

NOTICE OF RIGHT TO INSPECT PUBLIC RECORDS

By law, under the Inspection of Public Records Act, every person has the right to inspect public records of the 3rd Judicial District Attorney's Office. Compliance with requests to inspect public records is an integral part of the routine duties of the officers and employees of the 3rd Judicial District Attorney's Office.

Procedures for Requesting Inspection. Requests to inspect public records should be submitted to the records custodian, located at:

845 N. Motel Blvd. Suite D.

Las Cruces, NM 88007

(575)524-6370 x1140

rgarcia-mcelmell@da.state.nm.us

A person desiring to inspect public records may submit a request to the records custodian orally or in writing. However, the procedures and penalties prescribed by the Act apply only to written requests. A written request must contain the name, address, and telephone number of the person making the request. Written requests may be submitted in person or sent via US mail, or email. The request must describe the records sought in sufficient detail to enable the records custodian to identify and locate the requested records.

The records custodian must permit inspection immediately or as soon as practicable, but no later than 15 calendar days after the records custodian receives the inspection request. If inspection is not permitted within three business days, the person making the request will receive a written response explaining when the records will be available for inspection or when the public body will respond to the request. If any of the records sought are not available for public inspection, the person making the request is entitled to a written response from the records custodian explaining the reasons inspection has been denied. The written denial shall be delivered or mailed within 15 calendar days after the records custodian receives the request for inspection.

Fees. The Act allows agencies to charge a reasonable fee for copies of public records. The fee for printed documents is \$0.75 per page. For files that cannot be downloaded and sent via email, the fee for downloading copies of public records to a computer disk or storage device is \$7.00. For records over 700 pages saved to a CD, jump drive, or uploaded to a file hosting service, the Third District Attorney's Office may charge the cost of the employee's time required to research, scan, and download the records. For example, if the employee is paid twenty dollars (\$20.00) per hour and the research and scanning takes thirty (30) minutes, the cost of the time will be ten dollars (\$10.00). The Third DA's Office will mail documents if the requester provides the agency with: (1) advance payment for the actual costs required for delivery or adequate prepaid postage and (2) the costs associated with copying or scanning the request.

All applicable fees for copying public records must be paid for in advance. A receipt indicating that the fees have been paid will be provided to the person requesting the copies.

No Cash or Personal Checks will be accepted. Please provide a money order or cashier's check made out to: Third Judicial District Attorney's Office, 845 N. Motel Blvd, Suite D., Las Cruces, NM 88007. Attn: IPRA Records.