

**MAINE HUMAN RIGHTS COMMISSION POLICY
PUBLIC RECORDS AVAILABLE FOR PUBLIC INSPECTION AND COPYING**

1. Right to inspect and copy. Except as otherwise provided by statute, every person has the right to inspect and copy any public record¹ during the regular business hours of the agency within a reasonable period of time after making a request to inspect or copy the public record. The Commission may request clarification concerning which public record or public records are being requested and shall acknowledge receipt of the request within a reasonable period of time.

Any information relating to a complaint prior to the conclusion of the investigation, settlement or conciliation information, and information identifying persons who are not parties to a complaint are confidential and will not be disclosed. See 5 M.R.S.A. § 4612(1)(A, B), (3), (5).

2. Inspection, translation and copying scheduled. Inspection, translation and copying may be scheduled to occur at such time as will not delay or inconvenience the regular activities of the Commission or official having custody of the public record sought.
3. Payment of costs. Except as otherwise specifically provided by law or court order, an agency or official having custody of a public record may charge fees as follows.
 - A. The Commission charges .10² per page to cover the cost of copying.
 - B. The Commission charges a fee to cover the actual cost of searching for, retrieving and compiling the requested public record of \$25 per hour after the second hour of staff time per request.³ Compiling the public record includes reviewing and redacting confidential information.
 - C. The Commission charges for the actual cost to convert a public record into a form susceptible of visual or aural comprehension or into a usable format.
 - D. The Commission does not charge for on-site inspection of the file by parties to a complaint.
 - E. The Commission charges for actual mailing costs incurred with a request.
4. Estimate. Commission provides the requester with an estimate of the time necessary to complete the request and of the total cost. If the estimate of the total cost is greater than \$30, the agency or official shall inform the requester before proceeding. If the estimate of the total cost is greater than \$100, subsection 5 applies.
5. Payment in advance. The Commission may require a requester to pay all or a portion of the estimated costs to complete the request prior to the translation, search, retrieval, compiling and copying of the public record if:
 - A. The estimated total cost exceeds \$100; or
 - B. The requester has previously failed to pay a properly assessed fee under this chapter in a timely manner.
6. Waivers. The Commission may waive part or all of the total fee if:
 - A. The requester is indigent; or
 - B. Release of the public record requested is in the public interest because doing so is likely to contribute significantly to public understanding of the operations or activities of government and is not primarily in the commercial interest of the requester.

¹ Public records. [1 M.R.S.A. § 402\(3\)](#).

² See [1 M.R.S.A. § 408-A\(8\)\(A\)](#).

³ See [1 M.R.S.A. § 408-A\(8\)\(B\)](#).