

# Appendix C: State and quasi-public agency APRA guidelines and forms

## **Below you will find APRA contact information, procedures and forms for the following state and quasi-public agencies:**

- Airport Corporation
- Board of Elections
- Commerce Corporation
- Department of Administration
- Department of Business Regulation
- Department of Corrections
- Department of Education
- Department of Health
- Department of Labor and Training
- Department of Public Safety
- Department of Revenue
- Department of Transportation
- Division of Motor Vehicles
- General Assembly
- Judiciary
- Lottery Commission
- Office of Auditor General
- Office of the Attorney General
- Office of the Treasurer
- Public Transit Authority (RIPTA)
- Rhode Island Housing and Mortgage Finance Corporation
- Rhode Island State Police
- Secretary of State
- State Budget Office
- State Controller
- Turnpike and Bridge Authority (RITBA)

# Airport Corporation

Accept APRA requests by email? No

Accept APRA requests by fax? No

Mailing address:

ATTN: Records Keeper, Brian C. Schattle, CFO  
2000 Post Rd  
Warwick, RI

Telephone number: (401) 737-4000

APRA procedures online? Yes

APRA procedures URL: <http://www.pvdairport.com/documents/publicrecordsrequest2014.pdf>

# RHODE ISLAND AIRPORT CORPORATION

## PUBLIC RECORDS REQUEST GUIDELINES

The Rhode Island Airport Corporation (RIAC) adheres to the Access to Public Records Act, R.I. Gen. Laws § 38-2-1, et. seq., and has instituted the following procedures for the public to obtain public records.

1. To reach RIAC's Official Records Keeper by telephone please call (401) 737-4000 and ask to be connected to with Brian C. Schattle, CFO.

2. The regular business hours of RIAC are 8:30 a.m. to 4:00 p.m. If you come in after regular business hours, please complete the Public Records Request Form at the Information desk located between the two central doors on the first floor of the airport terminal at T.F. Green State Airport and it will be given to Mr. Schattle the following day.

3. You are not required to provide identification or the reason you seek the information, and your right to access public records will not depend upon providing identification or reasons.

4. In order to ensure that you are provided with the public records you seek in an expeditious manner, unless you are seeking records available pursuant to the Administrative Procedures Act or other documents prepared for or readily available to the public, we ask that you complete the Public Records Request Form located at the front desk, or on our website <http://www.pvdairport.com> or otherwise submit your request in writing.

5. You may also obtain a copy of the Attorney General's Guide to Open Government, which can be found at <http://www.riag.ri.gov> (then proceed to the link entitled "Open Government").

6. Please be advised that the Access to Public Records Act allows a public body ten (10) business days to respond, which can be extended an additional twenty (20) business days for "good cause." We appreciate your understanding and patience.

7. If you feel that you have been denied access to public records, you have the right to file a review petition with the President and CEO of RIAC or with the Rhode Island Attorney General. You may also file a lawsuit in Superior Court.

8. RIAC is committed to providing you with public records in an expeditious and courteous manner.

#### EFFECTIVE DATE

The foregoing "Public Records Request Guidelines" after due notice, are hereby adopted and filed with the Secretary of State this \_\_\_\_ day of September 2012, to become effective twenty (20) days thereafter, in accordance with the provisions of Chapters 42-35 of the General Laws of Rhode Island, 1956.

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Peter Frazier, Acting President and CEO  
Rhode Island Airport Corporation

Notice Given On: August 14, 2012  
Public Hearing Not Requested or Held  
Filing Date: September 19, 2012  
Effective Date: October 9, 2012

Appendix Form: Public Records Request Form

RHODE ISLAND AIRPORT CORPORATION

PUBLIC RECORDS REQUEST FORM  
UNDER THE ACCESS TO PUBLIC RECORDS ACT

Date \_\_\_\_\_  
Name (optional) \_\_\_\_\_  
Address (optional) \_\_\_\_\_  
\_\_\_\_\_  
Telephone (optional) \_\_\_\_\_  
Requested Records: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
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\_\_\_\_\_

Note: If you chose to pick up the records, but did not include identifying information on this form (name, etc.), please inform the receptionist at the front desk of the date you made the request.

Thank you.



# RHODE ISLAND AIRPORT POLICE

## PUBLIC RECORDS REQUEST FORM



Date: \_\_\_\_\_ Request Number: \_\_\_\_\_

Department: \_\_\_\_\_

Name (optional): \_\_\_\_\_

Address (optional): \_\_\_\_\_

City/Town, State, Zip (optional): \_\_\_\_\_

Telephone Number (optional): ( ) \_\_\_\_\_ - \_\_\_\_\_ Home ( ) \_\_\_\_\_ - \_\_\_\_\_ Work

Requested Records: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

If these records are not readily available at the time of your request, please advise whether you desire to:  
 \_\_\_\_\_ pick up the records    \_\_\_\_\_ have them faxed    \_\_\_\_\_ records to be sent regular mail

### For Office Use Only

Request Taken By: \_\_\_\_\_ Request Number: \_\_\_\_\_

Date: \_\_\_\_/\_\_\_\_/\_\_\_\_ Time: \_\_\_\_ AM \_\_\_\_ PM Records Available On: \_\_\_\_/\_\_\_\_/\_\_\_\_

Records Provided: 

_____ Yes	_____ No	_____ In Part
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Date response provided if any exemptions are claimed: \_\_\_\_/\_\_\_\_/\_\_\_\_

Costs for Records: Copies = \$ \_\_\_\_\_ Search & Retrieval = \$ \_\_\_\_\_

### Rhode Island Airport Police - Access to Public Records Request Receipt

If you desire to pick up the records, they are expected to be available on \_\_\_\_/\_\_\_\_/\_\_\_\_ at the Rhode Island Airport Police Department. If, after review of your request, the Department determines that the requested records are exempt from disclosure for a reason set forth in R.I.G.L. § 38-2-2(4)(i)(A) through (W), the Division reserves its right to claim such exemptions.

# Board of Elections

Accept APRA requests by email? Yes

Email address: [Robert.Kando@elections.ri.gov](mailto:Robert.Kando@elections.ri.gov)

Accept APRA requests by fax? Yes

Fax number: (401) 222-3135

Mailing address:

50 Branch Avenue  
Providence, RI 02904

Telephone number: 401-222-2345

APRA procedures online? Yes

APRA procedures URL: <http://www.elections.state.ri.us/contact/publicrecords.php>





STATE OF RHODE ISLAND AND PROVIDENCE  
PLANTATIONS

BOARD OF ELECTIONS

50 Branch Avenue  
Providence, RI 02904  
(401) 222-2345 Telephone  
(401) 222-3135 Fax

RHODE ISLAND BOARD OF ELECTIONS  
PUBLIC RECORDS REQUEST GUIDELINES

The Rhode Island Board of Elections has instituted the following procedure to help you obtain public records.

1. In order to request to inspect and/or to copy documents maintained by the Rhode Island Board of Elections, we ask that you complete the request form on the back side of this document or otherwise provide a written request for records that clearly identifies the records you seek and that your request is made pursuant to the Access to Public Records Act. A written request is not necessary for documents available pursuant to Rhode Island General Laws § 42-35-2 or other documents prepared for or readily available to the public. Robert Kando is the Board of Elections Public Records Officer.
2. Requests to inspect public records can be mailed or dropped off at the Rhode Island Board of Elections, 50 Branch Avenue, Providence, Rhode Island 02904. To make a public records request by e-mail or fax please contact the Rhode Island Board of Elections at 401-222-2345.
3. There are times when the public records you seek are not available at the time of your request. Please be advised the Access to Public Records Act allows a public body ten (10) business days to respond and, with "good cause," may extend the time to respond to twenty (20) business days.
4. If you feel that you have been denied access to public records, you have the right to file an appeal with the Attorney General. If you are still not satisfied, you may file a lawsuit in Superior Court. See Rhode Island General Laws § 38-2-8.
5. The Rhode Island Board of Elections is committed to providing you with public records in an expeditious and courteous manner.



STATE OF RHODE ISLAND AND PROVIDENCE  
PLANTATIONS

BOARD OF ELECTIONS  
50 Branch Avenue  
Providence, RI 02904  
(401) 222-2345 Telephone  
(401) 222-3135 Fax

Time Stamp  
(For Office Use Only)

RHODE ISLAND BOARD OF ELECTIONS  
REQUEST FORM FOR RECORDS  
UNDER THE ACCESS TO PUBLIC RECORDS ACT

Date \_\_\_\_\_

Name (optional) \_\_\_\_\_

Address (optional) \_\_\_\_\_  
\_\_\_\_\_

Telephone (optional) \_\_\_\_\_

E-Mail address (optional) \_\_\_\_\_

Requested Records: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**OFFICE USE ONLY**

Request taken by: \_\_\_\_\_

Records to be available on: \_\_\_\_\_ Mail \_\_\_\_\_ Pick Up \_\_\_\_\_

Records Provided \_\_\_\_\_

Costs: \_\_\_\_\_ copies \_\_\_\_\_ search and retrieval

# Rhode Island Board of Elections

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## Public Records

The Rhode Island Board of Elections has instituted the following procedure to help you obtain public records.

1. In order to request to inspect and/or to copy documents maintained by the Rhode Island Board of Elections, we ask that you complete the request form or otherwise provide a written request for records that clearly identifies the records you seek and that your request is made pursuant to the Access to Public Records Act. A written request is not necessary for documents available pursuant to Rhode Island General Laws § 42-35-2 or other documents prepared for or readily available to the public. Robert Kando is the Board of Elections Public Records Officer.
2. Requests to inspect public records can be mailed or dropped off at the Rhode Island Board of Elections, 50 Branch Avenue, Providence, Rhode Island 02904. To make a public records request by e-mail or fax please contact the Rhode Island Board of Elections at 401-222-2345.
3. There are times when the public records you seek are not available at the time of your request. Please be advised the Access to Public Records Act allows a public body ten (10) business days to respond and, with "good cause," may extend the time to respond to twenty (20) business days.
4. If you feel that you have been denied access to public records, you have the right to file an appeal with the Attorney General. If you are still not satisfied, you may file a lawsuit in Superior Court. See Rhode Island General Laws § 38-2-8.
5. The Rhode Island Board of Elections is committed to providing you with public records in an expeditious and courteous manner.

# Commerce Corporation

Accept APRA requests by email? Yes

Email address: [publicrecords@commerceri.com](mailto:publicrecords@commerceri.com)

Accept APRA requests by fax? Yes

Fax number: (401) 273-8270

Mailing address:

315 Iron Horse Way  
Suite 101  
Providence, RI 02908

Telephone number: (401) 278-9100

APRA procedures online? Yes

APRA procedures URL: <http://www.commerceri.com/government/publicrecords.php>



**Rhode Island Commerce Corporation Policies and  
Procedures for  
Requests for Access to Public Records**

*Effective September 1,  
2012 (Amended December 27,  
2013)*

The Rhode Island Commerce Corporation (“Commerce RI” or the “Agency”) adheres to the Access to Public Records Act, R.I. Gen. Laws §§ 38-2-1, *et. seq.*, (“APRA” or the “Act”) and has instituted the following policies and procedures for the public to obtain public records maintained or held by Commerce RI.

**Disclosure of Records**

1. Commerce RI is committed to providing the public with access to public records in an expeditious and courteous manner.
2. It is the Commerce RI’s policy that all records maintained or held by the Agency are to be made available for public inspection and/or copying unless exempted by state or federal law, regulation, rule of court, or unless otherwise ordered by a court of competent jurisdiction.
3. Pursuant to R.I.G.L. § 38-2-13, all records initially deemed to be public records which any person may inspect and/or copy will continue to be considered public records whether or not subsequent court action or investigations are held pertaining to the matters contained in the records.
4. Commerce RI is not required to reorganize, consolidate, or compile data not maintained by the Agency in the form requested at the time of the request, except to the extent that such records are in electronic format and Commerce RI would not be unduly burdened by providing such data.
5. Commerce RI is not obligated to interpret or otherwise describe or comment on the information provided.
6. In the event that Commerce RI determines that the requested records are exempt from disclosure for a reason set forth in the Act, Commerce RI shall provide to the requesting party the reasons for the denial of the request as well as the procedure for appealing the denial.
7. If Commerce RI receives a request for records that do not exist or are not within its custody or control, the Agency will in responding to the request state that it does not have the requested records.

## Procedures for Requesting Public Records

1. Commerce RI has published a form that may be used to make a request for public records. The form can be obtained online at <http://www.commerceri.com/access-to-public-records> or at the agency's front desk at 315 Iron Horse Way, Providence, RI 02908.

2. All requests for public records should be directed to the following:

Communications Department  
315 Iron Horse Way, Suite 101  
Providence, RI 02908  
Email: [publicrecords@commerceri.com](mailto:publicrecords@commerceri.com)  
Fax: 401-273-8270  
Phone: 401-278-9100

3. The requesting party is not required to provide identification or the reason for the request, and the right to access public records will not depend upon providing such identification or the purpose for the request. However, in the event that Commerce RI is not provided with appropriate contact information, such as telephone number, mailing address or email address, any response to a request shall be made available at the front desk of Commerce RI during normal business hours in accordance with the timing requirements under applicable law.
4. Commerce RI's regular business hours are Monday through Friday, 8:30 a.m. – 4:30 p.m., excepting state and federal holidays. Any request received after regular business hours, shall be deemed to have been received on the next following business day.
5. To reach Commerce RI by telephone with any questions about how to make a request for public records, please call 401-278-9100 and ask to be connected to the Communications Department.
6. A request for public records must reasonably describe the records sought in a way that will permit their identification and location by Commerce RI personnel.
7. If the description of the records sought in a request is not sufficient to allow Commerce RI to identify and locate the requested records, Commerce RI will notify the requesting party that additional information is needed in order to fulfill the request.
8. Commerce RI may discuss with the requesting party the extent to which the scope of the request can be narrowed as the courts have ruled that it is the requesting party's responsibility to frame requests with sufficient particularity to ensure that searches are not unreasonably burdensome and to enable the Agency to determine precisely which records are being requested.
9. Commerce RI will make every reasonable effort to honor the request within ten (10) business days after receiving the request. Should it appear that the request cannot be honored within ten (10) business days, Commerce RI will explain in writing the reasons needed for up to an additional twenty (20) business day period to comply with the request.

## **Delivery of Records**

1. At the option of the requesting party, Commerce RI will provide copies of public records electronically, by facsimile, or by mail, unless complying with that preference would be unduly burdensome due to the volume of records requested or the costs that would be incurred.
2. The requesting party will be responsible for the actual cost of delivery, if any.

## **Cost**

1. Commerce RI may charge a fee not to exceed fifteen cents (\$0.15) per copied page for documents that can be copied on common business or legal size paper.
2. Commerce RI may charge no more than the reasonable actual cost for providing electronic records or retrieving records from storage where Commerce RI is assessed a retrieval fee.
3. A reasonable charge may be made for the search and retrieval of documents. Hourly costs for a search and retrieval may not exceed fifteen dollars (\$15.00) per hour and no costs will be charged for the first hour of a search or retrieval.
4. For the purposes of calculating cost, multiple requests from a requesting party to Commerce RI within a thirty (30) day time period will be considered one request.
5. Upon request, Commerce RI will provide an estimate of the costs of a request for documents prior to providing copies.
6. Commerce RI may require that the requesting party pre-pay the estimated cost of the request prior to engaging in the search and retrieval of records. As permitted by the Act, the production of records will not be deemed untimely if the Agency is awaiting receipt of payment for costs properly charged under the Act.
7. Upon request, Commerce RI will provide a detailed itemization of the costs charged for search and retrieval.
8. The Rhode Island Supreme Court has determined that the requesting party that seeks the production of public records is responsible for the cost of redacting the documents.
9. All payments are to be made in the form of a money order, certified bank check, company check, or personal check. Commerce RI reserves the right to refuse payment by check in the event that the check is returned for insufficient funds or for any other reason. Any fees incurred by Commerce RI for returned checks will be assessed to the requestor.

Checks may be made payable to the Rhode Island Commerce Corporation, c/o:  
Accounting Department, 315 Iron Horse Way, Suite 101, Providence, RI 02908.  
Payments must be accompanied by sufficient written information referencing the public records request to ensure proper crediting of funds.



Rhode Island Commerce Corporation
Public Records Request Form under the Access to Public Records Act
(R.I. Gen. Laws §38-2-1 et seq. the "Act")

Date Request Number
Name (optional)
Address (optional)
Telephone (optional)
E-mail (optional)
Fax (optional)
Requested Records:

OFFICE USE ONLY

Request taken by: Request Number
Date: Time:
Records to be available on: Mail E-mail Facsimile Pick Up
Records provided:
Costs: copies search and retrieval
Payment received: Yes No

Forward this Document to the Communications Department

Rhode Island Commerce Corporation- Public Records Request Receipt

Commerce RI will make every reasonable effort to honor the request within ten (10) business days. If you desire to pick up the records, they will be available on during normal business hours (Monday through Friday, 8:30 a.m. to 4:30 p.m. excepting state and federal holidays) at the front desk OR at that time, Commerce RI will explain in writing the need for up to an additional twenty (20) business days to comply with the request. If the description of the records sought in the request is not sufficient to allow Commerce RI to identify and locate the requested records, Commerce RI will notify you before or at the time stated above that additional information is needed. If, after review of your request, Commerce RI determines that the requested records are exempt from disclosure for a reason set forth in the Act, Commerce RI reserves its right to claim such exemption as permitted by the Act.

Note: If you choose to pick up the records or inspect them at Commerce RI's office on the date set forth above, but did not include identifying information on this form (such as your name and contact information etc.), please inform the receptionist at the front desk of the date you made the request, the records requested and request number.

Thank you.



# Department of Administration

Accept APRA requests by email? No

Accept APRA requests by fax? Yes

Fax number: (401) 222-8244

Mailing address:

Public Records Officer, Division of Legal Services  
Department of Administration  
One Capitol Hill  
Providence, Rhode Island 02908

Telephone number: (401) 222-8880

APRA procedures online? Yes

APRA procedures URL: <http://www.admin.ri.gov/publicrecords/index.php>

**State of Rhode Island and Providence Plantations  
DEPARTMENT OF ADMINISTRATION**

**ONE CAPITOL HILL  
PROVIDENCE, RHODE ISLAND 02908**

**POLICIES AND PROCEDURES REGARDING ACCESS TO PUBLIC RECORDS  
MAINTAINED BY THE DEPARTMENT OF ADMINISTRATION  
(revised August 28, 2012)**

**Section 1**     **Authority**

- A.     RIGL section 38-2-3 (d), as amended in June 2012, states in part that each public body shall establish written procedures regarding access to public records and that a copy of these procedures shall be posted on the public body's website. The above requirements take effect on September 1, 2012.
  
- B.     RIGL section 42-35-2(1) states that each agency shall adopt as a rule a description of its organization, stating the general course and method of its operations and the methods whereby the public may obtain information or make submissions or requests. The rules that were adopted by the Department of Administration in June 2010 will be amended as described within and in accordance with the Administrative Procedures Act.

**Section 2**     **Purposes**

- A.     To establish public records procedures for the Department of Administration that are consistent with requirements of RIGL section 38-2-1, et seq. as amended.
  
- B.     To revise rules previously adopted by the Department of Administration that implement RIGL section 42-35-2, regarding the methods whereby the public may request access to agency records.

**Section 3**     **Policy**

The Department recognizes both the public's right to access public records and the individual's right to dignity and privacy. It is the Department's policy to facilitate public access to all public records that may be disclosed in accordance with R.I. Gen. Laws § 38-2-1, et seq. It is also the policy of the Department to make all public records in the Department's possession available for public inspection and copying, consistent with applicable state or federal law, unless otherwise prohibited by a court of competent jurisdiction.

**Section 4**     *Procedures for Requesting Documents or Records Maintained by the Department of Administration*

- A.     As stated in RIGL section 38-2-3 (a), a written request for public information need not be submitted for records available pursuant to RIGL section 42-35-2 or for those documents that are prepared for or readily available to the public. Documents that are readily available for distribution or inspection may be reviewed at Department offices on weekdays between the hours of 8:30 AM and 3:30 PM. If a person has any questions about the availability of these documents, the person should contact the office/division within the Department where the documents are maintained. For contact information, go to the Department's website at <http://www.admin.ri.gov>
  
- B.     For records that are maintained by the Department of Administration's Division of Purchases, the Requestor may utilize the form attached as Appendix A. A request for procurement records shall be directed to:

Division of Purchases  
One Capitol Hill, 2<sup>nd</sup> Fl.  
Providence, Rhode Island 02908

The fax number is 401-574-8387 and the telephone number is 401-574-8387. Individuals or entities making a request for procurement records, may want to check the Division of Purchases' website at [www.purchasing.ri.gov](http://www.purchasing.ri.gov) to check the status of a solicitation, because certain procurement records (i.e. proposals, etc.) may not be available until the specific solicitation has been awarded.

- C.     For other Department records that are not readily available to the public, Requestors are asked to complete a Request Form that is attached as Appendix B. In order to assure that requests are promptly processed, it is requested that Request Forms are submitted to the Associate Director for Division of Legal Services, who is the Public Records Officer for the Department of Administration. Completed Request Forms should be mailed or faxed to the Public Records Officer at the Division of Legal Services, Department of Administration, One Capitol Hill, Providence, Rhode Island 02908. The telephone number is 401-222-8880 and the fax number is 401-222-8244.
  
- D.     The Access to Public Records Act allows a public body ten (10) business days to respond to a records request. If a public body is unable to respond to the request within ten (10) business days of receipt, the public body may have up to an additional twenty (20) business days to respond, if it demonstrates pursuant to RIGL subsection 38-2-3 as amended that additional time is necessary.

- E. Depending on the volume of records requested, the Department or Division of Purchases may send a letter to Requestor with estimated costs and fees in accordance with RIGL 38-2-4 and require prepayment or a deposit before completing the request. If the Requestor fails to provide payment, the Records will not be provided. Otherwise, the Department or Division will notify the Requestor that the records are available upon receipt of any applicable costs.
- F. Department personnel or, where applicable an outside copy service, will make copies of the available requested records. The Department does not have a copy machine available for use by the public to make copies.
- G. In responding to a request for records, the Department or the Division of Purchases may utilize the form attached hereto as Appendix C (“Response to Request to Inspect and/or Copy Public Records”) to respond to a request, but is not required to do so. In some instances it may be appropriate for the Department or the Division of Purchases to respond by letter to the requester, setting forth such additional information as deemed appropriate under the circumstances.

**Section 5**      **Hours of Inspections**

In the event that a Requestor wishes to inspect Department or Division of Purchases records and does not wish to be provided with copies, the Department or Division will send instructions to set up an appointment for a time to inspect at the Department or the Division’s requested records that are not otherwise exempt from public disclosure.

In accordance with RIGL 38-2-3(f), as amended, if a public record is in active use or in storage and, therefore not available at the time the individual or entity requests access, the Department or Division of Purchases will inform the Requestor and make an appointment to examine such records as expeditiously as they may be made available. After the person is advised that the records are available, he/she can make an appointment to inspect the records at the Department or the Division between the hours of 8:30 a.m. and 3:30 p.m. Monday through Friday by calling 401-222-8880 for the Department, or by calling (401) 574-8100 for the Division of Purchases.

The time period within which for the Department shall respond to requests to inspect public records is the same as the time period applicable to responding to requests for copies of public records, as set forth above in Section (4D) above.

**Section 6**      **Fees**

- A. Official publications which the Department prepares in the discharge of its duties to inform the public on matters of public interest will be furnished free of charge when available. The Department will supply one (1) copy of any of its Rules and Regulations to an individual requesting them free of charge. Rules and Regulations of the Department are on file at the Office of the Secretary of State and certified copies thereof may be obtained from that office. Rules and Regulations of the Department are also available online from the Secretary of State's website as well as the Department's website.
- B. Consistent with applicable state law, the Department charges a fee for copying and/or search and retrieval of requested documents. The Department charges \$0.15 per copied page; provided however, if the response to the request consists of ten (10) or fewer copied pages, no fee will be charged. If the response to the request consists of more than ten (10) copied pages, there will be a charge of \$0.15 for each page. The Department will charge \$15.00 per hour for the search and retrieval time required to respond to a request, whether the request seeks copies of records or seeks to inspect records; provided however, there is no charge for the first hour of search and retrieval time. Additionally, the Department will charge for the actual costs for providing electronic records.
- C. Upon request, the Department will provide the requester with an estimate of the copying costs and search and retrieval costs prior to responding to the request. The Department however, will charge the actual fees for the number of copies and the actual cost for search and retrieval time if those are more or less than estimated. The Department reserves the right to require a deposit of the estimated costs if the estimated costs are \$50.00 or more.
- D. The cost of copying and search and retrieval as provided in subsection (4E) above must be paid in advance in order to complete the request.

**Section 7**      **Supervision of Inspections**

- A. No records shall be removed from the location of inspection by the Requestor. The inspection of public records must be accomplished in a manner which will provide for general supervision by authorized Department staff. This is necessary to prevent the misplacement or unauthorized removal of records or any other action which may impair the integrity of public records.

- B. Personnel in charge of the Division having possession of the public record requested shall have overall responsibility for the security of the public record. However, the individual in charge of that Division may designate a staff member(s) to assist in the search, retrieval, and copying of public records.
  
- C. Department personnel having any questions regarding the procedures to be followed should direct inquiries to:
  - 1. The person in charge of the Division or unit within the Department responsible for the activity/function to which the public record being requested relates; or
  - 2. In the event that the public record cannot be readily categorized as falling under the responsibility of a specific Division or unit within the Department, the request should be directed to the Department's Public Records Officer.

# Appendix A

## Request to Inspect and/or Copy Public Records **Access to Public Records**

State of Rhode Island, Department of Administration  
Division of Purchases

One Capitol Hill, Providence Rhode Island, 02908

[www.purchasing.ri.gov](http://www.purchasing.ri.gov)

Tel: (401) 574-8100

Fax: (401) 574-8387

### **Pursuant to Chapter 38-2 entitled "Access to Public Records"**

A request for public records need not be made on this form and may be made verbally, as long as the request is otherwise readily identifiable as a request for public records. In making a records request, a person is not required to provide personally identifiable information about him/herself. Copies of this form may be obtained at Division of Purchases or at [www.purchasing.ri.gov](http://www.purchasing.ri.gov).

Request to inspect: \_\_\_\_\_ Request to Obtain Copies: \_\_\_\_\_

#### **REQUESTOR'S INFORMATION:**

REQUESTOR: \_\_\_\_\_

NAME OF BUSINESS: \_\_\_\_\_

STREET ADDRESS: \_\_\_\_\_

CITY, STATE & ZIP CODE: \_\_\_\_\_

TELEPHONE NO: \_\_\_\_\_

FAX NO: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

#### **RECORDS REQUESTED:**

Title/Document ID # (Insert Bid/RFP Number, Purchase Order Number, etc.):

\_\_\_\_\_

Description of records requested. If you need more space, attach a separate sheet to this form.

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

FORMAT REQUESTED: \_\_\_\_\_ Paper \_\_\_\_\_ Fax \_\_\_\_\_ Electronic \_\_\_\_\_

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SIGNATURE OF REQUESTOR: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

DATE: \_\_\_\_\_

# Appendix B



## **Request to Inspect and/or Copy Public Records Pursuant to Chapter 38-2 entitled "Access to Public Records"**

Department of Administration, One Capitol Hill, Providence, Rhode Island 02908

Tel: (401) 222-8880

Fax: (401) 222-8244

A request for public records need not be made on this form and may be made verbally, as long as the request is otherwise readily identifiable as a request for public records. In making a records request, a person is not required to provide personally identifiable information about him/herself.

Request to Inspect Records: \_\_\_\_\_ Request to Obtain Copies: \_\_\_\_\_

### **REQUESTOR'S INFORMATION**

NAME OF REQUESTOR: \_\_\_\_\_

NAME OF BUSINESS (if applicable): \_\_\_\_\_

STREET ADDRESS: \_\_\_\_\_

CITY, STATE & ZIP CODE: \_\_\_\_\_

TELEPHONE NO: \_\_\_\_\_

FAX NO: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

### **RECORDS REQUESTED:**

Title and Identification Number of record(s) requested (if known)

\_\_\_\_\_

If above information not known, provide a description of the records requested. If more space is needed, please attach a separate sheet to this form.

