



# ACCESS TO CARCERAL RECORDS: POST-INCARCERATION ACCESS TO RECORDS OF ONESELF

**EXECUTIVE DIRECTOR**  
Xusana R. Davis, Esq.

**DIVISION MANAGER**  
Tiffany North-Reid, MPH

**PRINCIPAL DRAFTER**  
Laura Carter, MLIS

A report of the State of Vermont Office of Racial Equity examining the national policy landscape and recommendations for strengthening records access policies

# ACKNOWLEDGEMENTS

The Office of Racial Equity thanks all colleagues who participated in the research efforts, draft reviews, and feedback rounds for the development of this report.

The Office is further grateful for the technical expertise, policy guidance, drafting assistance, and additional consultation of State staff and other concerned parties across all three branches of State government and in all regions of the state, including but not limited to: Emily Carr, Isaac Dayno, Tanya Marshall, Jay Greene, Shalini Suryanarayana, and the staff who assisted with responses to Division requests across 51 U.S. jurisdictions in government agencies and civil liberties-focused organizations—especially the ACLU of Illinois, the ACLU of Nevada, and the Executive Director of Return Strong NV, Jodi Hocking.

# INTRODUCTION

---

Vermont Act 142 of 2022 established the Division of Racial Justice Statistics (“the Division”), an arm of the Office of Racial Equity (“the Office”) directed to

“collect and analyze data related to systemic racial bias and disparities within the criminal and juvenile justice systems... The purpose of the Division is to create, promote, and advance a system and structure that provides access to appropriate data and information, ensuring that privacy interests are protected and principles of transparency and accountability are clearly expressed. The data are to be used to inform policy decisions that work toward the amelioration of racial disparities across various systems of State government.”<sup>1</sup>

The Office operates from a set of values that includes process equity, and in evaluating the State of Vermont’s policies regarding access to carceral records for formerly incarcerated persons, it was important to identify whether and how the state’s records access policies allowed for meaningful participation and access by the very subjects of those records. This line of inquiry presents significant racial equity implications: Access to one’s own criminal records is fundamental for individual agency and justice, especially considering the persistence of systemic inequities and the potential for racial bias due to police and court discretion in arrest and sentencing.<sup>2</sup> Approximately 8% of American adults bear felony convictions, while many others face the burden of misdemeanors and arrests, with collateral consequences impacting employment, housing, and voting restrictions<sup>3,4</sup>, often perpetuating multigenerational cycles of poverty and marginalization along racial lines.<sup>5</sup>

Access to records of oneself protects the rights of individuals to transparent and fair treatment under the law, and facilitates their ability to contest errors or inaccuracies that could present barriers to accessing housing, employment, or other community supports. Poor data quality in criminal record databases, among other obstacles, impedes efforts to reform records access initiatives like expungement or sealing.<sup>6</sup> Discrepancies in data accuracy or missing data, which are particularly pronounced in states with higher Black or African-American populations, exacerbate inequity.<sup>7</sup> Moreover, the proliferation of digitized criminal records amplifies these challenges, with millions of arrests and court proceedings becoming publicly accessible online annually.<sup>8</sup>

---

<sup>1</sup> [Vermont Act 142 of 2022](#)

<sup>2</sup> [Center for Court Innovation \(CCI\), Rodriguez, K., Rempel, M., & Butcher, F. \(2022\). Reducing Racial Disparities and Overcriminalization](#)

<sup>3</sup> [National Center for State Courts, Court Statistics Project \(CSP\). Miller, A., Paige, B., & Trocheset, A. \(2021\). Collateral Consequences of Criminal Records](#)

<sup>4</sup> [Garriott, W., & Garcia-Fuerte, J. \(2023\). The Social Equity Paradigm: The Quest for Justice in Cannabis Legalization. \*Seton Hall Legis. J.\*, 47, 128](#)

<sup>5</sup> [Lake, J., \*Criminal Records Create Cycles of Multigenerational Poverty\*, Ctr. For Am. Progress \(Apr. 15, 2020\)](#)

<sup>6</sup> [Mooney, A. C., Skog, A., & Lerman, A. E. \(2022\). Racial equity in eligibility for a clean slate under automatic criminal record relief laws. \*Law & Society Review\*, 56\(3\), 398-417](#)

<sup>7</sup> McElhattan, David. 2021. “Punitive Ambiguity: State-Level Criminal Record Data Quality in the Era of Widespread Background Screening.” *Punishment & Society* 24(3): 367–86.

<sup>8</sup> [Lageson, S. E. \(2022\). Criminal record stigma and surveillance in the digital age. \*Annual Review of Criminology\*, 5, 67-90](#)

This project began as an analysis of Vermont’s own access to carceral record laws for individuals who are no longer in State custody with emphasis on updating language in Rule #19-035, the Vermont Department of Corrections (DOC) rule on access to offender and inmate records.<sup>9</sup> The analysis grew to explore the national landscape on access to carceral records for populations who are no longer incarcerated. This report provides a comparison of such policies across all 50 U.S. states and Washington, D.C., with additional discussion of Vermont’s practices and recommendations for ways the State of Vermont can improve its access to records practices.

As used in this report, “access” means the ability to solicit, view, and/or obtain records of oneself. However, there are varying levels of access outlined in this report and not all levels of access are meaningful. Historically, government records have at times been withheld, manipulated, and weaponized against vulnerable populations. Examples include

- Settler governments in the U.S. devising their own Westernist documentation structures to which Indigenous people were expected to conform to “prove” their own indigeneity<sup>10</sup>;
- Taking advantage of low data literacy to bury important or unfavorable information in public documents while still claiming the information was technically publicly accessible<sup>11</sup>; and
- Failing to provide accurate or timely translations of important documents or notices for members of the public who require language access services.<sup>12</sup>

To ensure genuine transparency, justice, and inclusion in serving the public, governments at all levels in the U.S. must re-examine their protocols to assess whether they are providing *technical* access through bare-minimum compliance with governing rules, or *meaningful* access that serves the needs of impacted communities. For example, being able to view a document only within the confines of a specified room of a specified facility during specified hours with no permission to transcribe or make photocopies might constitute “access” under the statutes and rules of numerous jurisdictions around the U.S., but these restrictions tend to create undue burdens for individuals seeking access to records about themselves. Further, this level of restriction implicates the broader global dialogue about what level of agency people should have regarding the safeguarding and disclosure of their own information and data in public and private spaces. In fact, much of the information covered in carceral records has been commodified and made available through for-profit mechanisms that further commercialize the country’s increasingly privatized corrections industry. Research indicates that “[a]nnually, an estimated 10 million arrests, 4.5 million mugshots, and 14.7 million court proceedings are digitally released.”<sup>13</sup> These issues sit at the intersection of governance, technology, and social expectations about individualism and the right to

---

<sup>9</sup> [Vermont Department of Corrections Rule #19-035](#)

<sup>10</sup> [Melissa Adams-Campbell, Ashley Glassburn Falzetti & Courtney Rivard \(2015\) Introduction: Indigeneity and the work of settler archives, \*Settler Colonial Studies\*, 5:2, 109-116, DOI: 10.1080/2201473X.2014.957256](#)

<sup>11</sup> [McFall-Johnsen, Morgan. “A ‘cuckoo’ Graph with No Sense of Time or Place Shows How Georgia Bungled Coronavirus Data as It Reopens.” \*Business Insider\*, Business Insider, 17 May 2020](#)

<sup>12</sup> [Olivares, San Juana. “Spanish-Speaking Community Ignored in Flint Water Crisis Response.” \*Earthjustice\*, 24 May 2023](#)

<sup>13</sup> [Lageson, S. E. \(2022\). Criminal record stigma and surveillance in the digital age. \*Annual Review of Criminology\*, 5, 67-90](#)

privacy. The creation and dissemination of digital criminal records further intensify surveillance and stigma, compounding challenges for marginalized communities (Lageson et al., 2021). Therefore, prioritizing access to one's own records alongside improving data quality in case management systems and expanding accessibility to expungement and sealing processes are crucial requirements for criminal record relief nationwide. Without meaningful reform, the digital age risks entrenching and exacerbating existing disparities, perpetuating injustice for generations to come.

## EVALUATION

---

### Methodology

To evaluate the level of access to carceral records about oneself, the Division's research examines policies across all 50 states and Washington, D.C. through close review and analysis of policies and directives from each jurisdiction's relevant government website, and statutory research specifically regarding public records, access to information (especially information pertaining to oneself), and any carceral record exemptions. The Division submitted two rounds of public requests for information to each jurisdiction's department or division of corrections to verify information that had been collected in the initial research phase.<sup>14</sup> The scope of research in this report is exclusive to post-incarceration access to records created by each jurisdiction's corrections agency regarding an individual and does not include access to medical or psychiatric records. Medical and psychiatric records fall under different state and federal exemptions and are often provided to an individual upon request or release from custody.

Similar requests were also submitted to each state affiliate chapter of the American Civil Liberties Union (ACLU) or an equivalent civil liberties-focused organization or government entity for further clarification and verification of research conducted by the Division. Not all requests received responses and some requests were redirected to other agencies. See [Appendix C](#) for a complete list of entities contacted.

### Findings

Using independent research coupled with feedback received from state departments/divisions of corrections and civil liberties organizations, the Division identified 36 jurisdictions including Washington, D.C. , that have clear laws and policies in place allowing formerly incarcerated individuals access to their carceral records post-incarceration. Conversely, 15 states do not appear to have post-incarceration access to records of oneself. See Table 1.

---

<sup>14</sup> Only one request was sent to Washington, D.C. All requests were submitted via electronic mail or state department web request portal.

