



# City of Selah Access to Records

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## Records Available as a Matter of Right

Under state and federal law, certain entities and/or individuals are granted access to certain records held by the City as a matter of right. When an entity and/or individual wishes to exercise a statutory right to access records held by the City, that request is made outside the scope of the Washington State Public Records Act, RCW Chapter 42.56. Such requests should be submitted to the corresponding email addresses provided below.

Note: All requestors are required to provide sufficient proof of identity and submit all requested documentation, if any, before records will be released.

### 1. Vehicle Accident Reports

Attorneys, insurance companies, law enforcement agencies, and involved parties (driver, parent/legal guardians of minor driver, injured persons, owners of vehicles or property damaged in the accident, or any authorized representative of such an interested party) are allowed access to accident reports. See RCW 46.52.080. Note that signed statements of drivers involved in the collision are not subject to disclosure. If you are seeking to obtain a vehicle accident report held by the Selah Police Department and you are an involved party, a designated representative, or a law enforcement agency, please submit your request to [spd.records@selahwa.gov](mailto:spd.records@selahwa.gov)

### 2. Fire Reports

Law enforcement agencies investigating fire events, and insurance companies who insure property damaged by fire, are authorized to receive fire reports prepared by the Selah Fire Department. See RCW 43.44.040; RCW 48.50.055. If you are a law enforcement agency or an insurance company seeking to obtain a fire report regarding a particular property, please submit your request to [public.records@selahwa.gov](mailto:public.records@selahwa.gov)

\*Note: While an investigation into a possible fire-related criminal conduct is actively ongoing, the investigative report is exempt from disclosure.

### 3. EMS Medical Records –

- **Patient Access:** Patients who receive medical treatment from the Selah Fire Department EMTs and Paramedics, are authorized to receive unredacted copies of their protected health information upon proof of identity and signature of the consent form. See RCW 70.02.030; 45 CFR § 164.524.
- **Law Enforcement Access:** Law enforcement agencies are authorized to access unredacted copies of an individual's protected health information upon presentation of

a warrant or a court order, or may receive certain portions of an individual's protected health information under certain exigent circumstances and in the absence of a warrant or a court order. See RCW 70.02.050(c); 45 CFR § 164.512.

- **Coroner/Medical Examiner Access:** County coroners and medical examiners investigating a death are authorized to access unredacted copies of an individual's protected health information. See RCW 70.02.210(2)(a).

If you are a patient, a patient's attorney, a law enforcement agency, or a coroner/medical examiner seeking to obtain protected health information maintained by the Selah Fire Department, please submit your request to [public.records@selahwa.gov](mailto:public.records@selahwa.gov)

#### 4. Personnel Records

Current and former employees (within two years) may review their personnel files on an annual basis. See RCW 49.12.240 and RCW 49.12.250. If you are a current or former employee (within the past two years) seeking to review your personnel file, please submit your request to [public.records@selahwa.gov](mailto:public.records@selahwa.gov)

#### 5. Juvenile Records (Criminal)

Records related to the commission of a juvenile offense, aside from those found in the official court file, are confidential under state law. Juvenile offenders and/or their attorneys seeking to receive unredacted copies of police reports involving alleged criminal conduct should request those documents from the prosecuting authority. See RCW 13.50.050(6). Victims and immediate family members of a victim may obtain the identity of an alleged or proven juvenile offender and the identity of the alleged or proven juvenile offender's parent(s), guardian(s), or custodian(s) and the circumstances of the crime. Juvenile justice or care agencies conducting investigations involving alleged or convicted juvenile offenders may access juvenile offender records maintained by the Selah Police Department. The juvenile offender's school may obtain otherwise confidential information about the investigation once law enforcement has made a decision to arrest the juvenile. See RCW 13.50.050(7). If you are a victim, an immediate family member of a victim, a juvenile justice or care agency (including law enforcement), or a school official seeking juvenile offender records, please submit your request to [spd.records@selahwa.gov](mailto:spd.records@selahwa.gov)

