

**RESOLUTION NO. 25-04**

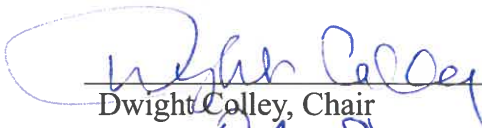
A RESOLUTION adopting a policy to comply with the  
Public Records Act, RCW 42.56.

WHEREAS, the Board of Fire Commissioners of San Juan County Fire Protection District No. 3 needs to update its public records policy in accordance with Chapter 42.56 RCW, the Public Records Act; and

WHEREAS, Chapter 42.56 RCW requires local agencies to publish rules and procedures to facilitate disclosure of public records and to make nonexempt public records available for inspection and copying;

NOW THEREFORE BE IT RESOLVED by the Board of Fire Commissioners of San Juan County Fire Protection District No. 3 to adopt the attached Public Records Policy.

ADOPTED this 9<sup>th</sup> day of September 2025.

  
Dwight Colley, Chair

  
Warren Appleton, Vice-Chair

  
Alexa Rust, Member

ATTESTED BY:

  
Amy Taylor, Board Secretary

## Public Records Policy

### I. Policy:

Pursuant to the Washington State Public Records Act, Chapter 42.56 RCW (PRA or Act), San Juan County Fire District 3, dba San Juan Island Fire & Rescue (“SJIFR”) will make all non-exempt records available for inspection and copying in accordance with the PRA.

To this end, SJIFR shall provide the public with assistance to ensure access to records containing information about the conduct of government, while also being mindful of individuals’ privacy rights (as defined by RCW 42.56.050), the efficient administration of government and limited staff resources.

If any portion of this policy is found to be inconsistent with the referenced RCWs, the RCWs will prevail.

### II. Definitions:

1. “Exempt” means that a law allows or requires the withholding of a document from public disclosure.
2. “Exemption Log” means a log of records that have been redacted or withheld pursuant to an applicable exemption. An Exemption Log must be provided to the requestor each time records are redacted or withheld, except as otherwise provided for in this definition. An Exemption Log will normally contain the record’s author, recipient, date, number of pages, a citation to the law allowing the exemption, and a brief explanation of how the exemption applies if unclear. When an exemption is very limited, obvious, or straightforward, it may be sufficient for the SJIFR to identify and reference the exemption in a cover letter to the requestor in lieu of a separate log.
3. “Five Day Letter” refers to the SJIFR’s initial response to a person who has made a public records request. This letter is required by statute to be postmarked no later than five business days (business days are all days excluding Saturday, Sunday and legal holidays) after the receipt of the original request. The Letter must indicate one or more of the following: a.) That the requested records are attached or are available for inspection; b.) That clarification is being sought; c.) That the records being sought do not exist, or are exempt from disclosure and why; d.) That the SJIFR requires additional time to respond to the request and how much time; and/or e.) That the request will be answered in installments, with estimated installment and completion dates.
4. “Assistance” requires maintaining regular written communication with a requestor, offering suggestions where appropriate to help a requestor identify and locate desired records, and otherwise offering good customer service to public records requestors.
5. “Identifiable Public Record” refers to a record description enabling SJIFR to locate the requested record, if the record exists.
6. “Reasonably Locatable Electronic Record” is one which can be located with typical search features and organizing methods contained in the agency’s current software.

7. “Meta-data” means electronic information embedded in electronic files consisting of information describing the history, tracking, or management of an electronic record. SJIFR is obligated to produce meta-data only if specifically requested as part of a public records request.

8. “Public Record”, as defined in the PRA, means 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 the agency regardless of physical form or characteristics. The term “writing” includes 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. A document may meet the definition of “public record” even if it was not created using agency computers or equipment. For example, an e-mail or text message sent or received by a SJIFR employee or official within the course and scope of agency business may be a public record, even if a personal electronic device was used to create or receive the record.

9. “Public Records Coordinators” are those SJIFR employees who may be responsible for collecting and processing information for completion of a response to public records request.

10. “Public Records Officer” is the individual responsible for establishing public records response protocols for the SJIFR; assisting with unusually large or complex public records requests; developing training protocols for all SJIFR Public Records Coordinators; and developing other guidance resources such as on-line public records request information.