**Table 1:** The table below identifies post-incarceration access to carceral records by state: "Post Incarceration Access" identifies whether individuals who are formerly incarcerated have access to their own carceral records post-incarceration. "Responded to Request for Information" refers to whether the Division received a reply to its initial request for information sent to the state departments and divisions and is not reflective of responses by or from any civil liberty organizations. "Barriers to Access (Emphasis Added)" details the Division's analysis of existing factors that may make it more challenging for individuals to access their own records post-incarceration.

| <b>TABLE 1: POST-INCARCERATION ACCESS TO CARCERAL RECORDS BY STATE</b> |                                  |  |   |
|--|----------------------------------|--|---|
| <b>JURISDICTION</b>  | <b>POST-INCARCERATION ACCESS</b> | <b>RESPONDED TO REQUEST FOR INFORMATION?</b> | <b>BARRIERS TO ACCESS (EMPHASIS ADDED)</b>  |
| Alabama  | Inferred No                      | Yes  | Must have court order or subpoena/legal representation to obtain records  |
| Alaska   | Yes                              | Yes  | -   |
| Arizona  | Yes                              | Yes  | May not receive physical copies of records, but able to review records  |
| Arkansas   | No                               | Yes  | Required to have court order/subpoena to obtain records   |
| California   | Yes                              | Yes  | -   |
| Colorado   | Yes                              | Yes  | -   |
| Connecticut  | Yes                              | Yes  | -   |
| Delaware   | Inferred No                      | Yes, request denied                          | -   |
| Florida  | Inferred No                      | Yes  | -   |
| Georgia  | Inferred No                      | Yes, request denied                          | “All institutional inmate files [...] shall be <b>classified as confidential state secrets</b> and privileged under law” – O.C.G.A. § 42-5-36 |
| Hawaii   | Inferred Yes                     | No   | May need a court order, or proper Release of Information (ROI) form   |
| Idaho  | Yes                              | Yes  | -   |
| Illinois   | No                               | Yes  | Required to have court order/subpoena to obtain records   |
| Indiana  | Inferred Yes                     | No   | Court order needed for access to restricted information   |

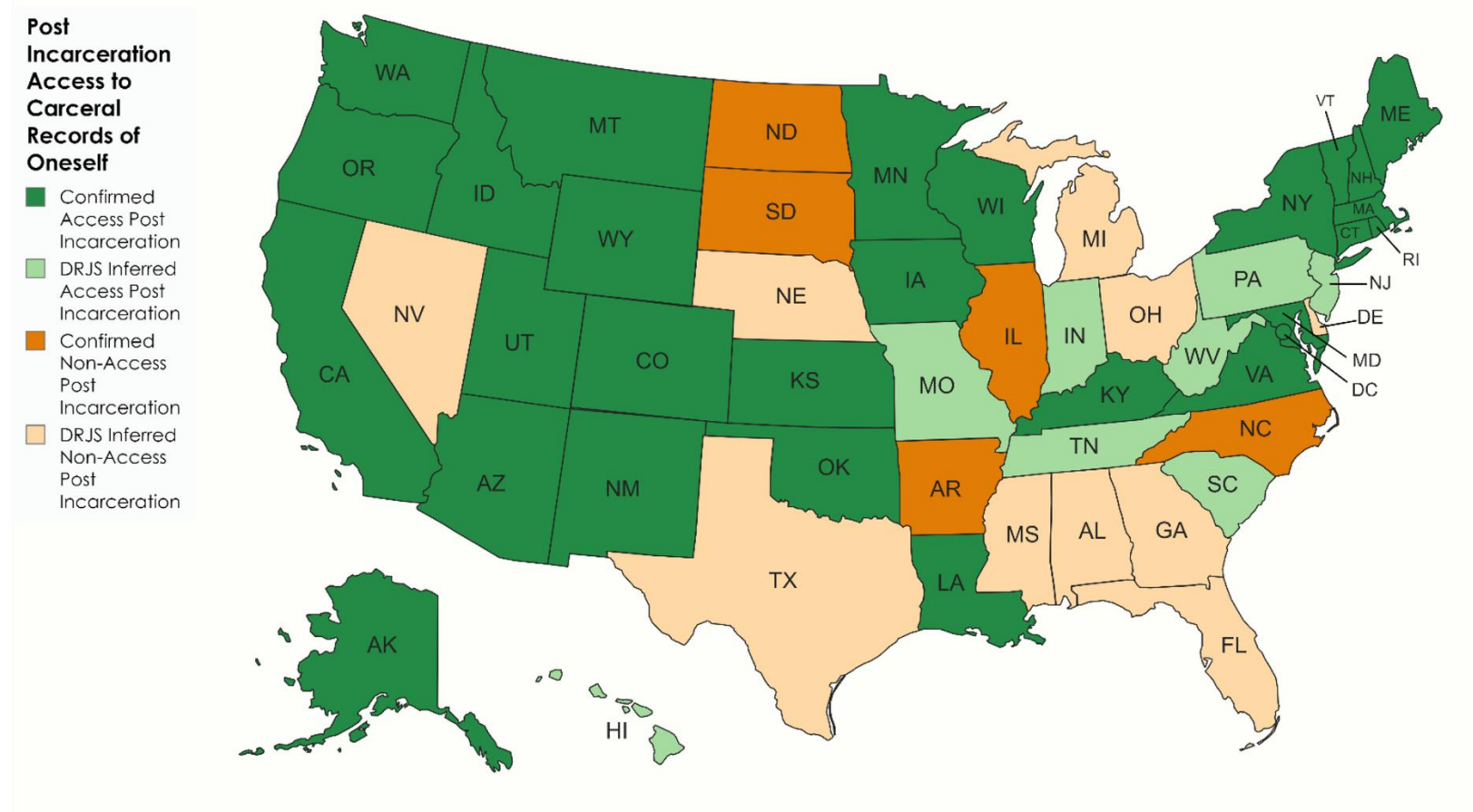
|               |              |                     |  |
|---------------|--------------|---------------------|--|
| Iowa          | Yes          | Yes                 | Release of Information (ROI) form required; some materials are considered confidential and can be reviewed; no copies.   |
| Kansas        | Yes          | Yes                 | No physical copies can be made, individuals must come in person to review files.   |
| Kentucky      | Inferred Yes | Yes, request denied | -  |
| Louisiana     | Yes          | Yes                 | Access to very specific documents—Release of Information/Consent must be provided by the individual  |
| Maine         | Yes          | Yes                 | May need a court order to obtain information that is considered confidential   |
| Maryland      | Yes          | Yes                 | May need a court order to obtain information that is considered confidential   |
| Massachusetts | Yes          | Yes                 | -  |
| Michigan      | Inferred No  | Yes                 | Department has the discretion to determine what is confidential and the only way to request records on oneself is through the MI Freedom of Information Act process  |
| Minnesota     | Yes          | Yes                 | -  |
| Mississippi   | Inferred No  | Yes                 | “§ 47-7-21. Privileged information. All information obtained in the discharge of official duty by a field officer as an employee of the Department of Corrections shall be privileged and shall not be disclosed directly or indirectly to anyone” |
| Missouri      | Inferred Yes | Yes                 | -  |
| Montana       | Yes          | Yes                 | May need a court order or Release of Information (ROI)   |
| Nebraska      | Inferred No  | Yes                 | “Neb. Rev. Stat. §83-178 prohibits incarcerated individual access to these records and <b>does not allow public inspection except by court order for good cause.</b> ”   |
| Nevada        | Inferred No  | No                  | -  |

|                |              |     |  |
|----------------|--------------|-----|--|
| New Hampshire  | Yes          | Yes | May need a completed Release of Information (ROI)  |
| New Jersey     | Inferred Yes | Yes | May need a court order to obtain information that is considered confidential   |
| New Mexico     | Yes          | Yes | May need a court order to obtain information that is considered confidential   |
| New York       | Yes          | Yes | -  |
| North Carolina | No           | Yes | “The North Carolina Court of Appeals held in Goble vs. Bounds, 13 N.C. App. 579, 186 S.E.2d 638 (1972), that prison records of offenders are <b>confidential and are not subject to inspection by the public nor the offender concerned.</b> ”   |
| North Dakota   | No           | Yes | -  |
| Ohio           | Inferred No  | No  | “ORC 5120.21: "(A) The department of rehabilitation and correction shall keep in its office, <b>accessible only to its employees, except by the consent of the department or the order of the judge of a court of record</b> ”   |
| Oklahoma       | Yes          | Yes | -  |
| Oregon         | Yes          | Yes | -  |
| Pennsylvania   | Inferred Yes | Yes | -  |
| Rhode Island   | Yes          | Yes | -  |
| South Carolina | Inferred Yes | No  | Must be used for specific purposes, such as litigation   |
| South Dakota   | No           | Yes | “pursuant to § 24-2-20, <b>no person</b> other than members of the Board of Pardons and Paroles, its executive director, the secretary of corrections, or any person specifically delegated for such access by the secretary of corrections, may inspect such file <b>unless otherwise ordered by a circuit court or subpoena after notice to the secretary of corrections</b> ” |



|                  |              |     |  |
|------------------|--------------|-----|--|
| Tennessee        | Inferred Yes | No  | May need a court order to obtain information that is considered confidential   |
| Texas            | Inferred No  | Yes | -  |
| Utah             | Yes          | Yes | There is a limitation on the number of requests submitted to review the record-this limitation is exclusively for those still in custody |
| Vermont          | Yes          | Yes | May need a court order to obtain information that is considered confidential   |
| Virginia         | Yes          | Yes | -  |
| Washington       | Yes          | Yes | -  |
| West Virginia    | Inferred Yes | No  | -  |
| Wisconsin        | Yes          | Yes | -  |
| Wyoming          | Yes          | Yes | May need a court order to obtain information that is considered confidential   |
| Washington, D.C. | Yes          | Yes | May need a court order to obtain information that is considered confidential   |

**Figure 1:** This map illustrates the data listed in Table 1 on post-incarceration access to carceral records of oneself.



## Discrepancies and Denied Requests

The Division did not receive clear—or in some cases, any—responses to all of its inquiries, and relied on independent research or insight from jurisdiction-specific civil liberties organizations to assist in drawing independent inferences to complete the dataset. These inferences were required for 19 jurisdictions, which includes 10 jurisdictions presumed to have no post-incarceration access to records of oneself and 9 jurisdictions presumed to have affirmative post-incarceration access to records of oneself.

