It is not unusual for parties seeking public records to make a request that can result in a voluminous amount of materials. This can create a good faith estimate that appears to be exorbitant.

The challenge with this request is in its broadness. Included in the request is all of the materials in a 1600 cubic foot room. Under Florida Law every one of these thousands of documents must be reviewed, line-by-line, page-by-page, and multiple hours of audio and video must be reviewed frame by frame. After this detailed review, Florida Law dictates us to redact that information which is confidential.

In these cases of very large requests, a manager will reach out to the requestor (via email or phone) and work to create a request that is more specific and tailored to their needs. The requestor’s identify has no bearing on this process. Records requests can be made anonymously. The item(s) being requested has no bearing on this process. The cost arises from the work it takes to review materials and determine what can legally be released, within each document, as a public record in accordance with all applicable Florida Statutes.

In this case the requestor filed a request that is the equivalent to:

* All the files located in a room the size of a small bedroom – approximately 1600 cubic feet with file cabinets containing many thousands of pages that comprise these records.
* In addition to all the documents requested, the request includes every audio and video file associated with every single case that is stored in that room.
* Florida Statute 119 REQUIRES JSO and every government entity to remove confidential information from its records before releasing them. This is not an *option* for the responding agency; it is a legal requirement.
* In order to determine what content of those millions of pieces of paper may require a “redaction” (the term for blacking out information so it cannot be released, while keeping intact the remaining document with any releasable information) a calculation must be made. This is the estimate.
  + The amount of materials to be read/listened to/viewed for possible redactions, plus
  + The time to remove the legally disallowed contents of each (“redactions” – more timely on video and audio than on paper documents), multiplied by
  + The hourly wage of the person qualified to do the review/redaction (the lowest compensated person who is steward of the record).
* It should be mentioned that fulfillment of all public records requests, with a good faith estimate, redacted to the specifications of the law, and delivered in a reasonable time is a core function of government. The Florida Legislature has also provided, by law a compensation schedule for these requests, as all government agencies expend taxpayer dollars in allocating personnel and time to complete public record requests.

Pat Ivey

Undersheriff