

WEST PALM BEACH POLICE PENSION FUND

POLICY ON PUBLIC RECORDS REQUEST RESPONSES AND EXTERNAL COMMUNICATIONS

This policy of the West Palm Beach Police Pension Fund ("Fund") sets forth the Board of Trustees' guidelines for public records request responses and external communications

WHEREAS, the Board of Trustees of the Fund ("Board") is a public agency and is subject to the Chapter 119 of the Florida Statutes;

WHEREAS, the Board and the Fund are occasionally presented with requests for information; and

WHEREAS, the Board and the Fund are occasionally presented with other media communications which require an official response;

NOW THEREFORE, the Board hereby establishes the following guidelines for response to public records request responses and external communications.

I. Responses to Public Records Requests

A. Florida's public records law

1. Public Record means "All documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, data processing software or other material, regardless of physical form, or characteristics, or means of transmission, made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency."

Florida Statutes §119.011(12)

2. Exceptions to the disclosure requirement are specifically made for records that are confidential by the Florida Constitution and records exempted by state statute.
3. E-mail created or received by Board members in connection with official business, which perpetuates, communicates or formalizes knowledge, is subject to the public records law and open for inspection. If an e-mail falls within the definition of a public record, it

may not be deleted, except as provided in the record retention schedule. Emails sent from or to the Administrator will be maintained by the Fund.

B. Responding to a Public Records Request:

1. Public records requests may be made in writing or orally. All public records requests should be referred to the Pension Fund Administrator. The Administrator is responsible to gather the requested documents and review for redaction purposes. The Administrator is encouraged to consult with the Board's legal counsel regarding questions on the response and information to be redacted.
2. Prior to gathering and redaction, the Administrator should refer to the Board's policy on extensive public records requests for determination of fees.
3. After completion of the gathering and redaction, the Administrator shall arrange a time for inspection of the documents or making copies available to the requestor.
 - a. If the person making the records request wishes to obtain copies of the documents, the public records law allows a charge of 15 cents per one-sided copy.
 - b. All charges should be collected before producing the documents.
4. All responses should be made in a reasonable period of time, given due consideration to the volume of records requested and the amount of redaction required.
5. The law only requires the production of existing records. The law does not require the creation of new records.

C. Guidelines for Redacting

1. "Redact" means to conceal from a copy of an original public record, or to conceal from an electronic image that is available for public viewing, that portion of the record containing exempt or confidential information.

Florida Statutes §119.011(13).

2. There are more than 100 items that are classified as exempt or confidential under Florida Law. Some of the major categories of exemptions are:
 - a. **The social security numbers** of all current and former agency employees which numbers are contained in agency employment records are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.
 - b. **Medical information** pertaining to a prospective, current, or former officer or employee of an agency
 - c. **The home addresses, telephone numbers, social security numbers, dates of birth, and photographs** of active or former law enforcement personnel; **the home addresses, telephone numbers, social security numbers, photographs, dates of birth, and places of employment of the spouses and children of such personnel**; and the names and locations of schools and day care facilities attended by the children of such personnel are exempt from s. 119.07(1).
 - d. **Bank account numbers and debit, charge, and credit card numbers** held by an agency are exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution.

NOTE: This list is not meant to be all inclusive but should cover most of the public records which need redacting.

II. GUIDELINES FOR OFFICIAL BOARD COMMUNICATIONS

- A. General Requests: The Administrator is responsible for communicating basic and routine information to the participants.
- B. Media Requests: All requests for information from the media are to be routed through the Administrator and the Board Chairman. Media requests include anything intended to be published or viewable to others in some form such as television, radio, newspapers, newsletters, and web sites. When responding to media requests, these steps should be followed:

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1. If the request is for routine or public information (such as a meeting time or agenda), direct the requestor to the Administrator who will provide the information and notify the Chairman of the request.
2. If the request is regarding information about a participant, potential litigation, controversial issues, or an opinion on a pension matter, forward the request to the Administrator, who will consult with the Chairman and the legal counsel before a response is provided.
3. The Administrator and the Chairman are authorized to communicate on behalf of the Fund in interviews, publications, news releases, on social media sites, and related communications regarding already decided matters. Other Board members may represent the Fund if approved by the Chairman to communicate on a specific topic. When speaking on behalf of the Fund:
 - a. Board members must identify themselves as representing the Fund.
 - b. No social media sites or accounts can be created other than the Fund's official website - www.wpbppf.com.
 - c. Board members need to notify the Administrator if they will be using their personal technology (cell phones, home computer, cameras, etc) for Fund business. The data transmitted or stored on these personal technology devices may be subject to a public records request. Emails sent from or to the Administrator will be maintained by the Fund.

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