**Table 2:** The table below identifies the 7 states that did not respond to requests for information as of the date of publication of this report. Based on independent research and policy review, the Division concluded that 5 of these 7 states do provide post-incarceration access to carceral records of oneself, and 2 do not.

| TABLE 2: NON-RESPONDING STATES |                                  |   |  |
|--------------------------------|----------------------------------|---|--|
| STATE                          | POST-<br>INCARCERATION<br>ACCESS | RESPONSE TO<br>REQUEST FOR<br>INFORMATION<br>RECEIVED | BARRIERS TO ACCESS   |
| Hawaii                         | Inferred Yes                     | No  | May need a court order, or proper Release of Information (ROI) form  |
| Indiana                        | Inferred Yes                     | No  | Court order needed for access to restricted information  |
| Nevada                         | Inferred No <sup>15</sup>        | No  | -  |
| Ohio                           | Inferred No                      | No  | “ORC 5120.21: "(A) The department of rehabilitation and correction shall keep in its office, <b>accessible only to its employees, except by the consent of the department or the order of the judge of a court of record</b> ” |
| South Carolina                 | Inferred Yes                     | No  | Must be used for specific purposes, such as litigation   |
| Tennessee                      | Inferred Yes                     | No  | May need a court order to obtain information that is considered confidential   |
| West Virginia                  | Inferred Yes                     | No  | -  |

**Table 3:** The table below identifies the 3 states that denied or refused the Division’s requests for information. The responses from these states were similar in that they cited their respective Public Records Acts (PRA) and informed the Division that because its inquiry did not specifically request a copy of a public record, they were not obligated to respond to

<sup>15</sup> Nevada Non-Profit Organization, [Return Strong](#) (redirected from the NV Chapter of the ACLU), confirmed the Division’s conclusion that individuals formerly incarcerated in Nevada do not have access to their records post-incarceration.

the inquiry under their state’s Public Records Act. In particular, the State of Delaware added the following to its denial:

“From your request it appears that you are not a citizen of the State of Delaware, for that reason your request is being denied at this time. Please refer to the following Delaware Statute provided herein<sup>16</sup>:

**29 Del. C. §10001.** Declaration of Policy.

It is vital in a democratic society that public business be performed in an open and public manner so that our citizens shall have the opportunity to observe the performance of public officials and to monitor the decisions that are made by such officials in formulating and executing public policy; and further, it is vital that citizens have easy access to public records in order that the society remain free and democratic. Toward these ends, and to further the accountability of government to the citizens of this State, this chapter is adopted, and shall be construed.”

Based on independent research and policy review, the Division concluded that 2 of these 3 states do not provide post-incarceration access to carceral records of oneself, and one does.

**TABLE 3: STATES THAT DENIED OR REFUSED REQUESTS**

| STATE    | POST INCARCERATION ACCESS | RESPONSE TO REQUEST FOR INFORMATION RECEIVED | BARRIERS TO ACCESS  |
|----------|---------------------------|--|---|
| Delaware | Inferred No               | Yes, request denied                          | -   |
| Georgia  | Inferred No               | Yes, request denied                          | “All institutional inmate files [...] shall be <b>classified as confidential state secrets</b> and privileged under law” – O.C.G.A. § 42-5-36 |
| Kentucky | Inferred Yes              | Yes, request denied                          | -   |

<sup>16</sup> Delaware Department of Corrections response to DRJS Freedom of Information Act request submitted on 12/5/2023; response sent by the Delaware DOC on 12/21/2023.

**Table 4:** The table below identifies the 2 states whose responses to the Division’s requests for information did not appear to align with the Division’s independent research and policy reviews of statute, administrative rule, department/division procedures and policies.

| <b>TABLE 4: STATES NOT ALIGNED WITH DIVISION'S INDEPENDENT RESEARCH</b> |                                  |   |  |
|---|----------------------------------|---|--|
| <b>STATE</b>  | <b>POST INCARCERATION ACCESS</b> | <b>RESPONSE TO REQUEST FOR INFORMATION RECEIVED</b> | <b>BARRIERS TO ACCESS</b>  |
| Alabama   | Inferred No                      | Yes   | Must have court order or subpoena/legal representation to obtain any records |
| Texas   | Inferred No                      | Yes   | -  |

### Alabama

The Alabama Department of Corrections’ response to the Division dated 12/5/2023 stated that “current and prior inmates have access to their institutional files. They can request their records under Administrative Regulation 23.” However, this policy only includes language referring to *currently* incarcerated individuals making request for records (see below):

#### H. Requests from Inmates in ADOC Custody

1. Inmates in ADOC custody must submit Public Records Requests in accordance with Section V.A.
2. Inmates in ADOC custody who request routine documents from their inmate file shall not be assessed the Processing Fee but shall be assessed Actual Costs in accordance with Section V.F.<sup>17</sup>

“Routine documents” mentioned above are neither outlined nor defined in AR-023, making it unclear what documents in an incarcerated individual’s file are available to the individual. Additionally, Alabama state statute Act 2013-115, p. 231, §8. Chapter 15; AL Prisoner Reform Act Section 14-15-8 Maintenance of Records stipulates that "(a) All records maintained by the department in the name of an individual prisoner, including medical records, shall be the property of the department. " While the policy indicates that individuals can make public records requests, it is unclear whether this exemption may be used as a basis for denial of an individual’s request for access to records of oneself. Based on this statutory language and the lack of clarity and guidance provided in policy, despite the response from the Alabama Department of Correction’s response, the Division inferred that one would not be able to obtain copies of their carceral records post-incarceration.

<sup>17</sup> [AR023.pdf \(alabama.gov\)](#)

## Texas

The Texas Department of Criminal Justice (TDCJ) response to the Division dated 12/14/2023 stated that “TDCJ handles formerly incarcerated individuals’ requests through the Texas Government Code section 551, Public Information.” The Division interpreted this to mean that formerly incarcerated individuals have the right to access information about themselves in the same way as any member of the public can access information about any formerly incarcerated individual. There are no specific exemptions for formerly incarcerated individuals to access the records from their own incarceration. Under the Texas Public Information Act (TPIA), this means access is permitted to the following information in State Code Section 552.029: “(1) the inmate's name, identification number, age, birthplace, department photograph, physical description, or general state of health or the nature of an injury to or critical illness suffered by the inmate; (2) the inmate's assigned unit or the date on which the unit received the inmate, unless disclosure of the information would violate federal law relating to the confidentiality of substance abuse treatment; (3) the offense for which the inmate was convicted or the judgment and sentence for that offense; (4) the county and court in which the inmate was convicted; (5) the inmate's earliest or latest possible release dates; (6) the inmate's parole date or earliest possible parole date; (7) any prior confinement of the inmate by the Texas Department of Criminal Justice or its predecessor; or (8) basic information regarding the death of an inmate in custody, an incident involving the use of force, or an alleged crime involving the inmate.”

Further review of the TDCJ website revealed a singular policy about conducting research on “human subjects<sup>18</sup>” while in the custody of the TDCJ and the procedure for submitting a TPIA request, but no information specifically related to incarcerated individuals (current or former) having access to records about themselves.

## POLICY LANDSCAPE

---

### **History of Access to Carceral Records in Vermont**

To better understand Vermont DOC’s current rules regarding records access, the Division performed legislative tracing and historical analysis of state statute 28 V.S.A. §107, which governs DOC’s public record exemption and its mandate to establish an administrative rule regarding access to offender and inmate records (APA Rule #19-035).

---

<sup>18</sup> [AD-02.28 TDCJ Research \(texas.gov\)](#)

Introduced as Senate Bill S.116<sup>19</sup> in 2015 by the Vermont General Assembly, the legislation was intended to update statutes 28 V.S.A. §601<sup>20,21</sup> and 28 V.S.A. §204<sup>22</sup> and to add 28 V.S.A. §602. Below are relevant excerpts of S.116 as introduced<sup>23</sup>:

**§ 601. POWERS AND RESPONSIBILITIES OF THE SUPERVISING 18 OFFICER OF EACH CORRECTIONAL FACILITY**

The supervising officer of each facility shall be responsible for the efficient and humane maintenance and operation and for the security of the facility, subject to the supervisory authority conferred by law upon the Commissioner. Each supervising officer is charged with the following powers and responsibilities:

\* \* \* (10) To establish and maintain, in accordance with such rules and 5 regulations as are established by the Commissioner, a central file at the facility 6 containing an individual file for each inmate. Except as otherwise may be 7 indicated by the rules and regulations of the Department, the content of the file of an inmate shall be confidential and shall not be subject to public inspection except by court order for good cause shown ~~and shall not be accessible to inmates at the facility.~~ Information that may compromise the safety or confidentiality of a victim or witness shall be redacted from a file prior to inspection by an inmate. Except as otherwise provided by law, the contents of an inmate's file may be inspected, pursuant to a court order issued ex parte, by a ~~state~~ State or federal prosecutor as part of a criminal investigation if the court finds that the records may be relevant to the investigation. The information in the files may be used for any lawful purpose but shall not otherwise be made public.

\* \* \* Access to Records \* \* \* 28 V.S.A. § 602 is added to read: **§ 602. RIGHT OF AN INDIVIDUAL TO ACCESS RECORDS** (a) At the request of any person in the custody or under the supervision of the Department, the Department shall provide records maintained by the Department concerning that person if that person is:

(1) a party in a case in any division of the Superior Court in which the Department is also a party; or

(2) a defendant in a hearing before the Parole Board in which revocation of parole is a possible outcome. (b) Nothing in this title concerning the confidentiality of the Department's records shall be construed as limiting a person's right to access records about himself or herself, except as specified in subsections (c) and (d) of this section.

<sup>19</sup> [Vermont Act 137 of 2016](#)

<sup>20</sup> The Office recognizes that §601 has a rich history dating back to 1972 when it was incorporated into state law. No additional legislative tracing has been done for §601 at this time. This report focuses on past legislative recommendations for the DOC to enter into rulemaking pursuant to 28 V.S.A. §107 (a process established through an amendment of §601) outlining access to and the definition of "offender and inmate records." The Office's recommendation to update Rule #19-035 is based on historical analysis of statute 28 V.S.A. §107, current DOC practice, and national review of access to records for those formerly in state custody.

