

This is an amendment to 1.13.11 NMAC, Sections 11 and 17, effective 9/24/2019.

1.13.11.11 ACCESS:

A. Under the Inspection of Public Records Act, Section 14-2-1 NMSA 1978, access to certain records is restricted.

~~[(1) medical records;~~
~~(2) personnel files;~~
~~(3) law enforcement records that reveal confidential sources, methods, or information on individuals accused but not charged with a crime;~~
~~(4) confidential material, which would invade the privacy of an individual.]~~ For certain law enforcement records, see 1.13.11.17 NMAC for inspection or duplication.

B. The use of donated materials shall be subject to restrictions placed by the donor.

C. Access to materials which are not arranged or are being processed may also be restricted.

D. Access to fragile or very valuable materials may also be restricted.

E. Access to permanent agency records in the custody of the NMSRCA, but not yet accessioned into the archives shall be requested by the state records administrator.

[07/01/96; 1.13.11.11 NMAC - Rn, 1 NMAC 3.2.10.2.11, 7/15/2003; A, 6/1/2006; A, 07/1/2019; A, 9/24/2019]

1.13.11.17 REQUIREMENTS FOR LAW ENFORCEMENT RECORDS:

A. The inspection and reproduction of public records shall be made in accordance with the Inspection of Public Records Act and the terms and conditions prescribed within this rule and 1.13.2 NMAC.

B. The requestor shall provide the following information:

(1) the printed name of the requestor;

(2) the requestor's address; and

(3) the date of the request.

C. If SRCA staff determines that there may be protected personal identifier information or other information made confidential by law in any records responsive to a request for archival records, staff may request that the originating agency or court of originating jurisdiction ("originating agency") conduct a review of records prior to release.

D. For any records request made, an originating agency shall review any records sent to it by SRCA and provide a response in conformance within the time limits provided by IPRA.

E. If photocopy/duplication request is made by requestor, costs shall be paid prior to release of documents.

[N, 9/24/2019]