11. “Public Records Request” is defined as a request to inspect or receive a copy of an identifiable public record.

14. “Records Retention Schedule” depicts how long records must be kept, as well as the disposal guidelines for these records. The retention schedules for state and local agencies are available at: [www.secstate.wa.gov/archives/gs.aspx](http://www.secstate.wa.gov/archives/gs.aspx).

15. “Redaction” refers to the method of protecting specific information that are statutorily exempt from public disclosure from public viewing.

### **III. Public Records Officer:**

Processing requests for access to public records shall be the responsibility of the Public Records Officer, who will serve as the point of contact for the public and oversee compliance with the PRA. The name and contact information of the Public Records Officer will be posted in a highly visible location on the SJIFR's webpage at [www.sjifire.org](http://www.sjifire.org) for access by the public (RCW 42.56.580).

Duties include the following:

- 1.) Make requested records available for inspection and copying.
- 2.) Acknowledge receipt of all requests consistent with the above definition of "Five Day Letter".
- 3.) Ensure that records scheduled to be purged in accordance with the applicable Records Retention Schedule are not destroyed if a PRA request for them has been made, or if the records are relevant to actual or anticipated litigation (RCW 42.56.110).
- 4.) Make good faith and reasonable estimates of the time needed to respond to large or complicated requests, organize and review records, submit records for legal review if needed, redact any exempt information in records to be produced, and create Exemption Logs. The Public Records Officer's time estimate should be made in the context of SJIFR's available resources.
- 5.) Perform reasonably diligent searches for requested public records.
- 6.) Arrange for other staff members, who may have better access to certain requested records, to search for and provide records.
- 7.) Maintain clear electronic and/or paper files of all requests, the searches conducted in response to each request, and the records provided in response to each request.
- 8.) Coordinate with the Fire Chief to obtain legal advice as necessary to maintain compliance with the PRA.
- 9.) Regularly attend training in public records compliance.

### **IV. Index of Public Records Available:**

SJIFR has determined that it would be unduly burdensome to maintain an itemized index of all SJIFR records, except as set forth herein, due to fiscal and personnel limitations. It is practically not feasible to maintain a central index of documents within the SJIFR's organizational structure. Even if such an index were feasible, the cost in terms of staff resources, inefficiency, and delayed ability to respond to substantive issues would be prohibitive. The determination made in this section shall be considered to be a "formal order" as that term is used by RCW 42.56.070.

## **V. Address Where Requests are to Be Directed:**

All communications with SJIFR regarding requests for Public Records are to be addressed to:

***SJI Fire & Rescue, Attention: Public Records Officer  
1011 Mullis Street  
Friday Harbor, WA 98250  
Email: [chief@SJIFR.org](mailto:chief@SJIFR.org).  
Printable forms can be found online at [www.sjifire.org](http://www.sjifire.org).***

## **VI. Policies for Processing for Public Records:**

In accordance with requirements of the PRA, public records may be inspected or copied pursuant to the following procedures:

1.) Public records requests will be accepted electronically via e-mail, regular mail, telephone or in person. Citizens interested in making a public records request should be encouraged to do so in writing by directing them to the SJIFR's electronic form which is available through the SJIFR's website at [www.sjifire.org](http://www.sjifire.org).

All requests should be presented to the designated Public Records Officer. If the Public Records Officer is not available during customary hours, the completed form(s) shall be presented to a designee.

Upon receipt of a verbal request in person or via telephone, the Public Records Officer shall confirm the request with the requestor in writing.

All requests shall include the following information, and the Public Records Officer shall communicate with the requestor to complete any missing information necessary for processing the request:

- a.) Contact information of the person requesting the record(s).
- b.) The date on which the request was made.
- c.) A description of the specific records containing sufficient information to allow the Public Records Officer to identify the records.
- d.) The request shall identify if the request is for copies or for inspection of records.
- e.) And whether the request shall be used for commercial purposes if for a list.

2.) SJIFR is not required to process requests strictly in the order received because this might not be providing the "timeliest action" for all requests. SJIFR should be flexible and process as many requests as possible, even if they are out of order. "Other public records requests may be processed ahead of a subsequent request by the same person for the same or almost identical records, which shall be processed as a new request (WAC 44-14-040)."

