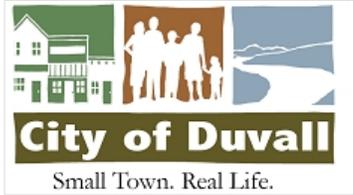


EXHIBIT A



City of Duvall Policy & Procedure

TITLE:	Public Records Policy
EFFECTIVE DATE:	June 21, 2016
APPROVED BY:	_____
	Name: Matthew Morton Title: City Administrator
ATTORNEY REVIEW:	_____
	Rachel Turpin
REVISION DATE:	
STAFF CONTACT:	City Clerk

The City of Duvall (the “City”) is committed to providing full access to public records in accordance with the Washington State Public Records Act (RCW Chapter 42.56).

The City is required to respond to public records requests pursuant to Chapter 42.56 RCW. The City is not required to respond to questions, do research, or to give information that is not the subject of an identifiable public record.

Except where these guidelines are mandated by statute, the guidelines in this policy are discretionary and advisory only and shall not impose any affirmative duty on the City. The City reserves the right to apply and interpret this policy as it sees fit, and to revise or change the policy at any time. Failure to comply with any provision of these rules shall not result in any liability on the part of the City other than as set forth in the Public Records Act (PRA).

PURPOSE:

The purpose of this Policy is to establish the policy and procedures that the City will follow in order to provide full access to public records, fullest assistance to requesters, and timely responses as required by RCW 42.56.100, while at the same time protecting public records from damage or disorganization, preventing disclosure of exempt or confidential information, and preventing excessive interference with other essential functions of the City.

SCOPE:

This policy applies to all City employees and elected/appointed officials, including the City Council and board and commission members appointed by the Mayor.

DEFINITIONS:

1. **"The City of Duvall"** and **"the City"** includes any office, department, division, bureau, board, commission, or agency of the City of Duvall. *RCW 42.56.010(1)*.
2. **"Public Record"** includes 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 City of Duvall regardless of physical form or characteristics. *RCW 42.56.010(3)*.
3. **"Writing"** means 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, video and digital 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, regardless of format. An email is a writing. *RCW 42.56.010(4) / WAC 44-14-03001*.
4. **"Identifiable record"** means a record in existence at the time the records request is made and that City staff can locate after an objectively reasonable search.
5. **"Exempt record"** includes all City records that are specifically exempted or prohibited from disclosure by state or federal law, either pursuant to RCW 42.56 or other statutes. See Appendix A for a non-exclusive list of statutory exemptions and prohibitions that may be used by the City. For more information related to Public Record Exemptions, please see Municipal Research Service Center's (MRSC) publication "Public Records Act for Washington Cities, Counties and Special Purpose Districts" on the City's website under "Request Public Records".
6. **"Counter document"** means a frequently requested document retained within departments that is known to be public information and may be released without need to file a written public records request.
7. **"Email,"** or **"electronic mail"** is an information transfer system which uses computers to send and receive messages. Classification of emails as a public record is dependent on the content of the message. Email messages are public records when they are created or received in the transaction of public business and retained as evidence of official actions.

PROCEDURE:

Section 1. Central Office and Field Offices

City of Duvall's central office is City Hall, located at 15535 Main Street NE in Duvall, WA 98019. Office hours are 8:30 a.m. to 4:30 p.m., Monday through Friday, excluding holidays. The City has field offices located in various locations for departments such as Police and Public Works. The City also provides various records on its website (www.duvallwa.gov). Requesters are encouraged to view records available on the website prior to submitting a records request.

Section 2. Public Records Officer

The City of Duvall's Public Records Officer (PRO) is the City Clerk. Other City staff members may also process public records requests as needs require. The Duvall Police Department's Public Records Officer is the Police Records Clerk. Other Police staff members may also process public records requests as needs require.

