



*"To Protect and Serve"*

*Administrative*  
(913) 259-3640

805 N. Pearl  
Paola, Kansas 66071

*Fax*  
(913) 259-3639

## **PAOLA POLICE DEPARTMENT OPEN RECORD POLICY**

*Police Chief Dave Smail*

*Deputy Police Chief Don Poore*

### **Procedures for Obtaining Access to and Copies of Records** (Adopted pursuant to K.S.A. 45-220)

**Principal Office:** Paola Police Department  
805 N. Pearl  
Paola, Kansas 66071

**Office Hours:** 8 a.m. to 5 p.m. weekdays, except official City Holidays

**Official Custodian of Records:** Don Poore, Deputy Police Chief

**Other Custodians:** Amanda VanVlack, Police Administrative Secretary  
Audra Harper, Court Clerk

**Access/Copy Fees: Copies**      \$5.00 per report  
Mail charge      \$2.00 per report

**(additional 5-page increments)**

Faxed copy      \$1.00 per report

Search charge (staff time per hr) \$20.00 per hour

Computer time (staff time per hr) \$40.00 per hour

**\*No charge for Law Enforcement Agencies**



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## **Policies & Requirements**

**Written Request:** 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 to determine the requester's right to access. Such written requests shall state the 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 discretionary 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 record 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.

**Response Time:** The agency will act on a request as soon as possible; however, if it appears it will take some time to provide records or notification of fees is 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.

**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 the location of records not readily accessible, 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,



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the \$20 per hour search charge may be assessed, to be billed by the tenth of the hour.

The mail charge may be assessed in addition to the copy charge when mail service is requested. After the first 20 pages, an additional charge to the \$2 mailing fee may be charged to the requester of the records.

The Fax charge of \$1 per report includes those services required in copying a record, in addition to all domestic fax transmission costs. No additional copy charge is assessed.

The computer time charge of \$40 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.

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 ensure payment. Any fees may be waived at the discretion of the Police Chief or Deputy Police Chief. 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 Deputy Chief to significantly benefit the Paola Police Department or the general public.

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Faxing Records & 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.

*Revised 9-6-2012*