

Open Records Request

A template for asking any public agency for its records

HOW TO USE THIS: everything in [square brackets] is for you to replace. Delete any item that does not apply to your situation — a shorter letter that means every word beats a long one that doesn't. Laws differ by state; where a statute is cited, check your own state's equivalent before you send it.

Every state has an open records law. You do not have to say why you want the records, and you do not need a lawyer. The agency has a deadline to respond — in Kansas it is three business days; in your state it will be different, and that deadline is your best lever.

Before you send it: find your state's statute name and number, and the agency's designated records custodian. Most counties post both on their website.

Three rules that decide whether you get anything

- Ask for RECORDS, not answers. "All contracts and invoices between the county and [company] from [date] to today" works. "Why did you approve this?" does not — that is a question, and no law requires them to answer it.
- Name the record and say where you heard it named. Many states exempt drafts and internal notes — but in Kansas, and in several other states, that exemption falls away once a record is cited or identified in an open meeting or on a meeting agenda. If you heard it named out loud, say so.
- Put a cost ceiling in. Fees are the most common way a request quietly dies.

THE REQUEST

To: Records Custodian, [Agency name]

Date: [date]

Re: Request under [your state's open records act, e.g. the Kansas Open Records Act, K.S.A. 45-215 et seq.]

Under [statute], I request copies of the following records. Please provide them in electronic form by email where possible, which should reduce the cost to the agency and to me.

The records requested

- [Record 1 — name it as specifically as you can, with dates. Example: "The complete executed cost funding agreement with [company], including all exhibits, schedules and amendments."]
- [Record 2 — if the record was named in an open meeting, add: "identified in open session on [date]".]
- [Record 3 — invoices, correspondence, consultant reviews, site plans, notification lists, traffic or water studies.]

Standard terms — keep all four

- Please provide a written cost estimate before incurring charges above \$[amount], and I will respond promptly.
- If any record is withheld in whole or in part, please identify the record and state the specific statutory exemption relied upon.

- If any part of this request is unclear or unreasonably burdensome, I am willing to discuss narrowing it. Please contact me before treating any part of it as deficient.
- Please confirm receipt of this request.

[Your name] · [Email] · [Date]

If they refuse

Ask, in writing, which specific part of the law they are relying on. An agency that will not name the exemption usually does not have one. Keep every email: a paper trail of unanswered requests is itself a record, and it is often more useful than the documents would have been.

*From the free toolkit at immunocure.org/toolkit — companion to *The Battle for Tonganoxie* by L J Steele.*