Section 3. How to Request Records

General Records Requests - Any person requesting access to general public records or seeking assistance in making such a request must contact the City Clerk located at:

City Clerk/Public Records Officer	Phone: 425-788-1185
City of Duvall	Fax: 425-788-8097
15535 Main Street NE	Hours: 8:30 a.m. to 4:30 p.m. Mon-Fri
PO Box 1300	(excluding holidays)
Duvall, WA 98019	Email: cityclerk@duvallwa.gov

Police Records Requests - Any person requesting Police records or seeking assistance in making such a request must contact the Police Department located at:

Police Records	Phone: 425-788-1519
Duvall Police Department	Fax: 425-788-1169
26225 NE Stephens Street	Hours: 8:30 a.m. to 4:00 p.m. Mon-Thur
PO Box 1500	(excluding holidays)
Duvall, WA 98019	(closed from 12:00 p.m. to 1:00 p.m. daily)
	Email: dprecs@duvallwa.gov

Request Format: While there is no specific required format for a public records request, a requester must provide the City with reasonable notice that the request being made is for public records. If a request is contained in a larger document unrelated to a public records request, the requester should point out the public records request by labeling the front page of the document as containing a public records request or otherwise calling the request to the attention of the Public Records Officer in order to facilitate timely response to the request.

The City encourages that all requests for public records be made in writing on a *Public Records Request Form*, which is available at City Hall and on the City of Duvall's website, www.duvallwa.gov. Requests may be submitted in person, orally, by mail, fax, or e-mail.

Requests received outside the normal business hours will be considered "received" the following business day.

Requests for public records made orally must be confirmed by the Public Records Officer. If the PRO accepts such a request, he or she will confirm receipt of the information and the substance of the request in writing (email, fax or mail). The confirmation will be deemed the correct statement of the scope of the request unless the requester responds with a different statement of the scope.

In order to facilitate the most expedient response, the City asks that requests include the following information:

- (a) The requester's name and mailing address;
- (b) Other contact information, including daytime telephone number and email address;
- (c) The date of the request;
- (d) The nature of the request, including a detailed description of the public record(s) being requested adequate for the city personnel to be able to locate the records;
- (e) Whether the requester desires copies, or to inspect the requested records;
- (f) Preferred method of receiving records (ie. email, certified mail, pick up, etc.)

Public records requests are public records and are subject to inspection or copying.

Records requests may only encompass existing records. They cannot be used to obtain copies of records not yet in existence.

Section 4. Response to Requests

The City will process requests in the most efficient manner as the PRO deems appropriate.

In an effort to better understand the request and provide all responsive records, the PRO can inquire about the purpose for the request but the requester is not required to answer except to establish whether inspection and copying would violate RCW 42.56.070(9) or other statute which exempts or prohibits production of specific information or records to certain persons.

Acknowledging receipt of request – RCW 42.56.520 - Within five business days of receipt of the request, not including the day the request was received, as provided by RCW 1.12.040, the PRO will do one or more of the following:

- (a) Make the records available for inspection or copying;
- (b) Provide an internet address and link on the City's web site to the specific record(s) requested.
 - i. Except that if the requester notifies the City that he or she cannot access the records through the internet, then the City must provide copies of the record, at the expense of the requester, or allow the requester to view copies using a City computer.
 - ii. When the requester has found the records he or she is seeking, the requester should advise the PRO that the requested records have been provided and the remainder of the request may be cancelled.
- (c) Acknowledge the request and provide a reasonable estimate of the time needed to respond to the request and a date by which the records will be produced in whole or in part depending on whether the records are being provided in installments. Additional time may be allowed under the following circumstances:
 - i. To request clarification from the requester if the request is unclear or does not sufficiently identify the requested records (see "Requesting Clarification" section);

- ii. To locate and assemble the records requested;
- iii. To notify third persons or agencies affected by the request in the event the requested records contain information that may affect rights of others and may be exempt from production.
 - I. Such notice should be given so as to make it possible for those other persons to contact the requester and ask him or her to revise the request, or, if necessary, seek an order from a court to prevent or limit the disclosure. The notice to the affected persons will include a copy of the request or a statement of the request if no written request was received *WAC 44-14-040*;
 - II. The City may take the above into account when providing an estimate of when the records will be available.
 - III. Nothing in this policy is intended to, nor does it create, any right to such notice.
- iv. To determine whether any of the information requested is exempt from production and that a denial should be made as to all or part of the request; or

Should an extension of time be necessary to fulfill the request, the Public Records Officer will provide a revised estimate and explain the changed circumstances that make it necessary.

(d) deny the request.

