

Kansas Open Records Act (KORA)

It Is the City of McPherson's

Responsibility to:

- 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 City.

It is Your Right To:

- Be provided an estimate or statement of the reasonable costs the City of McPherson 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 City of McPherson.
- 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 City of McPherson.
- You should identify the record(s) you seek and be as specific as possible. The City of McPherson 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 City of McPherson is not required by law to recreate it.

Fees:

- Per City Ordinance No. 2660 – a record inspection fee shall be charged at the rate of \$20.00 per hour per employee engaged in the record search. A minimum charge of \$20.00 shall be charged for each such request. A fee of \$0.25 per page shall be charged for photocopying public records.

For Additional Information:

- A complete copy of the KORA may be found at <http://www.kslegislature.org>, the 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

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

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 records (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.

City of McPherson

Open Records Information



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Contact Information

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