



ADMINISTRATIVE POLICIES

SECTION: 200 General Administration	POLICY#: 203
TITLE: Public Records Request Policy	R & O #: 10-049, 16-119, 18-101
	IMPLEMENTED BY PROCEDURE #: 203-A
SPONSORING DEPT/DIV: County Administrative Office	
ADOPTED: 10/16/2018	REVIEWED:

PURPOSE: The purpose of this policy is to establish orderly and consistent processes for responding to public records requests and calculating the fees for responding to such requests.

AUTHORITY: Oregon public records law (ORS 192.001 – 192.607) grants the public the right to inspect and copy most public records maintained by Washington County. However, federal and state laws require that certain records be kept confidential. Additionally, the law provides that certain documents should not be disclosed unless the public interest requires disclosure in the particular instance.

Washington County derives its authority to adopt policies related to public records as a political subdivision of the State of Oregon under Oregon statutes including ORS 192.318(2) and 192.324(7), and through Washington County Charter Sections 31 and 34 and Washington County Code 2.04.010 and 2.04.100.

DEFINITIONS:

“Business day” means a day other than Saturday, Sunday or a legal holiday when at least one County employee has reported to work as defined in ORS 192.311.

“Public record” means any writing that contains information relating to the conduct of the public’s business. This definition is further defined in Oregon law at ORS 192.311(5)(a).

“Public Records Officer” means County employees appointed by department directors or managers to serve as points of contact with members of the public when receiving and processing records requests. Public Records Officers also coordinate within their departments or offices and with Public Records Officers outside of their departments to make costs estimates, gather responsive records and take other actions to process records requests.

“Readily available records” means writings or other materials subject to Oregon public records law where no exemption to disclosure or confidentiality applies and the records can be produced with a minimal level of staff time.

Examples include brochures or handouts designed to be printed in mass; documents, data or pages published to the County website; and non-confidential reports or data that are routinely generated.

“Request” means any written demand for public records of which the County may be custodian.

“Staff” means any employee, volunteer or intern serving the County organization.

GENERAL POLICY: It is the policy of the County to ensure that all requests for public records are handled consistent with applicable public records laws. This policy shall be implemented in a manner that minimizes impact on County workload and resources.

POLICY GUIDELINES:

1. Applicability:

This policy applies to all County staff.

2. Responsibilities:

A. This policy will be administered by the County Administrative Office (CAO). The CAO will develop procedures to implement the policy.

B. Elected officials, department directors and office and division managers are expected to be knowledgeable of, and shall be responsible for, implementing this policy and related procedures within their respective departments, offices and divisions. Department directors and managers shall appoint Public Records Officers to liaise with requestors and oversee the cost estimation, invoicing and response process.

3. Exceptions:

Exceptions to this policy may only be granted by the Washington County Board of Commissioners unless such authority has been delegated to the County Administrator under Washington County Code 2.04.010 and 2.04.100 or under any similar ordinance or policy adopted by the Board. This delegation of authority includes, but is not limited to, decisions to waive or reduce fees under ORS 192.324(5).

4. Implementation:

Compliance with this policy and implementing procedures is mandatory for all County staff. Violations may result in disciplinary action up to and including termination.

5. Periodic Review:

This policy shall be reviewed by the County Administrative Office at least every three years, or more often if needed, and updated as necessary.