

FOIA REQUESTS

Blue Ridge Juvenile Detention is committed to openness and transparency and strictly complies with the Virginia Freedom of Information Act (§2.2-3700 through §2.2-3714 of the Code of Virginia).

WHO MAY REQUEST RECORDS UNDER THE FOIA?

Any citizen of the Commonwealth of Virginia who is not incarcerated and any member of the media with a circulation or broadcast in the state may request records under the FOIA.

HOW DO I MAKE A REQUEST?

You may make a request in any of the following ways:

- **By U.S. Mail:** Send written requests to Cathy Roessler, Blue Ridge Juvenile Detention, 195 Peregory Lane, Charlottesville, VA, 22902.
- **By Phone:** (434) 951-9340
- **By Fax:** (434) 951-9346
- **By E-Mail:** roesslerca@brjd.org

While the FOIA does not require that you submit a written request, it may be helpful for you and the person receiving your request if you do so. This provides you with a record of your request, and it gives us a clear statement of what records you are requesting. If you choose not to submit your request in writing, we cannot refuse to respond to your request. Additionally, you do not need to state specifically that you are requesting records under the FOIA.

WHAT INFORMATION CAN I REQUEST?

You may make a FOIA request for any public record in any format that is not exempted in the Freedom of Information Act. Public records may include handwritten notes, electronic files, typewritten documents, video and audio tapes, e-mails, or any other written or recorded media. In preparing your request, please remember the following:

- You must be reasonably specific in identifying the records you are requesting. This is a common-sense standard that requires you to be specific enough that we can identify and locate the records you are seeking. It does not refer to or limit the volume or number of records you request.
- Your request must be for existing records or documents. The FOIA gives you a right to inspect or copy records; it does not require Blue Ridge Juvenile Detention to create records that do not already exist, nor does it apply to a situation where you are asking general questions about the work of Blue Ridge Juvenile Detention.
- You may request to receive electronic records in any format used by the Blue Ridge Juvenile Detention in the regular course of business. For example, if you are requesting records maintained in an Excel spreadsheet, you may elect to receive those records electronically via e-mail or on a computer disk or to receive a printed copy.

Please note that we may need to discuss your request with you to ensure that we understand what records you are seeking or to reach an agreement about timeframes for large requests.

IS ANY INFORMATION EXEMPTED?

Certain exemptions are permitted by the Code of Virginia, including personnel records, minutes of closed meetings, information about facility security, juvenile records, student records, and records protected by attorney-client

privilege. If we withhold any of the records you request, we will notify you in writing and include the specific section of the Code of Virginia that allows or requires us to withhold those records. For more information visit the Virginia Freedom of Information Advisory Council at <http://foiacouncil.dls.virginia.gov/>.

I AM A CURRENT OR FORMER BRJD EMPLOYEE. CAN I GET MY OWN RECORDS?

If you are a current or former employee, you are entitled to review or receive copies of your own personnel records.

I HAVE SUBMITTED MY FOIA REQUEST. WHAT HAPPENS NEXT?

Blue Ridge Juvenile Detention must respond to your request within five (5) working days of receiving it. "Day One" is considered the day after your request is received. This five-day period does not include weekends or holidays. Our response must be one of the following:

- We provide you with the records that you have requested in their entirety.
- We withhold all of the records that you have requested because all of the records are subject to one or more specific statutory exemptions. If all of the records are being withheld, we must send you a response in writing. Our response must identify the volume and subject matter of the records being withheld and state the specific section of the Code of Virginia that allows or requires us to withhold the records.
- We provide some of the records you have requested but withhold others. We cannot withhold an entire record if only a portion of it is subject to an exemption. In that instance, we may redact the portion of the record that we are withholding and must provide you with the remainder of the record. We must provide you with a written response stating the specific section of the Code of Virginia that allows or requires us to withhold portions of the requested records.
- We notify you in writing that it is practically impossible for Blue Ridge Juvenile Detention to respond to your request within the five-day period, explaining the conditions that make the response impossible. This allows us seven (7) additional working days to respond to your request.

If you make a request for a very large number of records and we determine that we cannot provide the records to you within the full 12 days without disrupting our other organizational responsibilities, we will contact you to make a reasonable effort to reach an agreement concerning the production of the records. If we are unable to reach an agreement, we may petition the court for additional time to respond to your request.

IS THERE ANY COST FOR ME TO REQUEST RECORDS?

There is no fee to submit a request, but the FOIA does permit public bodies to charge requesters the cost to search, access, supply, and duplicate records:

A public body may make reasonable charges not to exceed its actual cost incurred in accessing, duplicating, supplying, or searching for the requested records. No public body shall impose any extraneous, intermediary, or surplus fees or expenses to recoup the general costs associated with creating or maintaining records or transacting the general business of the public body. Any duplicating fee charged by a public body shall not exceed the actual cost of duplication. All charges for the supplying of requested records shall be estimated in advance at the request of the citizen as set forth in subsection F of § 2.2-3704 of the Code of Virginia.

Those charges will be 9 cents per page plus the hourly wages of staff involved with supplying the requested records. You also will be responsible for postage.

If the amount for production of the requested records will exceed \$200, Blue Ridge Juvenile Detention will require a deposit before processing the request. You will be notified in writing of the estimate and offered an opportunity to narrow your request. You also have the option of inspecting the existing request without receiving or paying for copies.