#### 6. Juvenile Records (Non-Criminal)

Juvenile records maintained by a juvenile justice or care agency that do not relate to criminal conduct are confidential under state law. Except in very limited circumstances, a juvenile, his or her parents, the juvenile's attorney, and the juvenile's parent's attorney, shall, upon request, be given access to all records and information collected or retained by a juvenile justice or care agency that pertain to the juvenile. See RCW 13.50.100(7). Juvenile justice or care agencies (including law enforcement) conducting investigations involving a particular juvenile may also access juvenile non-criminal records maintained by the Selah Police Department. See RCW 13.500.100(3). If you are a juvenile, a parent of a juvenile, an attorney representing a juvenile or his/her parent(s), or a juvenile justice or care agency (including law enforcement) seeking non-criminal juvenile justice records, please submit your request to [spd.records@selahwa.gov](mailto:spd.records@selahwa.gov)

#### 7. Adult Criminal History Records (rap sheets)

Law enforcement agencies have broad access to adult criminal conviction data and adult criminal history records that contain non-conviction data. See RCW 10.97.050. Individuals to whom the records specifically pertain are authorized to inspect criminal history records maintained by the Selah Police Department. See RCW 10.97.080. If you are a law enforcement agency seeking access to adult criminal history records, or an individual seeking to review a criminal history record that pertains specifically to you, please submit your request to [spd.records@selahwa.gov](mailto:spd.records@selahwa.gov)

#### 8. Vulnerable Adults & Mandatory Reporters

The Department of Social and Health Services (DSHS) and/or any law enforcement agency investigating abandonment, abuse, financial exploitation, self-neglect, or neglect of a vulnerable adult are, upon request, authorized to access all relevant records related to the vulnerable adult that are in the possession of mandated reporters and their employees. See RCW 74.34.035(10). Law enforcement officers, EMTs and Paramedics employed by the City of Selah are mandatory reporters under Washington law. See RCW 74.34.020(13). If you are DSHS or a law enforcement agency seeking records related to an investigation into alleged abuse of a vulnerable adult, please submit your request to [spd.records@selahwa.gov](mailto:spd.records@selahwa.gov) (police records), or [public.records@selahwa.gov](mailto:public.records@selahwa.gov) (EMT/Paramedic records).

#### 9. Child Abuse & Mandatory Reporters

When conducting an investigation or family assessment of alleged abuse or neglect, the Department of Children, Youth & Family (DCYF) or any law enforcement agency . . . [s]hall have access to all relevant records of the child in the possession of mandated reporters and their employees. RCW 26.44.030(15)(a)(ii). Law enforcement officers, EMTs and Paramedics employed by the City of Selah are mandatory reporters under Washington law. RCW 26.44.030(1)(a). If you are DCYF or a law enforcement agency seeking records related to an investigation into alleged abuse of a child, please submit your request to [spd.records@selahwa.gov](mailto:spd.records@selahwa.gov) or [public.records@selahwa.gov](mailto:public.records@selahwa.gov).

#### 10. Body Worn Camera Recordings

Pursuant to RCW 42.56.240(14)(e)(i), the following classifications have the right to obtain the body worn camera recording, subject to any exemption under this chapter or any applicable law.

- A person directly involved in an incident recorded by the requested body worn camera recording, an attorney representing a person directly involved in an incident recorded by the requested body worn camera recording
- A person or his or her attorney who requests a body worn camera recording relevant to a criminal case involving that person; or
- The executive director from either the Washington state commission on African American affairs, Asian Pacific American affairs, or Hispanic affairs.
- In addition, an attorney who represents a person regarding a potential or existing civil cause of action involving the denial of civil rights under the federal or state Constitution, or a violation of a United States department of justice settlement agreement, has the right to obtain the body worn camera recording if relevant to the cause of action, subject to any exemption under this chapter or any applicable law. The attorney must explain the relevancy of the requested body worn camera recording to the cause of action and specify that he or she is seeking relief from redaction costs under this subsection (14)(e).