



NORCOM – STANDARD OPERATING PROCEDURES

Chapter: Professional Standards/Training	Chapter Number: 9
Policy Name: Public Disclosure Policy	Policy Number: 09-003
Issue Date: 5/8/09	CALEA Standard:

1.0 **PURPOSE**

1.1 The purpose of this policy is to define public records and provide a procedure for the proper reporting and response to records requests.

2.0 **POLICY**

2.1 It is the policy of NORCOM to release records in compliance with the Public Records Act set forth in RCW Chapter 42.56 and any other applicable provisions of federal or state law.

3.0 **PROCEDURE**

3.1 The Revised Code of Washington (RCW) 42.56.070(1) requires each agency to make available for inspection and copying nonexempt “public records” in accordance with published rules.

3.2 The Public Records Act defines “public record” to include any “writing containing information related to the conduct of government or the performance of any governmental or proprietary function prepared, owned, used, or retained” by the agency.

3.3 “Writing” is defined as “... handwriting, typewriting, printing, photostating, photographing, and every other means of recording any form of communication or representation...”

3.4 NORCOM makes many public records available on its website: www.norcom.org.

3.5 Under no circumstance will original NORCOM records be permitted out of the NORCOM premises. Inspection of any Public Records shall be conducted in the presence of the Public Records Officer or designee. 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.

3.6 Procedure - NORCOM Organization

3.6.1 NORCOM is located in the Bellevue City Hall Building at 450-110th Ave NE, Bellevue, WA 98009.

3.6.2 NORCOM’s Public Records Officer is Meredith Munk. All requests must be directed to the Public Records Officer. The Public Records Officer may be contacted in person at NORCOM, via first class mail addressed to the Public Records Officer, or via email (publicrecordsofficer@norcom.org).



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3.6.3 Making a Public Disclosure Request

Any person wishing to inspect or copy NORCOM public records is encouraged to make the request in writing on the *NORCOM Public Disclosure Request Form* or by letter, fax, or e-mail addressed to the public records officer and including the following information:

3.6.3.1 Name of Requestor

3.6.3.2 Address of the Requestor

3.6.3.3 The date and time of day of the request

3.6.3.4 Other Contact Information, including telephone number and any e-mail address

3.6.3.5 Identification of the requested public records adequate for the public records officer or designee to locate the requested records. Any requests that are too generalized may require communication with the requestor for further clarification.

3.6.3.6 Whether the Requestor wants to inspect the requested records or wants copies made (address where copies are to be mailed, if needed)

3.6.3.7 A statement regarding whether the records are being requested for a commercial purpose.

3.6.3.8 Signature of Requestor

3.6.4 The Public Records Officer or designee may accept requests for public records that contain the above information by telephone or in person. If the Public Records Officer or designee accepts such a request, he or she will confirm receipt of the information and the substance of the request in writing within its initial 5-day response. The person accepting the request should transfer relevant data onto a NORCOM Request Form.

3.6.5 If the requestor wishes to have copies of the records made instead of simply inspecting them, he or she should so indicate and make arrangements to pay for copies of the records or a deposit.

Revision Date: 11/13/09	Review Date:
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Issue Date: 5/8/09	CALEA Standard:

- 3.6.5.1** A set per-page charge of \$0.15 will be assessed for 10 or more pages of black and white copies of letter or legal-sized pages (each side of a sheet is 1 page).
- 3.6.5.2** CD Recording of calls and/or radio traffic will be provided at \$20.00 for initial CD and \$3.00 for subsequent CDs.

