



## Public Records Request Guidelines and Procedures

San Joaquin Regional Transit District (RTD) is committed to full cooperation and compliance with all requests for public information, while not compromising employee rights and privacy laws. The goal of these guidelines and procedures is to ensure that members of the public receive prompt, accurate, and thorough responses to their requests for public records. The law primarily governing the public's right to access RTD's records is the California Public Records Act (CPRA), commencing at Section 6250 of the Government Code.

### Records that are Subject to Disclosure

The CPRA allows the public access to the majority of records in RTD's possession. However, some such records are exempt from public disclosure under federal and/or state laws. Examples of records RTD is prohibited from disclosing, or may decline to disclose, pursuant to Section 6254 of the CPRA include: personnel, medical or similar files, the disclosure of which would constitute an unwarranted invasion of personal privacy; records pertaining to pending litigation to which RTD is a party; and preliminary drafts or notes that are not retained by RTD in the ordinary course of business. If a responsive record contains both exempt and non-exempt information, RTD will redact the exempt material and make the remainder of the record available to the requesting party.

RTD is not required to create a record in response to a public records request. In addition, RTD is not required to respond to prospective requests by providing records not yet in RTD's possession or records that will be created in the future.

### Procedure for Obtaining Copies of Public Records

All requests for public records must be submitted through:

By U.S. Mail:           The Executive and Board Support Manager  
                                  P.O. Box 201010  
                                  Stockton, CA 95201  
By Email:                information@sanjoaquinRTD.com  
By Phone:               (209) 467-6619  
By Fax:                  (209) 948-3366

- A. Although not legally required, a written request will help RTD understand the scope of the request and respond to it in a timely and efficient manner.  
Members of the public are encouraged to use RTD's "Request for Public Records"



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Form included at the end of this document or to submit a similar written request specifically identifying the records to be inspected and/or copied.

- B. Upon receipt of a request to inspect or copy records, RTD shall, within 10 days from the receipt of the request, (i) determine whether RTD possesses any responsive records and whether such records are, in whole, or in part, subject to any exemptions to disclosure, and (ii) notify the requesting party of RTD's determination and the reasons any records are being withheld from disclosure. RTD may extend the time in which to provide this notification for up to an additional 14 days under certain circumstances specified in the CPRA. RTD may seek clarification of an overly ambiguous or uncertain request before formally responding to the request.
- C. After records responsive to the request have been located, and upon RTD's determination that the records are appropriate for public disclosure, the requesting party may inspect the documents during regular business hours (8:00 a.m. to 5:00 p.m., Monday through Friday, excluding holidays). RTD's Executive and Board Support Manager shall arrange a mutually convenient time for the requesting party to inspect the records, typically at RTD's Administrative Office located at 421 East Weber Avenue, Stockton, CA 95202. No public records produced for inspection shall be removed from RTD's premises.
- D. If the requesting party seeks duplication of records, RTD will inform the requesting party of the estimated duplication cost and/or the amount of any applicable statutory fee. RTD must receive the payment prior to processing the request. Upon receipt of the payment for duplication and/or other statutory fee, RTD will make a copy of the records and advise the requesting party when the records are available for pick up or shipment (with shipping provided at the expense of the requesting party).
- E. Requests for copies of records pursuant to a properly issued and served Subpoena Duces Tecum will be referred to RTD's Legal Counsel before documents are produced.



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### FEES AND CHARGES FOR COPYING PUBLIC RECORDS

|  |                         |
|--|-------------------------|
| Standard size page up to 8½" by 14"  | \$ 0.25<br>per page     |
| Large sizes (over 8½" by 14" up to 11" by 17")   | \$ 0.40<br>per page     |
| Color copy up to 8½" by 14"  | \$ 0.60<br>per page     |
| Color copy – large sizes (over 8½" by 14" up to 11" by 17")  | \$ 1.10<br>per page     |
| Compact discs and other electronic storage devices   | Actual cost             |
| Shipping cost (if applicable)  | Actual cost             |
| Cost of duplication of an electronic record, constructing a record, and/or programming and computer services necessary to produce a copy of the record* (Pursuant to Government Code Section 6253.9) | To be determined by RTD |

\* Per Government Code Section 6253.9, the requesting party shall bear the cost of producing electronic records, including the "cost of programming and computer services necessary to produce a copy of the record" when the "request would require data compilation, extraction, or programming to produce the record."

Donna DeMartino, General Manager/CEO

Date



**REQUEST FOR PUBLIC RECORDS FORM**

1. NAME OF REQUESTING PARTY:

\_\_\_\_\_

2: MAIL/E-MAIL ADDRESSES AND TELEPHONE/FAX NUMBERS WHERE REQUESTING PARTY MAY BE CONTACTED:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

E-mail: \_\_\_\_\_

Telephone: (\_\_\_\_) \_\_\_\_\_

Fax: (\_\_\_\_) \_\_\_\_\_

3. SPECIFIC DESCRIPTION OF RECORDS REQUESTED:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(Continue on reverse side if more space is required)

4. THE UNDERSIGNED HEREBY AGREES TO THE FOLLOWING:

- (a) RTD may seek clarification of requests which are overly ambiguous and/or uncertain prior to RTD formally responding to such a request.
- (b) The undersigned may be required to pay fees for copies of public records as set forth in RTD's Fee Schedule. RTD will not make or provide copies of records until payment is requested and received.

PRINTED NAME: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

DATE: \_\_\_\_\_

**FOR RTD USE ONLY**

Date and Time Request is Received: \_\_\_\_\_

If request is returned for clarification, Date of Notice of Need for Clarification (for reason(s) stated on reverse): \_\_\_\_\_

Does RTD possess responsive records: \_\_\_\_\_ Yes \_\_\_\_\_ No

Do exemptions apply? (If so, state exemption(s) on reverse)  
 \_\_\_\_\_ No  
 \_\_\_\_\_ Yes, as to some records/information  
 \_\_\_\_\_ Yes, as to all records/information

Date of Notice of Response: \_\_\_\_\_

Date Record is Made Available For Inspection: \_\_\_\_\_

Fees Due: \$ \_\_\_\_\_

Date Received: \_\_\_\_\_

Date Copies Delivered: \_\_\_\_\_