



# THE KANSAS OPEN RECORDS ACT (KORA)

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## 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](http://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/](http://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](mailto:record_check@kbi.state.ks.us)

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## ELLIS COUNTY SHERIFF'S OFFICE



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

[www.elliscounty.net](http://www.elliscounty.net)

*Scott Braun, Sheriff  
A.C. White, Undersheriff*