3.6.6 Records Exempt from Disclosure

After NORCOM has gathered responsive records, NORCOM will determine whether an exemption applies to all or part of the record. NORCOM need not make available for inspection and copying Public Records exempt from public inspection and copying under RCW Chapter 42.56 and other records exempt from public inspection and copying under state of federal statute or regulation, including but not limited to:

- 3.6.6.1** Witnesses to or victims of crime or who file complaints with investigative, law enforcement agencies if disclosure would endanger any person’s life, physical safety, or property (RCW 42.56.240 (2)).
- 3.6.6.2** Invasion of privacy if disclosure of information about the person would be highly offensive and is not of legitimate concern to the public (RCW 42.56.050) NOTE: Public Records may be used if the party/ies affected have timely notice and the record does not unreasonably invade personal privacy.
- 3.6.6.3** HIV/AIDS Medical Status (RCW 70.24.022 (3))
- 3.6.6.4** Patient Medical Information (RCW 70.02.020)
- 3.6.6.5** Sexual Assault Victims under 18 years of age (RCW 42.56.240 (5))
- 3.6.6.6** Disclosure of sensitive information contained in NORCOM employee personnel files (RCW 42.56.230 (2))
- 3.6.6.7** Use of lists of individuals for commercial purposes (RCW 42.56.070 (9))

3.6.7 Deletion/Redaction of Exempt Materials

Revision Date: 11/13/09	Review Date:
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Chapter: Professional Standards/Training	Chapter Number: 9
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Issue Date: 5/8/09	CALEA Standard:

NORCOM is not relieved of its obligation to respond to requests for public records because a portion of the record contains information covered by an exemption. NORCOM has a duty to delete or redact specific information covered by an exemption and disclose the remainder of the record. If NORCOM determines that all or part of a record is subject to an exemption, NORCOM shall complete the exemption log on the back of the Public Disclosure Request Form.

3.6.8 Processing of Public Records Requests

Within five (5) business days of receiving the request, NORCOM must respond by:

3.6.8.1 Making the records available for inspection or copying; OR

3.6.8.2 If copies are requested and payment has been received, sending the copies to the requestor; OR

3.6.8.3 Acknowledging the receipt of the request and providing a reasonable estimate of time required to respond to the request; OR

3.6.8.4 Denying the request and provide a written statement of specific reasons.

3.6.8.5 If NORCOM does not respond in writing within five business days of receipt of the request for disclosure, the requestor should consider contacting the Public Records Officer to determine the reason for the failure to respond.

3.6.9 Large Requests

When a records request is for a large volume of records, NORCOM may elect to provide the records on an installment basis. If a Requestor does not contact NORCOM within 15 days to arrange for the review of the first installment, NORCOM may deem the request abandoned and stop fulfilling the remainder of the request.

3.6.10 Disclaimer of Liability

Neither NORCOM nor any employee, official, or custodian shall be liable, nor shall a cause of action exist, for any loss or damage based upon a release of Public Records if the person releasing the records

Revision Date: 11/13/09	Review Date:
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acted in good faith in attempting to comply with this policy. This policy is not intended to expand or restrict the rights of disclosure of privacy as they exist under state and deferral law. Despite the use of any mandatory terms such as “shall” nothing in this policy is intended to impose mandatory duties on NORCOM beyond those imposed by the state and federal law.

3.6.11 Appeal Process

If a Requestor feels that information has been withheld or deleted in error, he/she may file a written appeal with the NORCOM Professional Standards & Development Manager within five (5) business days from the date of the receipt of information. The appeal must include the requestor’s name and address and a copy of the notification letter together with a brief statement identifying the basis of the appeal. The appeal should be mailed or delivered to:

NORCOM
Attn: Professional Standards & Development Manager
P.O. Box 50911
Bellevue, WA 98015-0911

3.6.12 MASTER RECORDINGS

9-1-1 master recordings are retained for ninety (90) days as required by the Washington Secretary of State Retention Schedules and NORCOM Policy. Master recordings are stored on a secure server with access limited to authorized individuals who have signed agreements on file with NORCOM.

3.6.13 NORCOM Participant/Subscriber Agency Request for Duplication of Master Recordings

Any requests from NORCOM participant/subscriber agencies for media duplication must be made on the *NORCOM Request Form* to include agency approving authority.

3.6.14 Public Requests for Duplication and/or Inspection of Master Recordings

Public Records requests from private attorneys, agencies or businesses doing business for profit, Public Defenders Office or private citizens are encouraged to submit their requests in writing. They may be submitted in person, via US mail, or fax.

Revision Date: 11/13/09	Review Date:
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