3.) SJIFR shall make records available for inspection and copying during customary office hours, except when and to the extent that this would unreasonably disrupt the operations of the SJIFR, and contact the requestor to make mutually agreed-upon arrangements for inspection and copying.

4.) The Public Records Officer will provide written indication that SJIFR has completed a reasonable search for requested records and made available any non-exempt records available for inspection.

5.) SJIFR will “protect public records from damage or disorganization” (RCW 42.56.100). Therefore, SJIFR will provide space to inspect public records, usually at Station 31, 1011 Mullis Street, Friday Harbor, WA 98250. Requestors shall not be allowed to take original records out of the designated area at the SJIFR office. Copying requests may be completed by an outside vendor by authorization of the Public Records Officer. SJIFR will manage the transfer of original records between the office and the vendor.

6.) SJIFR may fulfill its obligation to provide access to public records by providing the requestor with a link to a website containing the requested records. Requestors are encouraged to check the SJIFR’s website for responsive records (WAC 44-14-03004).

7.) Consistent with the above definition of “Exemption Log”, SJIFR shall state the statutory exemption and provide a brief explanation of why a record is being redacted or withheld.

If only a portion of the record is exempt from disclosure, but the remainder is not exempt, the Public Records Officer shall redact the exempt portions, provide the non-exempt portions, and indicate to the requestor why the record is being redacted. All such documentation as described in this section shall be specified in an Exemption Log unless a transmittal letter can provide sufficient information to explain and justify the exemption.

8.) After inspection is complete, the Public Records Officer shall arrange for any records requested to be copied in a reasonably prompt manner.

9.) SJIFR may not deny a request for being “overbroad”. However, when the request is for a large number of records, the Public Records Officer may provide access for inspection and copying in installments, if reasonably determined that it would be practical to provide the records in such a manner to best utilize SJIFR resources.

If, within thirty days, the requestor fails to inspect the entire set or installment of records, the Public Records Officer may stop searching for the remaining records and close the request.

If, within thirty days of installment being made available, the requestor fails to inspect or collect the records in one or more installments, the Public Records Officer may stop searching for responsive records and close the request.

The Public Records Officer shall promptly notify the requestor in writing when a request is closed.

10.) SJIFR will close a request when a requestor fails to pay for records, an installment of records, or a required deposit. Only SJIFR staff may operate SJIFR's equipment, including copy machines and scanners. If a request has been made in person and the request for the copies is minimal, staff may opt to scan, email or make copies while the requestor waits, except when and to the extent that this would unreasonably disrupt the operations of the SJIFR.

11.) When a request uses an inexact phrase such as "all records relating to" a topic (such as "all records relating to the property tax increase"), SJIFR may interpret the request to be for records which directly and fairly address the topic. When the SJIFR receives a "relating to" or similar request, it should seek clarification of the request.

12.) SJIFR does not distinguish between persons requesting records, and such persons shall not be required to provide information as to the purpose of the request; unless it must be determined whether a list of names is being requested for commercial purposes, or if information is needed to determine whether disclosure is prohibited.

13.) If, after SJIFR has informed the requestor that it has provided all available records and SJIFR later becomes aware of additional responsive documents existing at the time of the request, it will promptly inform the requestor of the additional documents and provide them on an expedited basis.

14.) SJIFR is not obligated to create new records to respond to a public records request (WAC 44-14-04003). SJIFR is also not required to conduct legal research for a requestor. However, SJIFR may create documents (such as lists, reports or summaries of requested information) in lieu of providing records containing the requested information in fragments, if the Public Records Officer determines that creating a new document would more efficient and mutually agreeable to the requestor.

15.) SJIFR will request clarification if the Public Records Officer cannot reasonably identify the records sought, or when the scope of the records sought is unclear. When the SJIFR receives an unclear request, the Public Records Officer shall communicate with the requestor to clarify the request. If the requestor does not clarify an unclear request when asked to do so within 30 days, the request may be closed, and the Public Records Officer shall send a closing letter to the requestor.

For large requests the SJIFR may ask the requestor to prioritize the request so that they receive the most important records first. If the requestor finds the records they are seeking in the first installments of the SJIFR's response, the requestor may inform the SJIFR the requested records have been provided, and they are canceling the remainder of the request.

