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## PUBLIC RECORDS REQUEST POLICY

**Policy Number:** PRO-001  
**Effective Date:** May 1, 2013  
**Review period:** Annually  
**Last Revised:** August 17, 2017

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### Purpose

This policy defines the ways in which the County fulfills public records requests received under RCW 42.56 and SCC 2.51. County courts are covered under separate rules and standards, and are generally exempt from this policy.

### Background

The County's public records, both hardcopy and electronic, are subject to disclosure and production under the Public Records Act (PRA), Chapter 42.56 RCW. There are specific deadlines for responding to PRA requests and for producing responsive records established by the PRA. The County is subject to daily penalties and the payment of attorney fees and costs for failing to comply with the requirements of the PRA. The County's goal is to ensure compliance with the requirements of the PRA while minimizing the impact of these requests on the delivery of other services to the citizens of Snohomish County.

### Scope

This policy covers public records requests for public records prepared, owned, used, or retained by any department or office of Snohomish County government, excluding the Snohomish County Courts. Any public records kept in electronic or hardcopy format are subject to production under the PRA, unless the record or its contents are defined as exempt by the PRA or other applicable law.

### Authority

Authority is derived from Revised Code of Washington chapter 42.56 and from Snohomish County Code chapter 2.51.

### Definitions

Public Records means all records prepared, owned, used, or retained by any department or office of Snohomish County government, excluding the Snohomish County Courts. This includes both hardcopy and electronic records.

Public Records Requests refers to requests submitted by persons or entities for Snohomish County's public records. Specific information may be exempt from production under the Public



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Records Act, chapter 42.56 RCW. As a result, the response process includes a review to ensure that exempt information is identified and redacted or withheld from production.

The Public Records Officer is identified and the duties are as outlined in Snohomish County Code 2.51.035.

Public Records Specialists are appointed and the duties are as outlined in Snohomish County Code 2.51.040.

Employee means any person who works for Snohomish County, as a paid employee, volunteer, or contractor. Every employee is responsible for maintaining their files and records to comply with both the PRA and the applicable records retention schedules. For Public Records Requests, employees must:

1. Search for records within their area of responsibility, for records responsive to public records requests, upon request of the their department or office's Public Records Specialist;
2. Respond to requests to search for records in a timely manner, in accordance with timelines established by the Public Records Officer or appropriate Public Records Specialist; and
3. Track and report to their assigned Public Records Specialist the staff time expended in searching for and responding to requests for public records.

## Policy

All records prepared, owned, used, or retained by the County are subject to production under the PRA, regardless of which office or department originated or manages the record. The sole organizational exception is for records controlled by the Snohomish County Courts, which for these purposes is considered a part of the Washington State Court system. Exemptions related to the types of information which do not have to be disclosed are contained in the PRA and other applicable laws. For additional information, refer to the Public Disclosure Committee SharePoint page.

### Accepting Requests

All formal public records requests shall be submitted in accordance with SCC 2.51.050. Informal public records requests may be made in accordance with SCC 2.51.060.



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### **Tools and Applications to assist in complying with requests**

The County provides an enterprise Public Records Requests Tracking application which will be used by all offices and departments for the tracking of public records requests. The County also makes a variety of tools available to departments for use in their fulfillment of their duties under the Public Records Act including, but not limited to: Adobe Acrobat, an email search tool, and a file management structure.

### **Reporting**

The Public Records Officer will provide an annual report to county elected officials and the County Council on County Public Records Requests activity. Additional reports will be provided as requested.

### **Document delivery**

Copies of requested public records delivered to a requestor will be stored in a secured location, assigned to each County department or office, and logged under the Public Records Request number. Electronic copies of both the pre-redaction and post-redaction public records will be retained by the County.

Departments shall determine what forms of payment they are able to accept and will define payment options for the Requestor. Receipts will be issued for all payments.

Payment for responsive records and delivery costs must be received before the records will be provided. If payment is not received within 30 days of the date the records are made available, the request will be deemed abandoned and will be administratively closed without further communication to the Requestor.

The County offers two methods for delivery of responsive paper records to a public records request. Paper records are available via in person pick up or mail. If a requestor elects to have records mailed, they must provide a mailing address. Fees will be assessed as provided by SCC 2.51.100.

The County offers three methods for delivery of responsive electronic records to a public records request. The volume of responsive records, as well as the frequency with which specific records are requested, dictate the method of delivery.



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1. For requests which have a very low volume of responsive electronic records, the records may be sent through email as an attachment. Based on the attachment size limits of most major email accounts (Gmail, Yahoo, Outlook) the file size limit is 25 mb; thus, if the responsive records exceed the limit, they will not be emailed. Installments will be compiled to provide the maximum number of records to the requestor in each installment and will not be divided to comply with the file size limit. If there is a charge for producing these records, payment must be received prior to emailing responsive records.
2. Installments which have a volume of responsive electronic records that exceeds the file size limit described above (25 mb) will be delivered via CD/DVD or USB memory device.
3. Departments shall determine whether they are able to provide records via online file transfer sites. Each installment will be copied onto a CD/DVD or a USB memory device. CDs/DVDs and USB devices can be either picked up in person or sent via the United States mail. If a requestor elects to have CDs/DVDs or a USB device mailed to them, the requestor must provide the County with a mailing address. Fees will be assessed as provided by SCC 2.51.100. If there is a charge for producing these records, payment must be received prior to mailing or providing responsive records.

If a large number of similar requests are received, the Public Records Officer may elect to set up an online distribution method. This method will reflect the technology and skills which exist in the County's departments and offices at that time. Any online distribution will be established at the sole discretion of the Public Records Officer.

Exceptions or modifications to these methods must be approved in writing by the Public Records Officer, prior to the delivery of any records.

### Time Tracking Requirement

The County requires that the time spent in compliance with producing records under the PRA be tracked and reported. Each department or office shall track in the County's Public Records Requests Tracking application the time spent on locating and gathering records in response to a request, as well as the time spent in reviewing and redacting exempt information.

Approved by:   
 Public Records Officer

8/17/17  
 Date