



## MEMORANDUM

**TO: Warwick City Council Members**  
**FROM: ACCESS/RI**  
**DATE: March 24, 2025**  
**RE: PCR 34-25**

**VIA EMAIL**

We are writing to urge the City Council to reject the request for approval on tonight's agenda of PCR 34-25, "A Resolution Requesting The General Assembly To Review And Consider Adopting Amendments To The Public Records Laws As Presented In 2025-H 5457."

ACCESS/RI is a broad-based, non-profit freedom of information coalition dedicated to improving citizen access to the records and processes of government in Rhode Island. The coalition consists of a number of organizations that work on open government issues, including Common Cause RI, the ACLU of RI, the RI Press Association, the New England First Amendment Coalition, and the League of Women Voters of RI. We firmly believe that too many barriers currently exist in the public's ability to obtain access to records that shed light on the activities of the state and municipal agencies that serve them. We are therefore deeply troubled by efforts such as those contained in H-5457 that seek to make access to government records more, rather than less, difficult by weakening the standards contained in the Access to Public Records Act (APRA).

As the resolution notes, the bill proposes to increase the maximum hourly costs beyond the first hour for document search and retrieval from \$15 to \$25 per hour, and to require a person to pay any outstanding balance owed for prior records requests before a new request will be processed.

Regarding the first proposed amendment, we believe the costs for obtaining records are already burdensome. In fact, federal law and those of a number of states provide for the waiver of any search and retrieval costs for records requests that are in the public interest. The proposed bill, by taking a contrary approach, could unfairly deter the submission of important public record requests.

Rather than viewing compliance with open records requests as a burden on public bodies, it should be seen as a core responsibility of government in promoting transparency and a key duty of any agency serving the public. The "time and resources involved for search and retrieval of requested documents" is, in our view, nothing more than the time and resources that should be expected in the City's performance of the public's business. Ultimately, these are the public's records.

As for the second proposed amendment to APRA in H-5457, we question how prevalent the problem is that requesters fail to pay for records they have sought. We find that when extensive requests for documents are made, public bodies often require pre-payment before the records are retrieved and the request is fulfilled. In any event, the bill is very poorly worded and could be read, for example, as allowing agencies to hold up fulfilling a second request for records from a member of the public simply because an earlier request is pending.

We do not believe the residents of Warwick are looking to the City Council to support efforts to make access to the public's business more difficult and more expensive to obtain rather than less so. Because this bill would amount to a step backwards in government accountability and transparency, we urge Council members to reject this resolution.

Thank you for your consideration of our views.

Submitted by Scott Pickering, President, ACCESS/RI  
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cc: The Hon. Frank Picozzi, Mayor  
Lynn D'Abrosca, City Clerk