\_\_\_\_\_

\_\_\_\_\_

Please state the name and title of person within the Department having possession of records, if known.

\_\_\_\_\_

(Note: The Department reserves its right to claim that records are exempt from disclosure, as stated in the Access to Public Records Act. If the Department so claims, you will be notified in writing.)

**FORMAT REQUESTED:** \_\_\_\_\_ Paper \_\_\_\_\_ Fax \_\_\_\_\_ Electronic attachment

SIGNATURE OF REQUESTOR: \_\_\_\_\_

PRINTED NAME: \_\_\_\_\_

DATE: \_\_\_\_\_



Appendix C

RESPONSE TO REQUEST TO INSPECT AND/OR COPY PUBLIC RECORDS OF THE DEPARTMENT OF ADMINISTRATION "Department" PURSUANT TO R.I. Gen. Laws § 38-2-1 et seq.

Dear \_\_\_\_\_:

On \_\_\_\_\_ the Department/Division received your Request to Inspect and/or Copy Public Records Pursuant to R.I. Gen. Laws § 38-2-1 et seq. A copy of your request is attached.

A. RESPONSE TO REQUEST:

- GRANTED
DENIED/DENIED IN PART because the following record(s) which were requested are exempt from disclosure pursuant to the following provisions of law:
This Department does not have or maintain the requested records.

B. PROCEDURE TO INSPECT/OBTAIN COPIES OF PUBLIC RECORDS BEING RELEASED PURSUANT TO SECTION A ABOVE:

- A copy of the requested records will be mailed to you (or you may call to make an appointment to pick up the records during the Department's normal business hours) upon the Department's receipt of payment of \$ \_\_\_\_\_ representing the copying costs i.e. \$ \_\_\_\_\_ and/or search and retrieval fees i.e. \$ \_\_\_\_\_ pursuant to R.I. Gen. Laws § 38-2-4. Please forward payment to the address listed below.
A copy of the requested records is enclosed. (Because the number of copied pages was ten (10) or fewer pages and there were no search and/or retrieval fees, there were no fees associated with the Department's/Division's response to your request.)
The requested records are available for inspection in the \_\_\_\_\_ Division of the Department between the hours of 8:30 a.m. and 3:30 p.m. Monday through Friday, at the address specified below. Please call to arrange an appointment. The search and retrieval costs associated with the request to inspect is \$ \_\_\_\_\_. That amount is payable at the time of the appointment to inspect the records.
Not Applicable.

C. If your request, or any part thereof, is denied, you have the right to appeal to the Department's chief administrative officer. If your appeal is denied, you have the right to appeal to the Attorney General or the Superior Court.

DATED: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

Checks should be made out to "General Treasurer, State of Rhode Island". Mail or hand deliver Checks to:

Department of Administration
\_\_\_\_\_ Division
One Capitol Hill
Providence, Rhode Island 02908

# Department of Business Regulation

Accept APRA requests by email? Yes

Email address: [directorsofficeinquiry@dbr.ri.gov](mailto:directorsofficeinquiry@dbr.ri.gov)

Accept APRA requests by fax? Yes

Fax number: (401) 462-9532

Mailing address:

Public Records Officer  
Department of Business Regulation  
1511 Pontiac Avenue  
Cranston, Rhode Island 02920

Telephone number: (401) 462-9532

APRA procedures online? Yes

APRA procedures URL: <http://www.dbr.ri.gov/publicrecords/>

**State of Rhode Island and Providence Plantations  
DEPARTMENT OF BUSINESS REGULATION  
1511 Pontiac Avenue  
Cranston, RI 02920**

**CENTRAL MANAGEMENT REGULATION 1**

**ACCESS TO PUBLIC RECORDS**

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**Section 1**     *Authority*

This Regulation is promulgated in accordance with R.I. Gen. Laws §§ 38-2-3 and 42-14-17.

**Section 2**     *Purposes*

To provide procedures for public record access.

**Section 3**     *Policy*

It is the policy of the Department that all files and records of the Department that are required to be disclosed by state or federal law, or otherwise ordered by a court of competent jurisdiction are available for public inspection and copying. The Department shall not disclose files or records that are (1) prohibited from disclosure by any state or federal law, or (2) otherwise prohibited by order of a court of competent jurisdiction. Records that are not deemed public under R.I. Gen. Laws § 38-2-1 *et seq.* shall not be disclosed by Department employees without the express written approval of the Director of the Department.

**Section 4**     *Procedure for Requesting Public Records*

(1) A person requesting inspection or copying of public records shall contact the Department of Business Regulation by email, regular mail or facsimile with the request. The Department's preferred method of communication is email but all other forms will be accepted. The request should indicate:

- A. A complete description of the records sought in a manner that will permit their identification and location by Department personnel.
- B. The method by which the requestor would like delivery of the response. Please include all information necessary for the Department to make that communication (e.g. email address, facsimile number or street address).

(2) If making the request by

- A. Email - the request should be sent to one of the following email addresses:

Insurance Division - [insuranceinquiry@dbr.ri.gov](mailto:insuranceinquiry@dbr.ri.gov)

Banking Division – [bankinquiry@dbr.ri.gov](mailto:bankinquiry@dbr.ri.gov)

Securities Division – [securitiesinquiry@dbr.ri.gov](mailto:securitiesinquiry@dbr.ri.gov)

Racing & Athletics – [racingathleticsinquiry@dbr.ri.gov](mailto:racingathleticsinquiry@dbr.ri.gov)

Commercial Licensing – [commerciallicensinginquiry@dbr.ri.gov](mailto:commerciallicensinginquiry@dbr.ri.gov)

All other Divisions - [directorsofficeinquiry@dbr.ri.gov](mailto:directorsofficeinquiry@dbr.ri.gov)

- B. Facsimile - the request should be sent to one of the following numbers:

Insurance Division - (401) 462 9602

Banking Division – (401) 462 9532

Securities, Commercial Licensing and Racing & Athletics Divisions – (401) 462 9645

All other Divisions - (401) 462 9532

- C. Regular mail - the request should be sent to:

Public Records Officer  
Department of Business Regulation  
1511 Pontiac Avenue  
Cranston, Rhode Island 02920

(3) The Department will provide a form on its website in the format attached hereto as a template for information which would be sufficient to allow it to determine whether the records are available or to provide the records in the method selected by the requestor. This form is to be used only for guidance and is not required in order to make a public records request.

(4) Within ten (10) business days of the request the Department will respond in the mode requested by the requestor or if no manner is specified by the mode in which the request was received, with one or more of the following:

- A. That the Requestor should contact the Department to schedule an appointment to inspect the records.
- B. A copy of the documents requested;
- C. A response that the documents do not exist or are not within the custody or control of the Department;
- D. A response that the documents are not “public documents” as defined by R.I. Gen. Laws § 38-2-2 and a description of the procedures for appealing that denial;
- E. A response that the description of records sought in the request is not sufficient to allow the Department to identify and locate the requested records;
- F. A response that the documents are being produced in a redacted fashion in accordance with R.I. Gen. Laws § 38-2-2.
- G. A response that the records will be produced upon receipt of payment for an amount calculated in accordance with R.I. Gen. Laws §§ 38-2-3(k) and 38-2-4. The estimated amount owed will be set forth and the records will be produced after payment is received.

(5) Should it appear that the request cannot be honored within ten (10) business days the Department will respond indicating that additional time is needed and specifying the reason for that additional time up to an additional twenty (20) business days.

## **Section 5**     *Fees*

(1) The Department shall charge a fee for copying and/or search and retrieval of requested documents consistent with applicable state law.

(2) All persons requesting delivery of records shall be responsible for the actual cost of delivery.

(3) All payments for copies of records shall be paid in advance of delivery, or, at the option of the Department, at such later time as the Department may specify. All checks shall be payable to the General Treasurer, State of Rhode Island.

## **Section 6**     *Subpoenas*

Subpoenas issued pursuant to the rules of any Court will be addressed in accordance with those rules. This regulation does not apply to such subpoenas.

**Section 7**     *Severability*

If any provision of these Rules and Regulations or the application thereof to any person or circumstances shall be held invalid, such invalidity shall not affect the provisions or application of the rules and regulations which can be given effect, and to this end the provisions of these rules and regulations are declared to be severable.

**Section 8**     *Effective Date*

This regulation is effective as indicated below.

EFFECTIVE DATE: July 1, 1985  
AMENDED:            January 25, 1999  
                          January 2, 2000  
REFILED:             December 27, 2001  
AMENDED:            April 8, 2003  
                          January 22, 2013

**REQUEST TO INSPECT AND/OR COPY PUBLIC RECORDS  
OF THE DEPARTMENT OF BUSINESS REGULATION**

**Public Information Officer  
Rhode Island Department of Business Regulation  
1511 Pontiac Ave  
Cranston, RI 02920**

Name: \_\_\_\_\_

Telephone Number of Requesting Party: \_\_\_\_\_

Requested Manner of Deliver of Public Records:

EMAIL       FAX       REGULAR MAIL

Delivery Email, Fax Number, or Address: \_\_\_\_\_

Title and/or Description of Document(s) Requested to be Inspected  and/or Copied  :

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Name and Title of Person in Department Having Custody of Document(s), if known:

\_\_\_\_\_

**This form is optional.**

**Records may be requested in any manner that is readily  
identifiable as a request for public records.**

# Department of Corrections

Accept APRA requests by email? Yes

Email address: [legal@doc.ri.gov](mailto:legal@doc.ri.gov)

Accept APRA requests by fax? Yes

Fax number: (401) 462-2583

Mailing address:

Executive Counsel  
Office of Legal Counsel  
Administration A Building  
40 Howard Ave.  
Cranston, RI 02920

Telephone number: (401) 462-2622

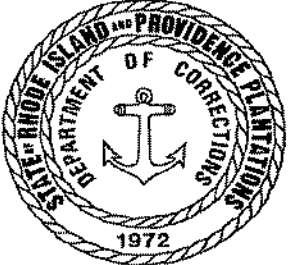

APRA procedures online? Yes

APRA procedures URL:

<http://www.doc.ri.gov/documents/administration/policy/Added%20in%208-12/1.07-5%20Public%20Access%20to%20Departmental%20Records%20-%20Inmate-Offender%20Information.pdf>



# RHODE ISLAND DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE

	<b>POLICY NUMBER:</b> 1.07-6 DOC	<b>EFFECTIVE DATE:</b> 12/17/12	<b>PAGE 1 OF 12</b>
	<b>SUPERCEDES:</b> 1.07-5 DOC	<b>DIRECTOR:</b> <span style="float: right;">Please use BLUE ink.</span> 	
<b>SECTION:</b> GENERAL ADMINISTRATION		<b>SUBJECT:</b> PUBLIC ACCESS TO DEPARTMENTAL RECORDS--INMATE/OFFENDER INFORMATION	
<b>AUTHORITY:</b> Rhode Island General Laws (RIGL) § 42-56-10 (22), Powers of the director; § 38-2-1 et seq., Access to public records			
<b>REFERENCES:</b> ACA Standards 4-4021, Dissemination of public information; 4-4099, Confidentiality of offender's status; RIDOC Policies 1.06 DOC, Public Information/Media Access; 1.09-9 DOC, Policy and Procedure Administration; 5.05-4 DOC, Inmate Access to Permanent Case Records Information; 18.59-5 DOC, Confidentiality of Medical Information; 28.22-2 DOC, Probation and Parole Case Management; Rhode Island General Laws (RIGL) § 42-35-2, Public information - Adoption of rules - Availability of rules and orders; 42 United States Code 290 dd-3 and ee-3, and 42 CFR Part 2, Confidentiality of Alcohol and Other Drug Records; Center for Substance Abuse Treatment, Combining Substance Abuse Treatment with Intermediate Sanctions for Adults in the Criminal Justice System (Treatment Improvement Protocol Series); Health Insurance Portability and Accountability Act (HIPAA) of 1996; Jefferson v. Moran, C.A. 85-5003			
<b>INMATE / PUBLIC ACCESS?</b>		<b>X YES</b>	
<b>AVAILABLE IN SPANISH?</b>		<b>X NO</b>	

I. PURPOSE:

This policy is intended to:

- A. Be consistent with the Rhode Island Access to Public Records Act, RIGL § 38-2-1 et seq. by:
  - 1. Recognizing the public's right to access records as well as the individual's right to dignity and privacy.

2. facilitating public access to Departmental records which pertain to the policy-making functions of the Department and/or are relevant to the public health, safety, and welfare, by providing staff and the public with guidelines and procedures for public records access;
  3. protecting disclosure of information about particular individuals maintained in the files of the Department when disclosure would constitute an unwarranted invasion of personal privacy.
- B. Provide guidelines for employees, especially those within the Records and Identification (ID) Units, for responding to verbal requests for inmate/offender information (most commonly in response to telephone inquiries).

## II. POLICY:

- A. The Rhode Island Department of Corrections (RIDOC) is an agency subject to all the provisions of the Rhode Island Access to Public Records Act, RIGL § 38-2-1 et seq.
- B. Public records of RIDOC's administrative offices, facilities, home confinement and probation and parole units will be made available for:
1. inspection and/or copying of records by requesting parties during regular business hours; or
  2. appropriate transmittal.
- C. RIDOC releases select inmate/offender information to the public (including members of the news media, legislators, and other interested groups and individuals). For further information please refer to 1.06 DOC, Public Information/Media Access, or a successive policy.
- D. While most historical and statistical inmate/offender data collected and maintained by RIDOC is deemed public information, the confidentiality of certain information regarding inmates/offenders and staff is protected by law. The release of confidential health care information requires the use of a signed Authorization to Release Health Care Information form.

NOTE: The release of information contained in inmate/offender medical records is addressed in policy 18.59-5 DOC, Confidentiality of Medical Information, or a successive policy. The Authorization to Release Health Care Information form may be found in 18.59-5 DOC at Attachment A.

- E. Only the Corrections Director and the designated Chief of Information and Public Relations (or other individual designated by the Director) may disseminate information to news media representatives.

The executive committees of bargaining units are permitted to speak to the media about legitimate union business or matters which relate to collective bargaining or contract administration.

### III. PROCEDURES:

#### A. Definitions

1. **Inmate/Offender information** refers to information regarding current or past inmates/offenders that is generally relayed verbally;
2. Section 4 of the Rhode Island Access to Public Records Act (RIGL § 38-2-2) specifies records which, for the purposes of that chapter are public and not public;
3. **Public record(s)** means all:
  - a. documents,
  - b. papers,
  - c. letters,
  - d. maps,
  - e. books,
  - f. tapes,
  - g. photographs,
  - h. films,
  - i. sound recordings,
  - j. magnetic or other tapes,
  - k. electronic data processing records,
  - l. computer stored data (including electronic mail messages, except specifically for any electronic mail messages of or to elected officials with or relating to those they represent and correspondence of or to elected officials in their official capacities), or
  - m. other material regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business.

4. Records which are not deemed public records and relate specifically to RIDOC are:

a. All records relating to a:

- (1) client/attorney relationship,
- (2) patient/doctor relationship including all medical information relating to an individual in any files
- (3) personnel and other personal individually identifiable records otherwise deemed confidential by federal or state law or regulation, or the disclosure of which would constitute a clearly unwarranted invasion of personal privacy pursuant to 5 U.S.C. 552 et seq.

However with respect to employees, and employers of contractors and subcontractors working on public works projects which are required to be listed as certified payrolls, **the following information is public:**

- (a) name
- (b) gross salary
- (c) salary range
- (d) total cost of fringe benefits
- (e) gross amount received in overtime and other remuneration in addition to salary (see definition of remuneration below)
- (f) job title
- (g) job description
- (h) dates of employment
- (i) prior positions held with the state or municipalities
- (j) positions held with the public contractor or subcontractor on public works projects
- (k) employment contracts
- (l) work location
- (m) project and/or project location
- (n) business telephone number
- (o) city or town of residence unless disclosure is determined to be an unwarranted invasion of privacy
- (p) date of termination

**NOTE:** Remuneration includes any payment received by an employee as a result of termination, or

otherwise leaving employment, including, but not limited to, payments for accrued sick and/or vacation time, severance pay, or compensation paid pursuant to a contract buy-out provision.

- b. All records maintained by RIDOC for purposes of enforcing criminal laws or to investigate possible violations of statute, rule or regulation, but only to the extent that the disclosure of the records or information:
- (1) could reasonably be expected to interfere with investigations of criminal activity or with enforcement proceedings;
  - (2) would deprive a person of a right to a fair trial or an impartial adjudication;
  - (3) could reasonably be expected to constitute an unwarranted invasion of personal privacy;
  - (4) could reasonably be expected to disclose the identity of a confidential source, including a state, local, or foreign agency or authority, or any private institution which furnished information on a confidential basis, or the information furnished by a confidential source;
  - (5) would disclose techniques, procedures and/or guidelines for law enforcement investigations or prosecutions; or
  - (6) could reasonably be expected to endanger the life or physical safety of any individual;
  - (7) **however**, records relating to management and direction of a law enforcement agency and records reflecting the initial arrest of an adult and the charge or charges brought against an adult shall be public.
- c. Any records which would not be available by law or rule of court to an opposing party in litigation.
- d. Reports and statements of strategy or negotiation involving labor negotiations or collective bargaining.

- 
- e. Preliminary drafts, notes, impressions, memoranda, working papers, and work products; provided, however, any RIDOC documents submitted at a public meeting shall be deemed public.
  - f. Test questions, scoring keys, and other examination data used to administer an examination for employment or promotion, or academic examinations; provided, however, that a person shall have the right to review the results of his/her examination(s).
  - g. All investigatory records of RIDOC pertaining to possible violations of statute, rule, or regulation other than records of final actions taken provided that all records prior to formal notification of violations or noncompliance shall not be deemed to be public.
  - h. Records, reports, opinions, information and statements required to be kept confidential by federal or state law or regulation or state law, or rule of court.
    - (1) Blueprints, maps, floor plans, and layouts of any RIDOC building which would compromise facility safety and/or security, unless approved by the Director/designee for appropriate and lawful purposes (i.e., maintenance and repairs, fire and environmental safety, etc.).
    - (2) Any record or document which, if disclosed either directly or indirectly to incarcerated persons, would jeopardize the security of the institution(s) or the safety of any person and/or hinder the progress of an individual's treatment or rehabilitative program.
  - i. Printouts from telecommunication devices for the deaf or hearing and speech impaired.
  - j. All other specifically exempt records as described in RIGL, § 38-2-1 et seq.
- B. Inmate/Offender Information – After determination and decision from the Office of Legal Counsel, the Records and ID Unit Supervisor or designee may disclose the following information regarding inmates/offenders in response to inquiries from the general public.
- 1. Inmate/Offender's name

- 
2. Inmate/Offender's age (but not date of birth)
  3. Inmate/Offender's last known city or town of residence (but not street address)
  4. Record of incarceration, to include any/all information concerning dates of incarceration (present and prior)
  5. Court of jurisdiction
  6. Parole eligibility date
  7. Probation dates
  8. Assigned facility (if currently incarcerated)
  9. Discipline status and number of previous disciplines
  10. Community Confinement dates

C. Limitations--Inmate/Offender Information

1. No information relating to inmates/offenders is released that:
  - a. may pose a risk to facility or public safety; or
  - b. contains the opinions and/or recommendations of members of established facility boards and/or committees (including, but not limited to Classification and Disciplinary Boards) and/or may compromise the personal or official discretion of any member;
  - c. contains medical/psychological test results, reports, and/or information (See 18.59-5 DOC, Confidentiality of Medical Information, or a successive policy.);
2. No photographs of Awaiting Trial inmates/offenders are released unless authorized by the Director.
3. An attorney of record may request, in writing on professional letterhead, a printout from INFACTS of the "Events" screen or a list of disciplines.

4. A former inmate/offender requesting a printout from INFACETS must submit a request which has been notarized attesting to the identity of the requestor.

D. Location of Public Records

The location of any records which the public may inspect is left to the discretion of the Director/designee.

E. Requests to Inspect Records and Appeal Process

1. Requests to RIDOC for public records may be made in writing or via e-mail.
2. All requests for access to public records shall be referred by the administrator or Chief of Information and Public Relations to the Office of Legal Counsel for determination and decision.

The Office of Legal Counsel shall maintain a record of all requests, inspections and transmittals of records, (i.e., a log – see sample at Attachment 1) including the proper receipting for any funds received in payment for reproducing copies.

**NOTE:** The Office of Legal Counsel may assign the actual search/retrieval/copying of the records to the administrator of the unit possessing the records.

3. Requests to inspect records which are not clearly defined as public records or as exempt records will also be referred to the Office of Legal Counsel for determination and decision.
4. If a record is not made available for inspection, the requesting party will be notified by the Office of Legal Counsel of the reason(s) for denial within ten (10) business days of receiving the request. Failure to respond to a request within the ten (10) days from receipt of the request is deemed a denial of the request.
5. For good cause, RIDOC may request an extension of time of up to thirty (30) business days from the date of receipt of the request to comply with or deny a request.
6. The requesting party will be informed that s/he may appeal a denial to the Director of Corrections.



- a. If the Director approves the record's disclosure to the requesting party, the Executive Counsel will arrange production of the requested information or for a time and place for the inspection of the record.
- b. If an appeal is made to the Director and a denial is upheld, the appellant (requesting party), will be informed of the reason(s) within ten (10) business days after the submission of the review petition.

If the Director denies the appeal, s/he informs the requesting party that they may file a complaint with the Attorney General, pursuant to RIGL § 38-2-8(b).

7. RIDOC is not required to reorganize, consolidate or compile data not maintained in the form requested at the time the request is made except to the extent such records are in an electronic format and RIDOC would be not unduly burdened in providing the data.

F. Security of Records

Without regard for the location(s) selected for the public's inspection of records, the inspection will be accomplished in a manner which will provide for general supervision by authorized staff. This is necessary to prevent the unauthorized removal of records or other actions which would destroy the completeness and integrity of records.

1. The administrator responsible for the activity/function related to the public record shall have overall responsibility for the security of the public record.
2. The administrator may designate a staff member to coordinate the functions and responsibilities for the public's inspection (or transmittal) of records.
3. All personnel assigned to positions which meet and greet the public shall be made aware of the procedures established for public inspection of records and should direct inquiries to:
  - a. The administrator of the activity/function to which the public record requested relates; or
  - b. In the event that the public record cannot be categorized as falling under a specific administrator's responsibility, the inquirer will be directed to the office of the Chief of Information and Public Relations

who will serve as a resource in matters relating to the public's inspection of records.

G. Charges

1. Photocopies/Hard Copies

Upon determination by the Office of Legal Counsel, a copy of the public record or any portions thereof will be provided to a member of the public upon payment for reproducing/printing the desired material.

- a. The Office of Legal Counsel shall provide the requesting party an estimate of the costs of a request for documents. The Office of Legal Counsel shall relay this information to the requesting party prior to RIDOC's making/providing the copies.
- b. The cost per copied/printed page of written documents shall not exceed fifteen cents (\$.15) per page for documents copied/printed on common business or legal size paper.
- c. The requesting party shall be given the option of receiving the documents via e-mail. In this instance, the documents shall be scanned into a PDF document and e-mailed to the requestor at no charge. However, requests may incur a separate search and retrieval charge.

E-mail transmissions shall represent the receipt of production.

2. Search and Retrieval

A reasonable charge may be made for the copying, search or retrieval of documents.

- a. Hourly costs for a search and retrieval shall not exceed fifteen dollars (\$15) per hour, and no costs shall be charged for the first one (1) hour of a search and retrieval. However, multiple requests from a person or entity to the same public body within a thirty (30) day time period shall be considered one (1) request.
- b. RIDOC may charge for retrieval of records from storage where the Department is assessed a retrieval fee.

- c. Upon request, RIDOC shall provide a detailed itemization of the costs charged for search and retrieval.
3. RIDOC may not impose charges for activities such as staff time spent copying the documents or supervising individuals who are inspecting records.
4. The Department will not charge the following individuals/agencies for search, retrieval, and/or photocopies of public records/documents:
  - a. other correctional agencies (jails, departments of corrections, day reporting centers, transitional houses, etc.);
  - b. local, state, and federal governmental agencies; and
  - c. law enforcement agencies.
5. A request is not deemed untimely where RIDOC is awaiting receipt of payment of costs incurred for copying, searching and/or retrieval of documents.

#### H. Payment

1. The Office of Legal Counsel shall accept payment via:
  - a. Cash;
  - b. Personal check;
  - c. Bank check; or
  - d. Money order.
2. Checks should be made payable to the "State of Rhode Island".
3. The Office of Legal Counsel shall forward all payments to RIDOC's Business Office.

#### I. Records of Inspections and Transmittals of Public Records

1. It is necessary for the Office of Legal Counsel to make and retain a permanent record (i.e., a log -- see sample at Attachment 1) of all

inspections and transmittals of records by the public, including proper receipting for any funds received in payment for reproducing copies.

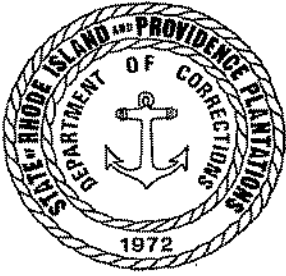
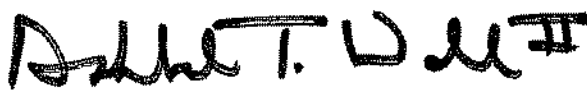
2. Policy 1.09-9 DOC, Policy and Procedure Administration (or a successive policy) addresses public access to RIDOC's policies.

J. Annual Report

As of January 1, 2013, and annually thereafter, the Director of the Department of Corrections/designee shall provide to the Attorney General in writing that officers and employees having authority to grant or deny persons or entities access to records have been provided orientation and training regarding requests for public records.




# RHODE ISLAND DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE

	<b>POLICY NUMBER:</b> 1.06 DOC	<b>EFFECTIVE DATE:</b> 02/18/2008	<b>PAGE 1 OF 10</b>
	<b>SUPERCEDES:</b> 1.03.01-2	<b>DIRECTOR:</b> <span style="float: right;">Please use BLUE ink.</span> 	
<b>SECTION:</b> GENERAL ADMINISTRATION		<b>SUBJECT:</b> PUBLIC INFORMATION / MEDIA ACCESS	
<b>AUTHORITY:</b> Rhode Island General Laws (RIGL) § 42-56-10 (22), Powers of the director; § 38-2-2, Access to public records			
<b>REFERENCES:</b> ACA Standards 34020 (prompt response; regard to privacy); 3-4021 (public info. program); 3-4021-1 (events notification - emergencies & non-emergencies); 3-4022 (media access to facilities); RIDOC policy # 1.07-3 DOC; Public Access to Departmental Records/Inmate Information (or successive policy), RIDOC policy # 3.14-1 DOC, Code of Ethics and Conduct (or successive policy); RIDOC policy # 24.03-3, Visits (or successive policy), RIGL § 13-11-1 through 13-11-3, Intergovernmental Agreement for the Implementation of the Interstate Corrections Compact; RIGL § 11-25-14			
<b>INMATE / PUBLIC ACCESS?</b>		<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO
<b>AVAILABLE IN SPANISH?</b>		<input type="checkbox"/> YES	<input checked="" type="checkbox"/> NO

**I. PURPOSE:**

To establish Departmental rules and regulations for access by representatives of the news media to the state's correctional facilities as well as to establish rules for the dissemination of information to the public and the media.

**RECEIVED**  
  
 JAN 25 2008  
 RI SECRETARY OF STATE  
 ADMINISTRATIVE RECORDS

II. POLICY:

It is the policy of the Rhode Island Department of Corrections (RIDOC) to maintain open communications with the public, news media, legislature, and other interested groups and individuals. The Department produces, maintains, and disseminates information to the public concerning its operations, programs, and services. The Department provides inmates with avenues to communicate with representatives of the media when appropriate. Access to RIDOC facilities may be limited to minimize the risk to security, protect the safety of individuals, and assure privacy interests protected by law. RIDOC encourages media reports to be sensitive to the feelings and needs of crime victims.

III. PROCEDURES:

The following procedures delineate the method to be used in expediting the dissemination of public information to representatives of the media:

A. Staff or Employee Contact with the Media

Unless the Director designates otherwise, only the Director or the Chief of Information and Public Relations provides official information to the media regarding staff, the inmate population, or Departmental activities and programs. No employee is authorized to make statements to the media which jeopardize the security of Departmental operations.

