

Updated Public Records Law

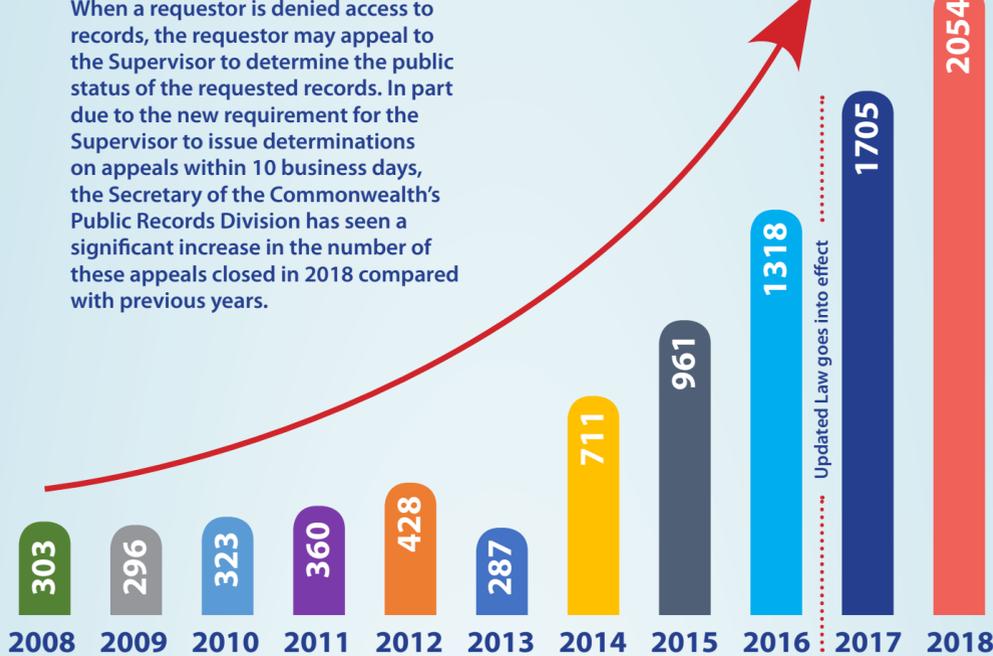
By the Numbers

The updates to the Massachusetts Public Records Law have now been in effect for a little over two years. Changes to the Law include: specified time periods for the Supervisor of Records (Supervisor) to issue determinations on public records appeals, limits on fees permitted to be charged by government Records Access Officers (RAOs) and requirements for state agencies to track and report public records request information. Take a look below at how the updated Law has had an effect in the first couple of years:



Cases Closed from 2008-2018

When a requestor is denied access to records, the requestor may appeal to the Supervisor to determine the public status of the requested records. In part due to the new requirement for the Supervisor to issue determinations on appeals within 10 business days, the Secretary of the Commonwealth's Public Records Division has seen a significant increase in the number of these appeals closed in 2018 compared with previous years.



Agency Breakdown

2017 was the first year agencies were required to log the requests received for public records and submit them to the Secretary of the Commonwealth. There were 155 agencies that filed information relating to 27,094 requests that they received in 2018. Of those, agencies reported that 319 of the responses to the requests were appealed to the Supervisor.

Number of agencies that filed:



Agency public records requests:

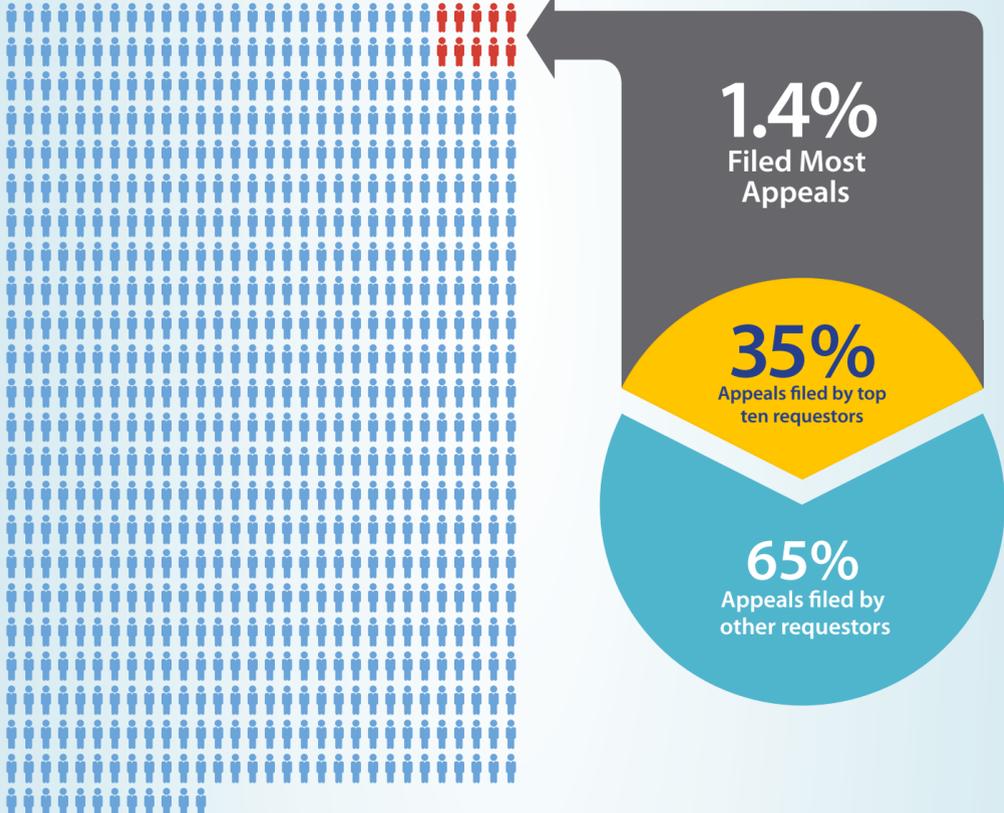


Number of requests reported to have been appealed to the Supervisor:



Requestors

In 2018 there were 702 different individuals who filed public records appeals with the Supervisor. Ten of these individuals were involved in 717 of the appeals closed in 2018.



Busiest Days

Under the updated Law, without exception, the Supervisor is required to close each public records appeal within 10 business days of receipt. Given the increase in cases, the Supervisor issued a significant number of decisions many days in 2018. On December 13th, the Supervisor issued 54 determinations!



Busiest Year

The year 2018 saw a record number of appeals, petitions, reconsiderations and *in camera* reviews opened and closed. While the pace was consistent throughout, the Public Records Division saw a substantial increase in cases towards the end of the year.



All of the determinations issued by the Supervisor are public and available on the Secretary of the Commonwealth's website at: www.sec.state.ma.us/pre.

For more information on the Public Records Law, please read the *Guide to the Massachusetts Public Records Law* available at: www.sec.state.ma.us/pre/prepdf/guide.pdf.

For any questions about the Public Records Law, please contact the Secretary of the Commonwealth's Public Records Division at 617-727-2832 or pre@sec.state.ma.us.