DEPARTMENT OF ATTORNEY GENERAL
ACCESS TO PUBLIC RECORDS REGULATIONS

Table of Contents

Section I: Authority
Section II: Purpose
Section III: Policy
Section IV: Scope
Section V: Procedure for Requesting Public Records
Section VI: Forms
Section VII: Severability

Section I: Authority

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

Section II: Purpose

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 Attorney General and to comply with § 42-35-2(a).

Section III: Policy

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

Section IV: Scope

The powers and duties of the Attorney General are derived from Article IX, Section 12 of the Constitution of the State of Rhode Island; Chapter 9 of Title 42 of the General Laws of Rhode Island, as amended; and the Common Law.

The Department is exclusively responsible for prosecuting all criminal cases before the Superior and Supreme Court of Rhode Island. It also prosecutes in District and Family Courts all criminal cases initiated by the Rhode Island State Police, Drug Control Division of the Department of Health, the Enforcement Division of the State Department of the Department of Environmental Management and all other State departments and agencies empowered with a law enforcement function.

The Department is also responsible for representing the public interest, the State and its agencies and employees in various civil proceedings. Upon request, the Department of Attorney General acts as the official legal advisor to the State boards, division, departments, commissions and the officers thereof, except where exempted by the law. The Attorney General is charged with commencing all suits and proceedings on behalf of the State, its agencies, and its citizens-at-large. In addition, the Department maintains various regulatory units, such as the Consumer Protection, Insurance Regulatory, Public Utilities and Environmental Units.

Finally, under Chapter 1.1 of Title 12 of the General Laws, the Attorney General operates the Bureau of Criminal Identification and serves as the Chairperson of the Rhode Island State Crime Laboratory Commission. Further description and information on the Department of Attorney General's course, mission, and method of operations is available on the Department of Attorney General's website at www.riag.ri.gov.

The public may access public records maintained by the Department of Attorney General through the Access to Public Records Act, R.I. Gen. Laws § 38-2-1 *et. seq.*, by making a request consistent with the "Department of Attorney General Public Records Request Guidelines."

Section V: Procedure for Requesting Public Records

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.

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 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 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.

Section VI: Forms:

The Department regularly uses a variety of other forms to assist the public. These forms include:

1. Charitable Trust: Charitable Trust Registration Statement pursuant to R.I. Gen. Laws § 18-9-6; Annual Report for Charitable Trusts pursuant to R.I. Gen. Laws § 18-9-13; Charitable Trust Termination Statement pursuant to R.I. Gen. Laws § 18-9-16; Request for Waiver of Penalty Fees pursuant to R.I. Gen. Laws § 7-1-23; and Request to Inspect Charitable Trust related documents pursuant to R.I. Gen. Laws §§ 18-9-7 and 38-2-1 et. seq.

2. Victim's Services: Victim Impact Statement and Business Statement of Loss.

3. Adult Diversion: Interview/Participation Forms; Consent for Release of Confidential Information; Participation Agreement; and Community Service Participation Form.

4. Open Government: Access to Public Records Act Request Form.

5. Health Care: Initial Application for Conversion Pursuant to R.I. Gen. Laws § 23-17.14-6.

6. Consumers: Complaint Form; Health Club Registration Form; and Telephone Solicitation Registration Form.

7. Bureau of Criminal Identifications: Pistol Permit Policy and Application; Pistol Permit Renewal Application; Application for License and Registration as a Private Security Guard Business; and Renewal Application for Individual or Corporate License and Registration as a Private Security Guard Business.

8. Medicaid Fraud & Patient Abuse: Consent and Disclaimer Form for Juveniles Applying for Employment with Long-Term Nursing Care Facilities.

9. Precious Metals: Application for License, Individual; Application for License, Incorporated; and Application for License, Partnership.

10. Criminal: Sex Offender Registration Form pursuant to R.I. Gen. Laws § 11-37.1-1 et. seq.; and Firearms Source Disclosure Statement.

Copies of all forms, as well as the procedures and instructions accompanying all forms, are available on the Department of Attorney General's website at www.riag.ri.gov or may be obtained by contacting the Department of Attorney General, 150 South Main Street, Providence, Rhode Island 02903, (401) 274-4400.

Section VII. 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 regulations that can be given effect. The provisions of these rules and regulations are declared to be severable.

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.