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RHODE ISLAND COMMISSION FOR HUMAN RIGHTS PROCEDURES ON REQUESTS FOR PUBLIC RECORDS

I. Introduction

The Rhode Island Access to Public Records Act, Title 38, Chapter 2 of the General Laws of Rhode Island (hereafter referred to as "APRA") generally provides that any person has the right to obtain access to state agency records except to the extent that those records are protected from disclosure by the APRA. Before making a request, you are encouraged to review the materials already posted on the website of the Rhode Island Commission for Human Rights (hereafter referred to as the Commission), as you may find the information you are interested in there. The address of the Commission's website is www.richr.ri.gov

II. Who is the Commission's public records officer?

The Commission's public records officer is Cynthia Hiatt, RI Commission for Human Rights, 180 Westminster Street, 3rd Floor, Providence, RI 02903.

III. How do I make an APRA request for Commission records?

The Commission does not require a special form when making an APRA request. Requests should be in writing, unless they are requests for Commission posters, Commission rules and regulations, Commission guidelines and Commission decisions and orders, which can be ordered by telephone at (401) 222-2662 (TDD number (401) 222-2664).

If you are unable to write or you need an accommodation for a disability in order to make your request, please contact Cynthia Hiatt at the Commission at (401) 222-2662 (TDD number (401) 222-2664).

You do not need to provide a reason for requesting the records. You do not need to provide personally-identifiable information about yourself. You will need to provide a method for the Commission to communicate with you in case the Commission has questions about your request and in order for the Commission to notify you of the status of your request.

There are statutory exemptions that authorize the withholding of information. The APRA's exemptions protect, for example, investigatory records, medical records, and personally-identifiable records the disclosure of which would constitute a clearly unwarranted invasion of personal privacy. If you want the Commission to

consider a particular public interest in the disclosure of personally-identifiable records, you should give the Commission information on that public interest. When the Commission withholds information from you, it ordinarily must specify which exemption of the APRA permits the withholding.

You should be aware that the APRA does not require the Commission to do research for you, to analyze data, to answer written questions, or to create records in response to a request.

In making your request, you should be as specific as possible when describing the records you are seeking. The more specific you are about the records or types of records that you seek, the more likely it will be that the Commission will be able to locate these records.

When the Commission receives your APRA request, it ordinarily will send you a letter or call you in order to acknowledge the request, to give you an estimate of the cost of fulfilling the request, to ask for additional information to comply with your request (if necessary), and to inform you if the Commission is denying any part of your request.

IV. Response Times

Under the APRA, the Commission is required to respond to an APRA request within ten business days, excluding Saturdays, Sundays, and legal holidays. This time period generally begins when the request is actually received by the Commission.

Although the Commission responds to APRA requests as quickly as possible, in some cases it simply cannot do so within the specified time period. Under the APRA, the Commission may extend the ten day response time for an additional twenty business days when specific circumstances exist that require additional time in order to avoid imposing an undue burden on the Commission, including the following situations: the large volume of records at issue in a given request, the fact that the Commission has a backlog of previously received requests that are awaiting processing or the difficulty in searching, retrieving and/or copying the records. Such extensions must be based on the particular circumstances of the request. The Commission must explain in writing why the additional time is needed.

Production of a record may also be delayed if the record is in storage. In that circumstance, the Commission will produce it as expeditiously as possible.

The time period for responding to a request ends when the Commission informs the party that the records are ready for inspection, the Commission informs the

party that the records will not be provided or the Commission informs the party that the copies have been made and the charge for the records. The Commission will not unduly delay mailing of the records once payment is received.

V. Fees

The Commission charges $.15 per page for copies.

The Commission charges $15 per hour for search and retrieval of documents; however, the first hour of search and retrieval time is free. Search and retrieval time includes the time needed to redact portions of records which are exempt from public record disclosure.

If the records are to be provided electronically, the Commission will charge the reasonable actual charge which will include the staff time to put the document in electronic form if the records are not in electronic form already. The staff rate is $15 per hour. The Commission may deny the request that documents be provided in electronic form if compliance would be unduly burdensome.

The Commission charges for postage if the records are to be mailed.

You may always include in your request letter a specific statement limiting the amount that you are willing to pay in fees. The Commission may then, if necessary, discuss with you how you want to change your request to fit the amount you are willing to pay.

VI. Administrative Appeals

If you are dissatisfied with the Commission's initial response to your request, you may petition the Executive Director of the Commission for review of that response. In addition, you may file a complaint with the Attorney General. You may also bring suit in Superior Court for a ruling on whether the Commission has violated the APRA.

Please refer to the APRA, Title 38, Chapter 2 of the General Laws of Rhode Island, for a complete review of your rights.