

Public Safety Communications Task Force

Confidentiality Policy (Approved: July 19, 2023)

The Public Safety Communications Task Force (the “Task Force”) adopts this policy to protect and preserve nonpublic information relating to the business of the Task Force. In carrying out its duties, the Task Force may receive information maintained by various governmental entities. Access to such information shall not be construed “to waive any privilege or protection otherwise afforded information by law due solely to the fact that the information is shared with the Task Force” 2023, No. 78, § C.114(d)(6)(B).

Task Force members shall adhere to the following procedures regarding the disclosure of information relating to the business of the Task Force:

1. All records of the Task Force are subject to the Vermont Public Records Act, 2023, No. 78, § C.114(d)(7). The Task Force shall be considered the custodian of records for records relating to the business of the Task Force. The Task Force will not disclose records or portions of records for which a reasonable claim of exemption can be made pursuant to 1 V.S.A. § 317(c), including but not limited to: records that by law are designated confidential or by a similar term, records subject to a statutory or common law privilege, certain records dealing with the detection and investigation of crime, trade secrets, records containing information the disclosure of which would threaten the safety of persons or the security of public property, records relating specifically to negotiation of contracts, certain records relating to publicly owned, managed, or leased structures, and any other records exempt from disclosure under the Vermont Public Records Act.
2. Various governmental entities may disclose information to the Task Force, referred here as “Disclosing Entities.” The Task Force may notify and consult with Disclosing Entities and any other entity with a substantial interest in the records regarding potential disclosure.
3. Task Force members have a duty to protect and preserve nonpublic information relating to the business of the Task Force. Task Force members shall not disclose to any person or entity any information or records relating to the business of the Task Force for which a reasonable claim of exemption could be made. As custodian of records, the Task Force shall determine whether a claim of exemption applies to the information before any disclosure is made. Information may include records and oral or written communications that reveal the contents of records. Any disclosure of information relating to the business of the Task Force shall be made by the Task Force only and not its individual members.

4. A Task Force member shall notify the Task Force chairs of any interest of the Task Force member to disclose to any person or entity any information related to the business of the Task Force. The Task Force chairs shall notify the Task Force and any relevant Disclosing Entities about the request so the Task Force and Disclosing Entities may assert any exemptions to disclosure or otherwise assert any right it may have to maintain the confidentiality of the information.
5. Task Force members shall immediately notify the Task Force chairs of any request or demand by any person, court, governmental agency, or other entity asserting a demand or request for information related to the business of the Task Force. The Task Force chairs shall notify the Task Force and any relevant Disclosing Entities about the request so the Task Force and Disclosing Entities may assert any exemptions to disclosure or otherwise assert any right it may have to maintain the confidentiality of the information.
6. Task Force members shall immediately notify the Task Force chairs if the Task Force member learns or has a reasonable belief that information subject to this policy was used or disclosed in violation of this policy.
7. Task Force members shall only send and receive email communications regarding information related to the business of the Task Force via email accounts approved by the State of Vermont, including Vermont.gov and Partner.Vermont.gov accounts.
8. Task Force members are reminded that unauthorized disclosure of certain records designated as confidential by state or federal law may result in criminal and/or civil sanctions.
9. The Task Force and/or Disclosing Entities shall strive to identify nonpublic records before they are distributed to Task Force members. However, the absence of such identification shall not relieve the Task Force members from adhering to this policy.

A Task Force member who violates this policy may be subject to sanctions by the Task Force, including limitations or prohibitions on the Task Force member's access to information. Each Task Force member shall acknowledge receipt of this policy and adhere to its terms.

The Task Force voted to adopt this policy on July 19, 2023.