<sup>21</sup> [28 V.S.A. §601](#)

<sup>22</sup> [28 V.S.A. §204](#)

<sup>23</sup> Strikethrough text indicates the legislation proposes to remove the language from statute; underlined text indicates the legislation proposes to add the language to statute.

(c) The Department shall redact any information compromising the safety or confidentiality of a victim or witness prior to providing the record to a person under this section.

(d) The Department may seek a court order limiting disclosure of records. The order may be granted only if the court finds clear and convincing evidence that disclosure of records would create a substantial and identifiable risk to public safety.

(e) As used in this section, “records” means records stored in any form, physical or electronic.

Throughout the 2015-2016 legislative session, many recommendations were submitted to the House Committee on Corrections and Institutions (HCI) regarding access to carceral records, specifically including access to records of oneself. The examples below are a non-exhaustive sample of recommendations from interested parties seeking greater access for those no longer in DOC custody and codification of resulting changes into law. Emphasis added.

Excerpt of a February 18, 2015 memorandum from the Public Records Study Committee:

“The Committee requested and received from the Department of Corrections (DOC) a copy of Directives and Policies, available on the DOC's website, that address the contents of inmate files as well as which persons are entitled to receive which types of information contained in these files. **These Directives and Policies were not adopted as rules pursuant to the Administrative Procedure Act (APA). The Committee was concerned that policies related to the confidentiality of inmate files have been established outside of the formal APA process. Because of the substantive nature of these concerns and the implications of potentially requiring that the confidentiality of inmate files be addressed through formal rulemaking,** the Committee recommended that your committees review 28 V.S.A. § 601(10) in conjunction with the Policies and Directives adopted by DOC to consider the appropriate breadth of a PRA exemption for inmate files, whether to require rulemaking by DOC in connection with the confidentiality of inmate files, and standards for the exercise of any rulemaking authority.”<sup>24</sup>

Excerpt of testimony by the ACLU of Vermont delivered on April 21, 2015:

“[...] The Department of Corrections was identified as the state agency with perhaps the most directives. And a quick look determined that – as you heard last week – **DOC had utilized the language in the “inmate files” exemption in 28 VSA 601 (10) to create a raft of directives that listed a great number of records within an inmate’s file that would be closed to public view. It was essentially a mini-DOC public records act within the larger state public records act, without the review and oversight that occurs when an exemption is created in statute or – to a lesser extent – in rules.** As you heard

---

<sup>24</sup> [Public Records Study Committee. \*Public Records Act Exemptions\*, 12 Feb. 2015.](#)



last week, lack of review raises questions of public oversight. **It is rare for a state agency to be able to limit or take away someone's liberties without some degree of review.** Other questions can also be raised, and we hope the committee will consider them. [...] A second question is whether DOC might be using the inmate files exemption to shield from public view information that should be available to the public. [...] I would suggest that the inmate files exemption is not narrowly tailored, and that the directives developed around it are similarly not narrowly tailored. **The public may not be entitled to know about inmates' personal lives, but it is entitled to know how our prisons are run and how officers carry out their duties. That's at the core of Article 6 of our state Constitution.**"<sup>25</sup>

Excerpt of testimony by Disability Rights of Vermont (DRVT) delivered on February 3, 2016:

"[...] DRVT is concerned that **the proposal allows the continuation of a policy that prevents former prisoners from having access to records about them after they have left the correctional facility.** While the statute is clear that prisoners in correctional facilities are not authorized to receive copies of their "core" file, without clarification **there is confusion about the right of a prisoner to access their "core" file when released.** There are some parts of the "core" file that represent security concerns, such as the names of an informant against the prisoner, that would reasonably be kept from a former prisoner, but most of the "core" file contains important information about the prisoner's time in prison and does not represent any security risk if disclosed. **DRVT suggests that the Committee consider amending the bill to clarify that the Commissioner shall adopt policies that allow former prisoners to obtain non-security sensitive records regarding their incarceration.** [...]"<sup>26</sup>

These testimonies urged the legislature to consider those who are no longer in custody and their ability to obtain copies of records regarding their incarceration with the State, positing that access to records is more than a procedural benefit, but rather a human right. In its testimony, the ACLU of Vermont cited Article 6 of the Vermont State Constitution and concluded that the intent of this provision favored opening access to carceral records, and operational records of the Department of Corrections. The Office of Racial Equity adds that Article 18 of the Vermont State Constitution supports this approach with its statement "That frequent recurrence to fundamental principles, and a firm adherence to justice [...] are absolutely necessary to preserve the blessings of liberty [...]"

---

<sup>25</sup> [Gilbert, Allen. Testimony by Allen Gilbert, Executive Director, ACLU-VT, on DOC Public Records Exemptions, 21 Apr. 2015.](#)

<sup>26</sup> [Ruben, A.J. DRVT Comments on \(Dr Req 16-606 – Draft 2.1\) Public Records; Corrections; Offender and Inmate Files., 3 Feb. 2016.](#)

The historical context of statute 28 V.S.A. §107 allows us to highlight the progress the Vermont DOC has made in updating access to records, not only for the public at large, but especially for people currently and formerly in DOC custody. 28 V.S.A. §107 currently reads:

“(a)(1) The Commissioner shall adopt a rule pursuant to 3 V.S.A. chapter 25 defining what are “offender and inmate records” produced or acquired by the Department.

[...]

(b) Offender and inmate records are exempt from public inspection and copying under the Public Records Act and shall be kept confidential, except that the Department:

[...]

(5) Shall release or permit inspection of specific categories or types of offender and inmate records to specific persons, or to any person, in accordance with a rule that the Commissioner shall adopt pursuant to 3 V.S.A. chapter 25, provided that the Commissioner shall redact any information that may compromise the safety of any person, or that is required by law to be redacted, prior to releasing or permitting inspection of such records under the rule. The rule shall provide for disclosure of a category or type of record in either of the following circumstance: [...]<sup>27</sup>

The Division has recommended the Vermont DOC update language in Rule #19-035 to be more explicit in directing individuals on how to obtain copies of their carceral records, regardless of custody status. More specifically, DOC should promulgate clearer guidance for those who are formerly incarcerated. The full recommendation is included in the [Recommendations](#) section of this report.

## Additional Notable Policy Efforts

Efforts to provide or strengthen access to carceral records for current and formerly incarcerated individuals are ongoing across the nation. During the Division’s research and outreach efforts, it was clear that for several years, some states had been working towards opening access to records for those who are the subject of the records, which includes those previously serving an incarcerative sentence.

Illinois presents one example of this effort. The State of Illinois has put forth legislation in the last several legislative sessions to expand access for those who are currently and were formerly in the custody of the state. Communications with both the Illinois Department of Corrections Planning and Research Division, as well as with the Illinois chapter of the ACLU, highlight this work effort.

In 2021, during the 102<sup>nd</sup> Illinois General Assembly, the following language was proposed, but ultimately did not pass (emphasis added by ACLU of Illinois):

---

<sup>27</sup> [28 V.S.A. §107](#)

“(l) Every incarcerated person described in this Section shall be provided full and complete access to his or her master record file, with the exception of the names of verified confidential informants, at least 60 days prior to any earned **discretionary reentry hearing. The incarcerated person has a right to challenge any false, misleading, or otherwise inaccurate information contained therein. The Department of Corrections shall establish an expedited process** for incarcerated persons to challenge such false, misleading, or otherwise inaccurate information so that it can be removed prior to any earned discretionary reentry hearing. Every incarcerated person described in this section may have counsel assist them in challenging inaccurate information.”<sup>28</sup>

The full language of the above bill as introduced can be found on the State of Illinois’ legislative website.

Follow-up correspondence from the ACLU of Illinois indicates that in 2022 of the same legislative session, a bill was passed modifying the state Unified Code of Corrections that now allows *current* incarcerated individuals the ability to request a copy of their record once per year. The ACLU of Illinois confirmed that *formerly* incarcerated individuals do not have that same ability to make a request for a copy of their records, and that the “master file” is not subject to the Freedom of Information Act (FOIA) request process. See the relevant excerpt of the State’s updated Unified Code below (emphasis added by ACLU of Illinois):

(Text of Section from P.A. 103-154)

Sec. 3-5-1. Master Record File.

(a) The Department of Corrections and the Department of Juvenile Justice shall maintain a master record file on each person committed to it, which shall contain the following information:

1. all information from the committing court;
- 1.5 ethnic and racial background data collected in accordance with Section 4.5 of the Criminal Identification Act;**
2. reception summary;
3. evaluation and assignment reports and recommendations;
4. reports as to program assignment and progress;
5. reports of disciplinary infractions and disposition, including tickets and Administrative Review Board action;
6. any parole or aftercare release plan;
7. any parole or aftercare release reports;
8. the date and circumstances of final discharge;

---

<sup>28</sup> [SB2333 of 2021](#)

9. criminal history;
10. current and past gang affiliations and ranks;
11. information regarding associations and family relationships;
12. any grievances filed and responses to those grievances; and
13. other information that the respective Department determines is relevant to the secure confinement and rehabilitation of the committed person.

