

**CITY OF RICHLAND, MISSISSIPPI**  
**PUBLIC RECORDS POLICY AND PROCEDURES**  
**AUGUST, 2020**

This Public Records Policy and Procedures (the "Policy") is promulgated and published pursuant to the Mississippi Public Records Act, which is codified at Sections 25-61-1, et. seq., Mississippi Code of 1972, as amended (the "Act") by the City of Richland, Mississippi (the "City").

**SECTION 1. GENERAL POLICY.** The City recognizes that it is the policy of the State of Mississippi, its agencies, political subdivisions and local government entities under the Act that public records are public property and shall be available for inspection and copying in accordance with the Act by any person, unless otherwise provided by law. To that end this Policy provides means and procedures whereby access to public records shall be given to all persons in a reasonable, timely and meaningful manner, subject only to the protection granted by law from production and copying of certain records. In each instance wherein legal protection from production and inspection exists but is not mandatory, the invocation of such protection by the City must be both reasonable under the facts and circumstances and in the public interest.

**SECTION 2. METHOD OF REQUEST.** Requests for public records shall be made in writing whether delivered in person, by mail, by email or by facsimile, to the City Clerk, the public records officer of the City at:

Richland City Hall  
Attn: City Clerk  
P. O. Box 180609  
380 Scarbrough Street  
Richland, Mississippi 39218  
Phone: (601) 932-3000  
Fax: (601) 932-9229  
Email: [kjackson@richlandms.com](mailto:kjackson@richlandms.com)

The request should be clear, concise and should identify the records sufficiently to enable the public records officer or the designee of the officer (collectively, the "Officer") to locate the records requested. The request shall include the following information: name of requestor; address of requestor; and other contact information, including telephone number and email address, if any.

Requests made in person shall be made during regular business hours, normally between the hours of 8:00 a.m. and 5:00 p.m. Monday through Friday, on a request form furnished by the City. The date of the request shall be considered to be the date the request is received by the City. Upon receipt each request shall be stamped or otherwise marked with the date of its receipt on its face. The Officer may, at his/her discretion, accept requests by telephone. Such request must include the information listed above. If a telephone request is accepted the Officer shall record the receipt of the request and its substance and the information listed above in writing. The written confirmation of a telephone request shall be retained along with all written requests.

**SECTION 3. CLARIFICATION OF REQUESTS.** If a request does not identify the records sought sufficiently to locate them or is so unclear or ambiguous that the Officer does not how to respond to it, clarification shall be requested from the requestor. Clarification may be requested in writing or by email or telephone. If clarification is not provided by the requestor sufficient to locate the records sought, the request may be denied.

**SECTION 4. TIME FOR PRODUCTION.** Requests for records made in person at City offices which can be quickly fulfilled without disruption of the work of City officials and employees may be complied with and the records produced forthwith. In all other requests City officials and employees shall strive to comply with the request within two (2) working days after receipt. All requests shall be complied with within seven (7) working days after receipt of the request. If the City is unable to produce a public record by the seventh working day after receipt of the request, the requestor will be informed in writing of the delay, explaining and giving the specific, particular reason for the delay, and stating that the record requested will be produced. Unless there is a mutual agreement between the requestor and the City to the contrary, in no event shall the date of production of the records by the City be later than fourteen (14) working days after receipt of the request.

**SECTION 5. COSTS OF PRODUCTION OF RECORDS.** Unless determined to be de minimis by the Officer, the requestor shall be required to pay in advance fees reasonably calculated to reimburse the City for the actual cost of searching, reviewing, copying or duplicating and mailing, if applicable, copies of the public records requested. For copying records in a paper format the requestor shall be charged at the rate of (\$0.10) per page (one side only) after the first ten (10) pages for black and white copies and (\$0.25) per page for color copies. Copies of larger documents, maps, graphs, spread sheets and similar records will be charged at actual cost for the reproduction of the record. If records are requested in an electronic form the City shall charge for the actual cost of the electronic storage media or device on which the records are reproduced. If research and reproduction is required of City officials or employees in order to comply with a request, the requestor shall be charged at the rate of \$15.00 per hour after the first 0.20 hour(s).

If charges are to be made, a written estimate of the reasonable costs of research and reproduction time and expenses shall be prepared and forwarded to the requestor within five (5) days of the request, and payment in advance shall be required before the requested documents are produced. If the City redacts any material from a document as provided in Section 6 below, the reasonable cost to the City for the review and redaction of the exempted material may be charged to the requestor. If the City furnishes copies of records to a requestor in an electronic or other data storage form as provided in Section 7 below, the reasonable cost of producing such copies may be charged to the requestor.

**SECTION 6. DENIAL OF REQUESTS.** Denial of any request for production of documents shall be made in writing and shall contain a statement of the specific exemption from the Act relied upon. The Officer will maintain a file of all denials of requests for at least three (3) years after such denials are made. This file shall be made available for inspection or copying or both during regular office hours to any person making a written request for it.

**SECTION 7. REDACTION OF EXEMPTED MATERIAL.** If any public record requested contains both material which is exempted from the Act and material which is not

exempted from the Act, the Officer shall redact the exempted material and then make the redacted record available for inspection and copying.

**SECTION 8. FORM OF RECORDS.** The City shall provide the requestor a copy of a record in an electronic or other format requested, including records stored using sensitive or proprietary software, if the City maintains the record in that format.

**SECTION 9. RECORDS FURNISHED BY THIRD PARTIES; CONFIDENTIAL INFORMATION; TRADE SECRETS.** Records furnished to the City by an outside third party which contain trade secrets or confidential commercial or financial information shall not be produced for inspection, examination, copying or reproduction until notice to the third party has been given, and the third party has had a reasonable time to obtain a court order protecting the records as confidential. After the passage of a reasonable time without the entry of a court order protecting the records, they will be produced to the requestor.

**SECTION 10. CLOSING REQUESTS.** If a request is withdrawn, abandoned, or the requestor fails to appear to inspect records, fails to respond to a request for clarification or fails to pay in advance a statement of expenses for production and reproduction of the records requested, the Officer shall close the request and notify the requestor in writing of the closure.

**SECTION 11. LATER DISCOVERED DOCUMENTS.** If, after completion of the response to a request and production of all public records, the City becomes aware of additional responsive documents existing at the time of the request, it will promptly inform the requestor of their existence and provide them on an expedited basis.

**SECTION 12. RECORDS IN POSSESSION OF POLICE DEPARTMENT.** If a request is made for a document in the possession of the City Police Department, it shall be made to the Chief of Police and the Officer, at the same address as the City:

- (A) **INCIDENT REPORTS.** When a request is made for records relating to an offense or alleged offense the City Police Department shall produce an incident report on the occurrence, which will include a narrative description, if it exists, of the incident and which at a minimum shall include (1) the name and identity of each person charged; (2) the time of the offense; (3) the date of the offense; (4) the location of the offense; and (5) the property involved, to the extent any or all of this information is known. The identity of the victim or information which would lead to the revealing of the identity of the victim is not required to be included in the incident report. The Department will strive to deliver the incident report in a timely manner.
- (B) **INVESTIGATIVE REPORTS.** Investigative reports containing information beyond the scope of the matters contained in the incident report will not be produced unless the Department, in its discretion, chooses to make public all or any part of any investigative report.

**PUBLIC RECORDS POLICY AND PROCEDURES WILL BE POSTED  
PROMINENTLY AT ALL OFFICES WHERE RECORDS MAY BE REQUESTED**