

## **MDMR-10-02      Request for MDMR Information and Files**

### **PURPOSE:**

To provide a uniform policy for handling public record requests for MDMR information and files.

### **APPLICABLE TO:**

All MDMR Employees

### **POLICY:**

1. It is the policy of the MDMR that all official department information and files must be protected from alteration, removal and damage. Non MDMR employees shall not be permitted to directly access MDMR files. All public requests for MDMR information and files shall be submitted in writing to the Executive Director or his/her designee.
2. A request for information or access to the MDMR public records should be submitted on the form attached as P&P Form-10-2 whenever possible. However, if the form cannot be utilized, the request must be marked "Request for Public Records." All requests must describe in reasonable detail the public records sought, including a description of the type of records, names, dates, file numbers, title of publication; and any other information which may aid in locating the requested public records.
3. The Executive Director or his designee will determine whether the records sought are exempt from production under Miss. Code Ann. §25-61-1 *et seq.* (Mississippi Public Records Act of 1983), Mississippi Code Ann. §59-21-1 *et seq.* (Mississippi Boating Law of 1960), or any other applicable statute. The MDMR will either produce or deny production or inspection of the public records sought within seven (7) working days of the receipt of the request.
4. If the MDMR is unable to produce the records requested by the seventh day after the request is made, the MDMR shall provide a written explanation to the person making the request stating why the records cannot be produced within the seven (7) day period. The MDMR shall produce the records requested within fourteen (14) working days from receipt of the request, unless the parties mutually agree to a longer time period.
5. If it is determined that the records requested are exempt or privileged pursuant to any applicable Mississippi statute, the request will be denied and the basis for the denial will be documented in writing to the individual requesting the documents. Such denial will be kept on file for inspection by any person for three (3) years.
6. Where possible, non-exempt material will be separated from exempt material and only the exempt material will be withheld.
7. The MDMR has the option to provide copies of said requested public records, provide access to these materials during reasonable hours for duplication by the person making the request, or duplication by a third party (copying company). However,

access to materials for duplication by the person making the request, will not be available for materials containing sensitive or exempted information.

8. Unless otherwise authorized by the Executive Director or his/her designee, individuals requesting inspection of MDMR public records must be accompanied by MDMR personnel when inspecting MDMR records and materials. Individuals requesting inspection of MDMR public records will be advised as to when and where they may inspect the requested records.
9. The cost of production by the MDMR will be calculated after a request for information has been submitted. Fees shall be collected prior to compliance with the request or other payment otherwise guaranteed. The fees charged shall be in accordance with the following schedule:

<b>Photocopies per page</b>	<b>\$0.25</b>
<b>CD/DVD/DISC/Thumb Drive (per disc)</b>	<b>\$10.00</b>
<b>Records search and/or inspection per quarter hour:</b>	
Employee	<b>\$ 6.25</b>
<b>Mailing/Shipping</b>	<b>TBD</b>
The requestor will also be responsible for paying the actual mailing/shipping costs incurred by the MDMR if the individual requests the records be mailed.	

10. The Executive Director or his designee will notify the person making the request of the estimated fees accompanying the request. Regardless, the person requesting the documents will be responsible for paying the actual fees involved in complying with the request. The above fees will be charged even when the requested information cannot be found.

**RESPONSIBLE AUTHORITY:**

Executive Director