- (b) **All files shall be confidential and access shall be limited to authorized personnel of the respective Department or by disclosure in accordance with a court order or subpoena.** Personnel of other correctional, welfare or law enforcement agencies may have access to files under rules and regulations of the respective Department. The respective Department shall keep a record of all outside personnel who have access to files, the files reviewed, any file material copied, and the purpose of access. If the respective Department or the Prisoner Review Board makes a determination under this Code which affects the length of the period of confinement or commitment, the committed person and his counsel shall be advised of factual information relied upon by the respective Department or Board to make the determination, provided that the Department or Board shall not be required to advise a person committed to the Department of Juvenile Justice any such information which in the opinion of the Department of Juvenile Justice or Board would be detrimental to his treatment or rehabilitation.
- (c) The master file shall be maintained at a place convenient to its use by personnel of the respective Department in charge of the person. When custody of a person is transferred from the Department to another department or agency, a summary of the file shall be forwarded to the receiving agency with such other information required by law or requested by the agency under rules and regulations of the respective Department.
- (d) The master file of a person no longer in the custody of the respective Department shall be placed on inactive status and its use shall be restricted subject to rules and regulations of the Department.
- (e) All public agencies may make available to the respective Department on request any factual data not otherwise privileged as a matter of law in their possession in respect to individuals committed to the respective Department.
- (f) **A committed person may request a summary of the committed person's master record file once per year and the committed person's attorney may request one summary of the committed person's master record file once per year. The Department shall create a form**

**for requesting this summary, and shall make that form available to committed persons and to the public on its website. Upon receipt of the request form, the Department shall provide the summary within 15 days.** The summary must contain, unless otherwise prohibited by law:

1. the person's name, ethnic, racial, and other identifying information;
2. all digitally available information from the committing court;
3. all information in the Offender 360 system on the person's criminal history;
4. the person's complete assignment history in the Department of Corrections;
5. the person's disciplinary card;
6. additional records about up to 3 specific disciplinary incidents as identified by the requester;
7. any available records about up to 5 specific grievances filed by the person, as identified by the requester; and
8. the records of all grievances filed on or after January 1, 2023.

**Notwithstanding any provision of this subsection (f) to the contrary, a committed person's master record file is not subject to disclosure and copying under the Freedom of Information Act.**

(Source: P.A. 102-776, eff. 1-1-23; 102-784, eff. 5-13-22; 103-154, eff. 6-30-23.)

(730 ILCS 5/3-5-2) (from Ch. 38, par. 1003-5-2)

Sec. 3-5-2. Institutional Record. The Department shall maintain records of the examination, assignment, transfer, discipline of committed persons and what grievances, if any, are made in each of its institutions, facilities and programs. The record shall contain the name of the persons involved, the time, date, place and purpose of the procedure, the decision and basis therefor, and any review of the decision made.

(Source: P.A. 77-2097.)

730 ILCS 5/3-5-3)

Sec. 3-5-3. (Repealed).

(Source: P.A. 98-528, eff. 1-1-15. Repealed by P.A. 103-363, eff. 7-28-23.)<sup>29</sup>

---

<sup>29</sup> [IL Public Act 102-0776](#)

The ACLU of Illinois confirmed in its response to the Division that post-incarceration access to records of oneself is not available under current state law.

## CONCLUSION

---

The balance between confidentiality and access to records is delicate, but also critical, especially regarding records of oneself. To alleviate barriers to access, legislation and state rules can be modernized to empower those directly impacted by the criminal legal system to regain some agency over information about themselves. Many states have taken steps to codify access to records of oneself; See Appendix B for examples.

## Recommendations

**1: The Office of Racial Equity recommends that the VT DOC update language in Rule #19-035 to be clearer and more explicit about how and when formerly incarcerated individuals can access their records.**

After comparative analysis of other states' policies and a historical review and legislative tracing of 28 V.S.A. §107, the Office recommends that the DOC amend Rule #19-035 [Offender and Inmate Records and Access to Information] to provide more explicit guidance to those formerly in DOC custody on how to obtain their carceral records. This guidance should be written in direct, plain language or should be accompanied by a plain-language summary. Further, the guidance should be translated in accordance with the recommendations in the Office's 2023 Language Access Report.<sup>30</sup> The requirement for DOC to undergo rulemaking regarding access to records is outlined in 28 V.S.A. §107, which was last updated in 2017 with changes taking effect in 2019. DOC completed this rulemaking as directed, but neither the statute nor the rule have been updated since becoming effective in 2019.

Pursuant to 28 V.S.A. §107(b): “(b) Offender and inmate records are exempt from public inspection and copying under the Public Records Act and shall be kept confidential, except [...] (B) in order to provide an offender or inmate access to offender and inmate records relating to him or her, [...]” Access to records of oneself is outlined in Rule #19-035, but the language is scoped primarily for those currently in custody, making it unclear to DOC staff when to reject or provide records to an individual no longer in custody. Specifically, the Office recommends clarification on the last section of the rule, which states that “[...] an offender may request, pursuant to the process identified in this rule, any document in the offender and inmate record that (1) is available to the offender as outlined in this rule, and (2) was created within one year preceding the offender's request.”

---

<sup>30</sup> [Office of Racial Equity 2023 Language Access Report](#)

Currently, the only language explicitly referencing those formerly in custody is as follows: “b) Offenders no longer under DOC supervision may request any document or information in their offender and inmate record that (1) was previously provided to them as a matter of course or upon request, or (2) would have been provided to them only upon request if they were still under DOC supervision, provided that at least one year has passed since the offender's last request for the same document or information. All requests must be in writing and delivered to the DOC's records officer.” However, it is unclear if people no longer in DOC custody are subject to the provision reading “and (2) was created within one year preceding the offender's request.” The “DOC core file” only encompasses the time during which an individual was in custody. The Office recommends provision (2) be written to be explicitly clear that those formerly in DOC custody are not limited to documents *created* within a year of their request. According to the VT DOC, the Department chooses to interpret the rule in a way that does *not* limit formerly incarcerated individuals in this manner. However, as written, the rule still allows for a strict interpretation that limits access to 1 year from creation of the record, which could lend itself to the following scenarios

- a reasonable person might interpret the rule to deny them access beyond 1 year and thus be chilled from making a request at all, or
- DOC staff might rely on the plain text of the rule and apply a 1-year limitation even if DOC protocols do not require them to, or
- the 1-year limitation might become the preferred interpretation under a future executive administration that does not share the same values regarding transparency that current leadership holds.

In any of the above scenarios, if a request were to surpass 1 year of an individual's release, there would be no additional documents created and the request would be rejected. This creates an additional barrier to access that updated rule language could address.

The Office agrees with DOC's stated practice of not limiting formerly incarcerated individuals to records created within 1 year, but notes that it has received conflicting accounts from former DOC staff asserting that requests beyond 1 year *are*, in fact, denied or rerouted to another agency. Regardless of which claims are accurate, the mere existence of confusion regarding this point highlights the need for more clarity in guidance, not just for members of the public, but also for DOC staff. Updating Rule 19-035, paired with internal protocol revision and education among staff responding to these requests, will support VT DOC's commitment to equitable access to information and transparency in government.

See [Appendix A](#) for excerpts from a national sample of other Department of Corrections policies for access to records of oneself. The Office offers these as examples of more explicit, clear, and direct language to make the Vermont Department of Correction rule itself as accessible as possible.

**2: The Office of Racial Equity recommends that the Vermont General Assembly, in collaboration with the Agency of Administration and the Secretary of State's Office (via the Vermont State Archives & Records Administration), amend the Public Records Act to include a citation or separate statute pertaining to access to records of oneself.**

See [Appendix B](#) for examples of legislation pertaining to access to records of oneself from a national sample of other states' access to records laws. The Office offers these examples as an additional alternative to the Inter-Agency Committee on Administrative Rules (ICAR)/Legislative Committee on Administrative Rules (LCAR) rule change process, as well as an alternative to updating the language in Vermont statute 28 V.S.A. §107. Of all options available to the State, legislation change will likely have a greater impact beyond the topic of carceral records, which presents an opportunity to improve transparency in government for the community as a whole.



# APPENDICES

---

## **Appendix A: National Sampling of Departmental Policies**

The following two examples from Rhode Island and New Mexico are included as model policies. The Division encourages jurisdictions around the U.S. to examine these policies—in addition to performing robust community engagement—when reimagining their own statutes, rules, and policies regarding access to carceral records.

In particular, the Division notes that

The New Mexico policy

- Provides clear instructions to those who are formerly incarcerated on how to obtain copies of their records (see section 1 (c));
- Provides legal citations and notes on best practices;
- Uses direct, understandable language; and
- Includes forms with the policy for ease of access.

The Rhode Island policy

- Uses direct, understandable language;
- Includes "formerly incarcerated persons" group for inclusion to access to records (see section C); and
- Employs a more intuitive and more user-friendly structure/format



# NEW MEXICO CORRECTIONS DEPARTMENT

Secretary  
Alisha Tafoya Lucero

|   |                                       |   |
|---|---------------------------------------|---|
| CD-043500 Offender Access and Review of Records | Issued: 10/4/91<br>Effective: 3/13/92 | Reviewed: 07/31/23<br>Revised: 03/05/15 |
| Alisha Tafoya Lucero, Cabinet Secretary         |                                       | <i>Original Signed and Kept on File</i> |

## AUTHORITY:

- A. NMSA 1978, Section 14-2-1, et. seq., as amended.
- B. Policy *CD-010100*

## REFERENCE:

- A. ACA Standard 2-CO-1E-06, *Standards for the Administration of Correctional Agencies*, 2<sup>nd</sup> Edition.
- B. ACA Expected Practice 5-ACI-1E-04, *Performance Based Standards and Expected Practices for Adult Correctional Institutions*, 5<sup>th</sup> Edition.

## PURPOSE:

To govern inmates' access to information in case records.

## APPLICABILITY:

All New Mexico Corrections Department employees (especially record bureau employees) and offenders.

## FORMS:

- A. **Request for Review of Individual Records** form (*CD-043501.1*)
- B. **Request for Health Care Records Review** form (*CD-043501.2*)

## ATTACHMENTS:

None

## DEFINITIONS:

- A. *Criminal History Information*: Any information contained in an offender record relating to prior offense, arrest, conviction or non-conviction data. Specifically arrest, adjudication or conviction information contained on the FBI or NMSP Rap Sheet, Pre-Sentence Reports (PSRs) or Admission Summaries.
- B. *Health Services Administrator*: Those individuals assigned primary responsibility for medical and mental health care in the Department.