Confidential and privileged information (the disclosure of which would violate federal or state confidentiality laws, endanger facility security, or constitute an unwarranted invasion of personal privacy) is not disclosed to the media, the public, or other agencies.

All RIDOC personnel and all persons under contract for services to RIDOC channel all information requests through the Director's Office via the Chief of Information and Public Relations. Employees are encouraged to cooperate with appropriate media requests when they have been deemed the subject matter expert(s) in a particular area by the Director or the Chief of Information and Public Relations, provided such communication first goes through the Director's Office, via the Chief of Information and Public Relations. Representatives of the media are discouraged from contacting RIDOC employees directly other than the Chief of Information and Public Relations. The Chief of Information and Public Relations, in consultation with the Director, makes arrangements with the appropriate subject matter

expert(s) within RIDOC staff in order to facilitate the media request so long as it does not jeopardize the security of Departmental operations.

The executive committees of bargaining units are permitted to speak to the media about legitimate union business or matters which relate to collective bargaining or contract administration.

B. Dissemination of Employee Information

The Director or Chief of Information and Public Relations provides the news media with the following information relative to RIDOC employees, past and present, in accordance with Access to Public Records, RIGL § 38-2-3. (See also, policy #1.07-3 DOC; Public Access to Departmental Records/Inmate Information, or successive policy.)

1. Employee's name;
2. Gross salary;
3. Salary range;
4. Total cost of paid fringe benefits;
5. Gross amount received in overtime and other remuneration in addition to salary;
6. Job title;
7. Job description;
8. Dates of employment and positions held with the state or municipality;
9. Work location;
10. Business telephone;
11. City or town of residence (not specific address);
12. Date of termination.



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In addition, information relative to an employee's employment status (i.e., whether the employee is actively employed, no longer employed, or on administrative leave) may be revealed.

**NOTE:** Information used to hire, evaluate, promote, or discipline any employee is not public information.

C. News Releases

All press releases to the print and electronic media are written and distributed through the Director or the Chief of Information and Public Relations.

D. Photographs and Recordings

Photographs and video recordings taken inside the perimeter of ACI facilities require advance approval by the Director or the Chief of Information and Public Relations. Requests shall be in writing whenever possible (See, Attachment 1). Requests of an emergency or imminent nature may be approved via telephone by the Director or Chief of Information and Public Relations. Identifying photographs or recordings of an inmate require the Department's and the inmate's prior written approval. (See Media Waiver Form, Attachment 2.) However, inmates need not consent to the release of their identification (ID) photos.

E. Correspondence

Inmates may correspond with representatives of the news media in accordance with the Department's Inmate Mail Policy (policy #24.01-5 DOC or successive policy).

F. News Media Visits

Media representatives' requests to visit inmates, correctional facilities, or report on RIDOC programs or activities are referred to the Director or the Chief of Information and Public Relations.

G. Information Resources

Presentation aids are developed by and made available through the Director or the Chief of Information and Public Relations. These aids include computer presentations and photographs; audio, video and/or digital recordings; periodicals, monographs, and other printed materials.

H. Internal Dissemination of Information

All Department employees respond promptly and accurately to any and all requests for information made by the Chief of Information and Public Relations. It is his/her responsibility, in consultation with the Director or

designee, to determine whether or not any parts of the information requested are not for public dissemination per this policy. No employee is to take it upon him/herself to censor the information presented to the Chief of Information and Public Relations. When asked, it is the responsibility of all staff to provide prompt and accurate information to the Chief of Information and Public Relations. The highest ranking official on duty in the facility/unit/program at the time of an incident which may be of interest to the public or the news media (including but not limited to, escapes, fires, bomb threats, assaults, job actions, employee suspensions, etc.) reports these incidents to the Chief of Information and Public Relations at the earliest possible moment.

I. Media Access to Correctional Facilities

1. Media representatives are encouraged to inquire about activities within RIDOC, to visit correctional facilities, and to report on programs and activities. The Chief of Information and Public Relations arranges for media access to correctional agencies and facilities. It is the responsibility of the Chief of Information and Public Relations to contact the appropriate facility/unit/program manager prior to arranging such access. He/she will then be able to work out an access schedule with the appropriate Assistant Director or facility/unit/program manager. This procedure insures that access is consistent with the security and daily scheduling requirements of the facility to be visited. Permission for access to a facility will not be granted until such arrangements have been made. The Chief of Information and Public Relations arranges with the facility Warden/designee for any manpower needs which may be created by the presence of a media representative. The Chief of Information and Public Relations or designee serves as an escort for all news media visits to a facility, including all filming events. If the Chief of Information and Public Relations is available, he/she will remain present during the interview between the media and the inmate to facilitate in any way possible. If a member of the media requests that the Chief of Information and Public Relations leave during the interview, the request will be granted. Media representatives will accede to the presence of security personnel as deemed necessary by the facility Warden/designee.
2. Requests to use RIDOC's facilities for filming motion pictures are coordinated through the Chief of Information and Public Relations and the state's Film & Television Office.

3. Emergency Provisions: In the event of a major emergency within a RIDOC facility, each news media representative wishing to cover the emergency shall report to the pre-designated news media briefing area. All information provided to the media during an emergency will be provided by the Chief of Information and Public Relations or designee in the news media briefing area via scheduled briefings.

NOTE: In an emergency or extended disruption of normal facility operations, the Director or the Chief of Information and Public Relations may suspend any provision or section of this policy for a specific period.

J. Inmate Information/Interviews

1. Dissemination of Inmate Information:  
The Director or Chief of Information and Public Relations may provide the news media with the following information regarding an inmate. (See also, policy #1.07-3 DOC; Public Access to Departmental Records/Inmate Information, or successive policy):
- a. Inmate's name;
  - b. Inmate's age (not specific date of birth);
  - c. Record of incarceration, including any/all information concerning dates of incarceration (present and prior);
  - d. Court of jurisdiction;
  - e. Parole eligibility date and projected release date;
  - f. Probation dates;
  - g. Placement (assigned facility);
  - h. Discipline status;
  - i. Community Confinement dates and information;
  - j. Inmate's last known city/town of residence but not the specific street address; and

- k. ID photo, sentenced inmates only (subject to the Director's approval).

NOTE: In accordance with the Confidentiality of Health Care Communications and Information Act, medical and/or psychological information is not made available to the news media. (See also, policy #18.59-3 DOC; Confidentiality of Medical Information, or successive policy.)

2. Inmate Interviews:

A personal interview may be authorized between an inmate and a representative of a news organization (a representative of public news media includes, but is not limited to, a reporter for a daily or weekly newspaper, a daily or weekly radio or television news program, and recognized general news magazines) subject to the following provisions:

- a. Requests: Routine requests for inmate interviews are directed in writing, using Attachment 1, to the Chief of Information and Public Relations. In circumstances where timeliness of reporting is a proper consideration, the written request may be sent via fax or E-mail to the Chief of Information and Public Relations. If the request is in response to a press release generated by the Chief of Information and Public Relations, a telephone request will suffice.
- b. Request Content: All requests (Attachment 1, News Media Request Form) shall include:
- (1) The name of the publication or electronic broadcast;
  - (2) The general nature of the proposed news item;
  - (3) The method of coverage and type of equipment needed for the proposed coverage; and
  - (4) All persons entering a correctional facility are subject to a security clearance (i.e., Bureau of Criminal Investigation [BCI] and National Criminal Information Center [NCIC]). If the interview will not take place inside a correctional facility, a security clearance check is not required. When practicable, the names and dates of birth of all persons requesting entrance to a facility are

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provided to the Chief of Information and Public Relations at least twenty-four (24) hours prior to the anticipated visit.

c. Procedure for Acting on Access Request: Each request for news media access to a RIDOC facility is handled by the Director or Chief of Information and Public Relations. A decision on whether to approve or deny the request is based on the following criteria:

- (1) News Organization: The request must be made by a representative of the news media meeting the definition of a news organization as defined in section III.J.2.
- (2) Law Enforcement Investigation: A print or electronic report cannot hinder a law enforcement investigation.
- (3) Awaiting Trial Inmates: If an inmate who is awaiting trial has an attorney-of-record, the Director, Chief of Information and Public Relations or Executive Legal Counsel contacts said attorney and obtains his/her approval to allow his/her client to be interviewed. If the attorney-of-record determines it is not in his/her client's best interest to be interviewed, the media's request for an interview is denied.

If a sentenced inmate has pending court charges lodged against him/her, the Director, Chief of Information and Public Relations or Executive Legal Counsel contacts the inmate's attorney-of-record and obtains his/her written approval to allow his/her client to be interviewed. If the attorney-of-record determines it is not in his/her client's best interest to be interviewed, the media's request for an interview is denied.

- (4) Sentenced Inmates: If a sentenced inmate has no pending court charges, he/she may consent or decline to be interviewed without the approval of his/her attorney-of-record. Any consent to an interview will be signed by the inmate and approved/denied by the Director or Chief of Information and Public Relations, in accordance with the provisions of this policy. (See, Attachment 2, Media Waiver Form.)

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- (5) Security and Safety: The report will not interfere, compromise, or jeopardize facility security or public safety. The Director can deny a request if it would endanger the health or safety of the interviewer, or would likely cause serious unrest or disturb the good order of the facility.
  - (6) Personnel Limitations: The number involved in the recording of electronic news reports shall normally not exceed two (2) persons, including the reporter or producer (i.e., one reporter and one camera person).
  - (7) Inmate News Conference Prohibited: Inmates are not allowed to participate in news conferences.
- d. Safety and Security: Questions that place the safety of any inmate, staff, victim or victim's family, or the correctional facility in jeopardy may not be asked or answered.
  - e. Inmates in one or more of the following categories are NOT permitted media interviews:
    - (1) Awaiting trial (except with permission of the attorney-of-record);
    - (2) Sentenced, with pending court charges (except with permission of the attorney-of-record);
    - (3) Juveniles (under age 18, awaiting trial), however, juveniles (under age 18) who are sentenced may be interviewed if they and their attorney agree to the interview;
    - (4) Physically or mentally unable (as determined by RIDOC medical staff);
    - (5) Federal detainees (except per Federal Bureau of Prison rules and regulations);
    - (6) Out-of-State, incarcerated at the ACI pursuant to the Intergovernmental Agreement for the Implementation of the Interstate Corrections Compact, RIGL §13-11-1 through 13-11-3;

- (7) Inmates in segregation (punitive or administrative);
  - (8) Or as determined by the Director or designee to represent a legitimate security risk.
- f. Interview Termination: A scheduled interview may be cancelled or an interview in progress may be terminated if the provisions of this directive are not followed or in the event of an emergency (See, policy #24.03-5 DOC, Visits, or successive policy and RIGL § 13-11-1 through 13-11-3).
- g. Compensation: An inmate is not compensated for participation in any news media interview. If an inmate is compensated, he/she is subject to disciplinary action in accordance with Department policy # 11.01-4 DOC; Code of Inmate Discipline (or successive policy) and the interviewer is subject to suspension.
- h. Work Product: Any and all interview work product (including, but not limited to, notes, recordings, photographic film and/or videotapes) is not subject to review by any correctional officer or other RIDOC employee.
- K. Exceptions  
Any exception to the procedures stated in this policy requires prior written approval from the Director.
- L. Compliance  
All facility/unit/program managers are to be familiar with the regulations contained in this policy. This policy will also be distributed upon request to members of the media and made available on the RIDOC website.

It is the responsibility of all facility/unit/program managers to insure that employees under their direction understand and comply with this policy.

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**RHODE ISLAND DEPARTMENT OF CORRECTIONS  
NEWS MEDIA REQUEST FORM**

I, \_\_\_\_\_, a representative of

\_\_\_\_\_

agree to and understand that in conducting inmate interviews at the Rhode Island Department of Corrections an inmate may decline to be interviewed notwithstanding any prior request by the inmate for an interview and that the use of audio or visual tape recording or film without written consent of an inmate may lead to civil or criminal liability or forfeiture of privileges to enter correctional facilities at the Rhode Island Department of Corrections.

Also, I agree to follow the rules and regulations governing the conduct of visitors inside a correctional facility and the Department of Corrections' Public Information/Media Access Policy and understand my failure to do so may result in forfeiture of future interviews with confined inmates. By including my date of birth below, as well as that of any camera operator who accompanies me inside the facility, I recognize that I must first pass a security clearance before being granted permission to enter the facility.

Scope of Interview: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Names of Additional Media Personnel (camera person, etc., including dates of birth):

\_\_\_\_\_  
\_\_\_\_\_

Anticipated air/print date of story: \_\_\_\_\_

Signature: \_\_\_\_\_

Date of Birth: \_\_\_\_\_

Today's Date: \_\_\_\_\_



RHODE ISLAND DEPARTMENT OF CORRECTIONS  
INMATE MEDIA WAIVER FORM

TO BE COMPLETED BY INMATE:

\_\_\_\_\_ The undersigned consents to be photographed and authorizes that any such photographs may be utilized by:

\_\_\_\_\_  
(Name of News Media Agency)  
for the aforementioned purpose.

Said photographs may include filming of any kind.

\_\_\_\_\_ The undersigned consents to be interviewed and authorizes that any such interview material may be utilized by:

\_\_\_\_\_  
(Name of News Media Agency)  
for the aforementioned purpose.

\_\_\_\_\_  
The above consent or refusal is given by me freely and voluntarily without any promises, threats, or duress.

\_\_\_\_\_  
Inmate Name / ID (printed)

\_\_\_\_\_  
Signature / Date

\_\_\_\_\_  
Facility

\_\_\_\_\_  
Witnessed by (Correctional Staff person)

Warden/Deputy Warden Recommendation (circle one):    Recommended    Not Recommended

Director's Decision (circle one):                      Approve                      Deny

\_\_\_\_\_  
Chief of Information and Public Relations / Date

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RI SECRETARY OF STATE  
ADMINISTRATIVE RECORDS

# Department of Education

Accept APRA requests by email? Yes

Email address: [elliott.krieger@ride.ri.gov](mailto:elliott.krieger@ride.ri.gov)

Accept APRA requests by fax? Yes

Fax number: (401) 222-6178

Mailing address:

255 Westminster Street  
Providence, RI 02903

Telephone number: 401-222-4600

APRA procedures online? Yes

APRA procedures URL:

<https://www.ride.ri.gov/InsideRIDE/AdditionalInformation/RequestingPublicRecords.aspx>

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
DEPARTMENT OF EDUCATION  
255 Westminster Street, Providence RI 02903  
Telephone: 401-222-4600  
Facsimile: 401-222-6178

**REQUEST FOR INSPECTION AND /OR COPY PUBLIC RECORDS  
PURSUANT TO CHAPTER 38-2 ENTITLED  
ACCESS TO PUBLIC RECORDS**

*Title 38, Chapter 2, of the Rhode Island General Laws entitled "Access to Public Records" (APRA) governs the public's access to public records. There are exceptions provided within the provisions of APRA. You are not required to provide identification or the reason for seeking the information; however, in order to facilitate the expeditious response to your request, you are asked to complete this request form. In the event your request is denied in full or in part, you may petition the Department of Education's Chief Administrative Officer for a review of the determination.*

**Request Type :**  Inspect Documents/Records  Obtain Copies of  
Documents/Records (call for hours of inspection) (cost per copy provided per RIGL 38-  
2-4)

**Requestor Information:** Name [not required]:  
Affiliation [not required]:

E-mail address:

Mailing address:

Telephone:

Fax:

**Requested records:**

**Requested format:**  Paper  Fax  E-mail\*  
\*If available

**For electronic requests and responses, please submit this form to**  
[elliott.krieger@ride.ri.gov](mailto:elliott.krieger@ride.ri.gov)

Date:

\_\_\_\_\_  
Signature or printed name [not required]

# Department of Health

Accept APRA requests by email? No

Accept APRA requests by fax? Yes

Fax number: (401) 222-1797

Mailing address:

Department of Health, Office of Legal Services  
3 Capitol Hill  
Providence, RI 02908

Telephone number: (401) 222-5960

APRA procedures online? Yes

APRA procedures URL: <http://sos.ri.gov/documents/archives/regdocs/released/pdf/DOH/7288.pdf>

**RULES AND REGULATIONS  
PERTAINING TO ACCESS TO PUBLIC RECORDS  
OF THE RHODE ISLAND DEPARTMENT OF HEALTH**

[R38-2-APRA]



STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH

**July 2013**

## **INTRODUCTION**

These *Rules and Regulations Pertaining to Access to Public Records of the Rhode Island Department of Health [R38-2-APRA]* are promulgated<sup>1</sup> pursuant to the authority set forth in Chapter 38-2 of the General Laws of Rhode Island, as amended, and establish the procedures and methods for obtaining access to public records of the Rhode Island Department of Health.

These Regulations shall be liberally construed to further the fair, prompt, impartial and orderly access to public records as provided for in RIGL Chapter 38-2. To the extent that any part of these Regulations are inconsistent with the applicable law, the applicable law shall govern.

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<sup>1</sup> Prior to June 2013, the requirements contained in these Regulations were included with the *Rules and Regulations of the Rhode Island Department of Health Pertaining to Practice and Procedures Before the Department of Health and Access to Public Records of the Department of Health [R42-35-PP]*. Beginning with the June 2013 edition, these Regulations are being promulgated in a stand-alone format.

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## SECTION 1.0 DEFINITIONS

When used in these Rules, the following words and or terms, except as otherwise required by the context, shall have the following meaning:

- 1.1 “**Act**” means RIGL Chapter 38-2 entitled “Access to Public Records.”
- 1.2 “**Department**” means the Rhode Island Department of Health.
- 1.3 “**Director**” means the Director of the Department of Health or her/his designee.
- 1.4 “**Public record**” or “**public records**” means all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, magnetic or other tapes, electronic data processing records, computer stored data (including electronic mail messages, except specifically for any electronic mail messages of or to elected officials with or relating to those they represent and correspondence of or to elected officials in their official capacities) or other material regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency
- 1.5 “**RIGL**” means the Rhode Island General Laws, as amended.
- 1.6 “These **Regulations**” means all sections of the *Rules and Regulations Pertaining to Access to Public Records of the Rhode Island Department of Health (R38-2-APRA)*.

## SECTION 2.0 GENERAL PROVISIONS

- 2.1 **Public Records Policy.** The Department recognizes both the public’s right to access public records and the individual’s right to dignity and privacy. It is the Department’s policy to facilitate public access to all public records that may be disclosed in accordance with the Act. It is also the policy of the Department to make all public records in the Department’s possession available for public inspection and copying consistent with applicable state or federal law, unless otherwise prohibited by a court of competent jurisdiction.
- 2.2 **Exclusions.**
  - (a) Categories of records specifically excluded pursuant to §38-2-2 of the Act shall not be deemed public records for the purpose of these Regulations.
  - (b) Notwithstanding the provisions of §2.2(a) of these Regulations, any reasonably segregable portion of an excluded public record shall be available for public inspections after the deletion of the information which is the basis of the exclusion, if disclosure of the segregable portion does not violate the intent of the Act and these Regulations.
- 2.3 **Non-applicability.** Records requested by subpoena or a government oversight committee are not considered requests “for access to public records.” Therefore, these Regulations are not applicable to those requests.



## SECTION 3.0 ACCESS TO PUBLIC RECORDS

- 3.1 **Public Records.** All public records of the Department shall be open for public inspection, in accordance with provisions of §38-2-3 of the Act, and in accordance with the policy established in §3.6 of these Regulations.
- 3.2 **Procedures for Requesting Public Records.** The Department has instituted the following procedures for members of the public to obtain public records:
- (a) A written request is not required for records available pursuant to the Administrative Procedures Act or other documents prepared for or readily available to the public.
  - (b) You are not required to provide identification or the reason you seek the information. Your right to access public records will not depend upon providing identification or reasons.
  - (c) Members of the public can request public records from the Department by contacting the Department's Office of Legal Services, which is the Department's designated public records unit. The mailing address is: Department of Health, Office of Legal Services, 3 Capitol Hill, Providence, RI 02908. Requests may also be hand delivered to the Director's office (Room 401) and must be addressed to the Office of Legal Services.
  - (d) In order to assure that the Department is able to respond to the request as efficiently and as completely as possible, the request should identify and describe the records being requested with as much specificity as possible. If the description of records being requested is not sufficient to allow the Department to identify and locate the requested records, the Department will notify the person requesting such records that additional information is needed in order to properly respond to the request.
  - (e) Copies of public records will be provided electronically, by facsimile or by mail in accordance with the requesting party's choice, unless complying would be unduly burdensome due to the volume of records requested or the costs that would be incurred. The requesting party is responsible for the actual cost of delivery, if any.
  - (f) The Act allows a public body ten (10) business days to respond to a records request. If a public body is unable to respond to the request within ten (10) business days of receipt, which can be extended an additional twenty (20) days for good cause, which will be explained in writing by the Department.
  - (g) Any denial of access to records, in whole or in part, will be provided through a written response to the requestor indicating the reasons for the denial of access to records or for the denial of certain information contained in a record that is otherwise public pursuant to §38-2-2 of the Act. The written response will also include the process for appeals outlined in §38-2-8 of the Act.
  - (h) Any individual who receives a denial for copies of requested records or the ability to inspect records may petition the Director for a review of the determinations. The Director shall make a final determination whether or not to allow public inspection within ten (10) business days. If the denial is confirmed, the individual may file a complaint with the Office of the Attorney General, who will then investigate and make a determination. The individual may also file a lawsuit in Superior Court.

- 3.3 **Copy of Official Publications and Rules and Regulations.** Official publications which the Department prepares in the discharge of its duties to inform the public on matters of public interest shall be furnished free of charge when available. The Department shall supply one (1) copy of its rules and regulations, on a particular subject, to an individual requesting the same, free of charge.
- (a) A copy of a Department regulation which contain less than one hundred (100) pages may be provided in either printed or electronic format.
  - (b) A copy of a Department regulations which contain one hundred (100) or more pages shall be provided in electronic format.
  - (c) Electronic copies of the rules and regulations promulgated by the Department are also available on the Office of the Secretary of State website [<http://www.sos.ri.gov/rules/>]. Certified copies of Department regulations may also be obtained from the Office of the Secretary of State.
- 3.4 **Fee for Records.** The Department charges a fee for copying and/or search and retrieval of requested documents consistent with applicable state law.
- (a) The Department charges \$0.15 per copied page; provided however, if the response to the request consists of ten (10) or fewer copied pages, no fee will be charged. If the response to the request consists of more than ten (10) copied pages, there will be a charge of \$0.15 for each page.
  - (b) The Department will charge \$15.00 per hour for the search and retrieval time required to respond to a request, whether the request seeks copies of records or the right to inspect records; provided however, there will be no charge for the first hour of search and retrieval time.
  - (c) The Department will charge for the actual costs for providing electronic records.
  - (d) Upon request, the Department will provide the requester with an estimate of the copying costs and search and retrieval costs prior to responding to the request. The Department however, will charge the actual fees for the number of copies and the actual cost for search and retrieval time if those are more or less than estimated.
  - (e) The Department reserves the right to require a deposit of the estimated costs if the estimated costs are \$50.00 or more.
  - (f) Department personnel or, where applicable an outside copy service, will make copies of requested records. The Department does not have a copy machine available for use by the public to make copies.
- 3.5 **Payment in Advance.** The cost of copying and search and retrieval as provided in §3.4 of these Regulations must be paid in advance of or at the time of delivery or inspection of the requested documents.
- 3.6 **Hours of Inspections.**
- (a) When a request is made to inspect public records (as opposed to obtain copies), the requester will be advised when the records are available and he/she can then make an appointment to inspect those documents at the Department between the hours of 8:30 a.m.

and 3:30 p.m. Monday through Friday.

- (b) The time frame for the Department to respond to requests to inspect public records is the same as the time frame applicable to responding to requests for copies of public records as set forth in §3.2 of these Regulations.

### 3.7 **Supervision of Inspections.**

- (a) No records shall be removed from the location of inspection by the requestor. The inspection of public records must be accomplished in a manner which will provide for general supervision by authorized Departmental staff. This is necessary to prevent the misplacement or unauthorized removal of records or any other action which may impair the integrity of the public record.
- (b) Personnel in charge of the Office/Program having possession of the public record requested shall have overall responsibility for the security of the public record. However, the individual in charge of that Office/Program may designate a staff member(s) to assist in the search, retrieval, and copying of public records.
- (c) Department personnel having any questions regarding the procedures to be followed should direct inquiries to:
  - (1) The person in charge of the Office/Program or unit within the Department responsible for the activity/function to which the public record being requested relates; or
  - (2) In the event that the public record cannot be readily categorized as falling under the responsibility of a specific Office/Program or unit within the Department, the request should be directed to the Office of Legal Services, which is the Department's designated public records unit.

## **SECTION 4.0 SEVERABILITY**

- 4.1 If any section, subsection, sentence, clause, phrase or portion of the Act or these Regulations is for any reason held invalid or unconstitutional by any court of competent jurisdiction, that portion shall be deemed a separate, distinct and independent provision and this holding shall not affect the validity of the remaining portions of the Act or these Regulations.
- 4.2 Nothing contained in the Act or these Regulations shall be construed to affect any other provisions of the Rhode Island General Laws, as amended.

**DEPARTMENT OF HEALTH  
ACCESS TO PUBLIC RECORDS ACT  
R.I. GEN. LAWS § 38-2-1 ET SEQ**

The Department of HEALTH (“HEALTH”) considers the confidentiality of its records a priority under federal and state laws (see R.I.G.L §§ 40-6-12, 40-5.1-30 and 42-12-22), but recognizes the right of access to the public records pursuant to R.I.G.L. § 38-2-1 et. seq. All requests for records, documentation, and other information under the care, control, and custody of HEALTH should be submitted to the Office of Legal Counsel, 3 Capitol Hill, Providence, RI 02908. To ensure that you are provided with the public records in an efficient manner, we ask that you complete the Public Records Request Form available through the Office of Legal Counsel or on our website at [www.health.ri.gov](http://www.health.ri.gov). The exception to this is when a unit of HEALTH maintains public records in an orderly fashion for the purposes of public viewing (such as the Policy Office maintaining policy, the Appeals Office maintaining redacted copies of decisions and the Director’s Office maintaining copies of minutes of open meetings).

The HEALTH, Office of Legal Counsel, will make a determination as to whether the records are public. A “public record” is defined as “documents, papers,... or other material regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.” Although a document may constitute a public record, there may be some information contained within the document that may be redacted/deleted as it is exempt from disclosure under R.I.G.L. § 38-2-2. In certain instances where the request is merely data that is statistical in nature, it may be handled by the administrator of that program at the administrator’s discretion. Requests for information through a valid release signed by a HEALTH current or former applicant/client may be handled directly by the field, with consultation by the Office of Legal Counsel, if necessary. Subpoenas received by staff must be forwarded to the Office of Legal Counsel.

Records deemed public can either be mailed or picked up. The Access to Public Records Act grants a public body ten (10) business days to respond to your request, R.I.G.L. § 38-2-7(a). The Access to Public Records Act further provides that “for good cause, this limit may be extended for a period not to exceed thirty (30) business days.” When records are voluminous or otherwise require a length of time to identify, such extension will be taken. Notice of the extension of time will be sent.

The Access to Public Records Act allows a citizen the opportunity to inspect and/or to copy public records. The cost per copied page of written public documents will be \$.15 per page and an hourly rate not to exceed \$15.00 (fifteen) dollars per hour for time spent for the search and retrieval of documents, with no charge for the first hour. If the request requires a charge to be assessed, due to the manner/method in which the information is stored, a charge will be made for the actual production and/or reproduction cost. The HEALTH, Office of Legal Counsel, will provide an estimate of charges, allowing for a retraction or amendment to the request, prior to any further action by HEALTH.


The Access to Public Records Act exempts some records from public disclosure (see R.I.G.L. § 38-2-2(4)). The following are some explanations as to why a document or part thereof may be exempt from disclosure: (A) (I)... all personal or medical

information relating to an individual in any files, — including information relating to medical or psychological facts. R.I.G.L. § 38-2-2(4)(i)(A)(I); (S) Records, reports, opinions, information and statements required to be kept confidential by federal law or regulation or state rule of court, law or regulation (i.e. information regarding juveniles, etc.). Please be advised that this is not a complete list of documents that the Access to Public Records Act exempts from disclosure. For a full list see R.I.G.L. § 38-2-2.

