



Elmore County Prosecuting Attorney

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REQUEST TO EXAMINE/COPY PROSECUTOR'S OFFICE PUBLIC RECORDS

Pursuant to Idaho Code § 74-102, all records or documents within the possession or control of Elmore County are open to public inspection and may be copied except as exempt from such disclosure by the Idaho Public records Act (I.C. §§ 74-101 through 74-126) or as specifically provided in other federal or state laws or federal regulations (as applied through I.C. § 74-104(1)). Idaho's Public Records Law prohibits the County from inquiring about you or the reasons for your request, except as necessary to verify your identity per Idaho Code § 73-113, ensure the records will not be used for purposes of a mailing or telephone list prohibited per Idaho Code § 74-120 or as otherwise prohibited by law, or to protect personal information protected by Title 49, Chapter 3, Idaho Code and federal law.

TO: ELMORE COUNTY RECORDS CUSTODIAN DATE: _____

I, _____ hereby request, pursuant to the Idaho Public Records Act, Idaho Code § 74-102 et seq., to either:

I wish to merely examine these records during business hours.

or

I wish to receive copies of these records.

Records Requested: _____

Printed Name: _____

Mailing Address: _____

Email address, if requesting electronic copies: _____

Telephone Number(s): _____

Signature _____

I acknowledge by my signature that the records sought by this request will not be used for a mailing list or telephone list as set for in Idaho Code § 74-120.

Optional Requester Provided Information: Although I am not required to do so, I wish to ensure I receive the requested records with as much information as I am allowed by law, and therefore volunteer that I am making this request as (please choose one):

the records specifically pertain to myself, i.e., I believe that I am the subject of some or all of the requested records;

the parent or lawful guardian of a minor child _____, who is the subject of some or all of the requested records;

the business agent, legal representative, or employee of _____ (employer) acting on behalf of _____ who is the subject of some or all of the requested records and an authorized Release of Information signed by the subject is/is not (circle one please) provided;

spouse or guardian or conservator of _____ who is the subject of some or all of the requested records and Letters of Guardianship and/or Conservatorship are/are not (circle one please) provided.

I request a certified copy of the records, to the extent the records are of a nature permitting such copying.

Public Records Request Processing Fees: Under the following circumstances, and as allowed by Idaho Code § 74-102(10), the County has adopted a fee schedule for and may charge a fee to recover the actual labor cost associated with locating and copying the documents requested:

1. if the request is for more than one hundred (100) pages of paper records; or
2. the request includes records from which non-public information must be redacted; or
3. the actual labor associated with locating and copying documents for a request exceed two (2) person hours.

Fees for labor costs shall be assessed according to Idaho Code § 74-102(10)(e). Good faith estimates and the actual costs will vary with the particulars of each individual request. You may be required to pay the estimated processing fee in advance. I.C. § 74-102(12). Filing multiple requests solely to avoid payment of fees is prohibited. I.C. § 74-102(11).

The County may also charge a fee for duplicating a computer tape, computer disk, microfilm, or similar or analogous record system containing public information. I.C. § 74-1-2(10)(d).

Time for Processing of Public Records Requests: Public Records will be reviewed by the Elmore County Prosecutor's Office. Please allow three (3) business days following receipt of your request for identification of responsive records, review, analysis, and processing of applicable exemptions. I.C. § 74-103. If it is determined that a longer period of time is needed to locate and process the public records, Elmore County will notify you in writing and shall provide the records no later than ten (10) working days following receipt of your request. For records requests requiring conversion from another electronic format, an additional mutually agreed upon time period beyond the ten days may be necessary. Your patience is appreciated.

Right to Judicial Review: If your request is denied in whole or in any part, you, the requestor, may contest such denial by filing a petition with the district court within 180 calendar days of the from the date of mailing of the notice of denial or partial denial. I.C. § 74-115.