- C. *Offenders*: An adult placed under, or made subject to, supervision, probation and/or parole, as the result of the commission of a criminal offense and released to the community under the jurisdiction of courts, paroling authorities, corrections, or other criminal justice agencies, and who is required to request transfer of supervision under the provisions of the Interstate Compact for Adult Offender Supervision.

**POLICY:**

- A. An offender wishing to review their NMCD custody record shall be allowed such access and shall be advised as to the procedures for challenge of such record should the offender disagree with the content of the record. [2-CO-1E-06] [5-ACI-IE-04]
- B. An offender desiring a copy of he or she FBI Identification Record (rap sheet) must personally submit such a request directly to the FBI.
- C. Offenders shall have access to information in their case records. [ 5-ACI-IE-04]



# NEW MEXICO CORRECTIONS DEPARTMENT

Secretary  
Alisha Tafoya Lucero

|  |                                       |   |
|--|---------------------------------------|---|
| CD-043500 Offender Access and Review of Records<br>Alisha Tafoya Lucero, Cabinet Secretary | Issued: 10/4/91<br>Effective: 3/13/92 | Reviewed: 07/31/23<br>Revised: 03/05/15 |
|--|---------------------------------------|---|

*Original Signed and Kept on File*

## AUTHORITY:

Policy *CD-043500*

## PROCEDURES: [2-CO-1E-06] [5-ACI-IE-04]

### A. Offender Request for FBI Rap Sheet:

1. Neither the Department nor any of its divisions or institutions has the authority to provide an identification record (rap sheet) produced by either the FBI or the New Mexico State Police to a requesting individual. Such records may be provided ONLY to another law-enforcement agency for official purposes. A violation of this restriction by NMCD personnel may result in the discontinuance of future receipt of such records from the originating agency and may expose the employee or employees to appropriate disciplinary action.
2. Offenders desiring a copy of their FBI rap sheet must submit a request to the FBI that includes the following information:
  - a. Statement of who he or she is and that he or she is requesting a copy of he or she FBI Identification Record;
  - b. Individual's FBI Identification Number (the Corrections Department may provide this number to the individual offender) or date of birth and social security number, if the FBI I.D. Number is not available;
  - c. Current completed fingerprint card of the individual, using an applicant FBI fingerprint card (blue background). In the Originating Agency Identifier or ORI (agency) block of the fingerprint card there should be an explanation that the fingerprint card submission is for search purposes only. The fingerprint card will be returned to the individual with the requested identification record; and,
  - d. A certified check or postal money order in the amount required by the FBI and payable to the U.S. Treasury Department.

### B. Review of Departmentally-Created Information: [5-ACI-IE-04]

The offender shall be entitled to review and copy certain administratively created materials.

1. An offender desiring to review and/or copy, at his or her own expense, administratively created materials maintained in his or her NMCD custody record, shall complete a **Request for Review of Individual Records** form (*CD-043501.1*) and forward it to the Facility Records Coordinator or Probation and Parole officer. Ordinarily, file review will be permitted only once every six (6) months. Requests for review of medical or mental health records shall be made through the appropriate institutional health records personnel or the Department's Health Services Bureau.
  - a. The supervising classification officer shall ensure that those records that are public record, and therefore available for inspection and copying by the offender, are made available to the inmate no later than fifteen (15) days after the request is received, unless the request is excessively burdensome. If the records are not made available within three (3) days, or the request is excessively burdensome, the classification officer will notify the offender, in writing, within three (3) days of receiving the request, when the records will be made available.
  - b. The supervising probation and parole officer shall ensure that those records that are public record, and therefore available for inspection and copying by the probationer or parolee, are made available to the probationer or parolee no later than fifteen (15) days after the request is received, unless the request is excessively burdensome. If the records are not made available within three (3) days, or the request is excessively burdensome, the officer will notify the probationer or parolee in writing, within three (3) days of receiving the request, when the records will be made available.
  - c. Offenders who are no longer actively supervised or incarcerated may request to review their records by writing the Records Bureau, P. O. Box 27116, Santa Fe, New Mexico 87502-0116. Offender Management Services shall ensure that such NMCD custody record is made available to the offenders within ten (10) working days following receipt of such request. If the offender has been terminated from supervision or incarceration for more than one (1) year, such a request may take up to eight (8) weeks to fulfill. Notice of such a delay should be made promptly to the individual making such a request.
2. Those items maintained in an offender's file, which shall be accessible for review by the offender, are as follows:
  - a. Photograph (no copies),
  - b. \*Good Time Figuring Sheets, copies at no cost whenever time changes,
  - c. Committee Action Sheets,
  - d. Classification Scoring Forms,
  - e. Chronos,
  - f. Parole Certificate/Agreement,
  - g. Warrants/Detainers,
  - h. Parole Board Memos, Correspondence that specifies that the offender is to receive copies,
  - i. Furlough Papers,
  - j. Parole Board Actions,

- k. Description of offender,
  - l. \*Judgment and Sentence, and Commitment Papers,
  - m. Legal Documents/Court Orders,
  - n. Disciplinary Reports, in which offender was found guilty unless informants are identified, including the Record of Disciplinary Action,
  - o. Recommendation for Good Time form/Quarterly Good Time form,
  - p. Restoration/Forfeiture of Good Time form,
  - q. Authorization for Endorsement,
  - r. Disposition of Property Consent form.
3. Those items maintained in a probation/parole/reintegration file that will be accessible for review by the offender are as follows:
- a. Photograph (if available - no copies),
  - b. \*Parole Certificate,
  - c. \*Orders of Probation,
  - d. Supervision/Intensive Supervision/Community Corrections/Reintegration contracts,
  - e. Warrants and/or detainers,
  - f. Parole Board memoranda that specify parolee is to receive a copy,
  - g. Parole Board Actions,
  - h. Court Orders,
  - i. \*Judgment and Sentences,
  - j. Plea agreements,
  - k. Travel permits,
  - l. Motions filed by any District Attorney,

**NOTE:** *Copies of items in sections two and three above marked by asterisks (\*) are provided free of charge, for all other items, the offender must pay photocopy costs (\$.0.25 per copy) to receive copies. An offender's failure and/or refusal to pay these charges constitute grounds for denial of copies to the offender.*

- 4. If during the course of such review the offender determines that an item or items of information contained in such record is in error, the offender may seek to resolve the question informally through the Classification Officer or Probation and Parole Officer. If the offender concern cannot be resolved informally, the inmate may use the appropriate grievance procedure.
- 5. If the offender desires copies of permissible administratively created materials, such access to copies shall conform with established procedures of the confining or supervising Department authority.



**NEW MEXICO CORRECTIONS DEPARTMENT**  
**Request for Health Care Records Review**

**PART A**

Date of Request     /    /      
Mo. Day Yr

Inmate Name: \_\_\_\_\_ Offender #: \_\_\_\_\_ DOB:     /    /      
Cell / Housing Unit: \_\_\_\_\_ Mo. Day Yr.

Reason for Review of Medical/Mental Health Record: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**PART B - To be completed ONLY AFTER review of the medical/mental health record.**

Is there any challenge to the completeness or accuracy of the information reviewed?

No      Yes      if yes, to what portion(s): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

*I hereby acknowledge that the above requested review of my medical/mental health record information was performed on the following date and information specified was photocopied and given to me:*

Photocopies were made of \_\_\_\_\_

\_\_\_\_\_  
Offender's Signature

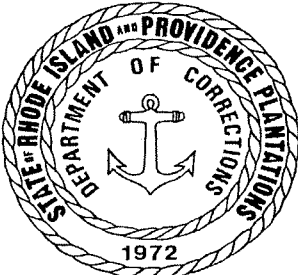

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Health Authority or Designee  
Institutional Psychologist or Designee

\_\_\_\_\_  
Date



# RHODE ISLAND DEPARTMENT OF CORRECTIONS POLICY AND PROCEDURE

|   |                                     |  |                    |
|---|-------------------------------------|--|--------------------|
|    | <b>POLICY NUMBER:</b><br>5.05-6 DOC | <b>EFFECTIVE DATE:</b><br>04/27/22   | <b>PAGE 1 OF 5</b> |
|   | <b>SUPERCEDES:</b><br>5.05-5 DOC    | <b>DIRECTOR:</b> <span style="float: right;">Please use BLUE ink.</span><br> |                    |
| <b>SECTION:</b><br>CASE RECORDS   |                                     | <b>SUBJECT:</b><br>INMATE/FORMER INMATE ACCESS<br>TO PERMANENT CASE RECORD<br>INFORMATION  |                    |
| <b>AUTHORITY:</b> Rhode Island General Laws (RIGL) § 42-56-10 (22), Powers of the director; § 42-56-17, Identification and description of inmates; § 38-2-1 <u>et seq.</u> , Access to Public Records                                     |                                     |  |                    |
| <b>REFERENCES:</b> The most recent version of RIDOC Policies 1.07 DOC, <u>Public Access to Departmental Records/Inmate Information</u> ; 13.10 DOC, <u>Inmate Grievances</u> ; 18.59 DOC, <u>Confidentiality of Medical Information</u> . |                                     |  |                    |
| <b>INMATE / PUBLIC ACCESS?</b>  |                                     | <b>X YES</b>   |                    |
| <b>AVAILABLE IN SPANISH?</b>  |                                     | <b>X YES</b>   |                    |

I. **PURPOSE:**

To specify the procedures for processing requests from current and former inmates for information contained in their permanent case records.

II. **POLICY:**

A. Current and former inmates may have access to select documents and records contained in their Rhode Island Department of Corrections (RIDOC) permanent case records [Identification (ID)], consistent with applicable statutes and the safe, secure, and orderly functioning of the facilities.

**NOTE:** Release of information contained in inmate medical files is addressed in the most recent version of RIDOC policy 18.59 DOC, Confidentiality of Medical Information.

- B. RIDOC recognizes an inmate's right to access personal information contained in his/her permanent case record within a reasonable time of such request and acknowledges the need to balance access with sound use of public resources in retrieving and photocopying records.
- C. RIDOC also recognizes its legal mandate to ensure the safe, secure, and orderly functioning of its facilities. Consequently, individual inmates may not be granted access to certain documents or records contained within their case records, as provided in Section III.B. of this policy.

