



Administrative Policy
PUBLIC RECORD REQUESTS
Administration – A202

Effective Date:
December 23, 2016
Revised Date:

PUBLIC RECORD REQUESTS

Summary

This Policy is to provide guidance related to REQUESTS FOR PUBLIC RECORDS pursuant to Title 39, Chapter 1, Articles 1-4, A.R.S. § 39-121.03 *et. seq* and the Town of Payson disclosure process.

The Town Clerk is the official custodian of records for the Town of Payson. This is not to say that the Town Clerk is the only custodian of records. Each Department may designate a staff member to address departmental records retention and records requests. This policy is to provide legal and procedural processes to be followed.

Each department is to follow the standard process to assure consistent and timely response for records requests.

Process

All public records requests begin with and end at the Town Clerk's Office. Here is a step by step procedure to be used for all Public Records Requests:

1. Requests generally commence on a completed Town Request Form. However, a request may also be filed via a fax, email or correspondence. All requests shall be in writing and contain certain required information such as name, address, identification of records, dates & whether the records will be used for commercial purposes. The request shall provide adequate detail to determine what documents are being requested.
2. All parties directly requesting records from another department will be referred to the Town Clerk's Office at Town Hall. If a department receives a request for records from a citizen or employee (letter, fax, email, etc.), that request shall be forwarded to the Town Clerk's office for processing.
3. The Town Clerk's staff will date stamp each request document and notify the specific department(s) of the request as well as provide a copy thereto.
4. The affected department(s) will gather the public records requested to be disclosed. Those records shall be promptly delivered back to the Town Clerk's Office.



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5. If the records to be disclosed include sensitive or protected data (medical, law enforcement, victim, personal), the department shall enclose records in sealed envelopes to be delivered to the Town Clerk's office with notice on the face of envelope that the information is confidential.
6. The Town Clerk will then transmit the records and information to the Legal Department for review.
7. No redaction shall be done at the Departmental level. All redactions shall be done by the Legal Department. The Arizona Legislature has adopted classes of protected data not subject to disclosure to include, but not be limited to, SSN, DOB, VICTIM, JUVENILE, OFFICER'S/ PROSECUTOR'S ADDRESS/PHONE etc.
8. If documents involve a department that was not the disclosing officials, the Legal Department Office Manager will notify said department of the disclosure. The Town Attorney will then place an OK on the request, initial and date for final disclosure.
9. The approved documents will be delivered to the Town Clerks office. The Town Clerk will notify the requestor that the records are available and the cost of those records.
10. All departments are cautioned not to scan or forward any electronic correspondence or request over the Town email system. Do not email any privileged and/or un-redacted documents to the Legal Department or any other department. Please note that a privileged document becomes a public record once introduced into the email system. Disclosure violation of protected data is a serious matter that has disciplinary and legal consequences.

Exemption

1. This policy shall not apply to the Police Department or Fire Department if the request is for a routine Police or Fire incident report.