

General Rules:

- §25-61-5 gives public right to inspect, copy or obtain a copy of any public record of a public body.
- An incident report is a public record.
- An investigative report is exempt from open records law.
- Public body may adopt reasonable written procedures as to actual cost and time frame (up to 7 working days) for providing such records or copies, place of inspection, and method of access (form of requests, copies or inspection).
- Unless there is mutual agreement of the parties, in no event shall the date for the public body's production of the requested records be any later than fourteen (14) working days from the receipt by the public body of the original request.
- Any fees established may be collected prior to providing the records.
- Public body may require requests to be in writing.
- Denials must be in writing and specify reason. Denial letters must be retained for three years.
- Public body not required to "create" a record that doesn't exist, compile data found in different records, or analyze or make conclusions regarding records.
- Some records which may be exempt include: personnel files, medical records, attorney work product/communications, law enforcement investigative reports, trade secrets, etc.