- i. Any denials of requests, in whole or in part, for public records will be accompanied by a written statement specifying the reason(s) for the denial, including a statement of the specific exemption authorizing the withholding of the record and a brief explanation of how the exemption applies to the record withheld. *RCW 42.56.210(3)*

Identifiable record: A requester must request an "identifiable record" or "class of records" before the City must respond. The Act does not allow a requester to search through City files for records which cannot be reasonably identified or described to the City.

Requesting Clarification: In acknowledging receipt of a public record request that is unclear, the City may ask the requester to clarify what information the requester is seeking. If the requester fails to clarify the request within 30 days, the City need not respond to it. *RCW 42.56.520* Additionally, clarification may be sought in the following, non-exhaustive, circumstances:

- i. Specific date or date range of records, if known.
- ii. The Public Records Officer may ask a requester to prioritize the records he or she is requesting so that the City is able to provide the most important records first. The City is not required to ask for prioritization, and a requester is not required to provide it.
- iii. The City frequently receives requests for public records identified in terms of "any and all documents related to" or similar language. City staff shall not be obligated to interpret such a broad, general request in order to decipher which specific documents may be of interest to the requester and the PRA does not allow a requester to search through the City's files for records which cannot be identified or described to the City. When a request uses a vague phrase such as "all records relating to", the Public Records Officer shall seek clarification to determine what identifiable records are being sought.

If the requester does not respond to the City's request for a clarification within thirty (30) days of the City's request, the City may consider the request abandoned. If the City considers the request abandoned, it should send a closing letter to the requester. *WAC 44-14-04003(7)*

Such clarification may be requested and provided by telephone. If the clarification is made by telephone, the PRO will confirm the scope of the clarification in writing. The confirmation will be deemed the correct statement of the scope of the request unless the requester responds with a different statement of the scope.

Providing Records in Installments: When the request is for a large number of records, the City may provide access for inspection and copying in partial installments if reasonably determined that it would be practical to provide the records in that way. If the requester does not contact the Public Records Officer within thirty (30) days to arrange for the review of the first installment, the City may deem the request abandoned and may stop researching and fulfilling the remainder of the request. *RCW 42.56.120* The City is not required to process all requests to completion in the order that they are received. Rather, the City may prioritize requests in order to provide for the most expeditious processing of all requests.

Electronic records: The process for requesting electronic public records is the same as the process for requesting paper public records.

To the extent practical, the City will store, maintain and make its records available electronically. For those seeking responsive records in electronic format, the City may provide access to public records by providing links to the website containing an electronic copy of the record or provide records on disc. While the City may agree to provide small numbers of records via email, this is not the preferred method of delivery, as emailing records is time consuming for staff and places a burden on, as well as redundant records within the City's server; as such, the City is under no obligation to provide records via email if doing so would be unduly burdensome. If the record necessitates redaction due to an exemption, the City is under no obligation to provide the record electronically.

The PRO or designee will work with the requester to determine the most appropriate method for providing electronic copies of responsive records and will clarify with the requester whether a hard copy of the electronic record is preferred. It will not be assumed that the requester has internet access, even if the request is submitted via email or an email address is provided on the request form.

No Duty to Create Records: This policy does not require the City to answer written questions, summarize data or information, create new public records, or provide information in a format that is different from original public records; however, the City may create such a new record to fulfill the request where it may be easier for the City to create a record responsive to the request than to collect and make available voluminous records that contain small pieces of information responsive to the request. *WAC 44-14-04003(5)*

No Duty to Provide Information: This policy does not require the City to respond to requests for information, research, opinions or advice. Requests for information, research, opinions, advice, or similar requests will not be responded to pursuant to this policy.

No Duty to Supplement Responses: The City is not obligated to hold current records requests open to respond to requests for records that may be created in the future. A new request must be made to obtain later-created public records.

Closing withdrawn or abandoned requests. When the requester either withdraws the request or fails to fulfill his or her obligations to inspect the records or pay the deposit or final payment for the requested copies, the PRO will close the request and so inform the requester. City personnel will document closure of the request and the conditions that led to closure.

Later discovered documents. If, after the PRO has informed the requester that he or she has provided all available records, the PRO becomes aware of additional responsive documents existing at the time of the request that had not been provided previously, he or she will promptly inform the requester of the additional documents and provide them on an expedited basis.