### III. PROCEDURES:

#### A. Documents/Records Inaccessible to Inmates/Former Inmates

- 1. While requests for information contained in permanent case records are reviewed on an individual basis, there are general categories of documents and information to which access is denied:
  - a. Any record or document which, if disclosed either directly or indirectly:
    - (1) would jeopardize the security of the facility(s) or the safety of inmates, staff, or the general public;
    - (2) would hinder the progress of an inmate's treatment or rehabilitative program (such as psychological reports submitted to the Parole Board); and/or
    - (3) contains the opinions and/or recommendations of members of established boards and/or committees (including, but not limited to classification and disciplinary hearings) and may compromise the personal or official discretion of any member.
  - b. Any record or document which would not be available by law or rule of Court to an opposing party in an ongoing or pending litigation to which the RIDOC is a party.
  - c. Preliminary drafts, notes, impressions, memoranda, working papers, and work products.

d. Investigatory records.

B. Current Inmates' Requests for Information

1. Current inmates shall utilize the Inmate Case Record Information Request Form obtained from Adult Counselors or the facility Law Library.

**NOTE:** Inmate Case Record Information Request Forms must be completely and accurately filled out, be legible, and specifically identify a desired document or record. Inappropriately completed forms are returned to inmates for resubmission.

2. Requests for information from **current inmates** are sent to their assigned Adult Counselor.
3. The Records and ID Unit Office Manager responds to requests for information within ten (10) business days after receipt of such requests and notify inmates that:
  - a. Requests are charged against current inmates' accounts (via Money Transfer Slips) at the rate of fifteen cents (\$.15) per page.
  - b. Extension -- If additional time is needed, the inmate/former inmate is notified within ten (10) business days of receipt of his/her request that the request is being researched.
    - (1) A response will be sent within thirty (30) business days of receipt of the request.
    - (2) The fee for copying the materials must be received before the documents are release to the requestor.

C. Former Inmates' Requests for Information

1. If a former inmate requests information from his/her permanent case record, s/he must submit a request in writing to the Records and ID Unit Office Manager which has been notarized attesting to the identity of the requestor.
  - a. The Records & ID Unit Office Manager accepts payment for copies via:

- (1) Cash;
  - (2) Personal check;
  - (3) Bank check;
  - (4) Money order.
- b. Checks should be made payable to the "State of Rhode Island."
- c. The Records & ID Unit Office Manager forwards all payments for copies to RIDOC's Business Office.
2. If a former inmate requests dates of incarceration via telephone or in person, a letter shall be given to the individual listing his/her dates of incarceration, only after his/her identity has been confirmed. A copy of the letter will be placed in the inmate's file maintained by the Records & ID Unit staff.
3. Former inmates are charged fifteen cents (\$.15) per page.

D. Inmate Appeal of Information Accuracy

1. The contents of inmate case records represent the latest information received in written form. They may be outdated as the result of new or revised information which has not been received or filed.
2. Any inmate may challenge whether the information contained in his/her case record is factual excluding opinions, impressions, and judgments of correctional professionals via the Inmate Grievance Procedure, consistent with the most recent version of RIDOC policy 13.10 DOC, Inmate Grievances. It is the inmate's responsibility to present evidence in support of the challenge.

**NOTE:** Former inmates may submit challenges in writing to the Assistant Director Institutions & Operations (ADIO) or his/her designee.

3. Clear and convincing evidence refuting whether the information is factual results in correction or expungement as determined by the Records & ID Unit Office Manager or designee.

**NOTE:** Clear and convincing evidence is that evidence which is presented by the individual disputing the factual information and is considered to be “highly probable” by the Records & ID Unit Office Manager or designee.

4. Documentation of all inmate appeals of information accuracy remains in the inmates’ / former inmates’ permanent case records.

## Appendix B: National Sampling of Legislation on Access to Records of Oneself

This appendix highlights legislation across the country referencing the ability to access records pertaining to oneself. This selection is likely not a comprehensive list, but can help states including Vermont modernize their statutes to reflect that those who have interacted with the State in some way may be able to obtain records of oneself (understanding there may be some exceptions).

### Cautionary Example: Idaho

Idaho's access to records provisions are included here as a cautionary example for other jurisdictions about lack of clarity and conflicting guidance. On its face, the governing statute (74-113, excerpted below) appears to deny access to carceral records to the people who are the subjects of those records. However, the Idaho Department of Corrections advised the Division in a January 8, 2024 response that as a matter of course, it provides records to those who are on probation under the DOC's supervision, and provides a copy of one's carceral records upon final release from custody. The Division could not identify a written policy confirming this claim as of the date of publication of this report, and did not receive a response from a local civil liberties-focused organization to provide additional insight. Therefore, it is unclear

- whether records are, in fact, consistently provided as a matter of course and where that practice is codified in policy,
- whether a formerly incarcerated person is given records once upon release and then subject to the provisions of statute 74-113 denying access in the future, or
- whether there is another exemption that permits access beyond the immediate post-release or probationary period.

#### **“74-113. ACCESS TO RECORDS ABOUT A PERSON BY A PERSON.**

- (1) A person may inspect and copy the records of a public agency or independent public body corporate and politic pertaining to that person, even if the record is otherwise exempt from public disclosure.  
[...]
- (3) **The right to inspect and amend records pertaining to oneself does not include the right to review:**
  - (a) Otherwise exempt investigatory records of a public agency if the investigation is ongoing;
  - (b) Information that is compiled in reasonable anticipation of a civil action or proceeding which is not otherwise discoverable;
  - (c) The information relates to adoption records;
  - (d) Information which is otherwise exempt from disclosure by statute or court rule;

**(e) Records of a prisoner maintained by the state or local agency having custody of the prisoner or formerly having custody of the prisoner or by the commission of pardons and parole.”<sup>31</sup>**

### Example: Kentucky

Kentucky provides access to records of oneself through legislation:

**“61.884 Person's access to record relating to him.** Any person shall have access to any public record relating to him or in which he is mentioned by name, upon presentation of appropriate identification, subject to the provisions of KRS 61.878. History: Created 1976 Ky. Acts ch. 273, sec. 8”<sup>32</sup>

### Example: Maryland

Maryland defines “person in interest” in its Public Information Act (PIA), granting access to those who are the subjects of the public record, with some exceptions:

“(g) Person in interest” means:

(1) a person or governmental unit that is the subject of a public record or a designee of the person or governmental unit; [...]” GP § 4-101(g)

Maryland also provides a manual that further breaks down access to records for a “person in interest,” excerpted below:

“In some instances, the PIA provides a “person in interest” with a greater right of access to a particular type of record than that available to other requesters. In these instances, the custodian must determine whether the requester is a “person in interest.”<sup>33</sup>

### Example: Utah

Utah provides access to records of oneself through the Government Records Access and Management Act (GRAMA) process:

**“63G-2-202. Access to private, controlled, and protected documents.**

(1) Except as provided in Subsection (11)(a), a governmental entity:

(a) shall, upon request, disclose a private record to:

(i). the subject of the record; [...]”<sup>34</sup>

---

<sup>31</sup> [Idaho Statutes 74-113](#)

<sup>32</sup> [Kentucky Statutes 61.884](#)

<sup>33</sup> For further details, see the full breakdown of Chapter 2 in Maryland code regarding access under the Public Information Act (PIA): [Chapter2.pdf \(marylandattorneygeneral.gov\)](#)

<sup>34</sup> [Utah Code Section 63G-2-202](#)

## Appendix C: Resource List

Below is a list of the entities to which the Division submitted requests for information:

### Alabama

- The Alabama Department of Corrections: [Home Page - Alabama Dept of Corrections](#)
- The ACLU of Alabama: [Alabama | American Civil Liberties Union \(aclu.org\)](#)

### Alaska

- The Alaska Department of Corrections: [Home | Alaska Department of Corrections](#)
- The ACLU of Alaska: [Alaska | American Civil Liberties Union \(aclu.org\)](#)

### Arizona

- The Arizona Department of Corrections, Rehabilitation, and Reentry: [Home | Arizona Department of Corrections, Rehabilitation & Reentry \(az.gov\)](#)
- The ACLU of Arizona: [Arizona | American Civil Liberties Union \(aclu.org\)](#)

### Arkansas

- The Arkansas Department of Corrections: [Arkansas Department of Corrections - AR DOC - AR DCC](#)
- The Arkansas Commission on Civil Rights: [Arkansas | U.S. Commission on Civil Rights \(usccr.gov\)](#)

### California

- The California Department of Corrections and Rehabilitation: [California Department of Corrections and Rehabilitation - CDCR](#)
- The ACLU of California: [Northern California | American Civil Liberties Union \(aclu.org\)](#)
  - California has three ACLU affiliated sites, the request was sent to Northern California on behalf of the State

### Colorado

- The Colorado Department of Corrections: [Home | Department of Corrections \(colorado.gov\)](#)
- The ACLU of Colorado: [Colorado | American Civil Liberties Union \(aclu.org\)](#)

### Connecticut

- The Connecticut Department of Corrections: [Connecticut Department of Correction](#)
- The ACLU of Connecticut: [Connecticut | American Civil Liberties Union \(aclu.org\)](#)

### Delaware

- The Delaware Department of Corrections: [Department of Correction - State of Delaware](#)
- The Delaware Department of Justice, Division of Civil Rights and Public Trust: [Division of Civil Rights and Public Trust - Delaware Department of Justice - State of Delaware](#)



## **Florida**

- The Florida Department of Corrections: [Florida Department of Corrections -- Homepage \(myflorida.com\)](http://myflorida.com)
- The ACLU of Florida: [Florida | American Civil Liberties Union \(aclu.org\)](http://aclu.org)

## **Georgia**

- The Georgia Department of Corrections: [Georgia Department of Corrections](http://georgia.gov)
- The ACLU of Georgia: [Georgia | American Civil Liberties Union \(aclu.org\)](http://aclu.org)

