



<b>Effective Date</b> 02/28/2011	<b>Policy Number</b> 12.5
<b>Subject</b> Open Record Policy	
<b>By Order of Chief of Police</b> Donald Poore	

## I. PURPOSE

The purpose of this policy is to establish guidelines for the Paola Police Department Open Record Policy

## II. POLICY

It is the policy of the Paola Police Department to follow the procedures set forth by the State of Kansas pursuant to K.S.A. 45-220.

## III. REQUESTS

### A. Written Requests

The agency may require any request for access or copies to be in writing so as to adequately document the request, to clarify what records are sought and requester's name and address, information necessary to ascertain the records to which the requester desires access and the requester's right to access. (For public records which are not confidential or may not be discretionarily closed pursuant to K.S.A. 45-221 or other law, it will be sufficient to state "Kansas open records act K.S.A. 45-215 et seq.," as the requester's right to access.) Identification of records sought must be as specific as possible to aid in identifying the records sought. Requests will be honored for documents in existence at the time of the request. Documents may not be requested prospectively. Optionally, to aid in contacting the requester, a daytime telephone number should be provided.

### B. Response Time

The agency will react on a request as soon as possible; however, if it appears it will take some time to provide records or notification of fees required, a response will be provided within three business days of the request, estimating fees and providing further information regarding the agency's ability and plans to provide the requested records.

### C. Fees

The \$5.00 per report copy charge is principally assessed to reimburse the agency for routine costs of retrieving records which are requested with specificity and are held within the agency's current file system. It does not include the cost of more than one-tenth of an hour of research or access time required to determine what specific records meet request criteria, to segregate public from non-public information, to access records from archives and other similar necessary services. For such services in providing access or copies, the \$20.00 per hour search charge may be assessed, to be billed by the tenth of the hour.

1. The mail charge may be assessed in addition to the copy charge when mail services are requested. For up to and including the first 20 pages, an additional charge to the \$2.00 mailing fee may be charged to the requester of the records.
2. The fax charge of \$1.00 per report includes those services required in copying a record, addition to all domestic fax transmission costs. No additional copy charge is assessed.
3. The computer charge of \$40.00 per hour, also billed in tenths, is for staff time, including associated computer connect and processing time, for providing copies of records in available electronic format or for production of special computer generated reports. The Official Custodian will be the sole judge of the ability of the agency to comply with any request for records in specific electronic format or the ability to produce any special computer generated reports.
4. The agency will provide an estimate of fees to be charged prior to providing records, and where such estimate is provided, fees actually charged shall not exceed such estimate. The agency reserves the right to require any estimated charge for access to or copies of records received before work is performed to produce the records, at the discretion of the custodians in order to insure payment. Any fees may be waived at the discretion of the Police Chief or Administrative Captain. Criteria for waiver include, but are not limited to, the size and clarity of the request, availability of records, difficulty and time required to access the records and whether the use or distribution of the records is determined by the Police Chief or Administrative Captain to significantly benefit the Paola Police Department or the general public.

D. Faxing Records and Air Express Delivery

Generally, records may be faxed if the request is for fewer than 10 pages and fax time and facilities are readily available at the time. Whether and to what extent records will be faxed is at the sole discretion of the custodians. If air express delivery is requested, it shall be up to the requester to arrange for such pickup and packaging of the records by the air express delivery service and to pay all fees for such delivery directly to the air express delivery service.

**Principal Office:** Paola Police Department  
805 N. Pearl  
Paola, KS 66071  
913-259-3630

**Office Hours:** 8:00 am to 5:00 pm weekdays (except official City Holidays)

**Official Custodian:** Administrative Captain  
**Other Custodians:** Administrative Secretary  
Municipal Court Clerk

<b>Access/Copy Fees:</b>	Copies	\$5.00 per report
	Mail Charge	\$2.00 per report
	Fax Charge	\$1.00 per report
	Search charge (staff time per hour)	\$20.00 per hour
	Computer time (staff time per hour)	\$40.00 per hour
	Video Reproduction:	
	Body camera video	\$20.00 per video
	In-car camera video	\$20.00 per video
	Booking room video	\$20.00 per video

**\*No Charge for law enforcement agencies when a written request is submitted on department letterhead.**