Section 5. Inspection & Preservation of Public Records

Inspection of records.

- (a) Consistent with other demands, the City shall promptly provide space to inspect public records. In accommodating a request for public records inspection, the City may consider the size of the request, the ease with which the requested records can be made available for inspection, and special accommodations requested by the requester necessary in order to inspect the records, the availability (schedule) of the requester to conduct the inspection, the availability of City staff to observe the inspection, the time constraints on staff availability imposed by other current City business, and any other relevant circumstance.
- (b) After notification to the requester of the availability of the responsive records, the public records will be made available for inspection during the normal business hours of the City as identified in Section 1, at a time that is mutually agreeable to the City and the requester.
- (c) The requester must claim or review the assembled records within thirty (30) days of the PRO'S notification to him or her that the records are available for inspection or copying/scanning. The PRO will notify the requester, in writing (email, fax or mail), of this requirement and inform the requester that he or she should contact the PRO to make arrangements to claim or review the records. If the requester, or a representative of the requester, fails to claim or review the records within the 30-day period or make other arrangements, the PRO may close the request and re-file the assembled records.
 - i. If a requester who has failed to claim or review the records then requests the same or almost identical records again, the City, which has the flexibility to prioritize its responses to be most efficient to all requesters, can process the repeat request for the now-refiled records as a new request after other pending requests. *WAC 44-14-04005*
- (d) After inspection is complete, the requester shall indicate which documents he/she wishes to have copied or scanned using a non-permanent method of marking the desired records as approved by the Public Records Officer. The PRO will arrange for copying/scanning.
- (e) No fee is charged for the inspection of public records. If applicable, payment for copies/scans shall be paid prior to release.

Preservation of Public Records: The City deems it necessary, in order to comply with the PRA's mandate to protect public records, to require that the following procedures and practices are hereby instituted:

- (a) The City shall provide space to inspect public records.

- (b) Inspections of public records shall be conducted in the presence of the Public Records Officer or designated staff. The City will make every effort to provide staff to oversee the expeditious inspection of public records without unduly compromising or unreasonably interfering with the essential functions of the City.
- (c) No member of the public may remove a public record from a viewing area, disassemble, or alter, fold, mark, deface, tear, damage or destroy any public record.
- (d) Public records maintained in a file jacket or binders, or in chronological order, may not be dismantled except for the purpose of copying/scanning, and then only by City staff.
- (e) No food or drink will be permitted in the inspection area during the inspection of public records.
- (f) Access to file cabinets, shelves, vaults and other City storage areas is restricted to authorized City staff.
- (g) To select a paper record for copying/scanning during an inspection, a requester must flag the page or document by using a non-permanent method, such as a removable adhesive note.

Loss of Right to Inspect: Inspection shall be denied and the records withdrawn by the Public Records Officer if the requester, when reviewing the records, acts in a manner which will damage or substantially disorganize the records or interfere excessively with other essential functions of the City.

Section 6. Copying and Scanning of Public Records

Copies and scans of public records may be made only on City owned equipment unless other arrangements are made by the PRO. Since copying facilities are located in the “employee only” areas of City facilities, and to avoid disruption of operations, the City cannot offer these facilities for public use. City staff will make the requested copies/scans or arrange for copying/scanning and the requester will be charged for copies in accordance with the fee schedule in Section 8.

Section 7. Mechanism for Review of Denial

Agencies shall establish mechanisms for the most prompt possible review of decisions denying inspection, and such review shall be deemed completed at the end of the second business day following the denial of inspection and shall constitute final action for the purposes of judicial review. *RCW 42.56.520*

Any person who objects to the denial of a public records request may petition in writing to the PRO for a review of that decision within five business days of the date of the denial. The petition shall include a copy of, or reasonably identify, the written statement by the PRO or designee denying the request and the basis for the requester’s challenge to the denial. The PRO shall perform a review of the denial as promptly as possible. Pursuant to state law, the review shall be deemed concluded at the end of the second business day following the denial, or longer with the permission of the requester. *RCW 42.56.520*

Any person may obtain court review of denials of public records requests pursuant to RCW 42.56.550 at the conclusion of two business days after the initial denial regardless of any internal administrative appeal. Actions under this section must be filed within one year of the City’s claim of exemption or the last production of a record on a partial or installment basis. *RCW 42.56.550(6)*

Section 8. Fees

Costs for copies. A requester may obtain copies as provided under RCW 42.56.070(8), 42.56.120 and WAC 44-14-07003; the City will charge for those copies according to the fee schedule below.

