



**City of Barnwell
Police Department**

Freedom of Information ACT (FOIA) Request Form

NAME: _____ DATE: _____

STREET ADDR: _____ CITY: _____ ST: _____ ZIP: _____

PHONE #: _____ CELL PHONE #: _____ FAX#: _____

A. INFORMATION SOUGHT/REQUESTED (PLEASE BE SPECIFIC): _____

REQUESTOR'S SIGNATURE: _____

IMPORTANT: S.C. Code of Laws § 30-4-50(b) provides that information obtained from public records is prohibited from being used for commercial solicitation purposes. By submitting this request form, you agree to comply fully with the S.C. Code of Laws.

Office Use Only:

DATE RECEIVED: _____ BY: _____ DEPT.: _____

DATE RESPONSE DUE: _____ (TEN (10) WORKING DAYS FROM SUBMISSION)

DETERMINATION: (DOES REQUEST CLASSIFY AS PUBLIC INFORMATION PER S.C. CODE OF LAWS § 30-4-30).

YES NO

SIGNATURE OF ADMINISTRATIVE STAFF: _____

NOTES: _____

CHARGES:

SEARCH/PREP @ WAGE AS SHOWN ON PAGE 3	
MAIL @ POSTAGE RATE	
PRE-PRINTED/COPY/FAX @ .25 PER PAGE	
REPRODUCTIONS @ COST	
DEPOSIT REQUIRED	<input type="checkbox"/> YES <input type="checkbox"/> NO
DEPOSIT TOTAL (if applicable)	
TOTAL FOR REQUEST	

DEPOSIT PAID: YES NO DATE: _____

TOTAL PAID: YES NO DATE: _____

DATE REQUEST ANSWERED: _____ BY: _____



FREEDOM OF INFORMATION ACT (FOIA) POLICY

Policy Statement: The City of Barnwell Police Department recognizes the South Carolina General Assembly enacted the South Carolina Freedom of Information Act (S.C. Code of Laws § 30-4-40) to give every citizen the right to attend government meetings and the right to obtain official documents and records. The goal of this Department is to standardize the procedures of processing FOIA requests and to establish reasonable fees and rates for such requests. By standardizing the FOIA request process and formulating fees, this Department will ensure compliance with FOIA procedures outlined by law.

FOIA Requests: All requests for information pursuant to the Freedom of Information Act (FOIA) must be made in writing and may be submitted in person or by mail, e-mail, or fax. In order to ensure a more accurate response, all requests should be as specific and descriptive as possible. This Department must respond in a timely manner within ten (10) working days as specified in the FOIA law (excluding Saturdays, Sundays, and legal public holidays). If records requested are more than twenty-four (24) months old, the deadline is twenty (20) business days. The City of Barnwell Police Department is required by law to produce records within thirty (30) calendar days from the date it initially responds that the request will be fulfilled.

The Records Division of the City of Barnwell Police Department is responsible for maintaining all files and records pertaining to FOIA requests related to this Department as well as ensuring compliance. It should be noted that not all requests for public documents should be construed as a FOIA request. A written request is neither needed nor should it be requested for the following: (10-day rule does not apply)

1. Minutes of the meeting of a public body, or such records that have been reviewed by members of a public body during a public meeting within the last six (6) months (such as the Planning Commission, City Council division committees, etc.) for the preceding six (6) months.
2. Law enforcement records for the last fourteen (14) days (except juvenile records which are exempt).
3. Documents identifying people in prison for the past three (3) months (except juvenile records, which are exempt).
4. Any data subject to FOIA that is readily available and easily dispersed in situations where a delay would be less efficient.

CERTAIN INFORMATION ON THE ABOVE STATED DOCUMENTS (AND OTHER) DOCUMENTS MAY BE EXEMPT FROM DISCLOSURE. THAT INFORMATION MAY BE REDACTED FROM THE REPORT BEFORE BEING RELEASED. QUESTIONS RELATED TO WHAT INFORMATION IS EXEMPT SHOULD BE DIRECTED TO THE RECORDS DIVISION OF THIS DEPARTMENT.



City of Barnwell Police Department

FEES

The City of Barnwell Police Department is authorized by the South Carolina Freedom of Information Act (S.C. Code of Laws § 30-4-30) to establish and collect reasonable fees and rates that do not exceed the actual cost of searching for or making copies of records. This Department may charge a minimum fee of two (\$2.00) dollars for compliance with any FOIA request. Additionally, this Department may charge twenty-five (\$0.25) cents per copied page for FOIA requests, if the copies exceed fifteen (15) pages and/or if the information is not readily accessible. In addition, this Department may charge fourteen (\$14.00) dollars per hour for staff time in cases where more than one (1) hour is required to research, copy, and/or assemble requested documents. Fees cannot be charged to examine records in order to determine if the records can be provided. If it becomes apparent that a FOIA request may take more than five (5) hours of employee time to effect compliance with the request or the total estimated cost of researching, copying, assembling, and/or redacting the requested records is more than twenty-five (\$25.00) dollars, this Department may require a twenty-five (25%) percent deposit of the total estimated costs to effect compliance before any search and compilation of records will be performed. The Chief of Police may authorize the documents to be provided free of charge if it is determined that the information is “primarily benefiting the public”.

Fee/Rate Summary

A minimum charge will be paid for all requests unless waived.	\$2.00
Requestors will pay for copies exceeding fifteen (15) pages unless waived.	\$0.25 per copy
Requestors will pay for staff search, copy, redaction time at a gross hourly rate.	\$14.00
Anticipated or apparent staff search time exceeding five (5) hours or more than twenty-five (\$25.00) dollars in estimated preparation costs may required a deposit.	25% of estimated costs
Waiver of fees or charges may be waived in whole or part at the discretion of the Chief of Police.	

South Carolina law provides that it is a crime to knowingly obtain or use personal information from a public body for commercial solicitation. The City of Barnwell Police Department may verify the use of information by certain entities if solicitation is questioned.