

Town of West Greenwich Town Hall

280 Victory Highway
West Greenwich, Rhode Island
Telephone: 401-392-3800

ACCESS TO PUBLIC RECORDS ACT PROCEDURE

R.I. Gen. Laws Section 38-2-1 et seq.

The Town is committed to providing the public with access to public records under R.I. Gen. Laws Section 38-2-1 from all Town departments.¹ The Town's various departments and staff provides numerous documents to the public, media, and attorneys every day in the ordinary course of business. However, for any person who (1) does not desire to make an oral request; (2) wishes to make a formal written request; (3) a request needs clarification; or (4) it is requested outside of normal business hours, please complete the "Request for Records Under the Access to Public Records Act" Form available at the Police Department for police records or the Town Clerk's office for all other departments.

Pursuant to R.I. Gen. Laws Section 38-2-3(c), the West Greenwich Town Council has established the following procedure regarding access to public records:

1. Please inform the Town Clerk (or police dispatcher) that you wish to make a request for public records. The normal business hours for the Clerk's Office are 8:30 a.m. to 4:00 p.m. Monday through Friday. The Clerk's Office is closed on all holidays.
2. The clerk (or dispatcher) will provide you with a form to complete, which permits us to know the precise public documents you seek and assists us in processing your request in an expeditious manner.
3. If the records you request are in the possession of a department other than the Town Clerk, your request will be forwarded to the appropriate administrative personnel.
4. If the public records are readily available from the Clerk's Office or Police Department, we will be more than happy to provide them.
5. There are times/circumstances when the records will not be available at the time you make your request, especially from other town departments. If the records are not readily available, they can either be mailed to you or you can pick them up on a designated date. The Access to Public Records Act grants a public body ten (10) business days to respond to your request. R.I. Gen. Laws Section 38-2-7(a). The Act further provides that "for good cause, this limit may be extended for a period not to exceed thirty (30) business days." We thank you in advance for your understanding if it is necessary, for good cause, to request this extension.

¹ The Volunteer Fire Departments and the School Department are not within the authority of the Town Council and they have their own procedures for public records access.

6. **Costs.** The Access to Public Records Act gives you the opportunity to view and/or copy public records. The cost per copied page of written public documents will be fifteen cents (\$0.15) for documents copied on common business or legal size paper. You may elect to obtain public records in any and all media in which we are capable of providing them. The Act permits a reasonable charge for search and retrieval of documents. The hourly costs for a search and retrieval shall be fifteen dollars (\$15.00) per hour, with no charge for the first hour. We will be more than happy to provide you with an estimate. Upon a request, we will provide a detailed itemization of the costs charged for search and retrieval.
7. **Public Records.** 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.” R.I. Gen. Laws Section 38-2-2.
8. **Redaction.** Although a document may constitute a public record, there may be some information contained on the document that may be redacted/deleted as it may be exempt from disclosure under R. I. Gen. Laws Section 38-2-2.
9. **Exemptions.** The Access to Public Records Act exempts a variety of records from public disclosure, as set forth in R.I. Gen. Laws Section 38-2-2(4).
10. **Appeal of Denial.** Any person or entity denied the right to inspect a record of a public body by the Town may petition the Town Administrator for review of the decision denying the request. Any petitions from a denial should be addressed to Kevin Breene. A final determination of whether to allow public inspection will be made within ten (10) business days after the submission of the review petition. R.I. Gen. Laws Section 38-2-8.
11. **Complaint to the Attorney General.** If the Town Administrator determines the record is not subject to public inspection, the person or entity seeking disclosure may file a complaint with the attorney general (150 Main Street, Providence, Rhode Island 02903; Telephone: 401-274-4400) or may retain private counsel for the purposes of instituting proceedings for injunctive or declaratory relief in the Superior Court of Washington County.