Costs for scans. A requester may obtain scans as provided under RCW 42.56.070(8), 42.56.120 and WAC 44-14-07003; the City may charge for scanning documents not already in electronic format. The City can, at its discretion, send the project to a commercial copying/scanning center and bill the requester for the amount charged by the vendor.

The PRO will not charge sales tax when it makes copies or scans of public records, but if the records are sent to a third party for copying/scanning, that third party may charge sales tax and the requester will be responsible for payment of that tax as well as the third party's actual charges for copies or scans.

For records in other forms, the City will charge the actual cost it pays for the medium used to record the record or records provided. Those mediums include, but are not limited to, tapes, floppy disks, CDs, DVDs, USB flash drives, and paper that costs more than \$0.15 per page. The statements providing those costs are the invoices paid to obtain them and are available for public inspection and copying. Payment of fees is required prior to release of records unless other arrangements have been made.

Record Type/Size	Per Copy Charge
8.5" x 11" up to 11" x 17" (color or b/w)	\$0.15
24" x 36" (color or b/w)	\$3.89
CD-R (700MB)	\$0.28
DVD (4.7 GB)	\$0.90
USB flash drive (4 GB)	\$6.99

Fee Waivers. No fee is charged for inspection of a public record or for locating a record. The PRA does not require cities to provide fee waivers for copies of documents. Fees may be waived if the records request is for a counter document, a collision report, police incident report, or the record, in total, is 20 pages or less.

Deposits. Before beginning to make copies, the PRO may require a deposit of up to ten percent (10%) of the estimated costs of copying or scanning all the records selected by the requester. The PRO may also require payment of the remainder of the copying/scanning costs before providing all the records, or the payment of the costs of copying/scanning an installment before providing that installment.

Costs of mailing. If a requester requests that records be mailed to them, the City may also charge actual costs of mailing, including the cost of the shipping container. When mailing public records, it is the City's standard practice to send them via Certified Mail to ensure that the records are received.

Payment. Payment may be made by cash, check, or money order made payable to the City of Duvall. Credit/debit cards are not accepted for payment of copies.

Use of outside vendor: The City is not required to copy/scan records at its own facilities. The City can send the project to a commercial copying/scanning center and bill the requester for the amount charged by the vendor. The City can arrange with the requester to pay the vendor directly. The City cannot charge the default per page copying/scanning charge when its cost at a vendor is less.

Section 9. Organization of Public Records

The City finds that maintaining an index as provided in RCW 42.56.070(3) for use by the public would be unduly burdensome and would interfere with City operations given the high volume, various locations, and

types of public records received, generated and otherwise acquired by the City (RCW 42.56.070(4) & Resolution No. 10-04). However, the City will maintain its records in a reasonably organized manner and take reasonable actions to protect records from damage and disorganization.

Section 10. Records and Information Exempt from Public Disclosure

The Public Records Act provides that a number of types of documents are exempt from public inspection and copying. RCW 42.56.230 through 42.56.480 contain a large number of exemptions from public inspection and copying. Other statutes outside the Public Records Act may prohibit and exempt disclosure of certain documents or information. *RCW 42.56.070(1)*

Appendix A of this policy contains a list of the statutory exemptions and prohibitions of some documents held by the City. This list is not exclusive. The City's failure to list an exemption shall not affect the effectiveness of the exemption.

The City is also prohibited by statute (RCW 42.56.070 (9)) from producing lists of individuals for commercial purposes. Therefore, if a request is received for any type of list of individuals, an inquiry as to whether the requester intends to use the list for commercial purposes must be answered before the list can be provided. If the answer is that it will be used for such purposes, the list cannot be produced.

If a record is exempt from production and should be withheld, the PRO will state the specific exemption and provide a brief explanation of how the exemption applies to the record being withheld. This explanation should be sufficient to enable the requester to make a threshold determination of whether the claimed exemption is proper.

