

OPEN RECORDS ACT REQUEST FORM

The Alabama Open Records Act, Ala. Code § 36-12-40, provides that, subject to certain exceptions specified by law, citizens have “a right to inspect and take a copy of any public writing of this state.” In compliance with § 36-12-40, the policies and procedures set out herein have been established to provide for the orderly production of public records for inspection and reproduction and to conserve taxpayer provided resources associated with the cost of production. Please read and follow all instructions on this form carefully before proceeding with your request.

All Open Records Act requests must be presented to the Sheriff’s Office in a signed writing and submitted on this Open Records Act Request Form. This form must be completed and submitted to the Sheriff’s Office via U.S. mail, courier service, or in person at the following address: ***The Baldwin County Sheriff’s Office; Attn: Warrants & Reports Division-Public Records Request; 310 Hand Avenue, Bay Minette, AL 36507***

The Sheriff is permitted by law to recoup reasonable costs incurred in providing public documents and obligated to recoup such costs, which in addition to materials costs, can include labor for retrieval, research, redaction, duplication, and preparation (fee schedule detailed on page two of this form). No documents shall be made available until the payment has been received by the Sheriff’s Office for the “public record” and/or research services requested. *Do not remit payment until you have been advised of the fee amount.*

Alabama law instructs government officials to provide access to public documents within a “reasonable time.” It must be recognized, however, that a reasonable time can vary greatly because the fulfillment of records requests is contingent upon the resources available to fulfill such requests without interfering with daily job duties of Sheriff’s personnel. All records requests, therefore, particularly those involving a large volume of information or requiring a significant amount of time to prepare, must be handled on a time available basis so as not to compromise the day-to-day operations at the Sheriff’s Office.

Name of Requesting Party: _____
Organization Name: _____
Mailing Address: _____
City/State/Zip Code: _____
Telephone Number/Mobile Number: _____
Email Address: _____
Purpose of Request: _____

Description of Records Requested (one request item per form):

Please be as specific as possible using names, record title, function of record, record date, and any other information that you believe may assist in identifying your request. If needed, use additional pages for your description.

Note: Alabama open records law does not impose a duty on governmental officials to identify documents that may fulfill a request, create requested documents, or provide more than what already is present in existing records. Likewise, open records law does not require officials to respond to questions or provide official comments. Such requests will not be viewed or treated as Open Records Act requests.

The requesting party’s signature certifies that the he or she has read, understands, and agrees with the terms and conditions of the policies and procedures set out herein.

Signature of Requesting Party

Date

RECORDS INSPECTION AND FEE SCHEDULE

Note: This records request form does not apply to the County Commission or to county departments. Contact them directly.

Inspection of Public Documents

Requested public documents shall be made available for inspection and copying at the Sheriff's Office weekdays during regular business hours. Appointments for inspection of documents must be scheduled in advance. When records are requested, the Sheriff's staff must oversee the retrieval, inspection, and re-filing. Labor and materials charges will be imposed as set out herein. The Sheriff, depending on the nature of the records to be examined, may require a staff member to be physically present during inspection. In such instance, payment of reasonable expenses related to such staff person to be present will be required.

Applicable Fees

There is no fee to inspect records that are routine in nature, requires nominal staff time to locate and prepare, and requires minimal supervision during inspection. A nominal amount of clerical time is defined as 15 minutes or less. In the event a fee is required, the requesting party will be provided in advance the estimated cost for the preparation of the public records. No documents shall be released until the payment has been received by the Sheriff's Office for the "public record" and/or research services requested. Do not remit payment until you have been advised of the fee amount.

Labor

No labor fee is imposed when a nominal amount of staff time is required to respond to a records request. Charges for requests exceeding 15 minutes of staff time will be based on the hourly base rate of pay for the least-paid employee who can respond to the request, multiplied by the actual time worked, and is computed on the basis of quarterly hours, rounded up. Labor charges are in addition to materials costs and are due even if no records responsive to the request are located, or in the event the requested records are subsequently determined to be exempt from disclosure.

Copies

Requesting parties may obtain a copy of inspected records at the Sheriff's Office. The cost of copies consists of the following: Incident/Offense Report is \$15.00 per copy, copy of CD/DVD is \$20.00 each, copy of VHS tapes is \$25.00 each, copies of 64G Thumb Drive is \$20.00 each, and copies are \$1.00.

Deposit

A deposit is required when it is determined that more than one (1) hour of staff time will be needed to respond to a request. In the event the final cost is less than the deposit amount, the difference will be refunded; if greater, the additional cost must be paid prior to delivery or the review of the documents.

Form of Payment

Deposits and final costs for records may be paid by cash, check, cashier check or money order. Credit and debit cards cannot be accepted. If payment is made by cash, the exact amount is required.