

<p align="center">GEORGIA DEPARTMENT OF JUVENILE JUSTICE</p>	<p align="center">Transmittal #15-14</p>	<p align="center">Policy # 1.10</p>
<p>Applicability: {x} All DJJ Staff {x} Administration {x} Community Services {x} Secure Facilities (RYDCs and YDCs)</p>	<p>Related Standards & References: O.C.G.A., §49-4A-3, §50-18-70 et. seq., §50-18-72, §50-18-90 et. seq. Memorandum of June 7, 1999 from the Attorney General ACA Standards: 3-JDF-1A-31-1.</p>	
<p>Chapter 1: Administration</p>	<p>Effective Date: 11/15/15 Scheduled Review Date: 11/15/16</p>	
<p>Subject: OPEN RECORDS ACT</p>	<p>Replaces: 5.3 dated 3/15/13 Office of Legal Services</p>	
<p>Attachments: None.</p>	<p>APPROVED  <hr/> Avery D. Niles, Commissioner</p>	

I. POLICY:

The Department of Juvenile Justice shall make public records available to any citizen of Georgia for inspection in accordance with the Georgia Open Records Act.

II. DEFINITIONS:

Open Records Request: A request for public records in the custody of the Department of Juvenile Justice pursuant to the Georgia Open Records Act.

Public Records: All documents, papers, letters, maps, books, tapes, photographs, computer based or generated information or similar material (i.e., e-mail, calendars, voice mail, internet records) prepared and maintained or received in the course of the operation of the Department as a public agency. Public records include items received or maintained by private vendors who operate youth detention centers and youth development campuses or provide treatment and services for youth committed to or supervised by the Department of Juvenile Justice. Public records also include items received or maintained by a private person or entity on behalf of the Department that are not otherwise subject to protection from disclosure.

III. PROCEDURES:

- A. Requests for public records may be made verbally or in writing (including by email or fax) should identify the specific records requested, and must include the name and contact information (such as email address, telephone number, or mailing address) of the person making the request.
- B. If an employee receives a verbal request for records, the employee will suggest to the requestor that he/she make the request in writing (including by email or fax) to avoid any confusion about the contents of the request. However, the requestor has the right to insist on making a verbal request. If the requestor prefers to make a verbal request, the employee must record the contents of the request along with requestor's name and contact

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information (such as email address, telephone number, or mailing address).

- C. The employee who receives a request must note the date and time he/she received it.
- D. When an employee receives a request, that employee must immediately contact the Office of Legal Services and arrange to send the request to Legal Services.
- E. The Office of Legal Services will determine if the requested record is subject to the provisions of the Georgia Open Records Act and will respond to the request as required by law.
- F. The Department will utilize the most economical means available for providing access to and copies of public records. The Department will attempt to provide records by electronic means.
- G. The Department will collect the fees allowed by law for search, retrieval, copying, redaction, and other administrative costs incurred in complying with a records request.
 - 1. The Department will not charge the requestor when the total cost does not exceed five dollars.
 - 2. The Commissioner, Assistant Commissioner, or the Director of Legal Services may grant a fee waiver or reduction where such action is in the public interest or when payment for the records would present an undue burden.
 - 3. When an invoice or other payment request is sent to a requestor, a copy must also be sent to the Office of Financial Services.
 - 4. The requestor must be directed to send any payment to the Office of Financial Services.
- H. Public records will only be destroyed according to approved retention schedules. (See DJJ 5.1, Records Management)
- I. Media requests for information will not be construed as a request for public records unless records are identified in the request. Media requests for information will be forwarded to the Director of the Office of Communications and processed in accordance with DJJ 1.8, Public Information.
- J. Any employee who knowingly and willfully violates the provisions of the Open Records Act may be guilty of a misdemeanor, may be imprisoned for up to 1 year, and may be fined up to \$2,500.00.

IV. LOCAL OPERATING PROCEDURES REQUIRED: NO