If only a portion of a record is exempt from production, but the remainder is not exempt, the PRO will redact the exempt portions, produce the nonexempt portions, and indicate to the requester why portions of the record are being redacted. (For the purposes of this Policy, redact means the exempt information will be covered in some manner and then the record will be photocopied and the photocopy then disclosed.)

Section 11. 30-Day Rule

RCW 42.56.120 states if an installment of a records request is not claimed or reviewed, the City is not obligated to fulfill the balance of the request. For the purpose of this policy, the City will give a requester 30 days to review and/or claim the records. After 30 days, the request will be closed and City personnel will document closure of the request and the conditions that led to closure.

RCW 42.56.520 states in acknowledging receipt of a public record request that is unclear, the City may ask the requester to clarify what information the requester is seeking. If the requester fails to clarify the request, the City need not respond to it. For the purpose of this policy, the City will give a requester 30 days to clarify what information the requester is seeking. After 30 days, the request will be closed and City personnel will document closure of the request and the conditions that led to closure.

Section 12. Disclaimer of Liability

Neither the City nor any officer, employee, official or custodian shall be liable, or shall a cause of action exist, for any loss or damage based upon a release of Public Records if the person releasing the records acted in good faith in attempting to comply with this policy. *RCW 42.56.060*

This policy is not intended to expand or restrict the rights of disclosure or privacy as they exist under state and federal law. Despite the use of any mandatory terms such as “shall”, nothing in this policy is intended to impose mandatory duties on the City beyond those imposed by state and federal law.

Appendix A

RCW Exemption and Prohibition Statutes

This list of statutory exemptions and prohibitions of some documents held by City of Duvall is not exclusive.

Washington State Statutes

<u>RCW 2.64.111</u>	Documents regarding discipline/retirement of judges
<u>RCW 2.64.113</u>	Confidentiality – violations
<u>RCW 4.24.550</u>	Information on sex offenders
<u>RCW 5.60.060</u>	Privileged communications
<u>RCW 5.60.070</u>	Court-ordered mediation records
<u>RCW 7.68.140</u>	Victims' compensation claims
<u>RCW 7.69A.030(4)</u>	Child victims and witnesses – protection of identity
<u>RCW 7.69A.050</u>	Rights of child victims and witnesses – addresses
<u>RCW 7.75.050</u>	Records of Dispute Resolution Centers
<u>RCW 9.02.100</u>	Reproductive privacy
<u>RCW 9A.82.170</u>	Financial institution records – wrongful disclosure
<u>RCW 9.51.050</u>	Disclosing transaction of grand jury
<u>RCW 9.51.060</u>	Disclosure of grand jury deposition
<u>RCW 9.73.090(1)(c)</u>	Prohibition regarding specified emergency response personnel recordings
<u>RCW 10.27.090</u>	Grand jury testimony/evidence
<u>RCW 10.27.160</u>	Grand jury reports – release to public only by judicial order
<u>RCW 10.29.030</u>	Organized crime special inquiry judge
<u>RCW 10.29.090</u>	Records of special inquiry judge proceedings
<u>RCW 10.52.100</u>	Records identifying child victim of sexual assault
<u>RCW 10.77.210</u>	Records of persons committed for criminal insanity
<u>RCW 10.97.040</u>	Criminal history information released must include disposition
<u>RCW 10.97.050</u>	Conviction and criminal history information
<u>RCW 10.97.060</u>	Deletion of certain criminal history record information, conditions
<u>RCW 10.97.070</u>	Disclosure of identity of suspect to victim
<u>RCW 10.97.080</u>	Inspection of criminal record by subject
<u>RCW 13.32A.090</u>	Crisis residential centers notice to parent about child
<u>RCW 13.34.115</u>	Court dependency proceedings
<u>RCW 13.40.217</u>	Juveniles adjudicated of sex offenses – release of information
<u>RCW 13.50.010</u>	Maintenance of and access to juvenile records
<u>RCW 13.50.050</u>	Juvenile offenders
<u>RCW 13.50.100</u>	Juvenile/children records not relating to offenses
<u>RCW 13.60.020</u>	Missing children information
<u>RCW 13.70.090</u>	Citizen juvenile review board – confidentiality

Appendix A

RCW Exemption and Prohibition Statutes

This list of statutory exemptions and prohibitions of some documents held by City of Duvall is not exclusive.

