

## 10.9 Public Records Request

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Counsel may make a request to inspect and examine public records under Chapter 132 of the North Carolina General Statutes. For example, counsel may obtain operations manuals, policies, and standard operating procedures developed by police and sheriffs' departments. The right to access public records is governed by G.S. 132-6. The statute does not require a specific form for requesting access to public records. Instead, the custodian of public records must permit "any person" to inspect and examine public records "at reasonable times and under reasonable supervision." G.S. 132-6(a). G.S. 132-6.2 permits the custodian to charge fees for copies of public records. Such fees must only reflect the "actual cost" of making the copies, which is "limited to direct, chargeable costs related to the reproduction of a public record as determined by generally accepted accounting principles and does not include costs that would have been incurred by the public agency if a request to reproduce a public record had not been made." G.S. 132-6.2(b).

When the General Assembly enacted Chapter 132, it intended that, as a general rule, the public should have "liberal access to public records." *News & Observer Pub. Co. v. State*, 312 N.C. 276, 281 (1984). This policy is reflected in the definition of "public record," which includes "all documents, papers, letters, maps, books, photographs, films, sound recordings, magnetic or other tapes, electronic data-processing records, artifacts, or other documentary material, regardless of physical form or characteristics, made or received pursuant to law or ordinance in connection with the transaction of public business by any agency of North Carolina government or its subdivisions." G.S. 132-1.

For more information about public records requests, see DAVID M. LAWRENCE, PUBLIC RECORDS LAW FOR NORTH CAROLINA LOCAL GOVERNMENTS (UNC School of Government, 2d ed. 2009); and Frayda Bluestein, *Public Records in North Carolina* (UNC School of Government, 2012).