Any person or entity denied the right to inspect a record of the DHS may petition the Department of Attorney General for review of the determination. If the Department of Attorney General makes a final determination that the record is not subject to public inspection, the person or entity seeking disclosure may file a lawsuit in the Superior Court.

# Freedom of Information Act

## **Rhode Island Department of Health Access to Public Records Act R.I. GEN. LAWS § 38-2-1 ET SEQ**

The Rhode Island Department of Health ("RI DOH") considers the confidentiality of its records a priority under federal and state laws (see R.I.G.L §§ 40-6-12, 40-5.1-30 and 42-12-22), but recognizes the right of access to the public records pursuant to R.I.G.L. § 38-2-1 et. seq. All requests for records, documentation, and other information under the care, control, and custody of the RI DOH should be submitted to the Office of Legal Services, Cannon Building, Room 404, 3 Capitol Hill, Providence, RI 02908. To ensure that you are provided with the public records in an efficient manner, we ask that you complete the Public Records Request Form available through the Office of Legal Counsel or by clicking the [Freedom of Information Act Request Form](#). 

The RI DOH, Office of Legal Services, will make a determination as to whether the records are public. A "public record" is defined as "documents, papers, or other material regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency". Although a document may constitute a public record, there may be some information contained within the document that may be redacted/deleted as it is exempt from disclosure under R.I.G.L. § 38-2-2. In certain instances where the request is merely data that is statistical in nature, it may be handled by the administrator of that program at the administrator's discretion. Subpoenas received by staff must be forwarded to the Office of Legal Services.

Records deemed public can either be mailed or picked up. The Access to Public Records Act grants a public body ten (10) business days to respond to your request, R.I.G.L. § 38-2-7(a). The Access to Public Records Act further provides that "for good cause, this limit may be extended for a period not to exceed thirty (30) business days". When records are voluminous or otherwise require a length of time to identify, such extension will be taken. Notice of the extension of time will be sent.

The Access to Public Records Act allows a citizen the opportunity to inspect and/ or to copy public records. The cost per copied page of

written public documents will be \$.15 per page and an hourly rate not to exceed \$15.00 (fifteen) dollars per hour for time spent for the search and retrieval of documents, with no charge for the first hour. If the request requires a charge to be assessed, due to the manner in which the information is stored, a charge will be made for the actual production and/or reproduction cost. The RI DOH, Office of Legal Services, will provide an estimate of charges, allowing for a retraction or amendment to the request, prior to any further action by RI DOH.

The Access to Public Records Act exempts some records from public disclosure (see R.I.G.L. § 38-2-2(4)). The following are some explanations as to why a document or part thereof may be exempt from disclosure: (A) (I)... all personal or medical information relating to an individual in any files, — including information relating to medical or psychological facts. R.I.G.L. § 38-2-2(4)(i)(A)(I); (S) Records, reports, opinions, information and statements required to be kept confidential by federal law or regulation or state rule of court, law or regulation (i.e, information regarding juveniles, etc.). Please be advised that this is not a complete list of documents that the Access to Public Records Act exempts from disclosure. For a full list see R.I.G.L. § 38-2-2.

Any person or entity denied the right to inspect a record of the RI DOH may petition the Department of Attorney General for review of the determination. If the Department of Attorney General makes a final determination that the record is not subject to public inspection, the person or entity seeking disclosure may file a lawsuit in the Superior Court.

**Office of Legal Services**

Telephone: - 222-2137

Fax: - 222-1797

**RI Department of Health**

*Office of Legal Services*

3 Capitol Hill

Cannon Bldg. # 404

Providence, RI 02908



Request to Inspect and/or Copy Public Records  
**ACCESS TO PUBLIC RECORDS**  
State of Rhode Island, Department of HEALTH

Pursuant to R.I.G.L. § 38-2-1 et seq.

This form must be completed, signed and returned to:  
R.I. Department of HEALTH  
LEGAL SERVICES  
3 Capitol Hill, Room 404  
Providence, RI 02908  
Tel. (401) 222-1036  
Fax (401) 222-1797

**REQUESTOR'S INFORMATION:**

REQUESTOR: \_\_\_\_\_

NAME OF BUSINESS: \_\_\_\_\_

STREET ADDRESS: \_\_\_\_\_

CITY, STATE & ZIP CODE: \_\_\_\_\_

TELEPHONE NO: \_\_\_\_\_ FAX NO: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

**RECORDS REQUESTED:** Request to inspect: \_\_\_\_\_ Request for copies: \_\_\_\_\_

Title and/or Description of Document(s) Requested: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Documents requested ARE \_\_\_\_\_ ARE NOT \_\_\_\_\_ sought for the purposes of pending litigation involving the State of Rhode Island.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Requestor



State of Rhode Island, Department of HEALTH  
3 Capitol Hill, Providence, RI 02908



RESPONSE TO REQUEST TO INSPECT AND/OR COPY PUBLIC  
RECORDS OF THE R.I. DEPARTMENT OF HEALTH  
PURSUANT TO R.I.G.L. § 38-2-1 et seq.

Dear \_\_\_\_\_:

On \_\_\_\_\_ the Rhode Island Department of HEALTH ("Department") received your Request to Inspect and/or Copy Public Records Pursuant to R.I.G.L. § 38-2-1 et seq. A copy of your request is attached.

A. RESPONSE TO REQUEST:

GRANTED

DENIED/DENIED IN PART because the record(s) requested are exempt from disclosure pursuant to the following provisions of law:

\_\_\_\_\_

NO SUCH DOCUMENT(S) EXIST IN THE DEPARTMENT'S RECORDS

B. PROCEDURE TO INSPECT/OBTAIN PUBLIC RECORDS BEING RELEASED PURSUANT TO SECTION A ABOVE:

A copy of the records will be mailed to you upon our receipt of payment in the amount of \$\_\_\_\_\_ for copying and document search fees pursuant to R.I.G.L. § 38-2-4.

A copy of the records is enclosed. Please forward payment in the amount of \$\_\_\_\_\_ for copying and document search fees pursuant to R.I.G.L. § 38-2-4 to the address below.

The record is available for inspection in the \_\_\_\_\_ Division of the Department of HEALTH between the hours of 8:30 a.m. and 3:30 p.m. Monday through Friday, at the address specified below. Please call to arrange an appointment.

Not Applicable.

C. If your request is denied, you have the right to appeal to the attention of HEALTH Legal Counsel at the address shown below. If your appeal is denied, you have the right to appeal to the Attorney General or the Superior Court.

DATED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

Checks should be made payable to the Rhode Island Department of HEALTH.  
Mail checks to: Department of HEALTH, Office of Legal Services,  
3 Capitol Hill, Providence, RI 02908 (401) 222-7755

## INSTRUCTIONS

### POLICIES AND PROCEDURES

This request to inspect or copy records is governed by the provisions of R.I.G.L. § 38-2-1 et seq., entitled “Access to Public Records”.

The release of such records is subject to the provisions of R.I.G.L. § 38-2-1 et seq., specifically R.I.G.L. §§ 38-2-2 (“Definitions”), 38-2-3 (“Procedures for access”), 38-2-4 (“Cost”) and 38-2-7 (“Denial of access”). R.I.G.L. § 38-2-1 is contained in Volume 6A of the General Laws of Rhode Island and is available for review at public libraries or online at <http://www.rilin.state.ri.us/Statutes/TITLE38/38-2/INDEX.HTM> .

Please submit your request form to HEALTH, Office of Legal Counsel, 3 Capitol Hill, Room 401, Providence, RI 02908, or fax to (401) 222-6548. The request form will be reviewed according to the provisions of R.I.G.L. § 38-2-1 et seq. The HEALTH, Office of Legal Counsel, will send notice as to what records are publicly available and the fee to be paid before the records will be released. There is no fee to inspect public documents. Records are available for inspection between the hours of 8:30 a.m. to 3:30 p.m. Monday thru Friday.

### STATEMENT OF FEES FOR RETRIEVAL AND/OR COPYING

Pursuant to R.I.G.L. § 38-2-4, HEALTH, may charge a fee of \$.15 per page and an hourly rate not to exceed \$15.00 (fifteen) dollars per hour for time spent searching and copying. However, no fee will be charged for the first hour. For request of public records on other media different than that on which the information is stored, there will be a charge of the actual production and/or reproduction cost. Please advise HEALTH, Office of Legal Services, if you desire an estimate of the cost prior to the HEALTH providing the records.  
the records.

# Department of Labor and Training

Accept APRA requests by email? No

Accept APRA requests by fax? Yes

Fax number: (401) 462-8884

Mailing address:

1511 Pontiac Avenue  
Cranston, RI 02903

Telephone number: (401) 462-8890

APRA procedures online? Yes

APRA procedures URL: <http://www.dlt.ri.gov/pdf/PublicRecordRequest.pdf>

# **DEPARTMENT OF LABOR AND TRAINING**

## **LEGAL DIVISION**

1511 Pontiac Ave.  
Cranston, RI 02903  
401 462-8890  
Fax: 401 462-8884

### **PUBLIC RECORDS REQUEST PROCEDURE**

The Department of Labor and Training has instituted the following procedure to help the public obtain public records pursuant to RIGL §§ 38-2-1 et seq.

1. To reach us by telephone call the above-cited telephone number and speak to a staff attorney.
2. The regular business hours of the Department are 8:30 AM to 4:00 PM.
3. The Department may ask you the reason for your request as its regular course of Business; however, you are not required to provide the reason you seek the information, and your right to access public records will not depend upon providing reasons.
4. In order that you are provided with the public records you seek in an expeditious manner, the Department asks that you complete the Public Record Request Form, which may be obtained upon request and is included on page two of this document.
5. There are times when the public records you seek are not available at the time of your request. Please be advised that the Access to Public Records Act allows a public body ten (10) business days to respond, which can be extended an additional twenty (20) business days for "good cause." The Department appreciates your understanding and patience.
6. If you believe that you have been denied access to public records, you have the right to file a review petition with the Department of Attorney General. If you are still not satisfied, you may file a lawsuit in Superior Court. The Department of Attorney General's Guide to Open Government may be obtained on its website <http://www.riag.ri.gov/civil/opengovernment>.
7. This Department is committed to providing any individual with public records in an expeditious and courteous manner.

**DEPARTMENT OF LABOR AND TRAINING  
LEGAL DIVISION**

1511 Pontiac Ave.  
Cranston, RI 02903  
(401) 462-8890  
Fax: (401) 462-8884

**PUBLIC RECORDS REQUEST FORM  
UNDER THE ACCESS TO PUBLIC RECORDS ACT**

Date: \_\_\_\_\_ Request Number: \_\_\_\_\_

Request to Inspect Records:

Request to Copy Records:

Requestor's Retrieval Method: Pick Up:

Mail:

Requestor's Name: \_\_\_\_\_

Requestor's Address: \_\_\_\_\_

Requestor's Telephone: \_\_\_\_\_

Requestor's Email: \_\_\_\_\_

Description of Requested Records:

**OFFICE USE ONLY**

Request taken by: \_\_\_\_\_ Request Number \_\_\_\_\_

Date of Request: \_\_\_\_\_ Time of Request: \_\_\_\_\_

Date Records to be Available on: \_\_\_\_\_ By Mail: \_\_\_\_\_ By Pick Up: \_\_\_\_\_

Records provided: \_\_\_\_\_

Total Costs: \_\_\_\_\_ # of Copies: \_\_\_\_\_ Search and Retrieval Time: \_\_\_\_\_

**The Department reserves the right to deny your request, if the requested records are exempt from disclosure pursuant to RIGL § 38-2-2(4)(i)(A) – (Y).**

# Department of Public Safety

Accept APRA requests by email? Yes

Email address: [lisa.holley@risp.dps.ri.gov](mailto:lisa.holley@risp.dps.ri.gov)

Accept APRA requests by fax? Yes

Fax number: (401) 444-1105

Mailing address:

Department of Public Safety  
Office of Legal Counsel  
311 Danielson Pike  
North Scituate, RI 02857

Telephone number: (401) 444-1014

APRA procedures online? Yes

APRA procedures URL:

<http://www.dps.ri.gov/documents/DPSAccesstoPublicRecordsRegulation.pdf>

RHODE ISLAND DEPARTMENT OF PUBLIC SAFETY



# Access to Public Records Regulation

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**DEPARTMENT OF PUBLIC SAFETY  
ACCESS TO PUBLIC RECORDS REGULATION**

**Table of Contents:**

Section I: Authority  
Section II: Purposes  
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Section V: Procedure for Requesting Public Records  
Section VI: Guidelines for Requests for Public Records  
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**Section I: Authority**

- A. These regulations are promulgated pursuant to R.I. Gen. Laws § 38-2-1, *et seq.* (“*Access to Public Records*”), § 42-35-2 (a), and § 42-7.3-9.

**Section II: Purpose**

- A. To establish regulations to implement R.I. General Laws § 38-2-1, *et seq.* (“*Access to Public Records*”) relating to access to public records maintained by the Department of Public Safety and its agencies, and to comply with R.I. General Laws § 42-35-2(a) and § 42-7.3-9.
- B. To identify and delineate categories of records exempt from disclosure.
- C. To provide the public and the Department of Public Safety personnel with regulations that set forth the rules and procedures applicable to access public records maintained by the Department.

**Section III: Policy**

- A. The Department of Public Safety recognizes both the public’s right to access public records and the individual’s right to dignity and privacy. It is the Department of Public Safety’s policy to facilitate public access to all public records that may be disclosed in accordance with R.I. Gen. Laws § 38-2-1, *et seq.* It is also the policy of the Department of Public Safety to make all public records in the Department’s possession available for



public inspection and copying consistent with applicable state or federal law, unless otherwise prohibited by a court of competent jurisdiction.

#### **Section IV: Scope**

- A. The Department of Public Safety is responsible for the management and administration of the services provided by various divisions and agencies with the Executive Branch of state government, pursuant to R.I. General Laws § 42-7.3-3. The divisions and agencies include the Rhode Island State Police, Rhode Island Capitol Police, Division of the Rhode Island State Fire Marshal, E 9-1-1 Uniform Emergency Telephone System, Rhode Island Municipal Police Training Academy, and Rhode Island Division of Sheriffs.
- B. Members of the public may access public records maintained by the Department of Public Safety through the Access to Public Records Act, R.I. General Laws § 38-2-1 *et seq.*, by making a request consistent with the Department of Public Safety's access to public records guidelines.

#### **Section V: Procedure for Requesting Public Records**

- A. The Department of Public Safety adheres to the Access to Public Records Act, R.I. Gen. Laws § 38-2-1 *et seq.*, and has instituted the following procedures for members of the public to obtain public records.
  - 1. A written request is not required for records available pursuant to the Administrative Procedures Act or other documents prepared for or readily available to the public.
  - 2. Members of the public can request public records from the Department of Public Safety by contacting the Department of Public Safety Office of Legal Counsel, which is the Department's designated public records unit.
  - 3. Written requests to inspect or copy public records should be sent to the Department that describes the records being requested. It is suggested, but not required, that requests be submitted on the forms provided by the Department (APPENDIX A-D). Records request forms are available on the Department's website, [www.dps.ri.gov](http://www.dps.ri.gov), at Rhode Island State Police Headquarters and Public Safety Complex, at all Rhode Island State Police barracks, and at all Department of Public Safety agencies.
  - 4. Written requests may be mailed, hand-delivered, e-mailed or sent via facsimile. Requests by mail should be sent to Department of Public Safety, Office of Legal Counsel, 311 Danielson Pike, North Scituate, RI 02857. Hand-delivered requests may be made during the Department's regular business hours, Monday through Friday, 8:00 a.m.-4:30 p.m.; however, requests may be delivered to Rhode Island State Police barracks at all times they are open.

5. In order to ensure that the Department is able to respond to the request as efficiently as possible, the request should identify the documents or information being requested with as much specificity as possible. If the description of records being requested is not sufficient to allow the Department to identify and locate the requested records, the Department will notify the person requesting such records that additional information is needed in order to properly respond to the request.
6. Statewide Uniform Crash Reports for Motor Vehicle Accidents can be purchased for a fee, pursuant to R.I. Gen. Laws § 42-28-37, either on-line from the website [www.GetCrashReports.com](http://www.GetCrashReports.com), or by mail through the Rhode Island State Police Accident Bureau, 311 Danielson Pike, North Scituate, RI 02857.
  - i. Requests for Statewide Uniform Crash Reports that have not been placed on the above mentioned website for the public shall be reviewed by Legal Counsel to determine whether the an investigation is on-going and whether criminal charges are pending. Non-public information will be redacted prior to release.
    - a. Statewide Uniform Crash Reports shall be provided to individuals involved in the accident or their legal representative regardless of the status of the investigation, pursuant to R.I. Gen. Laws § 42-28-37.
7. You are not required to provide identification or the reason you seek the information. Your right to access public records will not depend upon providing identification or reasons.
  - i. However, any parent, guardian, or attorney requesting records on a juvenile they represent will be required to provide identification prior to receiving the requested record.
8. Copies of public records will be provided electronically, by facsimile or by mail in accordance with the requesting party's choice, unless complying would be unduly burdensome due to the volume of records requested or the costs that would be incurred. The requesting party is responsible for the actual cost of delivery, if any.
9. The Access to Public Records Act allows a public body ten (10) business days to respond to a request for records, which can be extended an additional twenty (20) days for good cause, which will be explained in writing by the Department.
10. Any denial of access to records, in whole or in part, will be provided through a written response to the requestor indicating the reasons for the denial of access to records or for the denial of certain information contained in a record that is otherwise public pursuant to R.I. Gen. Laws § 38-2-2. The written response will also include the process for appeals outlined in R.I. Gen. Laws § 38-2-8.

11. Any individual who receives a denial for copies of requested records or the ability to inspect records may petition the Commissioner of the Department of Public Safety for a review of the determinations. The Commissioner shall make a final determination whether or not to allow public inspection within ten (10) business days. If the denial is confirmed, the individual may file a complaint with the Office of the Attorney General, who will then investigate and make a determination. The individual may also file a lawsuit in Superior Court.

## **Section VI: Guidelines for Requests for Public Records**

- A. R.I. Gen. Laws § 38-2-2, (“*Access to Public Records*”) specifies records which, for the purposes of that chapter, **are public**.

1. **Public record(s) means all:**

- i. Documents
- ii. Papers
- iii. Letters
- iv. Maps
- v. Tapes
- vi. Photographs
- vii. Films
- viii. Sound recordings
- ix. Magnetic or other tapes
- x. Electronic data processing records
- xi. Computer stored data (including electronic mail messages, except specifically for any electronic mail messages of or to elected officials with or relating to those they represent and correspondence of or to elected officials in their official capacities)
- xii. Other material regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business.

2. **Arrest Logs:** the following information reflecting an initial arrest of an adult will be made available within forty-eight (48) hours after receipt; seventy-two (72) hours if the request is made on a weekend or holiday, to the extent that such information is known by the Department, for arrests made within five (5) days prior to the request:

- i. Full name of the arrested adult
- ii. Home address of the arrested adult, unless doing so would identify a crime victim
- iii. Year of birth of the arrested adult
- iv. Charge or charges
- v. Date of arrest
- vi. Time of arrest

- vii. Gender of the arrested adult
- viii. Race of the arrested adult
- ix. Name of arresting officer, unless doing so would identify and undercover officer

3. The Access to Public Records Act requires public bodies apply a case-by-case balancing test to non-exempt records to determine whether the privacy interests of individuals outweigh the public's interest in disclosure. That balancing requires a public body to consider both "the public's right to access to public records and the individual's right to dignity and privacy..." R.I. Gen. Laws § 38-2-1.

B. R.I. Gen. Laws § 38-2-2, ("*Access to Public Records*") specifies records which, for the purposes of that chapter, **are not public**.

1. Records that **are not deemed public** are:

- i. Records relating to a client/attorney relationship
- ii. Records relating to a doctor/patient relationship
  - a. Including all medical information relating to an individual in any files.
- iii. Personnel and other personal individually-identifiable records otherwise deemed confidential by federal or state law or regulation, or the disclosure of which would constitute a clearly unwarranted invasion of personal privacy pursuant to 5 U.S.C 552 et. seq.

a. However, records of employees, and employees of contractors and subcontractors working on public works projects which are required to be listed as certified payrolls that **are deemed public** include:

- (1) Name
- (2) Gross salary
- (3) Salary range for position
- (4) Total cost of paid fringe benefits
- (5) Gross amount received in overtime and any other remuneration in addition to salary
- (6) Job title
- (7) Job description
- (8) Dates of employment
- (9) Positions held with the state, municipality, or public works contractor or subcontractor on public works projects
- (10) Employment contract
- (11) Work location
- (12) Business telephone number
- (13) City or town of residence
- (14) Date of termination

- iv. Any information in pension records regarding the medical condition of any person and all information identifying the member's designated beneficiary or beneficiaries.
  - a. Unless and until the member's designated beneficiary or beneficiaries have received or are receiving pension and/or retirement benefits through the retirement system.
- v. Trade secrets and commercial or financial information obtained from a person, firm, or corporation which is of a privileged or confidential nature.
- vi. Child custody and adoption records, records of illegitimate births, and records of juvenile proceedings before the family court.
- vii. All records maintained by law enforcement agencies for criminal law enforcement and all records relating to the detection and investigation of crime, including those maintained on any individual compiled in the course of a criminal investigation by any law enforcement agency.
  - a. Provided, however, such records shall not be deemed public only to the extent that the disclosure of the records or information:
    - (1) Could reasonably be expected to interfere with investigations of criminal activity or with enforcement proceedings;
    - (2) Would deprive a person of a right to a fair trial or an impartial adjudication;
    - (3) Could reasonably be expected to constitute an unwarranted invasion of personal privacy;
    - (4) Could reasonably be expected to disclose the identity of a confidential source, including a state, local or foreign agency or authority, or any private institution which furnished information on a confidential basis or the information furnished by a confidential source;
    - (5) Would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions;
    - (6) Could reasonably be expected to endanger the life or physical safety of any individual.
  - b. However, law enforcement records relating to management and direction of a law enforcement agency, and records or reports reflecting the initial arrest of an adult and the charge or charges brought against an adult **are deemed public.**

- viii. Any records which would not be available by law or rule of court to an opposing party in litigation.
- ix. Scientific and technological secrets and the security plans of military and law enforcement agencies, the disclosure of which would endanger the public welfare and security.
- x. Any records which disclose the identity of the contributor of a bona fide and lawful charitable contribution to the public body whenever public anonymity has been requested of the public body with respect to the contribution by the contributor.
- xi. Reports and statements of strategy or negotiation involving labor negotiations or collective bargaining.
- xii. Reports and statements of strategy or negotiation with respect to the investment or borrowing of public funds, until such time as those transactions are entered into.
- xiii. Any minutes of a meeting of a public body which are not required to be disclosed pursuant to chapter 26 of title 42.
- xiv. Preliminary drafts, notes, impressions, memoranda, working papers, and work products.
  - a. Provided, however, any documents submitted at a public meeting of a public body shall be deemed public.
- xv. Test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment or promotion, or academic examinations.
  - a. Provided, however, that a person shall have the right to review the results of his or her examination.
- xvi. Correspondence of or to elected officials with or relating to those they represent and correspondence of or to elected officials in their official capacities.
- xvii. The contents of real estate appraisals, engineering, or feasibility estimates and evaluations made for or by an agency relative to the acquisition of property or to prospective public supply and construction contracts, until such time as all of the property has been acquired or all proceedings or transactions have been terminated or abandoned.

- a. Provided the law of eminent domain shall not be affected by this provision.
- xviii. All tax returns.
- xix. All investigatory records of public bodies, with the exception of law enforcement agencies, pertaining to possible violations of statute, rule, or regulation other than records of final actions taken provided that all records prior to formal notification of violations or noncompliance shall not be deemed to be public.
- xx. Records of individual test scores on professional certification and licensing examinations.
  - a. Provided, however, that a person shall have the right to review the results of his or her examination.
- xxi. Requests for advisory opinions until such time as the public body issues its opinion.
- xxii. Records, reports, opinions, information, and statements required to be kept confidential by federal law or regulation or state law, or rule of court.
- xxiii. Judicial bodies are included in the definition only in respect to their administrative function provided that records kept pursuant to the provisions of chapter 18 of title 8 are exempt from the operation of this chapter.
- xxiv. Library records which by themselves or when examined with other public records, would reveal the identity of the library user requesting, checking out, or using any library materials.
- xxv. Printouts from TELE-TEXT devices used by people who are deaf or hard of hearing or speech impaired.
- xxvi. All records received by the insurance division of the department of business regulation from other states, either directly or through the National Association of Insurance Commissioners, if those records are accorded confidential treatment in that state
- xxvii. Credit card account numbers in the possession of state or local government.

- xxviii. Any documentary material, answers to written interrogatories, or oral testimony provided under any subpoena issued under Rhode Island General Law § 9-1.1-6.
- xxix. Any records regarding a juvenile, arrest or other are not a public record; however:
  - a. A parent, guardian, or attorney of a juvenile may inspect and copy a police report relating to the arrest or detention of that juvenile
  - b. After disposition of an offense, a parent, guardian, or attorney of the juvenile involved may inspect a copy records relating to the arrest, detention, apprehension, and disposition, as provided for in R.I.G.L. § 14-1-64.
  - c. The identity of a juvenile waived to be tried as an adult under R.I.G.L. § 14-1-7.1, or certified and convicted pursuant to R.I.G.L. § 14-1-7.2, is public record
- C. The Department is not required to reorganize, consolidate, or compile data not maintained in the form requested, except the extent that such records are in an electronic format and the Department would not be unduly burdened in providing such data.
- D. All records initially deems to be public records which any person may inspect and/or copy shall continue to be public records whether or not subsequent court action or investigations are held pertaining to the matters contained in the records.

## **Section VII: Hours and Supervision of Inspections**

- A. Individuals who request to inspect records, as opposed to obtain copies, deemed to be public pursuant to R.I. Gen. Laws § 38-2-3, will be advised of when the records will be available for inspection, or an appointment will be made for them to inspect the requested records.
- B. The time frame for the Department to respond to requests to inspect public records is the same time frame applicable to responding to requests for copies of public records as set forth in Section (V) above.
- C. The inspection of public records must be accomplished in a manner which will provide for general supervision by authorized Departmental staff. This is necessary to prevent the misplacement or unauthorized removal of records or any other action that may impair the integrity of the public record.