<u>RCW 18.04.405</u>	Confidentiality of information gained by CPA
<u>RCW 18.19.060</u>	Notification to clients by counselors
<u>RCW 18.19.180</u>	Confidential communications with counselors
<u>RCW 19.215.020</u>	Destruction of personal health and financial information
<u>RCW 19.34.240(3)</u>	Private digital signature keys
<u>RCW 19.215.030</u>	Compliance with federal rules
<u>RCW 26.04.175</u>	Name and address of domestic violence victim in marriage records
<u>RCW 26.12.170</u>	Reports of child abuse/neglect with courts
<u>RCW 26.23.050</u>	Child support orders
<u>RCW 26.23.120</u>	Child support records
<u>RCW 26.26.041</u>	Uniform Parentage Act – protection of participants
<u>RCW 26.26.450</u>	Confidentiality of genetic testing
<u>RCW 26.33.330</u>	Sealed court adoption records
<u>RCW 26.33.340</u>	Agency adoption records
<u>RCW 26.33.343</u>	Access to adoption records by confidential intermediary
<u>RCW 26.33.345</u>	Release of name of court for adoption or relinquishment
<u>RCW 26.33.380</u>	Adoption – identity of birth parents confidential
<u>RCW 26.44.010</u>	Privacy of reports on child abuse and neglect
<u>RCW 26.44.020(19)</u>	Unfounded allegations of child abuse or neglect
<u>RCW 26.44.030</u>	Reports of child abuse/neglect
<u>RCW 26.44.125</u>	Right to review and amend abuse finding – confidentiality
<u>RCW 27.53.070</u>	Records identifying the location of archaeological sites
<u>RCW 29A.08.720</u>	Voter registration records – place of registration confidential
<u>RCW 29A.08.710</u>	Voter registration records – certain information exempt
<u>RCW 35.102.145</u>	Municipal business and occupation tax – Confidentiality, privilege, and disclosure
<u>Chapter 40.14 RCW</u>	Preservation and destruction of public records
<u>RCW 42.23.070(4)</u>	Municipal officer disclosure of confidential information prohibited
<u>RCW 42.41.030(7)</u>	Identity of local government whistleblower
<u>RCW 42.41.045</u>	Non-disclosure of protected information (whistleblower)
<u>RCW 46.52.080</u>	Traffic accident reports – confidentiality
<u>RCW 46.52.083</u>	Traffic accident reports – available to interested parties
<u>RCW 46.52.120</u>	Traffic crimes and infractions – confidential use by police and courts
<u>RCW 46.52.130(2)</u>	Abstract of driving record
<u>RCW 48.62.101</u>	Local government insurance transactions – access to information
<u>RCW 50.13.060</u>	Access to employment security records by local government agencies

Appendix A

RCW Exemption and Prohibition Statutes

This list of statutory exemptions and prohibitions of some documents held by City of Duvall is not exclusive.

