

Access to Kansas Open Records

Your Rights

Your Responsibilities

What's Available



How To Get

Additional Information

Additional information may be obtained at our web site:

www.KansasHighwayPatrol.org

If you have questions about your request, contact the Kansas Highway Patrol's Freedom of Information Officer at (785) 296-6800.

This brochure pertains to laws current as of July 1, 2003.



**KANSAS
HIGHWAY PATROL**

Revised 05/04
Support Services Department
122 SW 7th • Topeka, KS 66603

How to Request a Record

- Consult with the agency's Freedom of Information Officer to determine if the record you need exists or is available.
- Be ready to provide a specific description of the record you seek.
- You may be asked to submit your request for information in writing.
- If asked to submit your request for information in writing, make your request as specific as possible to expedite the process.
- Most records will be produced within three business days from the time the request is received.
- If the request is delayed or denied, you will receive a written explanation for the delay or denial within those three days.

What records are available

Most records maintained by public agencies are open for inspection and copying. Records commonly requested include, but are not limited to:

- Statutes
- Regulations
- Policies
- Minutes/Records of open meetings
- Salaries of public officials
- Agency budget documents

Your Rights

- 1) You have the right to inspect and maintain copies of public records that are not exempted from disclosure by a specific law.
- 2) You have the right to obtain a copy of the agency's policies and procedures for access to records and to request assistance from the agency's Freedom of Information Officer.
- 3) You have the right to receive a written response to your request within three business days.
 - The response may inform you that it will take additional time to produce the records. Reasons for additional time may include voluminous records, complicated request parameters, unresolved legal issues or difficulty in accessing archived records.
- 4) You have the right to bring a private law suit or to file a complaint with the Kansas Attorney General's Office or the county or district attorney if you feel you are wrongly denied records.
 - The response may deny your request in whole or in part. If the request is denied, the agency must identify generally the records denied and the specific legal authority for the denial.

Your Responsibilities

- 1) You must request the desired records - written, photographic or computerized. The Kansas Open Records Act (KORA) does not require an agency to answer questions, or prepare reports.
- 2) An agency may require you to put your request in writing, and you must provide proof of your identity, if requested.
- 3) Reasonable fees, not exceeding actual cost, may be charged for access to records, copies of records, and staff time for processing your request.

Exceptions to the Open Records Act

An agency is only required to provide public records that already exist. There is no requirement for an agency to create a record upon request.

- The KORA recognizes that certain records contain private or privileged information. The Act lists several exceptions, including:
- Personnel information of public employees
 - Medical treatment records
 - Records protected by attorney-client privilege
 - Records closed by the rules of evidence
 - Records containing personal information compiled for Census purposes.
 - Notes and preliminary drafts
 - Criminal investigation records
- The entire list of exemptions is outlined in K.S.A. 45-221