

Audit at a glance



Open Records Request Process

MAY 2020

ABOUT | The goal of the Colorado Open Records Act is transparency in government, and the law is meant to increase citizens' access to public records.

The law requires most government records be available for inspection by anyone in a "reasonable" amount of time unless prohibited by law or contrary to public interest, and government agencies may charge a fee for research and retrieval.

In the report

FINDING 1: The City's Open Records Request Process Does Not Provide Sufficient Guidance and Transparency to the Public

- The City and County of Denver's open records webpage states Denver is committed to making city government open, accountable, and accessible to the public. However, when compared to the amount of information other cities provide the public on their open records request processes, Denver falls short.
- Specifically, unlike other cities, we found Denver does not have a centralized request intake process or an electronic request form, nor does it provide a direct link to its open records webpages. Additionally, compared to other municipalities, Denver's open records webpage does not provide adequate guidance to the public on how to submit an open records request.
- Lack of transparency and accessibility to open records can hurt public trust.

FINDING 2: The City Does Not Know the Amount of Effort It is Spending on Open Records Requests

- Denver does not know what impact the Colorado Open Records Act has on city operations and cannot be transparent with the public about open records data. Specifically, the city does not know how many open records requests it processes, how much time is spent on them, or the amounts it has charged in fees to requesters.
- As a result of the city not collecting open records request data, the Mayor's Office does not know how well the city is complying with state law or how well the city's process works. Further, the Mayor's Office cannot be transparent with the public about how open records requests impact the city and how much the city charges in records request fees. Disclosing this information could increase city transparency and allow the public to understand more about the city's open records process.

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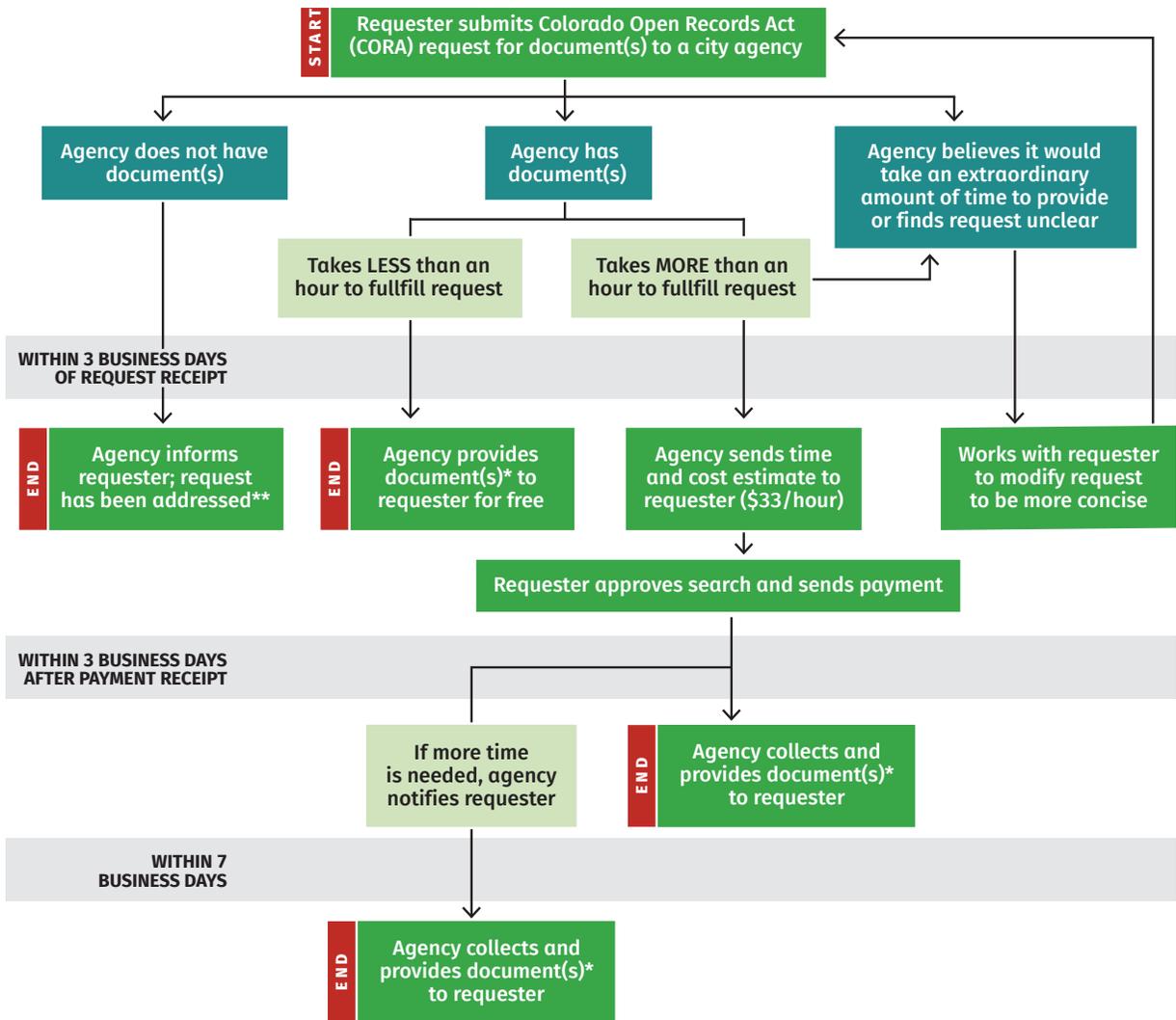
For a copy of this report, visit www.denverauditor.org or call the Auditor's Office at (720) 913-5000.



FINDING 3: The City Is Inconsistent and Sometimes Late in Responding to Open Records Requests

- The public’s experience with and perception of the city is shaped by each encounter people have with city agencies. A good experience is built on the perception that the public’s needs are treated with consistency and care.
- However, we found Denver is not consistent in how its agencies process open records requests and is not always following Colorado Open Records Act requirements. Specifically, some city agencies do not:
 - Assess fees consistently;
 - Notify requesters if their requests are taking longer than required;
 - Fully address each request; and
 - Retain the required supporting documentation.
- As a result, the public may not have a coherent experience when submitting open records requests.

Denver’s Open Records Process



*Requested documents may be unavailable to requester because they are privileged or confidential by law, and/or documents provided may have confidential, privileged portions redacted. There could be a fee for hard copies.
 **If the agency does not have the documents requested, the agency may refer requester to agency that does have the documents.
 Source: Auditor’s Office analysis of the City and County of Denver’s open records process.