## **VII. Fees:**

- 1.) There is no fee for inspecting public records.
- 2.) SJIFR will charge for copies of records pursuant to the default fees in RCW 42.56.120(2) (b) and (c). SJIFR will charge for customized services pursuant to RCW 42.56.120(3). SJIFR may charge other copy fees authorized by statutes outside of chapter 42.56.120(4).

## **VIII. Procedures for Processing Public Records Requests:**

1. Upon the SJIFR's receipt of a request for public records, the request shall be directed to the SJIFR's Public Records Officer.
2. The Public Records Officer shall respond to the request in writing within five (5) business days in accordance with the above definition of "Five Day Letter".
3. If the requested records contain information that may affect the rights or privacy of a third party and are arguably exempt from disclosure, the Public Records Officer shall coordinate with legal counsel and give notice to the third party prior to providing the records.

Such notice will advise the third party that the records will be disclosed on a given date (generally ten business days) unless the third party provides an injunction from the court prohibiting release by SJIFR. The notice to the affected person(s) will include a copy of the request. The notice shall be copied to the requestor.

Generally, the requestor has an interest in any legal action to prevent the disclosure of the records requested. Therefore, the SJIFR's notice should inform any third party that they may name the requestor as a party to any action to enjoin disclosure. If an injunctive action is filed, the third party or agency should name the requestor as a party or, at a minimum, must inform the requestor of the action to allow the requestor to intervene.

4. If SJIFR cannot provide the requestor with access to or copies of the requested records that are subject to disclosure within the appropriate estimated timeframe, the requestor shall be informed in writing of the reasoning and amount of additional time necessary to produce the records.
5. Inspection shall occur at a time mutually agreed upon by the requestor and the SJIFR's Public Records Officer during customary office hours. SJIFR shall have an employee observe the inspection or copying of records by the requestor to ensure that the records are not altered or destroyed.
6. Requests to provide records in electronic format will be accommodated if SJIFR currently has the technology to make the conversion from its original format to an electronic format. This will typically result in a PDF document.
7. Requests for document meta-data shall be answered by providing the record in its native electronic format (such as a Word document or a PST file for an e-mail). If the requested record requires redaction, the meta-data may have to be extracted and provided separately. The Public Records Officer shall ask for specialized IT assistance if necessary to respond to a request for meta-data.



8. SJIFR will employ a process to identify which records were provided to a requestor and the date of production.
9. The Public Records Officer shall promptly notify the requestor in writing when a request is closed.
10. SJIFR will return the assembled records to their original locations after a request has been closed. Once returned, the records are no longer subject to the prohibition on destroying records scheduled for destruction under SJIFR's retention schedules.

#### **IX. Review of Denials of Access to Records:**

1. Access to requested records may be denied if the records are confidential or exempt under the PRA or other applicable laws, and SJIFR is unable to redact discrete exempt information in lieu of withholding the entire record. Prior to denial, the Public Records Officer should coordinate with legal counsel. When access to records is denied based on an exemption, SJIFR must supply an Exemption Log or cover letter as appropriate to the circumstance.
2. Any person who objects to the denial of access to records may petition for prompt review of such decision by tendering a written request for review.
3. Upon receiving a written request for review, the denial of access to records shall promptly be reviewed by legal counsel, and the final decision of the Fire Chief will be made in writing and delivered to the requestor by the end of the second business day following receipt of the written request as set forth in RCW 42.56.520.

The final decision of the Fire Chief shall constitute final action of the SJIFR for purposes of judicial review. The Fire Chief shall advise the Board of Fire Commissioners of the decision regarding any such request.

#### **X. Exemptions.**

The PRA allows certain personnel and other records to be exempt from public disclosure. The following are most common PRA exemptions that may apply to SJIFR records. This list is not exhaustive. Failure of SJIFR to list any allowable exemption under any applicable law does not affect the applicability of the exemption. Exemptions available under laws other than the PRA are identified in Appendix A:

- 1.) Lists of individuals requested for commercial purposes, except as allowed under RCW 42.56.070.
- 2.) Personal information in files maintained for employees, appointees, or elected officials to the extent that disclosure would violate their right to privacy. RCW 42.56.230. To violate the right to privacy, information must be highly offensive to a reasonable person and not of legitimate concern to the public. RCW 42.56.050.
- 3.) Test questions, scoring keys, and other examination data used to administer a license or employment examination. RCW 42.56.250.

