

## REQUEST FOR PUBLIC RECORDS

All public records shall be open for inspection by any person at reasonable times, except as provided for in Section 24-72-203 of the Colorado Revised Statutes, copy follows. All requests for records shall be submitted to the City Clerk's office. The City Attorney prior to release of the records shall review any request for public records that may include information specified in Section B below.

### ELECTRONIC MAIL REQUESTS

*Electronic Mail is an electronic message that is transmitted between two or more computers or electronic terminals, whether or not the message is converted to hard copy format after receipt and whether or not the message is viewed upon transmission or stored for later retrieval, including electronic messages that are transmitted through a local, regional or global computer network (CRS 24-72-204.5)*

The City of Aspen Information Systems Department maintains an email retention and deletion policy. Currently, the City of Aspen does not archive electronic mail. Data storage may be retrievable for 60 days from the date of request. The City Clerk maintains the official files of the City and is responsible for researching and providing copies of official actions of the City at the request of citizens and City departments. Requests which include electronic mail must be submitted to the City Clerk on a Request for Public Records.

The City Clerk will access the data collection and costs necessary to comply therewith. A total estimated amount of the cost to produce the electronic records will be provided to requestor and this estimated amount will need to be deposited with the City Clerk before the request shall be processed. Should the production of the records prove more costly the difference will need to be paid before records are released. Should the actual cost prove less than the estimate a refund of the difference will be provided.

#### A. Procedure for Processing of Request

1. A Request for Public Records Form must be completed.
2. If it is clear that the records requested *do not* contain information listed in Section B, the following shall apply:
  - a. If records are readily accessible, they shall be presented for review or copied as requested.
    - 1) The charge for record copies is \$0.25/page.
    - 2) The charge for providing copies of records on media types other than paper is \$15 per disk/CDROM/tape etc.
    - 3) The charge for research and retrieval of material, including extraction of email data, is \$0 for the first hour and \$30 for each additional hour. (24-72-205(6)(a)).
    - 4) The charge for verbatim transcript is \$5.00 / page.
    - 5) The charge for certification is \$1.50 /record certified.

- b. If the records requested are not readily accessible, they shall be produced within 3 working days or less. If extenuating circumstances exist, that times frame may be extended to no longer than 7 working days (24-72-203(3)(b)). The same charges apply as above.
3. If the records requested *may* include information listed in Section B, the following shall apply:
  - a. The requestor shall be notified that all requests must first be reviewed and approved by the City Attorney's office. Contingent on the approval of the City Attorney, the requested records shall be produced within a reasonable amount of time. A reasonable amount of time shall be 3 working days or less. If extenuating circumstances exist, that times frame may be extended to no longer than 7 working days (24-72-203(3)(b)). The same charges apply as above.
  - b. The Request for Public Records form, along with the requested records, shall be forwarded to the City Attorney for review.
  - c. Once the requested has been reviewed by the City Attorney, either
    - 1) The request is approved and the records will be copies as requested. For applicable charges see 2(a).
    - 2) The request is denied, the requestor will be notified of the denial and the reasons. The reasons shall be provided in writing if requested.

## **B. Possible Grounds for Denial of Request for Records**

The City shall deny any person the right to inspect the following types of records:

1. Police Department records (24-72-204(2)(a)(I))
2. Test questions, scoring keys regarding licensing examination or examination for employment. (24-72-204(2)(a)(II))
3. Specific details of research projects. (24-72-204(2)(a)(III))
4. Medical, mental health, sociological or scholastic achievement data on individual persons. (24-72-204(3)(a)(I))
5. Personnel files (24-72-204(3)(a)(II(A)))
6. Letters of reference (24-72-204(3)(a)(III))
7. Privileged information and confidential commercial, financial, geological or geophysical data. (24-72-204(3)(a)(IV))
8. Addresses, telephone numbers and personal financial information of past or present users of public utilities, public facilities, or recreational or cultural services. (24-72-204(3)(a)(IX))
9. Any records of sexual harassment complaints and investigations. (24-72-204(3)(a)(X))
10. Any record that would cause substantial injury to the public if disclosed. (24-72-204(3)(a)(XIII)).