<u>RCW 50.13.100</u>	Disclosure of non-identifiable information or with consent
<u>RCW 51.28.070</u>	Worker's compensation records
<u>RCW 51.36.060</u>	Physician information on injured workers
<u>RCW 60.70.040</u>	No duty to disclose record of common law lien
<u>RCW 68.50.105</u>	Autopsy reports
<u>RCW 68.50.320</u>	Dental identification records – available to law enforcement agencies
<u>Chapter 70.02 RCW</u>	Medical records – access and disclosure – entire chapter (HC providers)
<u>RCW 70.05.170</u>	Child mortality reviews by local health departments
<u>RCW 70.24.022</u>	Public health agency information regarding sexually transmitted disease investigations - confidential
<u>RCW 70.24.024</u>	Transcripts and records of hearings regarding sexually transmitted diseases
<u>RCW 70.24.105</u>	HIV/STD records
<u>RCW 70.28.020</u>	Local health department TB records – confidential
<u>RCW 70.41.200</u>	Hospital quality improvement committee records and accreditation reports
<u>RCW 70.48.100</u>	Jail records and booking photos
<u>RCW 70.58.055</u>	Birth certificates – certain information confidential
<u>RCW 70.58.104</u>	Vital records, research confidentiality safeguards
<u>RCW 70.94.205</u>	Washington Clean Air Act – confidentiality of data.
<u>RCW 70.96A.150</u>	Alcohol and drug abuse treatment programs
<u>RCW 70.123.075</u>	Client records of domestic violence programs
<u>RCW 70.125.065</u>	Records of rape crisis centers in discovery
<u>RCW 71.05.390</u>	Information about mental health consumers
<u>RCW 71.05.395</u>	<u>Chapter 70.02 RCW</u> applies to mental health records
<u>RCW 71.05.400</u>	Information to next of kin or representative
<u>RCW 71.05.425</u>	Notice of release or transfer of committed person after offense dismissal
<u>RCW 71.05.427</u>	Information that can be released
<u>RCW 71.05.430</u>	Statistical data
<u>RCW 71.05.440</u>	Penalties for unauthorized release of information
<u>RCW 71.05.445</u>	Release of mental health information to Dept. of Corrections
<u>RCW 71.05.620</u>	Authorization requirements and access to court records
<u>RCW 71.05.630</u>	Release of mental health treatment records
<u>RCW 71.05.640</u>	Access to treatment records
<u>RCW 71.05.650</u>	Accounting of disclosures
<u>RCW 71.24.035(5)(g)</u>	Mental health information system – state, county and regional support networks – confidentiality of client records
<u>RCW 71.34.200</u>	Mental health treatment of minors – records confidential
<u>RCW 71.34.210</u>	Court records for minors related to mental health treatment

Appendix A

RCW Exemption and Prohibition Statutes

This list of statutory exemptions and prohibitions of some documents held by City of Duvall is not exclusive.

<u>RCW 71.34.225</u>	Release of mental health services information
<u>RCW 71A.14.070</u>	Records regarding developmental disability – confidentiality
<u>RCW 72.09.345</u>	Notice to public about sex offenders
<u>RCW 72.09.585(3)</u>	Disclosure of inmate records to local agencies – confidentiality
<u>RCW 73.04.030</u>	Veterans discharge papers exemption (see related RCW 42.56.440)
<u>RCW 74.04.060</u>	Applicants and recipients of public assistance
<u>RCW 74.04.520</u>	Food stamp program confidentiality
<u>RCW 74.09.900</u>	Medical assistance
<u>RCW 74.13.121</u>	Financial information of adoptive parents
<u>RCW 74.13.280</u>	Children in out-of-home placements - confidentiality
<u>RCW 74.20.280</u>	Child support enforcement – local agency cooperation, information
<u>RCW 74.34.095</u>	Abuse of vulnerable adults - confidentiality of investigations and reports
<u>RCW 82.32.330</u>	Disclosure of tax information
<u>RCW 84.36.389</u>	Confidential income data in property tax records held by assessor
<u>RCW 84.40.020</u>	Confidential income data supplied to assessor regarding real property
Selected Federal Confidentiality Statutes and Rules	
18 USC § 2721 - 2725	Driver and License Plate Information
20 USC § 1232g	Family Education Rights and Privacy Act
23 USC § 409	Evidence of certain accident reports
42 USC 290dd-2	Confidentiality of Substance Abuse Records
42 USC § 405(c)(2)(C)(viii) (I)	Limits on Use and Disclosure of Social Security Numbers.
42 USC 654(26)	State Plans for Child Support
42 USC 671(a)(8)	State Plans for Foster Care and Adoption Assistance
42 USC 1396a(7)	State Plans for Medical Assistance
7 CFR 272.1(c)	Food Stamp Applicants and Recipients
34 CFR 361.38	State Vocational Rehabilitation Services Programs
42 CFR Part 2 (2.1 -	Confidentiality of Alcohol and Drug Abuse Patient Records
42 CFR 431.300 - 307	Safeguarding Information on Applicants and Recipients of Medical Assistance
42 CFR 483.420	Client Protections for Intermediate Care Facilities for the Mentally Retarded
42 CFR 5106a(b)(2)(A)	Grants to States for Child Abuse and Neglect Prevention and Treatment Programs
45 CFR 160-164	HIPAA Privacy Rule
46 CFR 40.321	USCG regulations regarding confidentiality of drug and alcohol test results done by marine employers