



DUVALL POLICE DEPARTMENT

April 17, 2015

Mr. and Mrs. Pennington
28120 NE 147th PL
Duvall, WA 98019

RE: Third party notification of request for public record – our case 15-00423D

Dear Mr. and Mrs. Pennington:

This department has received a Public Disclosure request for a police record that involves you and information that might not be in the public interest *and* might be substantially and irreparably damaging to you if released. At the advice of our attorney and because of the nature of this case, we are advising you that per RCW 42.56.540 you have the right to seek a court injunction against the release of this record.

That injunction must specify what part of the record is not releasable. Our office allows 15 business days for a third party, in this case you, to provide us said injunction. Therefore, with tomorrow as “day one” and, we must receive that court order by Tuesday, May 4, 2015 by 4:00PM. or we will release the unredacted record the following business day.

For a better understanding of this process I would suggest seeking legal counsel. However, the verbiage of the above-named RCW is noted below for your review:

**RCW 42.56.540
Court protection of public records.**

The examination of any specific public record may be enjoined if, upon motion and affidavit by an agency or its representative or a person who is named in the record or to whom the record specifically pertains, the superior court for the county in which the movant resides or in which the record is maintained, finds that such examination would clearly not be in the public interest and would substantially and irreparably damage any person, or would substantially and irreparably damage vital governmental functions. An agency has the option of notifying persons named in the record or to whom a record specifically pertains, that release of a record has been requested. However, this option does not exist where the agency is required by law to provide such notice.

If you intend to seek a court injunction and for some emergent reason cannot have that to us by 5/4/15, you must contact me before 5/4/15 with notice of such. Otherwise, please feel free to call me if you have any other questions.

Sincerely,

Shelley Rowe
Records Clerk