## **Section VIII: Fees**

- A. The cost for documents that are able to be copied on common business or legal size paper is fifteen cents (15¢) per page. The fee for electronic records or retrieval fees from a storage facility is not more than the reasonable actual cost of those records.
- B. The cost for a Statewide Uniform Crash Report requested through the Department is fifteen dollars (\$15.00), pursuant to R.I.G.L. § 42-28-37.
- C. There is no fee for the first hour of search and retrieval of documents by the Department. There will be a fee of fifteen dollars (\$15.00) per hour for each additional hour spent for search and retrieval. Multiple requests made within a thirty (30) day time period from the same requesting party for records from one of the Department's agencies shall be treated as one request.
- D. The Department will provide an estimate of the cost of a request for documents prior to providing copies. Upon request, a detailed itemization of the costs charged for search and retrieval will be provided.
- E. If a court determines the information requested is in the public interest, it may reduce or waive fees for search and retrieval costs.
- F. Department personnel will make copies of requested records. The Department does not have a copy machine available for use by the public to make copies.
- G. Official publications prepared by the Department in the discharge of their duties to inform the public on matters of public interest will be furnished free of charge when available.
- H. The Department will supply one (1) copy of any of its rules and regulations to an individual free of charge. All promulgated rules and regulations for the Department and its agencies are on file at the Office of the Secretary of State, and certified copies, thereof may be obtained through that office. They are also available on-line at the following websites:
  - 1. [www.sos.ri.gov](http://www.sos.ri.gov)
  - 2. [www.dps.ri.gov](http://www.dps.ri.gov)

## **Section IX: Severability**

- A. If any provision of this regulation or the application thereof to any individual or circumstances, is held invalid, such invalidity shall not affect the provisions or application of the remaining portions of the regulation which can be given effect. The provisions of these rules and regulations are declared to be severable

# **APPENDIX**

- APPENDIX A: Department of Public Safety Public Records Request Form**
- APPENDIX B: Rhode Island State Police Public Records Request Form**
- APPENDIX C: Rhode Island Capitol Police Public Records Request Form**
- APPENDIX D: Rhode Island Division of the State Fire Marshal Public Records Request Form**
- APPENDIX E: Rhode Island Division of Sheriffs Public Records Request Form**
- APPENDIX F: Public Safety Grants Administration Office Public Records Request Form**
- APPENDIX G: E 9-1-1 Uniform Emergency Telephone System Public Records Request Form**
- APPENDIX H: Rhode Island Municipal Police Training Academy Public Records Request Form**



# DEPARTMENT OF PUBLIC SAFETY PUBLIC RECORDS REQUEST FORM

Date: \_\_\_\_\_ Request Number: \_\_\_\_\_  
 Location: \_\_\_\_\_  
 Name (optional): \_\_\_\_\_  
 Address (optional): \_\_\_\_\_  
 City/Town, State, Zip Code (optional): \_\_\_\_\_  
 Telephone Number (optional): (Home): \_\_\_\_\_ (Work): \_\_\_\_\_  
 Requested Records:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

If these records are not readily available at the time of your request, please advise whether you would like to:  
 \_\_\_\_\_ Pick up the records \_\_\_\_\_ Records to be sent regular mail  
 \_\_\_\_\_ Records to be faxed to Fax Number: ( \_\_\_\_\_ )  
 \_\_\_\_\_ Records to be E-mailed to: \_\_\_\_\_

**For Office Use Only**

Request Taken By: \_\_\_\_\_ Request Number: \_\_\_\_\_  
 Date: \_\_\_\_\_ Time: \_\_\_\_\_ Records Available On: \_\_\_\_\_  
 Records Provided: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ In Part  
 Date response provided if any exemptions are claimed: \_\_\_\_\_  
 Costs for Records: Copies \$ \_\_\_\_\_ Search and Retrieval \$ \_\_\_\_\_

Department of Public Safety – Access to Public Records Request Receipt

If you desire to pick up the records, they are expected to be available on \_\_\_\_\_ at the Department of Public Safety, Rhode Island State Police Headquarters, at the front desk in the main lobby. If, after review of your request, it is determined that the requested records are exempt from disclosure for a reason set forth in R.I.G.L. § 38-2-2(4) (i) (A) through (Y), the department reserves its right to claim such exemptions.  
 Note: If you choose to pick up the records but did not include identifying information on this form (name, etc.), please inform the officer at the front desk of the date you made the request, records requested and request number. Any parent, guardian, or attorney of an involved juvenile requesting records must show identification in order to obtain the records, pursuant to R.I.G.L § 14-1-64.



# RHODE ISLAND STATE POLICE PUBLIC RECORDS REQUEST FORM

Date: \_\_\_\_\_ Request Number: \_\_\_\_\_  
 Location: \_\_\_\_\_  
 Name (optional): \_\_\_\_\_  
 Address (optional): \_\_\_\_\_  
 City/Town, State, Zip Code (optional): \_\_\_\_\_  
 Telephone Number (optional): (Home): \_\_\_\_\_ (Work): \_\_\_\_\_  
 Requested Records:

\_\_\_\_\_  
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 \_\_\_\_\_

If these records are not readily available at the time of your request, please advise whether you would like to:  
 \_\_\_\_\_ Pick up the records \_\_\_\_\_ Records to be sent regular mail  
 \_\_\_\_\_ Records to be faxed to Fax Number: ( ) \_\_\_\_\_  
 \_\_\_\_\_ Records to be E-mailed to: \_\_\_\_\_

### For Office Use Only

Request Taken By: \_\_\_\_\_ Request Number: \_\_\_\_\_  
 Date: \_\_\_\_\_ Time: \_\_\_\_\_ Records Available On: \_\_\_\_\_  
 Records Provided: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ In Part  
 Date response provided if any exemptions are claimed: \_\_\_\_\_  
 Costs for Records: Copies \$ \_\_\_\_\_ Search and Retrieval \$ \_\_\_\_\_

### Department of Public Safety – Access to Public Records Request Receipt

If you desire to pick up the records, they are expected to be available on \_\_\_\_\_ at the Department of Public Safety, Rhode Island State Police Headquarters, at the front desk in the main lobby. If, after review of your request, it is determined that the requested records are exempt from disclosure for a reason set forth in R.I.G.L. § 38-2-2(4) (i) (A) through (Y), the department reserves its right to claim such exemptions.

Note: If you choose to pick up the records but did not include identifying information on this form (name, etc.), please inform the officer at the front desk of the date you made the request, records requested and request number. Any parent, guardian, or attorney of an involved juvenile requesting records must show identification in order to obtain the records, pursuant to R.I.G.L § 14-1-64.



# RHODE ISLAND CAPITOL POLICE PUBLIC RECORDS REQUEST FORM

Date: \_\_\_\_\_ Request Number: \_\_\_\_\_  
 Location: \_\_\_\_\_  
 Name (optional): \_\_\_\_\_  
 Address (optional): \_\_\_\_\_  
 City/Town, State, Zip Code (optional): \_\_\_\_\_  
 Telephone Number (optional): (Home): \_\_\_\_\_ (Work): \_\_\_\_\_  
 Requested Records:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

If these records are not readily available at the time of your request, please advise whether you would like to:

\_\_\_\_\_ Pick up the records \_\_\_\_\_ Records to be sent regular mail  
 \_\_\_\_\_ Records to be faxed to Fax Number: ( \_\_\_\_\_ )  
 \_\_\_\_\_ Records to be E-mailed to: \_\_\_\_\_

### For Office Use Only

Request Taken By: \_\_\_\_\_ Request Number: \_\_\_\_\_  
 Date: \_\_\_\_\_ Time: \_\_\_\_\_ Records Available On: \_\_\_\_\_  
 Records Provided: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ In Part  
 Date response provided if any exemptions are claimed: \_\_\_\_\_  
 Costs for Records: Copies \$ \_\_\_\_\_ Search and Retrieval \$ \_\_\_\_\_

### Department of Public Safety – Access to Public Records Request Receipt

If you desire to pick up the records, they are expected to be available on \_\_\_\_\_ at the Department of Public Safety, Rhode Island State Police Headquarters, at the front desk in the main lobby, or at the Capitol Police desk at the Rhode Island State House. If, after review of your request, it is determined that the requested records are exempt from disclosure for a reason set forth in R.I.G.L. § 38-2-2(4) (i) (A) through (Y), the department reserves its right to claim such exemptions.

Note: If you choose to pick up the records but did not include identifying information on this form (name, etc.), please inform the officer at the front desk of the date you made the request, records requested and request number. Any parent, guardian, or attorney of an involved juvenile requesting records must show identification in order to obtain the records, pursuant to R.I.G.L § 14-1-64



# RHODE ISLAND STATE FIRE MARSHAL PUBLIC RECORDS REQUEST FORM

Date: \_\_\_\_\_ Request Number: \_\_\_\_\_  
 Location: \_\_\_\_\_  
 Name (optional): \_\_\_\_\_  
 Address (optional): \_\_\_\_\_  
 City/Town, State, Zip Code (optional): \_\_\_\_\_  
 Telephone Number (optional): (Home): \_\_\_\_\_ (Work): \_\_\_\_\_  
 Requested Records:  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

If these records are not readily available at the time of your request, please advise whether you would like to:  
 \_\_\_\_\_ Pick up the records      \_\_\_\_\_ Records to be sent regular mail  
 \_\_\_\_\_ Records to be faxed to Fax Number: ( \_\_\_\_\_ )  
 \_\_\_\_\_ Records to be E-mailed to: \_\_\_\_\_

### For Office Use Only

Request Taken By: \_\_\_\_\_ Request Number: \_\_\_\_\_  
 Date: \_\_\_\_\_ Time: \_\_\_\_\_ Records Available On: \_\_\_\_\_  
 Records Provided: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ In Part  
 Date response provided if any exemptions are claimed: \_\_\_\_\_  
 Costs for Records: Copies \$ \_\_\_\_\_ Search and Retrieval \$ \_\_\_\_\_

### Department of Public Safety – Access to Public Records Request Receipt

If you desire to pick up the records, they are expected to be available on \_\_\_\_\_ at the Department of Public Safety, Rhode Island State Police Headquarters, at the front desk in the main lobby, or at the Capitol Police desk at the Rhode Island State House. If, after review of your request, it is determined that the requested records are exempt from disclosure for a reason set forth in R.I.G.L. § 38-2-2(4) (i) (A) through (Y), the department reserves its right to claim such exemptions.

Note: If you choose to pick up the records but did not include identifying information on this form (name, etc.), please inform the officer at the front desk of the date you made the request, records requested and request number. Any parent, guardian, or attorney of an involved juvenile requesting records must show identification in order to obtain the records, pursuant to R.I.G.L § 14-1-64



# RHODE ISLAND DIVISION OF SHERIFFS PUBLIC RECORDS REQUEST FORM

Date: \_\_\_\_\_ Request Number: \_\_\_\_\_  
 Location: \_\_\_\_\_  
 Name (optional): \_\_\_\_\_  
 Address (optional): \_\_\_\_\_  
 City/Town, State, Zip Code (optional): \_\_\_\_\_  
 Telephone Number (optional): (Home): \_\_\_\_\_ (Work): \_\_\_\_\_  
 Requested Records:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If these records are not readily available at the time of your request, please advise whether you would like to:

\_\_\_\_\_ Pick up the records \_\_\_\_\_ Records to be sent regular mail  
 \_\_\_\_\_ Records to be faxed to Fax Number: ( \_\_\_\_\_ )  
 \_\_\_\_\_ Records to be E-mailed to: \_\_\_\_\_

### For Office Use Only

Request Taken By: \_\_\_\_\_ Request Number: \_\_\_\_\_  
 Date: \_\_\_\_\_ Time: \_\_\_\_\_ Records Available On: \_\_\_\_\_  
 Records Provided: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ In Part  
 Date response provided if any exemptions are claimed: \_\_\_\_\_  
 Costs for Records: Copies \$ \_\_\_\_\_ Search and Retrieval \$ \_\_\_\_\_

### Department of Public Safety – Access to Public Records Request Receipt

If you desire to pick up the records, they are expected to be available on \_\_\_\_\_ at the Department of Public Safety, Rhode Island State Police Headquarters, at the front desk in the main lobby, or at the Capitol Police desk at the Rhode Island State House. If, after review of your request, it is determined that the requested records are exempt from disclosure for a reason set forth in R.I.G.L. § 38-2-2(4) (i) (A) through (Y), the department reserves its right to claim such exemptions.

Note: If you choose to pick up the records but did not include identifying information on this form (name, etc.), please inform the officer at the front desk of the date you made the request, records requested and request number. Any parent, guardian, or attorney of an involved juvenile requesting records must show identification in order to obtain the records, pursuant to R.I.G.L § 14-1-6



PUBLIC SAFETY GRANTS ADMINISTRATION OFFICE
PUBLIC RECORDS REQUEST FORM

Date: Request Number:
Location:
Name (optional):
Address (optional):
City/Town, State, Zip Code (optional):
Telephone Number (optional): (Home): (Work):
Requested Records:

Horizontal lines for entering requested records.

If these records are not readily available at the time of your request, please advise whether you would like to:
Pick up the records
Records to be sent regular mail
Records to be faxed to Fax Number:
Records to be E-mailed to:

For Office Use Only

Request Taken By: Request Number:
Date: Time: Records Available On:
Records Provided: Yes No In Part
Date response provided if any exemptions are claimed:
Costs for Records: Copies \$ Search and Retrieval \$

Department of Public Safety - Access to Public Records Request Receipt

If you desire to pick up the records, they are expected to be available on at the Department of Public Safety, Rhode Island State Police Headquarters, at the front desk in the main lobby, or at the Capitol Police desk at the Rhode Island State House. If, after review of your request, it is determined that the requested records are exempt from disclosure for a reason set forth in R.I.G.L. § 38-2-2(4) (i) (A) through (Y), the department reserves its right to claim such exemptions.

Note: If you choose to pick up the records but did not include identifying information on this form (name, etc.), please inform the officer at the front desk of the date you made the request, records requested and request number. Any parent, guardian, or attorney of an involved juvenile requesting records must show identification in order to obtain the records, pursuant to R.I.G.L § 14-1-64





# E 9-1-1 UNIFORM EMERGENCY TELEPHONE SYSTEM PUBLIC RECORDS REQUEST FORM

Date: \_\_\_\_\_ Request Number: \_\_\_\_\_  
 Location: \_\_\_\_\_  
 Name (optional): \_\_\_\_\_  
 Address (optional): \_\_\_\_\_  
 City/Town, State, Zip Code (optional): \_\_\_\_\_  
 Telephone Number (optional): (Home): \_\_\_\_\_ (Work): \_\_\_\_\_  
 Requested Records:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

If these records are not readily available at the time of your request, please advise whether you would like to:  
 \_\_\_\_\_ Pick up the records      \_\_\_\_\_ Records to be sent regular mail  
 \_\_\_\_\_ Records to be faxed to Fax Number: (      ) \_\_\_\_\_  
 \_\_\_\_\_ Records to be E-mailed to: \_\_\_\_\_

### For Office Use Only

Request Taken By: \_\_\_\_\_ Request Number: \_\_\_\_\_  
 Date: \_\_\_\_\_ Time: \_\_\_\_\_ Records Available On: \_\_\_\_\_  
 Records Provided: \_\_\_\_\_ Yes      \_\_\_\_\_ No      \_\_\_\_\_ In Part  
 Date response provided if any exemptions are claimed: \_\_\_\_\_  
 Costs for Records: Copies \$ \_\_\_\_\_ Search and Retrieval \$ \_\_\_\_\_

### Department of Public Safety – Access to Public Records Request Receipt

If you desire to pick up the records, they are expected to be available on \_\_\_\_\_ at the Department of Public Safety, Rhode Island State Police Headquarters, at the front desk in the main lobby, or at the Capitol Police desk at the Rhode Island State House. If, after review of your request, it is determined that the requested records are exempt from disclosure for a reason set forth in R.I.G.L. § 38-2-2(4) (i) (A) through (Y), the department reserves its right to claim such exemptions.

Note: If you choose to pick up the records but did not include identifying information on this form (name, etc.), please inform the officer at the front desk of the date you made the request, records requested and request number. Any parent, guardian, or attorney of an involved juvenile requesting records must show identification in order to obtain the records, pursuant to R.I.G.L § 14-1-64



# RHODE ISLAND MUNICIPAL POLICE TRAINING ACADEMY PUBLIC RECORDS REQUEST FORM

Date: \_\_\_\_\_ Request Number: \_\_\_\_\_  
 Location: \_\_\_\_\_  
 Name (optional): \_\_\_\_\_  
 Address (optional): \_\_\_\_\_  
 City/Town, State, Zip Code (optional): \_\_\_\_\_  
 Telephone Number (optional): (Home): \_\_\_\_\_ (Work): \_\_\_\_\_  
 Requested Records:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

If these records are not readily available at the time of your request, please advise whether you would like to:  
 \_\_\_\_\_ Pick up the records      \_\_\_\_\_ Records to be sent regular mail  
 \_\_\_\_\_ Records to be faxed to Fax Number: (      ) \_\_\_\_\_  
 \_\_\_\_\_ Records to be E-mailed to: \_\_\_\_\_

### For Office Use Only

Request Taken By: \_\_\_\_\_ Request Number: \_\_\_\_\_  
 Date: \_\_\_\_\_ Time: \_\_\_\_\_ Records Available On: \_\_\_\_\_  
 Records Provided: \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ In Part  
 Date response provided if any exemptions are claimed: \_\_\_\_\_  
 Costs for Records: Copies \$ \_\_\_\_\_ Search and Retrieval \$ \_\_\_\_\_

### Department of Public Safety – Access to Public Records Request Receipt

If you desire to pick up the records, they are expected to be available on \_\_\_\_\_ at the Department of Public Safety, Rhode Island State Police Headquarters, at the front desk in the main lobby, or at the Capitol Police desk at the Rhode Island State House. If, after review of your request, it is determined that the requested records are exempt from disclosure for a reason set forth in R.I.G.L. § 38-2-2(4) (i) (A) through (Y), the department reserves its right to claim such exemptions.

Note: if you choose to pick up the records but did not include identifying information on this form (name, etc.), please inform the officer at the front desk of the date you made the request, records requested and request number. Any parent, guardian, or attorney of an involved juvenile requesting records must show identification in order to obtain the records, pursuant to R.I.G.L § 14-1-64

# Department of Revenue

Accept APRA requests by email? No

Accept APRA requests by fax? Yes

Fax number: (401) 574-8997

Mailing address:

Division of Legal Counsel  
William E. Powers Building  
One Capitol Hill  
Providence, RI 02908

Telephone number: (401) 574-8999

APRA procedures online? Yes

APRA procedures URL: <http://www.dor.ri.gov/APRA/index.php>

State of Rhode Island and Providence Plantations  
DEPARTMENT OF REVENUE

WILLIAM E. POWERS BUILDING  
ONE CAPITOL HILL  
PROVIDENCE, RI 02908

ACCESS TO PUBLIC RECORDS REGULATION

**Table of Contents**

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Section 2	Purposes
Section 3	Policy
Section 4	Procedure for Requesting Public Records
Section 5	Hours of Inspection
Section 6	Fees
Section 7	Supervision of Inspections
Section 8	Severability
Exhibit A	Request Form (Use optional)
Exhibit B	Department's Response Form

**Section 1**     *Authority*

This Regulation is promulgated pursuant to R.I. Gen. Laws § 38-2-1, *et seq.* ("Access to Public Records") and § 42-35-2(a).

**Section 2**     *Purposes*

*The Purposes of this Regulation are:*

- (1) To establish a Regulation to implement R.I. Gen. Laws § 38-2-1, *et seq.* and § 42-35-2(a) relating to access to public records maintained by the Department.
- (2) To identify and delineate categories of records exempt from disclosure; and
- (3) To provide the public and Department personnel with a Regulation which sets forth the rules and procedures applicable to access to public records maintained by the Department.

**Section 3**     *Policy*

The Department recognizes both the public's right to access public records and the individual's right to dignity and privacy. It is the Department's policy to facilitate public access to all public records that may be disclosed in accordance with R.I. Gen. Laws § 38-2-1, *et seq.* It is also the policy

of the Department to make all public records in the Department's possession be available for public inspection and copying consistent with applicable state or federal law, unless otherwise prohibited by a court of competent jurisdiction.

#### **Section 4**     *Procedure for Requesting Public Records*

- (1) Except as provided in subsection (5) below, a written request to inspect or copy public records should be sent to the Division within the Department that maintains the records requested or, in the alternative, to the Division of Legal Services at the Department at the address listed above. Written requests may be mailed, hand delivered, e-mailed or sent via facsimile. Hand delivered requests may be made during the Department's regular business hours. It is suggested, but not required, that requests be submitted on the form provided by the Department, a copy of which is attached hereto as Exhibit A and titled "Request to Inspect and/or Copy Public Records". In order to assure that the Department is able to respond to the request as efficiently and as completely as possible, the request should identify and describe the records being requested with as much specificity as possible. A written record of all requests will be maintained within each Division of the Department.
- (2) If the description of records being requested is not sufficient to allow the Department to identify and locate the requested records, the Department will notify the person requesting such records that additional information is needed in order to properly respond to the request.
- (3) Upon receipt of a request for records, the Department will mark on the face of a written request the date the request was received. The Department will make every reasonable effort to honor the request within ten (10) business days of receipt of the written request.
- (4) If it appears that the request cannot be honored within ten (10) business days of receipt, the Department will use its best efforts to notify the requester of the status of the request within ten (10) business days. For good cause, the time to respond to the request may be extended for a period not to exceed thirty (30) business days, inclusive of the original ten (10) business days.
- (5) A written request is not required to be submitted when the request is for any of the following: (i) documents prepared for or readily available to the public; (ii) rules and written statements of policy or interpretations formulated, adopted, or used by the agency; or (iii) final orders, decisions, and opinions.

#### **Section 5**     *Hours of Inspections*

When a request is made to inspect public records (as opposed to obtain copies), the requester will be advised when the records are available and he/she can then make an appointment to inspect those documents at the Department between the hours of 8:30 a.m. and 3:30 p.m. Monday through Friday. The time frame for the Department to respond to requests to inspect public records is the same

as the time frame applicable to responding to requests for copies of public records as set forth above in Section (4) above.

## **Section 6**     *Fees*

- (1) Official publications which the Department prepares in the discharge of its duties to inform the public on matters of public interest will be furnished free of charge when available.
- (2) The Department will supply one (1) copy of any of its Rules and Regulations to an individual requesting them free of charge. Rules and Regulations of the Department are on file at the Office of the Secretary of State and certified copies thereof may be obtained from that office. Rules and Regulations of the Department are also available online from the Secretary of State's website as well as the Department's website.
- (3) The Department charges a fee for copying and/or search and retrieval of requested documents consistent with applicable state law. The Department charges \$0.15 per copied page; provided however, if the response to the request consists of twenty (20) or fewer copied pages, no fee will be charged. If the response to the request consists of more than twenty (20) copied pages, there will be a charge of \$0.15 for each page. The Department will charge \$15.00 per hour for the search and retrieval time required to respond to a request, whether the request seeks copies of records or the right to inspect records; provided however, there will be no charge for the first hour of search and retrieval time. The Department will provide the requester with an estimate of the copying costs and search and retrieval costs prior to responding to the request. The Department however, will charge the actual fees for the number of copies and the actual cost for search and retrieval time if those are more or less than estimated. The Department reserves the right to require a deposit of the estimated costs if the estimated costs are \$50.00 or more.
- (4) The cost of copying and search and retrieval as provided in subsection (3) above must be paid in advance of or at the time of delivery or inspection of the requested documents.
- (5) Department personnel or, where applicable an outside copy service, will make copies of requested records. The Department does not have a copy machine available for use by the public to make copies.
- (6) The Department may utilize the form attached hereto as Exhibit B ("Response to Request to Inspect and/or Copy Public Records") to respond to a request; provided however, in some instances it may be appropriate for the Department to write a letter addressed to the requester setting forth such additional information as deemed appropriate under the circumstances.

**Section 7**     *Supervision of Inspections*

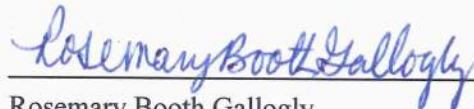
- (1) The inspection of public records must be accomplished in a manner which will provide for general supervision by authorized Departmental staff. This is necessary to prevent the misplacement or unauthorized removal of records or any other action which may impair the integrity of the public record.
- (2) Personnel in charge of the Division having possession of the public record requested shall have overall responsibility for the security of the public record. However, the individual in charge of that Division may designate a staff member(s) to coordinate the functions and responsibilities related to the copying and inspection of public records.
- (3) All personnel responsible for responding to requests for access to public records shall be made aware by their supervisors, of the provisions of this regulation and the procedures to be followed when an access to public records request is made. Department personnel having any questions regarding the procedures to be followed should direct inquiries to:
  - (a) The person in charge of the Division or unit within the Department responsible for the activity/function to which the public record being requested relates; or
  - (b) In the event that the public record cannot be readily categorized as falling under the responsibility of a specific Division or unit within the Department, the request should be directed to the Division of Legal Services which will serve as a resource in matters relating to the public's access to public records.

**Section 8**     *Severability*

If any provision of this Regulation or the application thereof to any individual or circumstances is held invalid, such invalidity shall not affect the provisions or application of the remaining portions of the regulation, which can be given effect. The provisions of these rules and regulations are declared to be severable.

EFFECTIVE DATE: June 21, 2010

Signed this 27th day of May, 2010



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Rosemary Booth Gallogly  
Acting Director, Department of Revenue

**EXHIBIT A - For request to the Division of Motor Vehicles**

**REQUEST TO INSPECT AND/OR COPY PUBLIC RECORDS  
OF THE DEPARTMENT OF REVENUE  
PURSUANT TO R.I. Gen. Laws § 38-2-1 et seq.**

*Complete this form, sign and return to:*  
**Rhode Island Department of Revenue  
Division of Motor Vehicles  
600 New London Avenue  
Cranston, RI 02920**

**Department of Revenue: tel. # (401) 462-4368 fax # (401) 462-5784**

NAME OF REQUESTER: \_\_\_\_\_

ADDRESS OF REQUESTER: \_\_\_\_\_  
\_\_\_\_\_

TELEPHONE NO. OF REQUESTER: \_\_\_\_\_

EMAIL: \_\_\_\_\_ FAX. NO.: \_\_\_\_\_

TITLE AND/OR DESCRIPTION OF DOCUMENT(S) REQUESTED TO BE  
INSPECTED \_\_\_\_\_ OR COPIED \_\_\_\_\_:

Please be as specific and descriptive as possible to assure that the Department will be able to respond to your request as efficiently and as completely as possible.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FORMAT REQUESTED:

PAPER: \_\_\_\_\_ FAX: \_\_\_\_\_ EMAIL (if available) \_\_\_\_\_

NAME AND TITLE OF PERSON OR DIVISION WITHIN THE DEPARTMENT HAVING  
POSSESSION OF DOCUMENT(S), IF KNOWN:

\_\_\_\_\_

Copies of any document(s) are fifteen (\$.15) cents per page (or the actual reproduction cost of paper larger than 8 1/2" x 14"), plus an hourly charge of fifteen (\$15.00) dollars per hour for search retrieval. There is no charge if the total number of pages is twenty (20) pages or fewer. There is no charge for the first hour of search and retrieval.

Materials requested ARE \_\_\_\_\_ ARE NOT \_\_\_\_\_ sought for the purpose of pending litigation involving the Department or the State of Rhode Island.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Person Making Request



**EXHIBIT B**

**RESPONSE TO REQUEST TO INSPECT AND/OR COPY  
PUBLIC RECORDS OF THE DEPARTMENT OF REVENUE  
PURSUANT TO R.I. Gen. Laws § 38-2-1 et seq.**

Dear \_\_\_\_\_ :

On \_\_\_\_\_ the Department received your Request to Inspect and/or Copy Public Records Pursuant to R.I. Gen. Laws § 38-2-1 et seq. A copy of your request is attached.

**A. RESPONSE TO REQUEST:**

- GRANTED
- DENIED/DENIED IN PART because the following record(s) which were requested are exempt from disclosure pursuant to the following provisions of law: \_\_\_\_\_
- NO SUCH DOCUMENT(S) EXIST IN THE DEPARTMENT'S RECORDS

**B. PROCEDURE TO INSPECT/OBTAIN COPIES OF PUBLIC RECORDS BEING RELEASED PURSUANT TO SECTION A ABOVE:**

- A copy of the requested records will be mailed to you (or you may call to make an appointment to pick up the records during the Department's normal business hours) upon the Department's receipt of payment of \$ \_\_\_\_\_ representing the copying costs i.e. \$ \_\_\_\_\_ and/or search and retrieval fees i.e. \$ \_\_\_\_\_ pursuant to R.I. Gen. Laws § 38-2-4. Please forward payment to the address listed below.
- A copy of the requested records is enclosed. (Because the number of copied pages was twenty (20) or fewer pages and there were no search and/or retrieval fees there was no fees associated with the Department's response to your request.)
- The requested records are available for inspection in the \_\_\_\_\_ Division of the Department between the hours of 8:30 a.m. and 3:30 p.m. Monday through Friday, at the address specified below. Please call to arrange an appointment. The search and retrieval costs associated with the request to inspect is \$ \_\_\_\_\_. That amount is payable at the time of the appointment to inspect the records.
- Not Applicable.

**C.** If your request, or any part thereof, is denied, you have the right to appeal to the Department's chief administrative officer. If your appeal is denied, you have the right to appeal to the Attorney General or the Superior Court.

