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Integrity Respect Compassion

Administration: 316-322-4254

**141 S. Gordy
El Dorado, Kansas 67042**

FAX: 316-320-3189

**Policy and Procedure for obtaining copies of or access to public records
under the Kansas Open Records Act – K.S.A. 45-215**

Office Hours: 8:00 am to 5:00 pm, Monday through Friday, except official state or county holidays. Requests received after 5:00 pm will be logged in and processed the following business day.

Designated Custodian: Lindsey Collins, Butler County Sheriff's Office Records Clerk

FEES

One (1) record request in a 12-month period that can be provided with less than one hour of staff time or less than 25 pages will be provided at no charge for any party involved.

For requests exceeding one hour of staff time or that are more than 25 pages, the following rates shall apply:

- **Paper Copies:** @ \$5 per record
- **Mailings:** 50¢ for the first 5 pages, 25¢ for additional 5 pages increments.
- **Faxes:** 65¢ per 10 page fax
- **Audio, Video, or Digital Images:** \$25 per disc
- **Staff Time:** This will be charged at the rate below for each person(s) whose time is used to assist and/or respond to a specific request. This may include the time spent to access records maintained on computer facilities, review records to determine whether closure exceptions apply, and/or redact open from closed information. For most requests, time will be charged as follow:
 - **Clerical time** will be charged at \$20 per hour;
 - **Deputy time** will be charged at \$35 per hour;
 - **Information Technology (IT) services** will be charged at \$40 per hour; and
 - **Time for other classifications of employees** will be charged based upon actual costs.

Additional fees, including any other costs incurred by the agency in compliance with a record request, may be assessed to the requestor.

ADVANCE PAYMENT OF FEES REQUIRED

The agency will provide the requestor with an estimate of the fees before gathering and processing or providing access to the records. The estimated fees **MUST be paid BEFORE** the agency processes the request or allows access to the requested documents.

While we do our best to provide an accurate estimate of the fee, it is possible the records can be produced for less than the estimated amount. If so, any additional amounts will be refunded.

However, it is also possible we will discover the estimated fee is low once the actual processing work is started. Suppose we discover the estimated fee is too low. In that case, we will promptly advise the requestor of any correction to the fee and request advance payment of any additional cost before continuing the work.

Payments may be made by check or money order payable to the **Office of the Butler County Sheriff**. Returned checks will incur an additional fee of \$30.

WRITTEN REQUEST

To assure the request is clearly understood, the agency requires requests for access or copies of records to be made in writing. All requests for records must state:

- The requestor's name,
- Mailing address,
- A phone number where the requestor can be contacted, and
- Detailed information about the records being requested. This will aid staff in determining if the requested records exist and are in the agency's possession. Requests for records not yet in existence or documents to be created prospectively cannot be honored.

For the convenience of requestors, a form that may be used to make the request is attached at the end of this form. This form is not required to be used.

FAXING AND IR EXPRESS DELIVERY

Generally, records may be faxed if the request is for fewer than 15 pages and the fax time and facilities are readily available.

If air express delivery is requested, the requestor **MUST** arrange for pick up and packaging of the records; the requestor **MUST** pay all associated costs for such delivery.

The agency records custodian has sole discretion regarding whether to honor requests for faxing or express delivery.

REQUESTS FOR ELECTRONIC FORMAT RECORDS

The records custodian will be the sole judge of the ability of the agency to comply with any requests for the records to be provided in electronic format or for documents that must be produced in any unique computer-generated format.

RESPONSE TIME

The agency will act upon requests as soon as possible, with some response being made to the requestor no later than the third business day following the receipt of the request. If it appears that additional time will be needed, fees will be assessed, or some of the records may be closed by law, a written response will be provided as soon as the records have been located and reviewed.

REQUEST FOR COPIES OF OPEN RECORDS
Butler County Sheriff 141 S. Gordy Street El Dorado, KS 67042
(To be completed by Requestor and submitted to applicable department)

Date: _____ Department that records are requested from _____

Name: _____

Address: _____

City: _____, KS _____ Zip Code: _____

Phone: _____

RECORD(S) SOUGHT: Make sure your request is as specific as possible so that we can attempt to fulfill it accurately and completely. Use space below.

CERTIFICATE OF COMPLIANCE WITH
K.S.A. 45-220-(c) & K.S.A. 45-230

I, _____, understand that no person shall receive, for the purposes of selling or offering for sale, any property or service to person listed therein, any list of names or addresses contained in or derived from a public record.

I also understand that violation of the statute prohibiting the unlawful use of names derived from a public record is a civil violation.

In accordance with these provisions, I certify that I do not intend to, and will not, use any list of names or addresses contained in or derived from public records for the purpose of selling or offering for sale, any property or service to any person listed or to any person who resides at any address listed; neither will I sell, give, or otherwise make available to any person, any list of names or addresses contained in or derived from the records or information for the purpose of allowing that person to sell or offer for sale any property or service to any person listed or to any person who resides at any address listed, except under authority of the limited circumstances provided in K.S.A. 45-230.

NOTE: Kansas law provides that a public agency may charge and require advance payment of a fee for providing access to, or furnishing copies of public records. The Open Records Policy may be viewed at the County website: www.bucoks.com.

Signature of Requestor

Date request received: _____ Print or type name of Requestor _____

DEPARTMENT USE ONLY

Amount Remitted: _____ Request filled by: _____ Date: _____