numbering records produced in .pdf format, in accordance with this Standard. The completion of documents for delivery, and the pickup of those documents, shall be entered with a date into the PRR tracking system provided by the County.





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### 5. Procedure for Tracking a Public Records Request

#### Purpose

This Procedure identifies the tracking system used for recording and managing a public records request and assigns roles and responsibilities within the system.

#### Procedure

The Public Records Officer, his/her designee or assigned Public Records Specialists shall be responsible for intake of requests and shall log every public records request received in the Public Records Request Tracking application.

Once the Public Records Officer has assigned the public records request a tracking number and has designated a lead County department or office, the assigned Public Records Specialist shall track the request by inputting relevant information, including but not limited to the following:

- 1) Status of the request;
- 2) Dates when installments of records are provided;
- 3) Anticipated installment dates;
- 4) Amount of time spent on the request by all staff in the department/office; and
- 5) Notes documenting the types of records provided and what codes were cited as a basis for exemption from production.