DATED: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

Make checks payable to "General Treasurer, State of Rhode Island." Mail or Hand deliver Checks to: Division of Motor Vehicles, 600 New London Avenue, Cranston, RI 02920

**EXHIBIT A - For request to the Division of Lotteries**

**REQUEST TO INSPECT AND/OR COPY PUBLIC RECORDS  
OF THE DEPARTMENT OF REVENUE  
PURSUANT TO R.I. Gen. Laws § 38-2-1 et seq.**

*Complete this form, sign and return to:*  
**Rhode Island Department of Revenue  
Division of Lotteries  
1425 Pontiac Avenue  
Cranston, RI 02920**

**Department of Revenue: tel. # (401) 463-6500 fax # (401) 463-5669**

NAME OF REQUESTER: \_\_\_\_\_

ADDRESS OF REQUESTER: \_\_\_\_\_  
\_\_\_\_\_

TELEPHONE NO. OF REQUESTER: \_\_\_\_\_

EMAIL: \_\_\_\_\_ FAX. NO.: \_\_\_\_\_

TITLE AND/OR DESCRIPTION OF DOCUMENT(S) REQUESTED TO BE  
INSPECTED \_\_\_\_\_ OR COPIED \_\_\_\_\_:

Please be as specific and descriptive as possible to assure that the Department will be able to respond to your request as efficiently and as completely as possible.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FORMAT REQUESTED:

PAPER: \_\_\_\_\_ FAX: \_\_\_\_\_ EMAIL (if available) \_\_\_\_\_

NAME AND TITLE OF PERSON OR DIVISION WITHIN THE DEPARTMENT HAVING  
POSSESSION OF DOCUMENT(S), IF KNOWN:

\_\_\_\_\_

Copies of any document(s) are fifteen (\$.15) cents per page (or the actual reproduction cost of paper larger than 8 1/2" x 14"), plus an hourly charge of fifteen (\$15.00) dollars per hour for search retrieval. There is no charge if the total number of pages is twenty (20) pages or fewer. There is no charge for the first hour of search and retrieval.

Materials requested ARE \_\_\_\_\_ ARE NOT \_\_\_\_\_ sought for the purpose of pending litigation involving the Department or the State of Rhode Island.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Person Making Request

**EXHIBIT B**

**RESPONSE TO REQUEST TO INSPECT AND/OR COPY  
PUBLIC RECORDS OF THE DEPARTMENT OF REVENUE  
PURSUANT TO R.I. Gen. Laws § 38-2-1 et seq.**

Dear \_\_\_\_\_ :

On \_\_\_\_\_ the Department received your Request to Inspect and/or Copy Public Records Pursuant to R.I. Gen. Laws § 38-2-1 et seq. A copy of your request is attached.

**A. RESPONSE TO REQUEST:**

- GRANTED
- DENIED/DENIED IN PART because the following record(s) which were requested are exempt from disclosure pursuant to the following provisions of law: \_\_\_\_\_
- NO SUCH DOCUMENT(S) EXIST IN THE DEPARTMENT'S RECORDS

**B. PROCEDURE TO INSPECT/OBTAIN COPIES OF PUBLIC RECORDS BEING RELEASED PURSUANT TO SECTION A ABOVE:**

- A copy of the requested records will be mailed to you (or you may call to make an appointment to pick up the records during the Department's normal business hours) upon the Department's receipt of payment of \$ \_\_\_\_\_ representing the copying costs i.e. \$ \_\_\_\_\_ and/or search and retrieval fees i.e. \$ \_\_\_\_\_ pursuant to R.I. Gen. Laws § 38-2-4. Please forward payment to the address listed below.
- A copy of the requested records is enclosed. (Because the number of copied pages was twenty (20) or fewer pages and there were no search and/or retrieval fees there was no fees associated with the Department's response to your request.)
- The requested records are available for inspection in the \_\_\_\_\_ Division of the Department between the hours of 8:30 a.m. and 3:30 p.m. Monday through Friday, at the address specified below. Please call to arrange an appointment. The search and retrieval costs associated with the request to inspect is \$ \_\_\_\_\_. That amount is payable at the time of the appointment to inspect the records.
- Not Applicable.

C. If your request, or any part thereof, is denied, you have the right to appeal to the Department's chief administrative officer. If your appeal is denied, you have the right to appeal to the Attorney General or the Superior Court.

DATED: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

Make checks payable to "General Treasurer, State of Rhode Island." Mail or Hand deliver Checks to: Division of Lotteries, 1425 Pontiac Avenue, Cranston, RI 02920

**EXHIBIT A - For request to the Division of Municipal Finance**

**REQUEST TO INSPECT AND/OR COPY PUBLIC RECORDS  
OF THE DEPARTMENT OF REVENUE  
PURSUANT TO R.I. Gen. Laws § 38-2-1 et seq.**

*Complete this form, sign and return to:*  
**Rhode Island Department of Revenue  
Division of Municipal Finance  
One Capitol Hill  
Providence, RI 02908**

**Department of Revenue: tel. # (401) 222-2867 fax # (401) 222-3809**

NAME OF REQUESTER: \_\_\_\_\_

ADDRESS OF REQUESTER: \_\_\_\_\_

\_\_\_\_\_

TELEPHONE NO. OF REQUESTER: \_\_\_\_\_

EMAIL: \_\_\_\_\_ FAX. NO.: \_\_\_\_\_

TITLE AND/OR DESCRIPTION OF DOCUMENT(S) REQUESTED TO BE  
INSPECTED \_\_\_\_\_ OR COPIED \_\_\_\_\_:

Please be as specific and descriptive as possible to assure that the Department will be able to respond to your request as efficiently and as completely as possible.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FORMAT REQUESTED:

PAPER: \_\_\_\_\_ FAX: \_\_\_\_\_ EMAIL (if available) \_\_\_\_\_

NAME AND TITLE OF PERSON OR DIVISION WITHIN THE DEPARTMENT HAVING  
POSSESSION OF DOCUMENT(S), IF KNOWN:

\_\_\_\_\_

Copies of any document(s) are fifteen (\$.15) cents per page (or the actual reproduction cost of paper larger than 8 1/2" x 14"), plus an hourly charge of fifteen (\$15.00) dollars per hour for search retrieval. There is no charge if the total number of pages is twenty (20) pages or fewer. There is no charge for the first hour of search and retrieval.

Materials requested ARE \_\_\_\_\_ ARE NOT \_\_\_\_\_ sought for the purpose of pending litigation involving the Department or the State of Rhode Island.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Person Making Request

**EXHIBIT B**

**RESPONSE TO REQUEST TO INSPECT AND/OR COPY  
PUBLIC RECORDS OF THE DEPARTMENT OF REVENUE  
PURSUANT TO R.I. Gen. Laws § 38-2-1 et seq.**

Dear \_\_\_\_\_ :

On \_\_\_\_\_ the Department received your Request to Inspect and/or Copy Public Records Pursuant to R.I. Gen. Laws § 38-2-1 et seq. A copy of your request is attached.

A. RESPONSE TO REQUEST:

- GRANTED
- DENIED/DENIED IN PART because the following record(s) which were requested are exempt from disclosure pursuant to the following provisions of law: \_\_\_\_\_
- NO SUCH DOCUMENT(S) EXIST IN THE DEPARTMENT'S RECORDS

B. PROCEDURE TO INSPECT/OBTAIN COPIES OF PUBLIC RECORDS BEING RELEASED PURSUANT TO SECTION A ABOVE:

- A copy of the requested records will be mailed to you (or you may call to make an appointment to pick up the records during the Department's normal business hours) upon the Department's receipt of payment of \$ \_\_\_\_\_ representing the copying costs i.e. \$ \_\_\_\_\_ and/or search and retrieval fees i.e. \$ \_\_\_\_\_ pursuant to R.I. Gen. Laws § 38-2-4. Please forward payment to the address listed below.
- A copy of the requested records is enclosed. (Because the number of copied pages was twenty (20) or fewer pages and there were no search and/or retrieval fees there was no fees associated with the Department's response to your request.)
- The requested records are available for inspection in the \_\_\_\_\_ Division of the Department between the hours of 8:30 a.m. and 3:30 p.m. Monday through Friday, at the address specified below. Please call to arrange an appointment. The search and retrieval costs associated with the request to inspect is \$ \_\_\_\_\_. That amount is payable at the time of the appointment to inspect the records.
- Not Applicable.

C. If your request, or any part thereof, is denied, you have the right to appeal to the Department's chief administrative officer. If your appeal is denied, you have the right to appeal to the Attorney General or the Superior Court.

DATED: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

Make checks payable to "General Treasurer, State of Rhode Island." Mail or Hand deliver Checks to: Division of Municipal Finance, One Capitol Hill, Providence, RI 02908

**EXHIBIT A - For request to the Office of Revenue Analysis**

**REQUEST TO INSPECT AND/OR COPY PUBLIC RECORDS  
OF THE DEPARTMENT OF REVENUE  
PURSUANT TO R.I. Gen. Laws § 38-2-1 et seq.**

*Complete this form, sign and return to:*  
**Rhode Island Department of Revenue  
Office of Revenue Analysis  
One Capitol Hill  
Providence, RI 02908**

**Department of Revenue: tel. # (401) 574-8999 fax # (401) 574-8997**

NAME OF REQUESTER: \_\_\_\_\_

ADDRESS OF REQUESTER: \_\_\_\_\_

\_\_\_\_\_

TELEPHONE NO. OF REQUESTER: \_\_\_\_\_

EMAIL: \_\_\_\_\_ FAX. NO.: \_\_\_\_\_

TITLE AND/OR DESCRIPTION OF DOCUMENT(S) REQUESTED TO BE  
INSPECTED \_\_\_\_\_ OR COPIED \_\_\_\_\_:

Please be as specific and descriptive as possible to assure that the Department will be able to respond to your request as efficiently and as completely as possible.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FORMAT REQUESTED:

PAPER: \_\_\_\_\_ FAX: \_\_\_\_\_ EMAIL (if available) \_\_\_\_\_

NAME AND TITLE OF PERSON OR DIVISION WITHIN THE DEPARTMENT HAVING  
POSSESSION OF DOCUMENT(S), IF KNOWN:

\_\_\_\_\_

Copies of any document(s) are fifteen (\$.15) cents per page (or the actual reproduction cost of paper larger than 8 1/2" x 14"), plus an hourly charge of fifteen (\$15.00) dollars per hour for search retrieval. There is no charge if the total number of pages is twenty (20) pages or fewer. There is no charge for the first hour of search and retrieval.

Materials requested ARE \_\_\_\_\_ ARE NOT \_\_\_\_\_ sought for the purpose of pending litigation involving the Department or the State of Rhode Island.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Person Making Request

**EXHIBIT B**

**RESPONSE TO REQUEST TO INSPECT AND/OR COPY  
PUBLIC RECORDS OF THE DEPARTMENT OF REVENUE  
PURSUANT TO R.I. Gen. Laws § 38-2-1 et seq.**

Dear \_\_\_\_\_ :

On \_\_\_\_\_ the Department received your Request to Inspect and/or Copy Public Records Pursuant to R.I. Gen. Laws § 38-2-1 et seq. A copy of your request is attached.

A. RESPONSE TO REQUEST:

- GRANTED
- DENIED/DENIED IN PART because the following record(s) which were requested are exempt from disclosure pursuant to the following provisions of law: \_\_\_\_\_
- NO SUCH DOCUMENT(S) EXIST IN THE DEPARTMENT'S RECORDS

B. PROCEDURE TO INSPECT/OBTAIN COPIES OF PUBLIC RECORDS BEING RELEASED PURSUANT TO SECTION A ABOVE:

- A copy of the requested records will be mailed to you (or you may call to make an appointment to pick up the records during the Department's normal business hours) upon the Department's receipt of payment of \$ \_\_\_\_\_ representing the copying costs i.e. \$ \_\_\_\_\_ and/or search and retrieval fees i.e. \$ \_\_\_\_\_ pursuant to R.I. Gen. Laws § 38-2-4. Please forward payment to the address listed below.
- A copy of the requested records is enclosed. (Because the number of copied pages was twenty (20) or fewer pages and there were no search and/or retrieval fees there was no fees associated with the Department's response to your request.)
- The requested records are available for inspection in the \_\_\_\_\_ Division of the Department between the hours of 8:30 a.m. and 3:30 p.m. Monday through Friday, at the address specified below. Please call to arrange an appointment. The search and retrieval costs associated with the request to inspect is \$ \_\_\_\_\_. That amount is payable at the time of the appointment to inspect the records.
- Not Applicable.

C. If your request, or any part thereof, is denied, you have the right to appeal to the Department's chief administrative officer. If your appeal is denied, you have the right to appeal to the Attorney General or the Superior Court.

DATED: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

Make checks payable to "General Treasurer, State of Rhode Island." Mail or Hand deliver Checks to: Office of Revenue Analysis, One Capitol Hill, Providence, RI 02908

**EXHIBIT A - For request to the Division of Taxation**

**REQUEST TO INSPECT AND/OR COPY PUBLIC RECORDS  
OF THE DEPARTMENT OF REVENUE  
PURSUANT TO R.I. Gen. Laws § 38-2-1 et seq.**

*Complete this form, sign and return to:*  
**Rhode Island Department of Revenue  
Division of Taxation  
One Capitol Hill  
Providence, RI 02908**

**Department of Revenue:** tel. # (401) 574-8922 fax # (401) 574-8917

NAME OF REQUESTER: \_\_\_\_\_

ADDRESS OF REQUESTER: \_\_\_\_\_  
\_\_\_\_\_

TELEPHONE NO. OF REQUESTER: \_\_\_\_\_

EMAIL: \_\_\_\_\_ FAX. NO.: \_\_\_\_\_

TITLE AND/OR DESCRIPTION OF DOCUMENT(S) REQUESTED TO BE  
INSPECTED \_\_\_\_\_ OR COPIED \_\_\_\_\_:

Please be as specific and descriptive as possible to assure that the Department will be able to respond to your request as efficiently and as completely as possible.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FORMAT REQUESTED:

PAPER: \_\_\_\_\_ FAX: \_\_\_\_\_ EMAIL (if available) \_\_\_\_\_

NAME AND TITLE OF PERSON OR DIVISION WITHIN THE DEPARTMENT HAVING  
POSSESSION OF DOCUMENT(S), IF KNOWN:

\_\_\_\_\_

Copies of any document(s) are fifteen (\$.15) cents per page (or the actual reproduction cost of paper larger than 8 1/2" x 14"), plus an hourly charge of fifteen (\$15.00) dollars per hour for search retrieval. There is no charge if the total number of pages is twenty (20) pages or fewer. There is no charge for the first hour of search and retrieval.

Materials requested ARE \_\_\_\_\_ ARE NOT \_\_\_\_\_ sought for the purpose of pending litigation involving the Department or the State of Rhode Island.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Person Making Request



**EXHIBIT B**

**RESPONSE TO REQUEST TO INSPECT AND/OR COPY  
PUBLIC RECORDS OF THE DEPARTMENT OF REVENUE  
PURSUANT TO R.I. Gen. Laws § 38-2-1 et seq.**

Dear \_\_\_\_\_ :

On \_\_\_\_\_ the Department received your Request to Inspect and/or Copy Public Records Pursuant to R.I. Gen. Laws § 38-2-1 et seq. A copy of your request is attached.

**A. RESPONSE TO REQUEST:**

- GRANTED
- DENIED/DENIED IN PART because the following record(s) which were requested are exempt from disclosure pursuant to the following provisions of law: \_\_\_\_\_
- NO SUCH DOCUMENT(S) EXIST IN THE DEPARTMENT'S RECORDS

**B. PROCEDURE TO INSPECT/OBTAIN COPIES OF PUBLIC RECORDS BEING RELEASED PURSUANT TO SECTION A ABOVE:**

- A copy of the requested records will be mailed to you (or you may call to make an appointment to pick up the records during the Department's normal business hours) upon the Department's receipt of payment of \$ \_\_\_\_\_ representing the copying costs i.e. \$ \_\_\_\_\_ and/or search and retrieval fees i.e. \$ \_\_\_\_\_ pursuant to R.I. Gen. Laws § 38-2-4. Please forward payment to the address listed below.
- A copy of the requested records is enclosed. (Because the number of copied pages was twenty (20) or fewer pages and there were no search and/or retrieval fees there was no fees associated with the Department's response to your request.)
- The requested records are available for inspection in the \_\_\_\_\_ Division of the Department between the hours of 8:30 a.m. and 3:30 p.m. Monday through Friday, at the address specified below. Please call to arrange an appointment. The search and retrieval costs associated with the request to inspect is \$ \_\_\_\_\_. That amount is payable at the time of the appointment to inspect the records.
- Not Applicable.

**C.** If your request, or any part thereof, is denied, you have the right to appeal to the Department's chief administrative officer. If your appeal is denied, you have the right to appeal to the Attorney General or the Superior Court.

DATED: \_\_\_\_\_ SIGNATURE: \_\_\_\_\_

Make checks payable to "General Treasurer, State of Rhode Island." Mail or Hand deliver Checks to: Division of Taxation, One Capitol Hill, Providence, RI 02908

# Department of Transportation

Accept APRA requests by email? No

Accept APRA requests by fax? Yes

Fax number: (401) 222-4226

Mailing address:

Office of Legal Counsel  
Rhode Island Department of Transportation  
Room 250  
Two Capitol Hill  
Providence, RI 02903

Telephone number: 401-222-2481

APRA procedures online? Yes

APRA procedures URL: <http://www.dot.ri.gov/news/openrecordsrequest.php>



**INITIAL REQUEST FORM**

**REQUEST TO INSPECT AND/OR COPY RECORDS OF THE  
RHODE ISLAND DEPARTMENT OF TRANSPORTATION**

Please fax to (401) 222-4226 or mail:

**Office of Legal Counsel  
Rhode Island Department of Transportation  
Room 250  
Two Capitol Hill  
Providence, RI 02903**

DATE: \_\_\_\_\_

NAME OF PERSON MAKING REQUEST (OPTIONAL): \_\_\_\_\_

ADDRESS OF PERSON MAKING REQUEST (OPTIONAL): \_\_\_\_\_

TELEPHONE NUMBER (OPTIONAL): \_\_\_\_\_

TITLE OF DOCUMENT(S) REQUESTED TO BE INSPECTED OR COPIED:

GENERAL DESCRIPTION OF SUBJECT MATTER OF DOCUMENT(S):

NAME & TITLE OF PERSON AT RIDOT HAVING CUSTODY OF REQUESTED DOCUMENT(S),  
IF KNOWN: \_\_\_\_\_

REQUEST IS MADE TO:       INSPECT ONLY       OBTAIN COPIES

Copies of any documents are fifteen cents (\$.15) or the actual reproduction cost for paper larger than 8 1/2" by 14", plus an hourly charge of fifteen dollars (\$15.00) per hour for searching and copying, unless otherwise provided by rules & regulations promulgated by RIDOT.

**Note: If the Department determines that the requested records are exempt from disclosure in accordance with the Access to Public Records Act, the Department reserves its right to claim such exemption.**

# Division of Motor Vehicles

Accept APRA requests by email? No

Accept APRA requests by fax? Yes

Fax number: (401) 462-5784

Mailing address:

Rhode Island Department of Revenue  
Division of Motor Vehicles  
600 New London Avenue  
Cranston, RI 02920

Telephone number: (401) 462-4368

APRA procedures online? Yes

APRA procedures URL:

<http://www.dor.ri.gov/Reports/APRA/APRA%20Request%20and%20Response%20Forms%20-%20DMV.pdf>

**EXHIBIT A - For request to the Division of Motor Vehicles**

**REQUEST TO INSPECT AND/OR COPY PUBLIC RECORDS  
OF THE DEPARTMENT OF REVENUE  
PURSUANT TO R.I. Gen. Laws § 38-2-1 et seq.**

*Complete this form, sign and return to:*  
**Rhode Island Department of Revenue  
Division of Motor Vehicles  
600 New London Avenue  
Cranston, RI 02920**

**Department of Revenue: tel. # (401) 462-4368 fax # (401) 462-5784**

NAME OF REQUESTER: \_\_\_\_\_

ADDRESS OF REQUESTER: \_\_\_\_\_

TELEPHONE NO. OF REQUESTER: \_\_\_\_\_

EMAIL: \_\_\_\_\_ FAX. NO.: \_\_\_\_\_

TITLE AND/OR DESCRIPTION OF DOCUMENT(S) REQUESTED TO BE  
INSPECTED \_\_\_\_\_ OR COPIED \_\_\_\_\_:

Please be as specific and descriptive as possible to assure that the Department will be able to respond to your request as efficiently and as completely as possible.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FORMAT REQUESTED:

PAPER: \_\_\_\_\_ FAX: \_\_\_\_\_ EMAIL (if available) \_\_\_\_\_

NAME AND TITLE OF PERSON OR DIVISION WITHIN THE DEPARTMENT HAVING  
POSSESSION OF DOCUMENT(S), IF KNOWN:

\_\_\_\_\_

Copies of any document(s) are fifteen (\$.15) cents per page (or the actual reproduction cost of paper larger than 8 1/2" x 14"), plus an hourly charge of fifteen (\$15.00) dollars per hour for search retrieval. There is no charge if the total number of pages is twenty (20) pages or fewer. There is no charge for the first hour of search and retrieval.

Materials requested ARE \_\_\_\_\_ ARE NOT \_\_\_\_\_ sought for the purpose of pending litigation involving the Department or the State of Rhode Island.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Person Making Request

# General Assembly

Accept APRA requests by email? Yes

Email address: [publicinfo@rilin.state.ri.us](mailto:publicinfo@rilin.state.ri.us)

Accept APRA requests by fax? Yes

Fax number: (401) 222-1410

Mailing address:

Rhode Island General Assembly, Joint Committee on Legislative Services  
82 Smith Street, Room 3  
Providence, Rhode Island 02903  
Attn: Public Record Request

Telephone number: (401) 222-1407

APRA procedures online? Yes

APRA procedures URL: <http://webserver.rilin.state.ri.us/Documents/PublicRecordsRequest.pdf>

# **RHODE ISLAND GENERAL ASSEMBLY**

## **PUBLIC RECORDS REQUEST GUIDELINES**

The Rhode Island General Assembly has instituted the following procedure to help you obtain public records.

1. The contact person for Public Records Requests is JCLS Executive Director. He/She may be reached at 401-222-1407 or [publicinfo@rilin.state.ri.us](mailto:publicinfo@rilin.state.ri.us)
2. The regular business hours of the JCLS Department are Monday through Friday 9:00 AM to 4:30 PM.
3. In order to ensure that you are provided with the public records you seek in an expeditious manner, we ask you to complete the “Request to Inspect and/or Copy Public Records” form which is located in Room 3 of the Rhode Island State House or at the bottom of this page.
4. You are not required to provide the reason that you are seeking the information, but per the provisions of Rhode Island General Laws 38-2-4 please be aware that you may be charged copying costs not to exceed fifteen cents (\$0.15) per page and/or a search and retrieval cost not to exceed fifteen dollars (\$15.00) per hour after the first hour of retrieval. An estimate of the cost will be provided prior to providing copies.
5. To better understand what records are accessible and to review the pertinent laws regarding Open Government, you may obtain a copy of “The Attorney General’s Guide to Open Government in Rhode Island” by clicking [here](#).
6. There are times when the public records you seek are not readily available at the time of your request. Please be advised that the Access to Public Records Act (APRA) allows a public body ten (10) business days to respond, which can be extended an additional twenty (20) business days for “good cause”. The leadership of the Rhode Island General Assembly appreciates your understanding and patience.
7. If you feel that you have been denied access to public records, you have the right to file a review petition with the Rhode Island Attorney General’s Office. If you are still not satisfied, you may file an action in the Superior Court.
8. The Rhode Island General Assembly is committed to providing you with public records in an expeditious and courteous manner.

# Request to Inspect and/or Copy Public Records

## Pursuant to Chapter 38-2 entitled "Access to Public Records"

Rhode Island General Assembly, Joint Committee on Legislative Services  
82 Smith Street, Room 3 Providence, Rhode Island 02903

Attn: Public Record Request

Email: [publicinfo@rilin.state.ri.us](mailto:publicinfo@rilin.state.ri.us)

Tel: (401) 222-1407

Fax: (401) 222-1410

This Request Form must be completed, signed and returned to the above address. Copies of this form may be requested by e-mail, phone call, or fax. Instructions regarding the use of this form are contained in the document entitled "**RHODE ISLAND GENERAL ASSEMBLY PUBLIC RECORDS REQUEST GUIDELINES**".

Request to Inspect Records: \_\_\_\_\_ Request to Obtain Copies: \_\_\_\_\_

### **REQUESTOR'S INFORMATION:**

REQUESTOR: \_\_\_\_\_

NAME OF BUSINESS OR ORGANIZATION \_\_\_\_\_

STREET ADDRESS: \_\_\_\_\_

CITY, STATE & ZIP CODE: \_\_\_\_\_

TELEPHONE NO: \_\_\_\_\_ FAX NO: \_\_\_\_\_

E-MAIL ADDRESS: \_\_\_\_\_

### **RECORDS REQUESTED:**

Title and Identification Number of record(s) requested (if known) \_\_\_\_\_

Description of records requested. If you need more space, please attach a separate sheet to this form. *If this is a follow-up question to a previous request, please indicate the original request.*

**FORMAT REQUESTED:** Pick-up \_\_\_\_\_ Fax \_\_\_\_\_ E-mail (if available) \_\_\_\_\_

Please indicate whether records requested DO \_\_\_\_\_ DO NOT \_\_\_\_\_ relate to pending litigation involving the State of Rhode Island. Please state the court and case number, if applicable:

\_\_\_\_\_  
SIGNATURE OF REQUESTOR

PRINTED NAME: \_\_\_\_\_

DATE: \_\_\_\_\_

-----  
**OFFICE USE ONLY**

Request Received by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Records Provided via: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_



Copy Costs: \_\_\_\_\_

Search and Retrieval Costs: \_\_\_\_\_

# Judiciary

Accept APRA requests by email? Yes

Email address: [cberke@courts.ri.gov](mailto:cberke@courts.ri.gov)

Accept APRA requests by fax? Yes

Fax number: (401) 222-8632

Mailing address:

Office of Community Outreach and Public Relations  
250 Benefit Street  
Providence, RI 02903

Telephone number: (401) 222-4580

APRA procedures online? Yes

APRA procedures URL:

<http://www.courts.ri.gov/PublicResources/media/PDF/APRA-informationrequestform.pdf>

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS  
ADMINISTRATIVE OFFICE OF STATE COURTS  
OFFICE OF COMMUNITY OUTREACH AND PUBLIC RELATIONS**

**ACCESS TO PUBLIC RECORD ACT GUIDELINES**

*In accordance with Rhode Island General Laws § 38-2-3(c), the Rhode Island Administrative Office of State Courts has instituted the following procedures for the public to obtain records under the Access to Public Records Act:*

1. To request records from the Rhode Island Administrative Office of State Courts, you may reach us by telephone at (401)222-4580, by email at [cberke@courts.ri.gov](mailto:cberke@courts.ri.gov) or by fax at (401) 222-8632. Requests by mail should be mailed to:

Mr. Craig Berke  
Office of Community Outreach and Public Relations  
250 Benefit Street  
Providence, Rhode Island, 02903

In order to ensure that you are provided with the public records you seek in an accurate and expeditious manner, we ask that you complete the attached form entitled **“Request to Inspect and/or Copy Documents or Records or Request for Electronic Information or Report”** which is also available online at <http://www.courts.ri.gov/PublicResources/media/PDF/APRA-informationrequestform.pdf>, or otherwise submit your request in writing.

2. You are not required to provide identification or the reason(s) you are seeking the information, and your right to access will not depend upon providing identification or reasons.

3. Please be advised that Rhode Island General Laws Title 38, Chapter 2 entitled “Access to Public Records” (APRA) applies only to the Judiciary’s *administrative functions* (those matters that pertain to the administration of the Judiciary) and does *not* apply to its judicial functions (those matters that pertain to litigants and their proceedings before the court). *See* § 38-2-2(4)(I), § 38-2-5(3); and Rhode Island Judiciary “Policy Regarding the Request for and Production of Electronic Information” effective December 19, 2006. As a result, court cases and electronic reports derived from court case files do not fall under APRA. In addition, there are other exceptions to APRA that may apply to your request.

**If you are interested in obtaining a court case file or a document contained in a court case file, they are available for inspection in the respective Clerk’s Office during normal business hours. Requests for court case files or information or reports derived from court case files are not governed by the Access to Public Records Act.**

4. If your request falls under APRA, a public body has ten (10) business days to respond which can be extended for an additional period of twenty (20) days for “good cause”.

