

CITY OF CLYDE HILL POLICE DEPARTMENT

PUBLIC RECORDS POLICY

Adopted by Resolution No. 609

I. INTRODUCTION

This policy is intended to outline special procedures that apply to public records requests submitted to the Clyde Hill Police Department ("Department") and to assist the public in understanding the Department's records management systems. Unless covered by a rule under this policy or the City of Clyde Hill Criminal History Records Information Policy,¹ a request for a police record will be treated like any other public records request under the City's general Requests for Public Records Policy.² If any of the explanations or rules in this policy conflict with state law, state law governs.

II. RECORDS MANAGEMENT

a. *Common Types of Records Created or Held by the Police Department*

1. **Incident Report.** Every time the emergency call center dispatches an officer in response to a call, the call center generates an incident report. An incident report is typically in the form of a Computer Assisted Dispatch file.
2. **Case Report.** When a call center dispatch leads to a more serious incident, the Department will generate a case report. Every case report has an incident report, but not every incident report has a case report.
3. **Citations and Tickets.** The Department retains records of citations and tickets it issues.
4. **Collision Reports.** The department retains copies of the collision reports that it generates and transmits to Washington State Patrol.
5. **Personnel Records.** The Department retains records of department personnel, including training, disciplinary actions, and related investigations.
6. **Policies and Procedures.** As with any City department, the Department maintains copies of its internal policies and procedures.

¹ Adopted by Resolution No. 2018-___, January 9, 2018

² Adopted by Resolution No. 2018-___, January 9, 2018.

b. Record Retention

The Police Department retains documents in accordance with the retention schedules established by the Secretary of State, Washington State Archives Division. The two applicable schedules are the schedule for local governments (known as the "CORE" schedule) and the schedule for law enforcement agencies. Copies current as of this update may be found on the Secretary of State's website, in the Archives section. If the Washington State Archives agency updates these schedules the Department will continue to follow the most current revisions of these schedules.

c. Records Request Log

All public agencies must maintain a log of public records requests. The Police Department maintains a log of records requests separate from the general City log. The Police Department's log also includes requests for and dissemination of criminal history records information. The Department's log is a public record, and the City must retain this log according to the relevant records retention schedule.

III. Request Hours, General Copying Information, and Fees

Records will be available for inspection and copying during the customary office hours of the Department (8:30 A.M. to 5:00 P.M., Monday through Friday, except legal holidays) at the Department offices at 9605 NE 24th Street Clyde Hill, Washington 98004. As copying facilities and the City's files are located in an "Employee Only" area of City Hall, for security purposes and to avoid unreasonable disruption of operations, the Department cannot offer these facilities for public use, but the Department will make copies of records on request. Copies are available at a cost set forth on the Public Records Request section of the City's master fee schedule. The Department may waive fees for records delivered electronically, and when it provides records documenting criminal incidents to the victim of a crime documented in the records (whether or not the victim seeks civil redress).

IV. PUBLIC RECORDS ACT EXEMPTIONS APPLICABLE TO LAW ENFORCEMENT

There are many exemptions to disclosure within the Public Records Act³ that might apply to law enforcement records, and the Department relies on the same list of exemptions incorporated into the City's general Requests for Public Records Policy. To assist the public in understanding police records exceptions, some of the most common are listed below.

³ This section discusses exemptions to disclosure within the Public Records Act itself, RCW Chapter 42.56. The Public Records Act also allows agencies to claim exemptions found in other sources of law; some of these are discussed in ensuing sections.

- a. *Records that could compromise effective law enforcement. RCW 42.56.204(1);*
- b. *Records that reveal the identity of witnesses or victims. RCW 42.56.240(5), RCW 7.69A, RCW 10.97.130;*
- c. *Banking/Financial Information. RCW 9.35.005, RCW 42.56.230(5);*
- d. *Medical Records. RCW 70.02, RCW 42.56.240(1), RCW 68.50.150;*
- e. *Juvenile Offender Records. RCW 13.50.050;*
- f. *Other Juvenile Records. RCW 13.50.100;*
- g. *Booking photos, Jail Records. RCW 70.48.100(2);*
- h. *Criminal History Record Information. RCW 10.97.050;*
- i. *Attorney/Client Privilege, Attorney Work Product. RCW 42.56.70(1), RCW 5.60.60;*
- j. *CPS Reports. RCW 26.44.010, RCW 42.56.240(1);*
- k. *Criminal Justice Employee personal information. RCW 42.56.250(3), RCW 42.56.250(8).*

V. Redactions and Withholdings

When the Department withholds records or portions of records under an exemption, the Department will create a log of redactions and corresponding exemptions using a software program known Rapid Redact. This log is different than the form used for general City redactions.⁴

⁴ See the City's Requests for Public Records Policy, Ex. H.