## **Hawaii**

- The Hawaii Department of Corrections and Rehabilitation: [Department of Corrections and Rehabilitation \(hawaii.gov\)](http://hawaii.gov)
- The ACLU of Hawaii: [Hawaii | American Civil Liberties Union \(aclu.org\)](http://aclu.org)

## **Idaho**

- The Idaho Department of Corrections: [Welcome to Idaho Department of Correction | Idaho Department of Correction](http://idoc.idaho.gov)
- The ACLU of Idaho: [Idaho | American Civil Liberties Union \(aclu.org\)](http://aclu.org)

## **Illinois**

- The Illinois Department of Corrections: [IDOC \(illinois.gov\)](http://idoc.org)
- The ACLU of Illinois: [Illinois | American Civil Liberties Union \(aclu.org\)](http://aclu.org)

## **Indiana**

- The Indiana Department of Corrections: [IDOC: IDOC \(in.gov\)](http://idoc.org)
- The ACLU of Indiana: [Indiana | American Civil Liberties Union \(aclu.org\)](http://aclu.org)

## **Iowa**

- The Iowa Department of Corrections: [Iowa's Department of Corrections | Iowa Department of Corrections](http://iowadoc.org)
- The ACLU of Iowa: [Iowa | American Civil Liberties Union \(aclu.org\)](http://aclu.org)

## **Kansas**

- The Kansas Department of Corrections: [News & Announcements — \(ks.gov\)](http://ks.gov)
- The ACLU of Kansas: [Kansas | American Civil Liberties Union \(aclu.org\)](http://aclu.org)

## **Kentucky**

- The Kentucky Department of Corrections: [Welcome - Department of Corrections \(ky.gov\)](http://ky.gov)
- The Kentucky Commission on Human Rights: [Welcome - Kentucky Commission on Human Rights](http://kchr.org)

## **Louisiana**

- The Louisiana Department of Public Safety and Corrections: [Louisiana Department of Public Safety & Corrections](http://louisiana.gov)
- The Louisiana Commission on Human Rights: [Louisiana Commission on Human Rights | Office of Governor Jeff Landry](http://louisiana.gov)

## **Maine**

- The Maine Department of Corrections: [Home | Department of Corrections \(maine.gov\)](#)
- The ACLU of Maine: [Maine | American Civil Liberties Union \(aclu.org\)](#)

## **Maryland**

- The Maryland Department of Public Safety and Correctional Services: [DPSCS - Division of Corrections \(state.md.us\)](#)
- The ACLU of Maryland: [Maryland | American Civil Liberties Union \(aclu.org\)](#)

## **Massachusetts**

- The Massachusetts Department of Corrections: [Massachusetts Department of Correction | Mass.gov](#)
- The ACLU of Massachusetts: [Massachusetts | American Civil Liberties Union \(aclu.org\)](#)

## **Michigan**

- The Michigan Department of Corrections: [Michigan Department of Corrections](#)
- The ACLU of Michigan: [Michigan | American Civil Liberties Union \(aclu.org\)](#)

## **Minnesota**

- The Minnesota Department of Corrections: [Minnesota Department of Corrections / Department of Corrections \(mn.gov\)](#)
- The ACLU of Minnesota: [Minnesota | American Civil Liberties Union \(aclu.org\)](#)

## **Mississippi**

- The Mississippi Department of Corrections: [Home | Mississippi Department of Corrections \(ms.gov\)](#)
- The ACLU of Mississippi: [Mississippi | American Civil Liberties Union \(aclu.org\)](#)

## **Missouri**

- The Missouri Department of Corrections: [Home | Missouri Department of Corrections \(mo.gov\)](#)
- The ACLU of Missouri: [Missouri | American Civil Liberties Union \(aclu.org\)](#)

## **Montana**

- The Montana Department of Corrections: [Home \(mt.gov\)](#)
- The ACLU of Montana: [Montana | American Civil Liberties Union \(aclu.org\)](#)

## **Nebraska**

- The Nebraska Department of Correctional Services: [NDCS - Nebraska Department of Correctional Services |](#)
- The ACLU of Nebraska: [Nebraska | American Civil Liberties Union \(aclu.org\)](#)
- The Nebraska Office of the Ombudsman: [Nebraska Legislature - Public Counsel \(Ombudsman\)](#)

## **Nevada**

- The Nevada Department of Corrections: [NDOC Home \(nv.gov\)](#)

- The ACLU of Nevada: [Nevada | American Civil Liberties Union \(aclu.org\)](#)
- Return Strong: [Return Strong \(returnstrongnv.org\)](#)

### **New Hampshire**

- The New Hampshire Department of Corrections: [Welcome | NH Department of Corrections](#)
- The ACLU of New Hampshire: [New Hampshire | American Civil Liberties Union \(aclu.org\)](#)

### **New Jersey**

- The New Jersey Department of Corrections: [New Jersey Department of Corrections | Official Website \(nj.gov\)](#)
- The New Jersey Division of Civil Rights, Attorney General's Office: [Division on Civil Rights | Home - New Jersey Office of Attorney General \(njoag.gov\)](#)

### **New Mexico**

- The New Mexico Department of Corrections: [NMCD | New Mexico Corrections Department](#)
- The ACLU of New Mexico: [New Mexico | American Civil Liberties Union \(aclu.org\)](#)

### **New York**

- The New York Department of Corrections and Community Supervision: [Department of Corrections and Community Supervision Home Page | Department of Corrections and Community Supervision \(ny.gov\)](#)
- The ACLU of New York: [New York | American Civil Liberties Union \(aclu.org\)](#)
  - New York ACLU has three affiliated regions, the request was sent to the Capitol region on behalf of the State

### **North Carolina**

- The North Carolina Department of Adult Corrections: [Department of Adult Correction | NC DAC](#)
- The ACLU of North Carolina: [North Carolina | American Civil Liberties Union \(aclu.org\)](#)

### **North Dakota**

- The North Dakota Department of Corrections and Rehabilitation: [Home | North Dakota Department of Corrections and Rehabilitation](#)
- The ACLU of North Dakota: [North Dakota | American Civil Liberties Union \(aclu.org\)](#)

### **Ohio**

- The Ohio Department of Rehabilitation and Corrections: [Department of Rehabilitation and Corrections | Department of Rehabilitation and Correction \(ohio.gov\)](#)
- The Ohio Civil Rights Commission: [Ohio Civil Rights Commission | Ohio.gov](#)

### **Oklahoma**

- The Oklahoma Department of Corrections: [Department of Corrections \(oklahoma.gov\)](#)
- The ACLU of Oklahoma: [Oklahoma | American Civil Liberties Union \(aclu.org\)](#)

## **Oregon**

- The Oregon Department of Corrections: [Department of Corrections : Welcome Page : State of Oregon](#)
- The ACLU of Oregon: [Oregon | American Civil Liberties Union \(aclu.org\)](#)

## **Pennsylvania**

- The Pennsylvania Department of Corrections: [Pennsylvania Department of Corrections](#)
- The ACLU of Pennsylvania: [Pennsylvania | American Civil Liberties Union \(aclu.org\)](#)
- The Abolitionist Law Center: [Abolitionist Law Center - ALC uses litigation and community organizing to target the many harms caused by the criminal punishment system in Pennsylvania.](#)

## **Rhode Island**

- The Rhode Island Department of Corrections: [Welcome | Department of Corrections \(ri.gov\)](#)
- The ACLU of Rhode Island: [Rhode Island | American Civil Liberties Union \(aclu.org\)](#)

## **South Carolina**

- The South Carolina Department of Corrections: [Home | South Carolina Department of Corrections \(sc.gov\)](#)
- The ACLU of South Carolina: [South Carolina | American Civil Liberties Union \(aclu.org\)](#)

## **South Dakota**

- The South Dakota Department of Corrections: [South Dakota Department of Corrections :: DOC \(sd.gov\)](#)
- The ACLU of South Dakota: [South Dakota | American Civil Liberties Union \(aclu.org\)](#)

## **Tennessee**

- The Tennessee Department of Corrections: [Department of Correction - TN.gov](#)
- The ACLU of Tennessee: [Tennessee | American Civil Liberties Union \(aclu.org\)](#)

## **Texas**

- The Texas Department of Criminal Justice: [Texas Department of Criminal Justice](#)
- The ACLU of Texas: [Texas | American Civil Liberties Union \(aclu.org\)](#)

## **Utah**

- The Utah Department of Corrections: [udc home - Utah Department of Corrections](#)
- The ACLU of Utah: [Utah | American Civil Liberties Union \(aclu.org\)](#)

## **Vermont**

- The Vermont Department of Corrections: [Home | Department of Corrections \(vermont.gov\)](#)
- The ACLU of Vermont: [Vermont | American Civil Liberties Union \(aclu.org\)](#)

## Virginia

- The Virginia Department of Corrections: [Homepage — Virginia Department of Corrections](#)
- The ACLU of Virginia: [Virginia | American Civil Liberties Union \(aclu.org\)](#)

## Washington

- The Washington State Department of Corrections: [Washington State Department of Corrections \(DOC\)](#)
- The ACLU of Washington State: [Washington | American Civil Liberties Union \(aclu.org\)](#)

## West Virginia

- The West Virginia Division of Corrections and Rehabilitation: [Offender Programs \(wv.gov\)](#)
- The ACLU of West Virginia: [West Virginia | American Civil Liberties Union \(aclu.org\)](#)

## Wisconsin

- The Wisconsin Department of Corrections: [DOC Home \(wi.gov\)](#)
- The ACLU of Wisconsin: [Wisconsin | American Civil Liberties Union \(aclu.org\)](#)

## Wyoming

- The Wyoming Department of Corrections: [WDOC \(wyo.gov\)](#)
- The ACLU of Wyoming: [Wyoming | American Civil Liberties Union \(aclu.org\)](#)

## Washington D.C.

- The Washington D.C. Department of Corrections: [| doc \(dc.gov\)](#)
- The ACLU of Washington D.C.: [Washington, D.C. | American Civil Liberties Union \(aclu.org\)](#)