4.) The contents of real estate appraisals, except as provided by RCW 8.26, made for and by the SJIFR relative to the acquisition or sale of property until the project or prospective sale is abandoned or until such time as all of the property has been acquired or the property to which the appraisal relates is sold or acquired, but in no event shall disclosure be denied for more than three (3) years after the date of the appraisal. This exemption also applies to all materials concerning the sale or purchase of real estate, when public disclosure of the materials would create a substantial risk of increased or decreased price. RCW 42.56.260.

5.) Valuable formulas, designs, drawings, and research data obtained by the SJIFR within five (5) years of the request for disclosure when disclosure would produce private gain and public loss. RCW 42.56.270.

6.) Preliminary drafts, notes, recommendations, and intra-agency memorandum in which opinions are expressed or policies formulated or recommended except that a specific record shall not be exempt when publicly cited by the SJIFR in connection with any SJIFR action. RCW 42.56.280.

This exemption applies only when:

a.) The records contain pre-decisional opinions or recommendations of subordinates expressed as part of a deliberative process;

b.) Disclosure would be injurious to the deliberative or consultative function of the process;

c.) Disclosure would inhibit the flow of recommendations, observations, and opinions; and the materials covered by the exemption reflect policy recommendations and opinions and not the raw factual data on which a decision is based. After final action is taken by the SJIFR, draft records associated with that decision are no longer exempt.

7.) Records which are relevant to a controversy to which the SJIFR is a party, but which records would not be available to another party under the rules of pretrial discovery for causes pending in the superior courts. This exemption primarily applies to attorney client work-product, as defined by the civil court rules. RCW 42.56.290.

8.) Correspondence between SJIFR employees and its attorneys retained by the SJIFR, to the extent the content of the correspondence is protected by the Attorney/Client privilege. RCW 42.56.070, RCW 5.60.060.

9.) The residential addresses and residential telephone numbers of employees or volunteers of the SJIFR which are held by the agency in personnel records, employment or volunteer rosters, or mailing lists of employees or volunteers, and the personal wireless telephone numbers, personal electronic mail addresses, social security numbers, driver's license numbers, identification numbers, and emergency contact information of employees or volunteers of the SJIFR, 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 the SJIFR. RCW 42.56.250.

10.) Applications for public employment including names of applicants, resumes, and other related materials submitted with respect to applicant. RCW 42.56.250.

11.) Financial and valuable trade information under RCW 51.36.120, RCW 42.56.270.

12.) Information that identifies a person who, while an agency employee seeks advice, under an informal process established by the employing agency, in order to ascertain his or her rights in connection with a possible unfair practice under chapter 49.60 RCW against the person; and requests their identity or any identifying information not to be disclosed. RCW 42.56.250.

13.) Investigative records compiled by an employing agency conducting a current investigation of a possible unfair practice under chapter 49.60 RCW, or of a possible violation of other federal, state, or local laws prohibiting discrimination in employment. RCW 42.56.250.

14.) Business related information protected from public inspection and copying under RCW 15.86.110. RCW 42.56.380.

15.) The names, residential addresses, residential telephone numbers, and other individually identifiable records held by an agency in relation to a vanpool, carpool, or other ride-sharing program or service. However, these records may be disclosed to other persons who apply for ride-matching services and who need that information in order to identify potential riders or drivers with whom to share rides. RCW 42.56.330.

16.) Credit card numbers, debit card numbers, electronic check numbers, card expiration dates, or bank or other financial information including social security numbers, except when disclosure is expressly required by or governed by other law. RCW 42.56.230.

## Appendix A

### Public Records Policy Appendices:

This appendix is a list of laws SJIFR believes exempt or prohibit disclosure of specific information or records of the SJIFR that are found outside the Public Records Act of RCW 42.56. RCW 42.56.070(2):

SJIFR's failure to list an exemption shall not affect the efficacy of any exemption.

### **“Attorney General of Washington State – Sunshine Committee List of Exemptions”**

<https://www.atg.wa.gov/sunshine-committee>

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