

Tuscaloosa County District Attorney's Office Public Records Policy:

It is the policy of the Tuscaloosa County District Attorney's Office (hereinafter referred to as the DA Office), in accordance with the Alabama Open Records Act (ORA) found at §36-12-40 and the Governor's Executive Order number 734, to promptly provide Alabama citizens with public records upon request, subject to (1) the payment of reasonable fees, (2) applicable laws protecting sensitive information and (3) the interest of the general public in having the business of government carried on efficiently and without undue interference.

Submitting a Public Records Request:

You may submit a public records request to the DA Office by completing a public records request form, which is available here: *(insert link to PDFweb-based form)*

You may also submit the request by emailing it to public.records@tuscaloosada.com or by regular mail to Tuscaloosa County District Attorney's Office, PO Box 3169, Tuscaloosa AL 35403.

What to Expect:

The DA Office strives to respond as promptly as possible to all public record requests we receive consistent with the demands of our agency's functions as determined by state law. The nature of your request will dictate how promptly we respond. If your request very clearly identifies a specific, discrete document you are looking for, we will respond more quickly than if your request requires substantial staff time to process. A request will require substantial staff time to process if it requires difficulty in identifying and retrieving documents or taking measures to redact or otherwise withhold legally protected information. There are two types of requests, (1) a ***standard request*** and (2) a ***time intensive request***. The anticipated response times and definitions for each can be found on the ***Summary of Response Times*** chart below.

In addition, the DA Office is permitted by state law to charge reasonable fees in connection with processing public records requests. The DA Office will notify you in advance of the fees you likely will incur for your request. However, pursuant to Executive Order number 734, unless waived by District Attorney Hays Webb, the following outlines the fees a requestor can expect:

1. A standard minimum fee of \$20.00 for processing the request and document search. This fee will cover the first hour required to process the request.
2. An hourly fee of \$20.00 for each hour (charged in 10 minute increments at a rate of \$3.33 for each 10 minutes).
3. A per page fee of \$0.50 for copies produced on standard 8.5x11 paper. This fee will not be charged for any documents provided electronically.
4. Any actual costs to accommodate the request (i.e., flash drive or other hardware, special paper sizes, etc.).

Please note, pursuant to Executive Order number 734, the intent is not to change or in any way affect the protections for sensitive or other nonpublic information under applicable law. A request may be fulfilled in whole or in part, denied in whole or in part, or any public record documents may be redacted to protect sensitive and nonpublic information.

Frequently Asked Questions (FAQ):

1. Do I have to be an Alabama citizen to request or receive documents/information?

- a. Yes. Pursuant to the ORA and applicable case law, out-of-state citizens do not have proper standing to request public records.

2. Do I have to request specific records or can a general request be granted?

- a. Alabama law requires a requestor of public records to do so with specificity. Requests under the ORA must be reasonably specific.

3. Are there statutes that limit the information that can be disclosed?

- a. Yes. Once documents are identified, a state agency must review the content of those records to determine if it is lawful to disclose those items. For example, state agencies are required by various provisions of law to review all documents for, and then redact or exclude, personally identifying information; criminal history information; information concerning security plans, procedures, assessments, measures, or systems; law enforcement and investigative materials; and any other records relating to, or having an impact upon, the security or safety of persons, structures, facilities, or other infrastructures. This list is not intended to be an exhaustive list and is provided only as examples of some prohibitions of the disclosure of information.

4. Are there certain types of records that are not public information?

- a. Yes. The Office of the Attorney General for Alabama has also determined that, ordinarily, drafts, non-final documents, notes, and sensitive personnel records are not public records. The Alabama Supreme Court has also instructed that with regarding to public records requests, due consideration must be given to the interest of the general public in “having the business of government carried on efficiently and without undue interference.”

5. Is the agency bound by a timeframe the requestor has given in the request?

- a. No. The time for compliance is not to be arbitrarily set by the requestor but should be a reasonable amount of time. Executive Order number 734 outlines specific time frames and those can be found below in the Summary of Response Times section.

6. Do I have to provide the reason I am requesting the documents?

- a. Yes. A person requesting the documents must have a legitimate purpose and the Tuscaloosa County District Attorney’s Office Public Records Request Form, provided at the link above, has a space to be able to easily provide the purpose for the request.

Questions?

You may contact our agency's public records coordinator, Brian Barnett, at public.records@tuscaloosada.com.

SUMMARY OF RESPONSE TIMES

	What is it?	Is a request form required? Are fees required?	When will the agency respond?
Standard Request	<ul style="list-style-type: none"> ·Seeks one or more clearly identified documents. ·The agency determines it would take less than 8 hours of staff time to process, including redaction of legally protected information. ·A standard request should require minimal or no clarification by the requester. 	<ul style="list-style-type: none"> ·The agency may choose whether to require a request form. ·The agency may choose whether to charge a fee. ·If the agency charges the fee, it must notify the requester in advance and receive the fees before providing the documents. 	<ul style="list-style-type: none"> ·The agency will acknowledge receipt within 2 business days. ·The agency will be ready to provide a substantive response 15 days after the date of the acknowledgement. ·The agency may extend this time in 15-business-day increments by giving written notice to the requester.
Time intensive request	<ul style="list-style-type: none"> ·The agency determines it would take more than 8 hours of staff time to process, including redaction of legally protected information. 	<ul style="list-style-type: none"> ·A request form is required. ·Fees are required. ·The agency must notify the requester in advance of likely fees associated with the request. ·Before providing a substantive response, the agency must notify the requester and receive payment from the requester. 	<ul style="list-style-type: none"> ·The agency will acknowledge receipt within 2 business days. ·Within 15 business days after the acknowledgement, the agency will allow the requester to submit a new request. ·Within 45 business days after the requestor elected to proceed with the time intensive request, the agency will be ready to provide a substantive response. ·The agency may extend in 45-business-day increments by giving written notice to the requester.