5. If you feel that you have been denied access to records that fall under APRA, you have the right to petition the State Court Administrator for a review of the determination. You may also file a lawsuit in Superior Court.



## REQUEST TO INSPECT AND/OR COPY DOCUMENTS OR RECORDS OR REQUEST FOR ELECTRONIC INFORMATION OR REPORT

Rhode Island General Laws Title 38, Chapter 2 entitled "Access to Public Records" (APRA) governs the public's access to certain records. APRA applies only to the Judiciary's *administrative functions* (those matters that pertain to the administration of the Judiciary) and does *not* apply to its judicial functions (those matters that pertain to litigants and their proceedings before the court). See § 38-2-2(4)(I), § 38-2-

5 (3); and Rhode Island Judiciary "Policy Regarding the Request for and Production of Electronic Information" effective December 19, 2006. As a result, court cases and electronic reports derived from court case files do not fall under APRA. In addition, there are other exceptions to APRA that may apply to your request. You are not required to provide identification or the reason you seek the information, however, in order to fulfill your request in an expeditious manner, we ask that you fill out this request form. If your request falls under APRA, a public body has ten (10) business days to respond. If you feel that you have been denied access to records that fall under APRA, you have the right to petition the State Court Administrator for a review of the determination.

**If you are interested in obtaining a court case file or a document contained in a court case file, they are available for inspection in the respective Clerk's Office during normal business hours. Requests for court files are not governed by the Access to Public Records Act and cannot be obtained by use of this form.**

**REQUEST TYPE:**       Inspect Documents/Records       Obtain Copies of Documents/Records  
 Obtain Electronic Information/Report (Non APRA Request)       Other

**REQUESTOR:** \_\_\_\_\_

**NAME OF BUSINESS (if applicable):** \_\_\_\_\_

**ADDRESS:** \_\_\_\_\_  
\_\_\_\_\_

**TELEPHONE:** \_\_\_\_\_ **FAX:** \_\_\_\_\_

**EMAIL ADDRESS:** \_\_\_\_\_

**INFORMATION OR REPORT REQUESTED:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**FORMAT:**     Paper       Fax       E-mail (if available)     CD-ROM     Other: \_\_\_\_\_

SUBMIT THIS COMPLETED FORM TO:

Mr. Craig Berke  
Office of Community Outreach and Public Relations  
250 Benefit Street, Providence, Rhode Island, 02903  
Tel: (401) 222-4580 Fax: (401) 222-8632  
Email: [cberke@courts.ri.gov](mailto:cberke@courts.ri.gov)

\_\_\_\_\_  
DATE

\_\_\_\_\_  
SIGNATURE OF REQUESTOR

**OFFICE USE ONLY:** Request received by \_\_\_\_\_ DATE: \_\_\_\_\_ TIME: \_\_\_\_\_ AM/PM

# Lottery Commission

Accept APRA requests by email? No

Accept APRA requests by fax? Yes

Fax number: (401) 463-5669

Mailing address:

Rhode Island Department of Revenue  
Division of Lotteries  
1425 Pontiac Avenue  
Cranston, RI 02920

Telephone number: (401) 463-6500

APRA procedures online? Yes

APRA procedures URL:

<http://www.dor.ri.gov/Reports/APRA/APRA%20Request%20and%20Response%20Forms%20-%20Lottery.pdf>

**EXHIBIT A - For request to the Division of Lotteries**

**REQUEST TO INSPECT AND/OR COPY PUBLIC RECORDS  
OF THE DEPARTMENT OF REVENUE  
PURSUANT TO R.I. Gen. Laws § 38-2-1 *et seq.***

*Complete this form, sign and return to:*  
**Rhode Island Department of Revenue  
Division of Lotteries  
1425 Pontiac Avenue  
Cranston, RI 02920**

**Department of Revenue: tel. # (401) 463-6500 fax # (401) 463-5669**

NAME OF REQUESTER: \_\_\_\_\_

ADDRESS OF REQUESTER: \_\_\_\_\_

TELEPHONE NO. OF REQUESTER: \_\_\_\_\_

EMAIL: \_\_\_\_\_ FAX. NO.: \_\_\_\_\_

TITLE AND/OR DESCRIPTION OF DOCUMENT(S) REQUESTED TO BE  
INSPECTED \_\_\_\_\_ OR COPIED \_\_\_\_\_:

Please be as specific and descriptive as possible to assure that the Department will be able to respond to your request as efficiently and as completely as possible.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

FORMAT REQUESTED:

PAPER: \_\_\_\_\_ FAX: \_\_\_\_\_ EMAIL (if available) \_\_\_\_\_

NAME AND TITLE OF PERSON OR DIVISION WITHIN THE DEPARTMENT HAVING  
POSSESSION OF DOCUMENT(S), IF KNOWN:

\_\_\_\_\_

Copies of any document(s) are fifteen (\$.15) cents per page (or the actual reproduction cost of paper larger than 8 1/2" x 14"), plus an hourly charge of fifteen (\$15.00) dollars per hour for search retrieval. There is no charge if the total number of pages is twenty (20) pages or fewer. There is no charge for the first hour of search and retrieval.

Materials requested ARE \_\_\_\_\_ ARE NOT \_\_\_\_\_ sought for the purpose of pending litigation involving the Department or the State of Rhode Island.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Person Making Request

# Office of Auditor General

Accept APRA requests by email? Yes

Email address: [ag@oag.ri.gov](mailto:ag@oag.ri.gov)

Accept APRA requests by fax? Yes

Fax number: 401-222-2111

Mailing address:

86 Weybosset Street  
Providence, RI 02903-2800

Telephone number: 401-222-2435

APRA procedures online? No

Office of the Auditor General did not provide a copy of its APRA procedures

See <https://www.muckrock.com/foi/rhode-island-82/apra-procedures-office-of-auditor-general-10991/>



# Office of the Attorney General

Accept APRA requests by email? Yes

Email address: [aprarequest@riag.ri.gov](mailto:aprarequest@riag.ri.gov)

Accept APRA requests by fax? No

Mailing address:

Rhode Island Office of the Attorney General  
ATTN: Open Government Unit  
150 South Main Street  
Providence, RI 02903

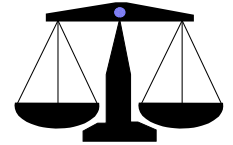
Telephone number: (401) 274-4400

APRA procedures online? Yes

APRA procedures URL: <http://www.riag.ri.gov/documents/opengov/recordsrequestguideline.pdf>



DEPARTMENT OF ATTORNEY GENERAL  
*PETER F. KILMARTIN, ATTORNEY GENERAL*  
150 South Main Street - Providence RI 02903



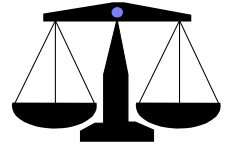
PUBLIC RECORDS REQUEST GUIDELINES  
*OPEN GOVERNMENT UNIT*

The Department of Attorney General adheres to the Access to Public Records Act, R.I. Gen. Laws §38-2-1, *et. seq.*, and has instituted the following procedures for the public to obtain public records.

1. To reach us by telephone please call (401) 274-4400 and ask to be connected to the Open Government Unit. Requests for records must be mailed to the Open Government Unit, which is the Unit within the Department of Attorney General designated to handle these matters, except as provided in paragraph 4. The mailing address is: Department of Attorney General, ATTN: Open Government Unit, 150 South Main Street, Providence, RI 02903. Requests may also be hand delivered to the Department of Attorney General at the reception desk (150 South Main Street) and addressed to the Open Government Unit or requests may be emailed to [aprarequest@riag.ri.gov](mailto:aprarequest@riag.ri.gov).
2. The regular business hours of the Department are 8:30 a.m. to 4:30 p.m. If you come in after regular business hours, please complete the Public Records Request Form at the front desk and it will be given to the Unit the following day.
3. You are not required to provide identification or the reason you seek the information, and your right to access public records will not depend upon providing identification or reasons.
4. In order to ensure that you are provided with the public records you seek in an expeditious manner, unless you are seeking records available pursuant to the Administrative Procedures Act or other documents prepared for or readily available to the public, we ask that you complete the Public Records Request Form located at the front desk, or on our website, [www.riag.ri.gov](http://www.riag.ri.gov) or otherwise submit your request in writing. If you are seeking documents available pursuant to the Administrative Procedures Act or other documents prepared for or readily available to the public and do not wish to submit a written request, you must contact an attorney in the Open Government Unit to make your request.
5. You may also obtain a copy of the Attorney General's Guide to Open Government, which can be found at: <http://www.riag.ri.gov> (then proceed to the link entitled "Open Government").
6. Please be advised that the Access to Public Records Act allows a public body ten (10) business days to respond, which can be extended an additional twenty (20) business days for "good cause." We appreciate your understanding and patience.
7. If you feel that you have been denied access to public records, you have the right to file a review petition with the Attorney General. You may also file a lawsuit in Superior Court.
8. The Department of Attorney General is committed to providing you with public records in an expeditious and courteous manner.



DEPARTMENT OF ATTORNEY GENERAL  
 PETER F. KILMARTIN, ATTORNEY GENERAL  
 150 South Main Street - Providence RI 02903



PUBLIC RECORDS REQUEST FORM  
 UNDER THE ACCESS TO PUBLIC RECORDS ACT

Date \_\_\_\_\_ Request Number \_\_\_\_\_

Name (optional) \_\_\_\_\_

Address (optional) \_\_\_\_\_

\_\_\_\_\_

Telephone (optional) \_\_\_\_\_

Requested Records: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**OFFICE USE ONLY**

Request taken by: \_\_\_\_\_ Request Number \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Records to be available on: \_\_\_\_\_ Mail \_\_\_\_\_ Pick Up \_\_\_\_\_

Records provided: \_\_\_\_\_

Costs: \_\_\_\_\_ copies \_\_\_\_\_ search and retrieval

*Forward this Document to the Open Government Unit*

**Department of Attorney General - Public Records Request Receipt**

If you desire to pick up the records, they will be available on \_\_\_\_\_ at the front desk. If, after review of your request, the Department determines that the requested records are exempt from disclosure for a reason set forth in the Access to Public Records Act, the Department reserves its right to claim such exemption.

Note: If you chose to pick up the records, but did not include identifying information on this form (name, etc.), please inform the receptionist at the front desk of the date you made the request, records requested and request number.

Thank you.

# Office of the Treasurer

Accept APRA requests by email? Yes

Email address: [apra@treasury.ri.gov](mailto:apra@treasury.ri.gov)

Accept APRA requests by fax? Yes

Fax number: (401) 222-6140

Mailing address:

Legal Counsel  
Office of the General Treasurer  
State House Room 102  
82 Smith Street  
Providence, RI 02903

Telephone number: (401) 222-2397

APRA procedures online? Yes

APRA procedures URL: <http://www.treasury.ri.gov/apra/>



## Office of the General Treasurer

Access to Public Records

Written Procedures

September 1, 2012

In accordance with Rhode Island General Laws (RIGL) §38-2-3(d), the Office of the General Treasurer has established the following procedures regarding access to public records.

### **I. Designated Public Records Officer**

The designated public records officer for the Office of the General Treasurer is:

Legal Counsel  
Office of the General Treasurer  
State House Room 102  
82 Smith Street  
Providence, RI 02903  
(401) 222-2397 (t)  
(401) 222-6140 (f)  
apra@treasury.ri.gov

### **II. Public Records Requests**

- A. If you wish to make a public records request, please follow the instructions below:
1. For all non media requests, please hand deliver, mail, email, or fax a written request to the attention of the designated public records officer. The contact information for the designated public records officer is listed above.
  2. For all media requests, please contact the media relations person at the Office of the General Treasurer at (401) 222-2397.
  3. A written request is not required for information available pursuant to RIGL §42-35-2 (Administrative Procedures Act) or other documents prepared for or readily available to the public.
- B. The following instructions are recommended by the Office of the General Treasurer:
1. In order to ensure that you are provided with the public records you seek in an expeditious manner, we ask that you complete the Public Records Request Form located in our office and on our website at <http://www.treasury.ri.gov/>.

2. In lieu of completing the form, please provide your name and contact information in order to clarify any questions or concerns that may arise pertaining to your request.
3. To the greatest extent possible, clearly describe and numerically itemize each requested document or item.
4. Please provide the office with instructions pertaining to the method you would prefer to receive the information. For example, write whether you would prefer to have the requested materials mailed or emailed to you.

### **III. Additional Information**

- A. We may ask you the reason for your request. However, you are not required to provide your identification or the reasons you seek the information. Your right to access public records will not depend upon providing identification or reasons.
- B. The Rhode Island Access to Public Records Act (APRA) is codified in Chapter 2 of Title 38 of the Rhode Island General Laws (RIGL). Please visit the following link to review the law: <http://www.rilin.state.ri.us/Statutes/TITLE38/38-2/INDEX.HTM>.
- C. Please be advised that the Access to Public Records Act permits a public body ten (10) business days to respond, which can be extended an additional twenty (20) business days for "good cause".
- D. The Office of the General Treasurer reserves the right to charge for the cost of copying and/or search and retrieval of records. Before assessing any costs, the office will notify you of the anticipated costs. The cost per copied page of written documents provided shall not exceed fifteen cents (\$0.15) per page. Hourly costs for search and retrieval shall not exceed fifteen dollars (\$15.00) per hour and no costs shall be charged for the first hour of a search or retrieval.
- E. If you feel that you have been denied access to public records, you have the right to file an appeal to the General Counsel of the Office of the General Treasurer. If you are still not satisfied, you have the right to file a complaint with the Attorney General or file suit in Superior Court.
- F. A copy of the Attorney General's Guide to Open Government can be found at <http://www.riag.ri.gov/civil/opengovernment>.

G. The Office of the General Treasurer's website and the Employees' Retirement System of Rhode Island's (ERSRI) website are great resources to access public information. Please do not hesitate to call the offices for assistance navigating through the websites. The links to the websites and the office numbers are as follows:

Treasury:      <http://www.treasury.ri.gov/>      (401) 222-2397

ERSRI:      <https://www.ersri.org/>      (401) 462-7600

**Office of the General Treasurer  
Gina M. Raimondo, General Treasurer**

**ACCESS TO PUBLIC RECORDS REQUEST**

*(The use of this form is optional. You may make a public records request without the use of this form.)*

Requestor Contact Information			
Date:		Telephone:	
Name:		Email:	
Street Address:		Fax Number:	
City, State, Zip:			
Preferred Method of Receiving Records:	Fax	Email	Snail Mail Hard Copy – Will Pick Up
Requests Accepted By:			
<b>FAX OR E-MAIL:</b>  (401) 222-6140 or <a href="mailto:apra@treasury.ri.gov">apra@treasury.ri.gov</a>  <b>Subject / Attention:</b> Public Records Officer		<b>MAIL:</b>  Office of the General Treasurer Public Records Officer 82 Smith Street, Room 102 Providence, RI 02903	
Request Details:			
<b>OFFICE USE ONLY:</b>		Date Received:	
Request taken by:		Cost to Copy:	
Records to be available on:		Cost for Search:	
By mail or pickup:		Cost for Delivery:	

-----  
Office of the General Treasurer  
Public Records Request Receipt

If you desire to pick up the records, they will be available on \_\_\_\_\_ at the front desk. Please call prior to picking up the records to ensure that the records are ready. If, after review of your request, Treasury determines that the requested records are exempt from disclosure for a reason set forth in RIGL §38-2-2(5)(A) through (Y), Treasury reserves the right to claim such exemption.

Note: If you chose to pick up the records, but did not include identifying information on this form (name, etc.), please inform the receptionist at the front desk of the date you made the request and the records you requested. Thank you.



# Public Transit Authority (RIPTA)

Accept APRA requests by email? Yes

Email address: [publicrecordsofficer@ripta.com](mailto:publicrecordsofficer@ripta.com)

Accept APRA requests by fax? Yes

Fax number: (401) 784-9513

Mailing address:

Rhode Island Public Transportation  
ATTN: Public Records Officer  
705 Elmwood Avenue  
Providence, RI 02907

Telephone number: (401) 784-9500 ext. 171

APRA procedures online? Yes

APRA procedures URL: <http://www.ripta.com/access-to-public-records-act>

# **Rhode Island Public Transit Authority Policies and Procedures for Requests for Access to Public Records**

The Rhode Island Public Transit Authority (“RIPTA” or the “Authority”) adheres to the Access to Public Records Act, R.I. Gen. Laws §§ 38-2-1, *et. seq.*, (“APRA” or the “Act”) and has instituted the following policies and procedures for the public to obtain public records maintained or held by RIPTA.

## **Disclosure of Records**

RIPTA is committed to providing the public with access to public records in an expeditious and courteous manner.

It is the RIPTA’s policy that all records maintained or held by the Authority are to be made available for public inspection and/or copying unless exempted by state or federal law, regulation, rule of court, or unless otherwise ordered by a court of competent jurisdiction.

No original records shall be removed from the location of inspection by the requestor. The inspection of public records must be accomplished in a manner that will provide for general supervision by authorized RIPTA staff. This is necessary to prevent the misplacement or unauthorized removal of records or any other action which may impair the integrity of the public record.

Pursuant to R.I. Gen. Laws § 38-2-13, all records initially deemed to be public records that any person may inspect and/or copy will continue to be considered public records whether or not subsequent court action or investigations are held pertaining to the matters contained in the records.

RIPTA is not required to reorganize, consolidate, or compile data not maintained by the Authority in the form requested at the time of the request, except to the extent that such records are in electronic format and RIPTA would not be unduly burdened by providing such data.

RIPTA is not obligated to interpret or otherwise describe or comment on the information provided.

In the event that RIPTA determines that the requested records are exempt from disclosure for a reason set forth in the Act, RIPTA shall provide to the requesting party the reasons for the denial of the request, as well as the procedure for appealing the denial.

If RIPTA receives a request for records that do not exist or are not within its custody or control, the Authority will in responding to the request state that it does not have the requested records.

## **Procedures for Requesting Public Records**

All requests for public records should be directed to the following:

Rhode Island Public Transportation  
Attn: Public Records Officer  
705 Elmwood Ave.  
Providence, RI 02907  
Telephone: 401-784-9500 ext 171  
Facsimile: 401-784-9513  
Email: [PublicRecordsOfficer@RIPTA.com](mailto:PublicRecordsOfficer@RIPTA.com)

A sample request letter is attached as Exhibit A. The requesting party is not required to provide identification or the reason for the request, and the right to access public records will not depend upon providing such identification or the purpose for the request. However, in the event that RIPTA is not provided with appropriate contact information, such as a telephone or facsimile number, mailing address or email address, any response to a request will be made available at the front desk of RIPTA at the address given above during normal business hours in accordance with applicable law.

RIPTA's regular business hours are Monday through Friday, 8:30 a.m. – 4:30 p.m., excepting state and federal holidays. Any request received after regular business hours, shall be deemed to have been received on the next following business day.

To reach RIPTA by telephone with any questions about how to make a request for public records, please call 401-784-9500 and ask to be connected to Public Records Officer.

A request for public records must reasonably describe the records sought in a way that will permit their identification and retrieval by RIPTA personnel.

If the description of the records sought in a request is not sufficient to allow RIPTA to identify and locate the requested records, RIPTA will notify the requesting party that additional information is needed in order to fulfill the request.

It is the requesting party's responsibility to frame requests with sufficient particularity to ensure that searches are not unreasonably burdensome, and to enable the Authority to determine precisely which records are being requested. RIPTA may discuss with the requesting party the extent to which the scope of the request can be narrowed to serve these purposes.

RIPTA will make every reasonable effort to honor the request within ten (10) business days after receiving the request. Should it appear that the request cannot be honored within ten (10) business days, RIPTA will explain in writing the reasons needed for up to an additional twenty (20) business day period to comply with the request. Further, as discussed below, RIPTA may require pre-payment, which may delay the production of records.

## **Delivery of Records**

At the option of the requesting party, RIPTA will provide copies of public records electronically, by facsimile or by mail, unless complying with that preference would be unduly burdensome to the Authority due to the volume of records requested or the costs that would be incurred.

The requesting party will be responsible for the actual cost of delivery, if any.

## **Cost**

RIPTA may charge a fee not to exceed fifteen cents (\$0.15) per copied page for records that can be copied on common business or legal size paper.

RIPTA may charge no more than the reasonable actual cost for providing electronic records or retrieving records from storage where RIPTA has been assessed a retrieval fee.

A reasonable charge may be made for the search and retrieval of records. Hourly charges for a search and retrieval may not exceed fifteen dollars (\$15.00) per hour, but no costs will be charged for the first hour of a search or retrieval.

Upon request, RIPTA will provide an estimate of the costs. RIPTA may require that the requesting party pre-pay the estimated costs prior to engaging in the search and retrieval of records. As permitted by the Act, the production of records will not be deemed untimely if the Authority is waiting receipt of payment for costs properly charged under the Act.

Upon request, RIPTA will provide a detailed itemization of the costs charged for the search and retrieval of records.

To the extent that redaction of records is necessary to protect exempted information, the requesting party shall be responsible for the cost of redacting the records. The cost for such redaction shall not exceed fifteen dollars (\$15.00) per hour.

If the estimated costs are twenty dollars (\$20.00) or more for identification, search, retrieval, redaction and/or delivery of records then pre-payment shall be required to be made.

All payments are to be made in the form of a money order or certified check and made payable to RIPTA, c/o: Finance Department, 705 Elmwood Ave., Providence, Rhode Island 02907. Payments must be accompanied by sufficient written information referencing the public records request to ensure proper crediting of funds.

## EXHIBIT A

### SAMPLE REQUEST LETTER

Rhode Island Public Transportation Authority  
Attn: Public Records Officer  
705 Elmwood Avenue  
Providence, Rhode Island 02907  
Telephone: 401-784-9500 ext. 171  
Facsimile: 401-784-9513  
Email: [PublicRecordsOfficer@RIPTA.com](mailto:PublicRecordsOfficer@RIPTA.com)

Dear Public Records Officer:

Pursuant to the Access to Public Records Act, R.I. Gen. Laws § 38-2-1 et seq., I am requesting access to records, which I believe are public documents. Specifically, I am requesting records relating to [**be as specific as possible about your request**].

In accordance with R.I. Gen. Laws § 38-2-7, the Rhode Island Public Transit Authority has ten (10) business days to provide the requested documents or to notify me in writing the specific reasons for denying me access to the requested records. If the exemption you are claiming applies only to a portion of the records that I seek, please delete that portion and provide photocopies of the remainder of the records. See R.I. Gen. Laws § 38-2-3(b). I understand that for “good cause” the ten (10) business day time period may be extended for an additional twenty (20) business days, provided that I am notified of the “good cause” in writing within the original ten (10) business days of my request.

I also agree to pay a maximum of \$0.15 per page for the cost of photocopying and a maximum of \$15.00 per hour for search and retrieval, with the first hour being free. Please notify me at the following phone number or address when the requested records are available for pickup.

Thank you for your assistance in this matter.

Sincerely,

Name, address, and telephone number [**optional**]

# Rhode Island Housing and Mortgage Finance Corporation

Accept APRA requests by email? No

Accept APRA requests by fax? Yes

Fax number: (401) 457-1136

Mailing address:

Rhode Island Housing, ATTN: Executive Director  
44 Washington Street  
Providence, RI 02903

Telephone number: (401) 457-1234

APRA procedures online? Yes

APRA procedures URL: [http://www.rhodeislandhousing.org/filelibrary/RIH\\_APRA\\_Policy.pdf](http://www.rhodeislandhousing.org/filelibrary/RIH_APRA_Policy.pdf)

RULES OF RHODE ISLAND HOUSING AND  
MORTGAGE FINANCE CORPORATION  
RELATING TO ACCESS TO ITS PUBLIC RECORDS

I. INTRODUCTION/PURPOSE

These Rules:

- A. Establish Rules to comply with Chapter 35 of Title 42 and Chapter 2 of Title 38 of the Rhode Island General Laws regarding access to Public Records held by Rhode Island Housing and Mortgage Finance Corporation;
- B. Establish procedures for obtaining Public Records held by Rhode Island Housing and Mortgage Finance Corporation.

II. DEFINITIONS

All capitalized terms used herein shall have the same meanings as set forth in the "Rules of Rhode Island Housing and Mortgage Finance Corporation Adopted Pursuant to the Administrative Procedures Act."

III. DISCLOSURE OF RECORDS

All Public Records maintained or held by the Corporation shall be subject to inspection and reproduction by Members of the Public in accordance with the Rules enunciated herein and the provisions of Chapter 2 of Title 38 of the Rhode Island General Laws, unless exempt or prohibited from disclosure by state or federal law or by order of a court of competent jurisdiction.

IV. DELETION OF NONDISCLOSABLE INFORMATION

The Executive Director of the Corporation shall determine if information contained in a document which is the basis for its nondisclosure can be deleted. If so, the document shall be made available to the Member of the Public once the necessary deletions have been completed.

V. PROCEDURES FOR OBTAINING ACCESS

- A. A Request to Inspect and/or Copy Public Records of the Corporation (the "Request") shall be presented orally or in writing to the Executive director or his designee at the Corporate Office during Business Hours of the Corporation.
- B. The Corporation will exert reasonable efforts to honor the Request within ten (10) business days of receipt of the Request.
- C. The Corporation shall not be obligated to produce for inspection or copying records which are not in the possession of the Corporation. The Corporation shall use reasonable efforts to notify persons filing Requests, within ten (10) days of the submission of the Request, if the Public Record is in active use or in storage and is therefore not available for inspection within ten (10) days of the Request. If the Request of the person seeking access to the Public Record is granted, he shall be notified by letter when the Public Record is available and shall be provided with an appointment to examine the Public Record.
- D. Printouts of properly identified disclosable data maintained by the Corporation in a computer storage system shall be available to persons following the above-stated procedures.
- E. The Corporation is not required to reorganize, consolidate, or compile data which is not maintained by the Corporation in the form requested.



- F. The Executive Director may restrict access to specified times and days, consistent with these Rules, if it is determined that this is necessary or appropriate to prevent unnecessary disruption of the Corporation's work.

VI. PROHIBITION OF COMMERCIAL USE OF PUBLIC RECORDS

No Member of the Public shall use information obtained from Public Records to solicit for commercial purposes or to obtain a commercial advantage over the party furnishing that information to the Corporation.

VII. DENIAL OF ACCESS AND ADMINISTRATIVE APPEALS

The Corporation shall deny access to records requested only in accordance with the provisions of the Public Access Act. Once denied access to a record of the Corporation, any person may petition the Executive Director of the Corporation for a review of the denial by contacting the Executive Director or his designee either orally or in writing at the Corporate Office to request such a review. Such administrative appeals of denial of access will be conducted in accordance with the provisions of the Public Access Act.

# Rhode Island State Police

Accept APRA requests by email? Yes

Email address: [laudette@risp.dps.ri.gov](mailto:laudette@risp.dps.ri.gov)

Accept APRA requests by fax? Yes

Fax number: (401) 444-1105

Mailing address:

Department of Public Safety Legal Office  
311 Danielson Pike  
North Scituate, RI 02857

Telephone number: 401-539-2323 ; Direct Phone - 401 - 444 - 1335

APRA procedures online? Yes

APRA procedures URL:

<http://www.dps.ri.gov/documents/DPSAccessToPublicRecordsRegulation.pdf>

RHODE ISLAND DEPARTMENT OF PUBLIC SAFETY



# Access to Public Records Regulation

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**DEPARTMENT OF PUBLIC SAFETY  
ACCESS TO PUBLIC RECORDS REGULATION**

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**Section I: Authority**

- A. These regulations are promulgated pursuant to R.I. Gen. Laws § 38-2-1, *et seq.* (“*Access to Public Records*”), § 42-35-2 (a), and § 42-7.3-9.

**Section II: Purpose**

- A. To establish regulations to implement R.I. General Laws § 38-2-1, *et seq.* (“*Access to Public Records*”) relating to access to public records maintained by the Department of Public Safety and its agencies, and to comply with R.I. General Laws § 42-35-2(a) and § 42-7.3-9.
- B. To identify and delineate categories of records exempt from disclosure.
- C. To provide the public and the Department of Public Safety personnel with regulations that set forth the rules and procedures applicable to access public records maintained by the Department.

