

SCOTTS VALLEY FIRE PROTECTION DISTRICT



STANDARD OPERATING PROCEDURES	ARTICLE: I	SOP: 1400
	SECTION: 1400 GENERAL ORDERS	
	SUBJECT: RELEASE OF FIRE DISTRICT RECORDS AND INFORMATION	
DATE APPROVED:	02/03/2009	
APPROVED:	<i>M. P. M. M. M.</i>	

Purpose: To provide fire district personnel with guidelines for the release of district records and information that will serve the public interest.

Scope: Define what fire district records and information is classified as public records and procedure under which they are to be released. Define what records are exempt from disclosures.

Procedure:

The California Public Records Act, Government Code Section 6250, was enacted with the objective of increasing freedom of information and is designed to give the public access to information in the possession of public agencies. The act applies to public records, which are defined as “any writing containing information relating to the conduct of the public’s business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics”.

1. Inspection of Records
 - A. Fire district records are open to public inspection during normal working hours which are 8:00 a.m. to 12:00 p.m. and 1:00 p.m. to 5:00 p.m. Monday through Friday, except holidays.
 - B. Records are to be inspected and/or released from the administrative office *only*. This will assure that the public interest is served in a consistent, efficient, and comprehensive manner.
 - 1) A time and place must be set aside for the public to inspect or review records within the administrative office(s).

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- 2) The person responsible for making record(s) available shall assure the safeguarding of said record while in the possession of the inspecting party or person, so as to prevent the alteration, destruction, or loss of records.
- C. The requesting person must complete an *Information Request Form (attached Form 1400-2)* or submit a letter which covers all components of the form, before records or information may be inspected or released.
- 1) Most requests can be fulfilled upon request. However, there may be unusual requests that should be referred to the appropriate administrative manager or district legal counsel.
 - 2) Requests must be specific so as not to require staff to research and examine voluminous amounts of records.
 - 3) Upon receipt of request form, the fire district must determine within ten (10) days whether to comply with the request.
- D. Original records can only be released upon court order to custodian of said order.
- E. Copies of records or information shall be provided upon receipt of payment of cost pursuant to current fee schedule.
- F. Records exempt from disclosure, except by court order:
- 1) Personnel, medical, or similar files, the disclosure of which would invade personal privacy.
 - 2) Records pertaining to pending litigation.
 - 3) Certain fire investigation reports prepared for law enforcement purposes or involving juveniles.
 - 4) Certain rescue or medical aid reports.
 - 5) Test questions or results and other examination data for hiring or promotion of fire district personnel.
 - 6) Records which are exempted or prohibited pursuant to provisions of federal or state laws.

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G. Records which are commonly requested and may be released:

- 1) Incident reports *(with patient information deleted)*
- 2) Fire investigation reports
- 3) EMS Patient Care Report (PCR) – The PCR is released only to the patient, legal guardian or by court order. The *Patient Care Record Release Form (attached Form 1400-2)* must be completed.
- 4) Fire inspection records
- 5) Fire protection system records and plans
- 6) District Financial records
- 7) Board minutes
- 8) Training records

Form 1400-1 Information Request Form
Form 2202-2 Patient Care Record Release Form