Mescal-J6 Fire District
Public Records Request Policy
Effective Date: September 24, 2025

Purpose

The Mescal-J6 Fire District, serves the communities of Mescal, J-6, Empire, Salcido Acres, Skyline, and 11 miles of Interstate 10 in Cochise County, Arizona, which is committed to transparency and compliance with Arizona's public records law (A.R.S. § 39-121 et seq.). This policy outlines the process for requesting public records, applicable fees, response procedures, and measures to manage requests efficiently, given the district's part-time administrative operations and limited staffing resources.

Scope

This policy applies to all requests for public records maintained by the Mescal-J6 Fire District, except that exempt from disclosure under Arizona law such as confidential medical records, personnel records, transitory records, deliberative internal working drafts, or records that could compromise public safety.

1. Submitting a Public Records Request

1.1 How to Submit

- Submit requests using the Mescal-J6 Fire District Public Records Request Form, available on the district's website www.mescalj6fd.gov.
- Each document on each request is a stand-alone request.
- Verbal or email requests will not be accepted to ensure clarity and accurate tracking.
- Non-exempt personnel records are fulfilled via postal service only.

1.2 Required Information

- Records requests must be submitted using the online District Public Records Request Form, which must be completed in its entirety, in designated areas, and clearly stating the specific records sought after. (i.e. title of document, date of document.) General information requests will be refused.
- All requests shall clearly and concisely describe the specific documents or information sought, without extraneous commentary, abusive language, harassment, profanity, personal attacks, or venting unrelated to the records request. Requests that include such content, or that are vague, overly broad, harassing, or otherwise fail to comply with these requirements, may be rejected in whole or in part, or returned to the requester for resubmission in proper form. Rejection under this policy does not constitute a denial of access to public records if a properly formatted request is later submitted.

1.3 Access to Public Records and District Staff's Protection from Abuse

- The right to request and receive public records does not extend to engaging in abusive, harassing, threatening, profane, personally insulting, intimidating, or disruptive conduct toward District personnel during submission, follow-up, discussions, or related interactions (via email, phone, in-person, or otherwise). Such behavior remains prohibited under this policy and Arizona law, including:
    - A.R.S. § 13-2921 (Harassment);
    - A.R.S. § 13-2916 (Electronic communications to terrify, intimidate, threaten, or harass);
    - A.R.S. § 13-1202 (Threatening or intimidating).
- All members of the public are prohibited from rudeness, unprofessional behavior, personal attacks, profane or abusive language, repeated unwanted contact, or any form of harassment or intimidation directed at District personnel. Violations may result in immediate warnings, termination of the interaction, restriction to written-only communication, blocking of abusive channels, while fulfilling legitimate, non-exempt records obligations, full

documentation of incidents, and escalation to law enforcement or the Board for further restrictions consistent with District policy or legal advice, and applicable law.

- For commercial requests, a certified statement of the commercial purpose, as required by A.R.S. § 39-121.03.

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2. Processing Requests

2.1 Response Time

- Records will be provided promptly, as required by A.R.S. § 39-121.01, but response times may vary based on the complexity, volume, or availability of records, and staff's scheduled allotment of time dedicated to public records requests.

2.2 Inspection vs. Copies

- Records may be inspected in person at the Administration Office (98 N. Oak Dr., Benson, AZ 85602) during regular hours (Monday, Wednesday, Thursday, 8:00 AM–4:00 PM, by appointment only) with prior scheduling.
- Appointments must be attended by the person making the appointment.
- In-person inspection will be done with a Board Member present. No photographs, scanners, or other means of replication can be used by the requester.
- Copies will be provided in the requested format (e.g., paper or electronic), if feasible, subject to applicable fees.

2.3 Exemptions

- Records exempt from disclosure (e.g., medical records protected by HIPAA, personnel records, transitory records, records posing a public safety risk, deliberative internal working drafts such as: draft policies, draft budgets, draft audits, and preliminary reports that are not approved or finalized) will not be provided. Confidential information in a disclosable document will be redacted, and a written explanation for any denial will be provided, as required by A.R.S. § 39-121.01.

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3. Fees

3.1 Non-Commercial Requests

- Copying Fees: $.50 per page for paper copies; electronic copies provided at no charge if readily available in the requested format.
- Uploading materials onto digital device, when necessary, is $25.00 per device.

- Archives $25.00 an hour.
- Conversion of documents: Hard copy to digital, or digital to hard copy .50 cents a page.
- Returned check fee $35.00
- Requesters will be notified of estimated fees and applicable postage in advance and must agree to pay before processing continues.
- Requests must be made for existing records within the District and qualify as a public record. The District is not required to create, retain, or reproduce records.

3.2 Commercial Requests

- In addition to copying and labor fees, commercial requests are a $15.00 administrative fee.
- A certified statement of commercial purpose must accompany the request.

3.3 Fee Waivers

- Fees may be waived for requests from involved party incident reports or serving a public purpose (e.g., community safety education), at the discretion of the Fire Chief, subject to resource availability.

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4. Managing Request Volume

4.1 Resource Constraints

- As an administratively part-time fire district, the District schedules 2 hours per week dedicated to processing public records requests. The District system prioritizes requests based on submission date to ensure efficient use of resources.
- Requesters submitting multiple or voluminous requests may experience delays, with additional requests queued.

4. 2 Management of Requests

- The District will document all public records requests for the frequency, scope, and operational impact of repetitive or harassing requests to justify any responsive actions.
- This policy ensures transparency, legal compliance, and operational efficiency while addressing requests that unduly burden the District.

4.3 Board Oversight:

The District Board, in accordance with A.R.S. § 48-805(A)(1), shall review any disputes regarding public records requests at a public meeting, ensuring transparency and adherence to state law.

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5. Contact Information

- Public Records Custodian:
  Denise Serna
- Email: info@mescalj6fd.gov
- Phone: (520) 586-4690
- Office Address: Mescal-J6 Fire District Administration Office, 98 N. Oak Dr., Benson, AZ 85602
- Office Hours: Monday, Wednesday, Thursday, 8:00 AM–4:00 PM (by appointment only)
- Website: www.mescalj6fd.gov
- The Mescal J6 Fire District will provide reasonable accommodations for persons with a disability. Please contact the Public Records Custodian.

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6. Appeals and Complaints

- If a request is denied or the requester believes the district has not complied with Arizona public records law, they may contact the Arizona Ombudsman-Citizens' Aide at (602) 277-7292 or visit www.azoca.gov.
- The district will provide a written explanation for any denial, including the legal basis, as required by law.

7.. Policy Review

- This policy will be reviewed annually or as needed to ensure compliance with Arizona law and to address operational needs. Updates will be posted on the district's website www.mescalj6fd.gov.
- The Mescal-J6 Fire District reserves the right to modify this policy as necessary.

Signed this _____day of _____2025

Dana Law
Board Chairman
Mescal J6 Fire District

Deborah Wise
Board Clerk
Mescal J6 Fire District

Notes on Customization and Implementation

- Consider adopting an online portal (e.g., GovQA) to streamline submissions, as used by other Arizona agencies.