**Section III: Policy**

- A. The Department of Public Safety recognizes both the public’s right to access public records and the individual’s right to dignity and privacy. It is the Department of Public Safety’s policy to facilitate public access to all public records that may be disclosed in accordance with R.I. Gen. Laws § 38-2-1, *et seq.* It is also the policy of the Department of Public Safety to make all public records in the Department’s possession available for

public inspection and copying consistent with applicable state or federal law, unless otherwise prohibited by a court of competent jurisdiction.

#### **Section IV: Scope**

- A. The Department of Public Safety is responsible for the management and administration of the services provided by various divisions and agencies with the Executive Branch of state government, pursuant to R.I. General Laws § 42-7.3-3. The divisions and agencies include the Rhode Island State Police, Rhode Island Capitol Police, Division of the Rhode Island State Fire Marshal, E 9-1-1 Uniform Emergency Telephone System, Rhode Island Municipal Police Training Academy, and Rhode Island Division of Sheriffs.
- B. Members of the public may access public records maintained by the Department of Public Safety through the Access to Public Records Act, R.I. General Laws § 38-2-1 *et seq.*, by making a request consistent with the Department of Public Safety's access to public records guidelines.

#### **Section V: Procedure for Requesting Public Records**

- A. The Department of Public Safety adheres to the Access to Public Records Act, R.I. Gen. Laws § 38-2-1 *et seq.*, and has instituted the following procedures for members of the public to obtain public records.
  - 1. A written request is not required for records available pursuant to the Administrative Procedures Act or other documents prepared for or readily available to the public.
  - 2. Members of the public can request public records from the Department of Public Safety by contacting the Department of Public Safety Office of Legal Counsel, which is the Department's designated public records unit.
  - 3. Written requests to inspect or copy public records should be sent to the Department that describes the records being requested. It is suggested, but not required, that requests be submitted on the forms provided by the Department (APPENDIX A-D). Records request forms are available on the Department's website, [www.dps.ri.gov](http://www.dps.ri.gov), at Rhode Island State Police Headquarters and Public Safety Complex, at all Rhode Island State Police barracks, and at all Department of Public Safety agencies.
  - 4. Written requests may be mailed, hand-delivered, e-mailed or sent via facsimile. Requests by mail should be sent to Department of Public Safety, Office of Legal Counsel, 311 Danielson Pike, North Scituate, RI 02857. Hand-delivered requests may be made during the Department's regular business hours, Monday through Friday, 8:00 a.m.-4:30 p.m.; however, requests may be delivered to Rhode Island State Police barracks at all times they are open.

5. In order to ensure that the Department is able to respond to the request as efficiently as possible, the request should identify the documents or information being requested with as much specificity as possible. If the description of records being requested is not sufficient to allow the Department to identify and locate the requested records, the Department will notify the person requesting such records that additional information is needed in order to properly respond to the request.
6. Statewide Uniform Crash Reports for Motor Vehicle Accidents can be purchased for a fee, pursuant to R.I. Gen. Laws § 42-28-37, either on-line from the website [www.GetCrashReports.com](http://www.GetCrashReports.com), or by mail through the Rhode Island State Police Accident Bureau, 311 Danielson Pike, North Scituate, RI 02857.
  - i. Requests for Statewide Uniform Crash Reports that have not been placed on the above mentioned website for the public shall be reviewed by Legal Counsel to determine whether the an investigation is on-going and whether criminal charges are pending. Non-public information will be redacted prior to release.
    - a. Statewide Uniform Crash Reports shall be provided to individuals involved in the accident or their legal representative regardless of the status of the investigation, pursuant to R.I. Gen. Laws § 42-28-37.
7. You are not required to provide identification or the reason you seek the information. Your right to access public records will not depend upon providing identification or reasons.
  - i. However, any parent, guardian, or attorney requesting records on a juvenile they represent will be required to provide identification prior to receiving the requested record.
8. Copies of public records will be provided electronically, by facsimile or by mail in accordance with the requesting party's choice, unless complying would be unduly burdensome due to the volume of records requested or the costs that would be incurred. The requesting party is responsible for the actual cost of delivery, if any.
9. The Access to Public Records Act allows a public body ten (10) business days to respond to a request for records, which can be extended an additional twenty (20) days for good cause, which will be explained in writing by the Department.
10. Any denial of access to records, in whole or in part, will be provided through a written response to the requestor indicating the reasons for the denial of access to records or for the denial of certain information contained in a record that is otherwise public pursuant to R.I. Gen. Laws § 38-2-2. The written response will also include the process for appeals outlined in R.I. Gen. Laws § 38-2-8.

11. Any individual who receives a denial for copies of requested records or the ability to inspect records may petition the Commissioner of the Department of Public Safety for a review of the determinations. The Commissioner shall make a final determination whether or not to allow public inspection within ten (10) business days. If the denial is confirmed, the individual may file a complaint with the Office of the Attorney General, who will then investigate and make a determination. The individual may also file a lawsuit in Superior Court.

## **Section VI: Guidelines for Requests for Public Records**

- A. R.I. Gen. Laws § 38-2-2, (“*Access to Public Records*”) specifies records which, for the purposes of that chapter, **are public**.

1. **Public record(s) means all:**

- i. Documents
- ii. Papers
- iii. Letters
- iv. Maps
- v. Tapes
- vi. Photographs
- vii. Films
- viii. Sound recordings
- ix. Magnetic or other tapes
- x. Electronic data processing records
- xi. Computer stored data (including electronic mail messages, except specifically for any electronic mail messages of or to elected officials with or relating to those they represent and correspondence of or to elected officials in their official capacities)
- xii. Other material regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business.

2. **Arrest Logs:** the following information reflecting an initial arrest of an adult will be made available within forty-eight (48) hours after receipt; seventy-two (72) hours if the request is made on a weekend or holiday, to the extent that such information is known by the Department, for arrests made within five (5) days prior to the request:

- i. Full name of the arrested adult
- ii. Home address of the arrested adult, unless doing so would identify a crime victim
- iii. Year of birth of the arrested adult
- iv. Charge or charges
- v. Date of arrest
- vi. Time of arrest

- vii. Gender of the arrested adult
- viii. Race of the arrested adult
- ix. Name of arresting officer, unless doing so would identify and undercover officer

3. The Access to Public Records Act requires public bodies apply a case-by-case balancing test to non-exempt records to determine whether the privacy interests of individuals outweigh the public's interest in disclosure. That balancing requires a public body to consider both "the public's right to access to public records and the individual's right to dignity and privacy..." R.I. Gen. Laws § 38-2-1.

B. R.I. Gen. Laws § 38-2-2, ("*Access to Public Records*") specifies records which, for the purposes of that chapter, **are not public**.

1. Records that **are not deemed public** are:

- i. Records relating to a client/attorney relationship
- ii. Records relating to a doctor/patient relationship
  - a. Including all medical information relating to an individual in any files.
- iii. Personnel and other personal individually-identifiable records otherwise deemed confidential by federal or state law or regulation, or the disclosure of which would constitute a clearly unwarranted invasion of personal privacy pursuant to 5 U.S.C 552 et. seq.

a. However, records of employees, and employees of contractors and subcontractors working on public works projects which are required to be listed as certified payrolls that **are deemed public** include:

- (1) Name
- (2) Gross salary
- (3) Salary range for position
- (4) Total cost of paid fringe benefits
- (5) Gross amount received in overtime and any other remuneration in addition to salary
- (6) Job title
- (7) Job description
- (8) Dates of employment
- (9) Positions held with the state, municipality, or public works contractor or subcontractor on public works projects
- (10) Employment contract
- (11) Work location
- (12) Business telephone number
- (13) City or town of residence
- (14) Date of termination



- iv. Any information in pension records regarding the medical condition of any person and all information identifying the member's designated beneficiary or beneficiaries.
  - a. Unless and until the member's designated beneficiary or beneficiaries have received or are receiving pension and/or retirement benefits through the retirement system.
- v. Trade secrets and commercial or financial information obtained from a person, firm, or corporation which is of a privileged or confidential nature.
- vi. Child custody and adoption records, records of illegitimate births, and records of juvenile proceedings before the family court.
- vii. All records maintained by law enforcement agencies for criminal law enforcement and all records relating to the detection and investigation of crime, including those maintained on any individual compiled in the course of a criminal investigation by any law enforcement agency.
  - a. Provided, however, such records shall not be deemed public only to the extent that the disclosure of the records or information:
    - (1) Could reasonably be expected to interfere with investigations of criminal activity or with enforcement proceedings;
    - (2) Would deprive a person of a right to a fair trial or an impartial adjudication;
    - (3) Could reasonably be expected to constitute an unwarranted invasion of personal privacy;
    - (4) Could reasonably be expected to disclose the identity of a confidential source, including a state, local or foreign agency or authority, or any private institution which furnished information on a confidential basis or the information furnished by a confidential source;
    - (5) Would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions;
    - (6) Could reasonably be expected to endanger the life or physical safety of any individual.
  - b. However, law enforcement records relating to management and direction of a law enforcement agency, and records or reports reflecting the initial arrest of an adult and the charge or charges brought against an adult **are deemed public.**

- viii. Any records which would not be available by law or rule of court to an opposing party in litigation.
- ix. Scientific and technological secrets and the security plans of military and law enforcement agencies, the disclosure of which would endanger the public welfare and security.
- x. Any records which disclose the identity of the contributor of a bona fide and lawful charitable contribution to the public body whenever public anonymity has been requested of the public body with respect to the contribution by the contributor.
- xi. Reports and statements of strategy or negotiation involving labor negotiations or collective bargaining.
- xii. Reports and statements of strategy or negotiation with respect to the investment or borrowing of public funds, until such time as those transactions are entered into.
- xiii. Any minutes of a meeting of a public body which are not required to be disclosed pursuant to chapter 26 of title 42.
- xiv. Preliminary drafts, notes, impressions, memoranda, working papers, and work products.
  - a. Provided, however, any documents submitted at a public meeting of a public body shall be deemed public.
- xv. Test questions, scoring keys, and other examination data used to administer a licensing examination, examination for employment or promotion, or academic examinations.
  - a. Provided, however, that a person shall have the right to review the results of his or her examination.
- xvi. Correspondence of or to elected officials with or relating to those they represent and correspondence of or to elected officials in their official capacities.
- xvii. The contents of real estate appraisals, engineering, or feasibility estimates and evaluations made for or by an agency relative to the acquisition of property or to prospective public supply and construction contracts, until such time as all of the property has been acquired or all proceedings or transactions have been terminated or abandoned.

- a. Provided the law of eminent domain shall not be affected by this provision.
- xviii. All tax returns.
- xix. All investigatory records of public bodies, with the exception of law enforcement agencies, pertaining to possible violations of statute, rule, or regulation other than records of final actions taken provided that all records prior to formal notification of violations or noncompliance shall not be deemed to be public.
- xx. Records of individual test scores on professional certification and licensing examinations.
  - a. Provided, however, that a person shall have the right to review the results of his or her examination.
- xxi. Requests for advisory opinions until such time as the public body issues its opinion.
- xxii. Records, reports, opinions, information, and statements required to be kept confidential by federal law or regulation or state law, or rule of court.
- xxiii. Judicial bodies are included in the definition only in respect to their administrative function provided that records kept pursuant to the provisions of chapter 18 of title 8 are exempt from the operation of this chapter.
- xxiv. Library records which by themselves or when examined with other public records, would reveal the identity of the library user requesting, checking out, or using any library materials.
- xxv. Printouts from TELE-TEXT devices used by people who are deaf or hard of hearing or speech impaired.
- xxvi. All records received by the insurance division of the department of business regulation from other states, either directly or through the National Association of Insurance Commissioners, if those records are accorded confidential treatment in that state
- xxvii. Credit card account numbers in the possession of state or local government.

- xxviii. Any documentary material, answers to written interrogatories, or oral testimony provided under any subpoena issued under Rhode Island General Law § 9-1.1-6.
- xxix. Any records regarding a juvenile, arrest or other are not a public record; however:
  - a. A parent, guardian, or attorney of a juvenile may inspect and copy a police report relating to the arrest or detention of that juvenile
  - b. After disposition of an offense, a parent, guardian, or attorney of the juvenile involved may inspect a copy records relating to the arrest, detention, apprehension, and disposition, as provided for in R.I.G.L. § 14-1-64.
  - c. The identity of a juvenile waived to be tried as an adult under R.I.G.L. § 14-1-7.1, or certified and convicted pursuant to R.I.G.L. § 14-1-7.2, is public record
- C. The Department is not required to reorganize, consolidate, or compile data not maintained in the form requested, except the extent that such records are in an electronic format and the Department would not be unduly burdened in providing such data.
- D. All records initially deems to be public records which any person may inspect and/or copy shall continue to be public records whether or not subsequent court action or investigations are held pertaining to the matters contained in the records.

## **Section VII: Hours and Supervision of Inspections**

- A. Individuals who request to inspect records, as opposed to obtain copies, deemed to be public pursuant to R.I. Gen. Laws § 38-2-3, will be advised of when the records will be available for inspection, or an appointment will be made for them to inspect the requested records.
- B. The time frame for the Department to respond to requests to inspect public records is the same time frame applicable to responding to requests for copies of public records as set forth in Section (V) above.
- C. The inspection of public records must be accomplished in a manner which will provide for general supervision by authorized Departmental staff. This is necessary to prevent the misplacement or unauthorized removal of records or any other action that may impair the integrity of the public record.

## **Section VIII: Fees**

- A. The cost for documents that are able to be copied on common business or legal size paper is fifteen cents (15¢) per page. The fee for electronic records or retrieval fees from a storage facility is not more than the reasonable actual cost of those records.
- B. The cost for a Statewide Uniform Crash Report requested through the Department is fifteen dollars (\$15.00), pursuant to R.I.G.L. § 42-28-37.
- C. There is no fee for the first hour of search and retrieval of documents by the Department. There will be a fee of fifteen dollars (\$15.00) per hour for each additional hour spent for search and retrieval. Multiple requests made within a thirty (30) day time period from the same requesting party for records from one of the Department's agencies shall be treated as one request.
- D. The Department will provide an estimate of the cost of a request for documents prior to providing copies. Upon request, a detailed itemization of the costs charged for search and retrieval will be provided.
- E. If a court determines the information requested is in the public interest, it may reduce or waive fees for search and retrieval costs.
- F. Department personnel will make copies of requested records. The Department does not have a copy machine available for use by the public to make copies.
- G. Official publications prepared by the Department in the discharge of their duties to inform the public on matters of public interest will be furnished free of charge when available.
- H. The Department will supply one (1) copy of any of its rules and regulations to an individual free of charge. All promulgated rules and regulations for the Department and its agencies are on file at the Office of the Secretary of State, and certified copies, thereof may be obtained through that office. They are also available on-line at the following websites:
  - 1. [www.sos.ri.gov](http://www.sos.ri.gov)
  - 2. [www.dps.ri.gov](http://www.dps.ri.gov)

## **Section IX: Severability**

- A. If any provision of this regulation or the application thereof to any individual or circumstances, is held invalid, such invalidity shall not affect the provisions or application of the remaining portions of the regulation which can be given effect. The provisions of these rules and regulations are declared to be severable

# **APPENDIX**

- APPENDIX A: Department of Public Safety Public Records Request Form**
- APPENDIX B: Rhode Island State Police Public Records Request Form**
- APPENDIX C: Rhode Island Capitol Police Public Records Request Form**
- APPENDIX D: Rhode Island Division of the State Fire Marshal Public Records Request Form**
- APPENDIX E: Rhode Island Division of Sheriffs Public Records Request Form**
- APPENDIX F: Public Safety Grants Administration Office Public Records Request Form**
- APPENDIX G: E 9-1-1 Uniform Emergency Telephone System Public Records Request Form**
- APPENDIX H: Rhode Island Municipal Police Training Academy Public Records Request Form**



# RHODE ISLAND STATE POLICE PUBLIC RECORDS REQUEST FORM



Date: \_\_\_\_\_ Request Number: \_\_\_\_\_

Location: \_\_\_\_\_

Name (optional): \_\_\_\_\_

Address (optional): \_\_\_\_\_

City/Town, State, Zip Code (optional): \_\_\_\_\_

Telephone Number (optional): (Home): \_\_\_\_\_ (Work): \_\_\_\_\_

Requested Records:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If these records are not readily available at the time of your request, please advise whether you would like to:

Pick up the records       Records to be sent regular mail  
 Records to be faxed to Fax Number: (    ) \_\_\_\_\_

### For Office Use Only

Request Taken By: \_\_\_\_\_ Request Number: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Records Available On: \_\_\_\_\_

Records Provided:       Yes       No       In Part

Date response provided if any exemptions are claimed: \_\_\_\_\_

Costs for Records:    Copies \$ \_\_\_\_\_      Search and Retrieval \$ \_\_\_\_\_

### Department of Public Safety – Access to Public Records Request Receipt

If you desire to pick up the records, they are expected to be available on \_\_\_\_\_ at the Department of Public Safety, Rhode Island State Police Headquarters, at the front desk in the main lobby. If, after review of your request, it is determined that the requested records are exempt from disclosure for a reason set forth in R.I.G.L. § 38-2-2(4)(i)(A) through (Y), the department reserves its right to claim such exemptions.

Note: If you choose to pick up the records but did not include identifying information on this form (name, etc.), please inform the officer at the front desk of the date you made the request, records requested and request number. Any parent, guardian or attorney of an involved juvenile requesting records must show identification in order to obtain records, pursuant to R.I.G.L. § 14-1-64.

# Secretary of State

Accept APRA requests by email? No

Accept APRA requests by fax? No

Mailing address:

Rhode Island Secretary of State  
337 Westminster Street  
Providence, RI 02903-3302

Telephone number: (401) 222-2357

APRA procedures online? Yes

APRA procedures URL:

<http://sos.ri.gov/documents/publicinfo/Public%20Records%20Policy%20and%20Request%20Form.pdf>



**REGULATION  
OF THE RHODE ISLAND SECRETARY OF STATE  
RELATING TO ACCESS TO ITS PUBLIC RECORDS**

**I. AUTHORITY**

The authority to promulgate this Regulation is set forth in Rhode Island General Laws Title 42, Chapter 35, Section 2, Title 38, Chapter 2, Title 42, Chapter 8, Title 42, Chapter 8.1 and Title 38, Chapter 3 .

**II. INTRODUCTION/PURPOSE**

This Regulation:

A. To establish Rules to fully comply with Chapter 35 of Title 42, Chapter 2 of Title 38, Chapter 8 of Title 42, Chapter 8.1 of Title 42 and Chapter 3 of Title 38 of the Rhode Island General Laws concerning access to Public Records held by The Office of the Rhode Island Secretary of State;

B. Establish procedures for obtaining Public Records held by The Office of the Rhode Island Secretary of State.

C. To provide personnel of the Office of the Secretary of State and the public with established procedures for public record access.

**II. DISCLOSURE OF RECORDS**

All Public Records(as defined in R.I.G.L. § 38-2-2, ( excluding the records in the custody of the State Archivist as part of the State Archives ), maintained or held by The Office of the Rhode Island Secretary of State shall be subject to inspection and reproduction by Members of the Public in accordance with the Rules enunciated herein and the provisions of Chapter 2 of Title 38 of the Rhode Island General Laws, unless exempt or prohibited from disclosure by state or federal law or by order of a court of competent jurisdiction. For records in the custody of the State Archivist as part of the State Archives, refer to Section VII below.

**III. DELETION OF NONDISCLOSABLE INFORMATION**

The Secretary of State, or his/her designee, shall determine if information contained in a document, which is the basis for its nondisclosure, can be deleted. If so, the document shall be made available to the Member of the Public once the necessary deletions have been completed.

**RECEIVED**

JUN 11 2010 *RLS*

RI SECRETARY OF STATE  
ADMINISTRATIVE RECORDS

#### **IV. PROCEDURES FOR OBTAINING ACCESS**

A. A Request to Inspect and/or Copy Public Records of The Office of the Rhode Island Secretary of State (the "Request") shall be presented orally or in writing to the Secretary of State or his/her designee at The Office of the Rhode Island Secretary of State during Business Hours.

B. The Office of the Rhode Island Secretary of State does not require a written request for a public record available pursuant to R.I.G.L. § 42-35-2 or for other documents prepared for or readily available to the public.

C. With regard to documents which R.I.G.L. § 42-35-2 does not apply or that are not readily available to the public, The Office of the Rhode Island Secretary of State will exert reasonable efforts to honor a written Request within ten (10) business days of receipt of the Request. If said request can't be honored within ten (10) days, The Office of the Secretary of State will so notify the person making the request, in writing, and may extend the response time up to thirty (30) business days and will set forth the good cause for such an extension in the written notice to the Requestor.

D. The Office of the Rhode Island Secretary of State shall not be obligated to produce for inspection or copying records that are not in the possession of The Office of the Rhode Island Secretary of State.

E. The Office of the Rhode Island Secretary of State shall use reasonable efforts to notify the person making the request, within ten (10) days of the submission of the request, if the Public Record is in active use or in storage and is therefore not available for inspection within ten (10) days of the request.

F. If the request of the person seeking access to the Public Record is granted, he/she shall be notified by letter when the Public Record is available and shall be provided with an appointment to examine or pick up the Public Record or shall be forwarded the record by mail within said ten (10) business days.

G. Printouts of properly identified disclosable data maintained by The Office of the Rhode Island Secretary of State in a computer storage system shall be available to persons following the above-stated procedures.

H. The Office of the Rhode Island Secretary of State is not required to reorganize, consolidate, or compile data that is not maintained by The Office of the Rhode Island Secretary of State in the form requested.

I. The Secretary of State, or his/her designee, may restrict access to specified times and days, consistent with these Rules, if it is determined that this is necessary or appropriate to prevent unnecessary disruption of the work of The

Office of the Rhode Island Secretary of State.

#### **V. COSTS OF COPIES**

A. Subject to the provisions of R.I.G.L. § 38-2-3, The Office of the Rhode Island Secretary of State will allow copies to be made or provide copies of Public Records. The cost per copied page of written documents provided to the person making the request, if charged by the Secretary of State, will not exceed fifteen cents (\$.15) per page for documents copied on common business or legal size paper. The Office of the Rhode Island Secretary of State will only charge the reasonable actual cost for providing electronic records.

B. The Office of the Rhode Island Secretary of State may impose a reasonable charge for the search or retrieval of documents. Hourly costs for a search and retrieval will not exceed fifteen dollars (\$15.00) per hour and no costs will be charged for the first hour of a search or retrieval.

#### **VI. DENIAL OF ACCESS AND ADMINISTRATIVE APPEALS**

A. The Office of the Rhode Island Secretary of State shall deny access to records requested only in accordance with the provisions of the Access to Public Records Act ("Act"). Once denied access to a record of The Office of the Rhode Island Secretary of State, any person may Petition the Secretary of State for a review of the denial by contacting the Secretary of State or his/her designee either orally or in writing at The Office of the Rhode Island Secretary of State to request a review of his/her subordinates actions. Such administrative appeals of denial of access will be conducted in accordance with the provisions of the Access to Public Records Act.

B. If the Secretary of State determines that the record is not subject to public inspection, the person or entity seeking disclosure may file a complaint with the Department of the Rhode Island Attorney General or exercise any and all other rights said Requestor may have pursuant to R.I.G.L. § 38-2-8.

#### **VII. PUBLIC RECORDS WITHIN THE STATE ARCHIVES DIVISION**

A. All records in the possession of the State Archivist in the State Archives , pursuant to either R.I.G.L. Section 42-8.1-1.et seq or R.I.G.L. Section 38-3-1, et seq, shall be subject to examination, inspection and copying at reasonable times and under the supervision of the State Archivist or her/his staff, but subject to any special terms or conditions restricting their use placed on the document(s) at the time of filing with the State Archives.

B. "Photocopying of documents contained within the State Archives shall be done by staff of the State Archives only.

C. The State Archivist and/or the State Archives reserves the right to restrict photocopying of documents due to preservation concerns.

VIII. SEVERABILITY

If any provision of this Regulation or the application thereof to any person or circumstance shall be held invalid, such invalidity shall not affect the provisions or application of this Regulation-s which can be given effect, and to this end, the provisions of this Regulation-s are declared to be severable.

CERTIFICATION

I hereby attest that the within Regulation relating to Access to Public Records of the Office of the Secretary of State has been adopted by the Office of the Secretary of State and is a true copy.

June 11, 2010.  
Date

A. Ralph Mellis  
A. Ralph Mellis, Secretary of State

**RECEIVED**

JUN 11 2010 *RM*

RI SECRETARY OF STATE  
ADMINISTRATIVE RECORDS

A. RALPH MOLLIS, RHODE ISLAND SECRETARY OF STATE  
OFFICE OF THE SECRETARY OF STATE  
REQUEST FORM FOR RECORDS  
UNDER THE ACCESS TO PUBLIC RECORDS ACT

DATE: \_\_\_\_\_ Request Number: \_\_\_\_\_

Name (Optional): \_\_\_\_\_

Address(Optional): \_\_\_\_\_  
\_\_\_\_\_

Telephone(Optional): \_\_\_\_\_

Requested Records: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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OFFICE USE ONLY:

Request Taken By: \_\_\_\_\_ Request Number: \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Records to be available on: \_\_\_\_\_ Mail: \_\_\_\_\_ Pick Up: \_\_\_\_\_

Records Provided: \_\_\_\_\_

Costs: \_\_\_\_\_ copies \_\_\_\_\_ search and retrieval

-----  
OFFICE OF THE SECRETARY OF STATE-ACCESS TO PUBLIC RECORDS  
REQUEST RECEIPT

If you desire to pick up the records they will be ready on \_\_\_\_\_ at the front desk of the office that you filed your request, subject to the Office exercising its right to extend said time under Rhode Island law. If, after review of your request, the Secretary of State's Office determines that the requested records are exempt from disclosure for a reasons et forth in R.I. General laws Section 38-2-2(4)(i)(A) through (Y), the Office reserves its right to claim such exemption.

Note: If you chose to pick up the records, but did not include identifying information on this form (name, etc.) please inform the receptionist at the front desk of the date you made the request, records requested and request number.

Thank you.

# Turnpike and Bridge Authority (RITBA)

Accept APRA requests by email? Yes

Email address: [jswanberg@ritba.org](mailto:jswanberg@ritba.org)

Accept APRA requests by fax? No

Mailing address:

Turnpike and Bridge Authority (RITBA)  
1 East Shore Road  
P.O. Box 437  
Jamestown, RI 02835

Telephone number: (401) 423-1953

APRA procedures online? Yes

APRA procedures URL: <http://www.ritba.org/public-records-request>

## **RHODE ISLAND TURNPIKE AND BRIDGE AUTHORITY**

### **PUBLIC RECORDS REQUEST GUIDELINES**

The Rhode Island Turnpike and Bridge Authority ("RITBA") adheres to the Access to Public Records Act, R.I. Gen. Laws § 38-2-1, et seq., and has instituted the following procedures for the public to inspect and/or copy public records.

1. To reach RITBA's Official Records Keeper by telephone please call (401) 423-1953 and ask to be connected with Jim Swanberg, Director of Plaza Operations, Safety and Security.

2. The regular business hours of RITBA are 8:30 a.m. to 4:30 p.m. If you come in after regular business hours, please complete the Public Records Request Form at the Information desk located in the EZ Pass office, and it will be given to Mr. Swanberg the following day.

3. You are not required to provide identification or the reason you seek the information, and your right to inspect and/or copy public records will not depend upon providing identification or reasons.

4. In order to ensure that you are provided with the public records you seek in an expeditious manner, unless you are seeking records available pursuant to the Administrative Procedures Act or other documents prepared for or readily available to the public, we ask that you complete the Public Records Request Form located at the front desk, or on our website <http://www.ritba.org> or otherwise submit your request in writing.

5. You may also obtain a copy of the Attorney General's Guide to Open Government, which can be found at <http://www.riag.ri.gov> (then proceed to the link entitled "Open Government").

6. Please be advised that the Access to Public Records Act allows a public body ten (10) business days to respond, which can be extended an additional twenty (20) business days for "good cause." We appreciate your understanding and patience.

7. If you feel that you have been denied access to public records, you have the right to file a review petition with the Executive director of RITBA or with the Rhode Island Attorney General. You may also file a lawsuit in Superior Court.

8. RITBA is committed to honoring your right to inspect and/or copy public records in an expeditious and courteous manner.

