



THE KANSAS OPEN RECORDS ACT (KORA)

IT IS THE ELSO'S RESPONSIBILITY TO:

- Appoint a Freedom of Information Officer (FOIO) to assist in resolving issues related to KORA requests.
- Act on record requests within three business days following their receipt and to provide the requestor notice if additional time will be required to locate or compile requested records.
- Estimate the charge for providing requested records and obtain advance payment prior to fulfilling the request.
- Redact personal information from an otherwise public record before releasing it, and/or protect from disclosure records covered by KORA exceptions.
- Determine the format (paper, electronic or other media) in which a record will be produced if the record is maintained in an electronic database and/or contains some information that may need to be redacted prior to release.
- Refuse a record request if it places an unreasonable burden on the agency.

IT IS YOUR RIGHT TO:

- Inspect or request copies of public records retained by the ELSO, which are not exempt from disclosure by a specific law, during the ELSO's regular business hours.
- Be provided an estimate or statement of the reasonable costs the ELSO will charge to provide requested records, prior to charges being incurred.
- Receive the records you request, or at least a response to your request, within three business days after it is received by the ELSO.
- File a complaint with the Kansas Attorney General's Office if you feel you are wrongly denied records.

PROHIBITED USES:

- K.S.A. 45-230 prohibits the use of names and addresses derived from public records for certain commercial purposes. Violation of this law can result in a civil penalty of as much as \$500 per incident.

HOW TO OBTAIN OPEN RECORDS:

- Record requests must be in writing and may be delivered in person or by mail to the ELSO Headquarters.
- You should identify the record(s) you seek with as much specificity as possible. The ELSO has no obligation to create a record that does not already exist. Also, pursuant to our record retention schedule, a record that previously existed may have since been destroyed, and the ELSO is not required by law to recreate it.

FOR ADDITIONAL INFORMATION:

- A complete copy of the KORA may be found at <http://www.kslegislature.org>, then click Statutes. The KORA begins at K.S.A. 45-215.
- The Kansas Attorney General's Office maintains an outline regarding KORA, as well as frequently asked questions on the Act, on its website, at www.ksag.org.

COMMON EXCEPTIONS TO THE KANSAS OPEN RECORDS ACT

Generally speaking the following types of records – among others – are protected from disclosure pursuant to the KORA:

- Criminal investigation records
- Criminal intelligence information
- Laboratory reports and files
- Information that would reveal the identity of any undercover agent or informant
- Records that would reveal the identity of the victim of any sexual offense
- Records protected by the attorney-client privilege
- Most personnel records
- Records closed by the rules of evidence
- Notes and preliminary drafts
- Medical records
- Records containing information of a personal nature
- Standard arrest reports (SARs) and standard offense reports (SORs) – SARs are not subject to disclosure and only the first page of a SOR may be obtained through the local law enforcement agency that filed the report

A NOTE REGARDING CRIMINAL HISTORY RECORD INFORMATION

By law, criminal history record information (CHRI) is not subject to KORA. Kansas CHRI checks are fee-based and may be performed by contacting the KBI Records Management Section:

Internet: www.kansas.gov/kbi/criminalhistory/

Mail:
Kansas Bureau of Investigation
Attn: Records Management Section
1620 SW Tyler
Topeka, KS 66612-1837
Phone: (785) 296-2454

Email: record_check@kbi.state.ks.us

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ELLIS COUNTY SHERIFF'S OFFICE



Ellis County Law Enforcement Center
105 West 12th Street
Hays, KS 67601
8:00am to 5:00pm
(weekdays, excluding holidays)

www.elliscounty.net

Ed. Harbin, Sheriff
Scott Braun, Undersheriff