

FREEDOM OF INFORMATION ACT
REQUEST FOR INFORMATION
(MCLA 115.231 et seq; MSA 4.1801(1), et seq)

I, the undersigned, hereby request a copy of the following Negaunee City Police record(s). Describe in detail, including date of incident and file number if available. The charge for said information will be calculated according to the schedule found below.

I understand that the City may charge me for this service pursuant to Section 4, of the Act. I hereby agree to pay the charge for the furnishing of this information in advance of receiving same.

Applicant (please print)

Address

City/State/Zip

Phone Number/Message Number

Date of Request

FOR CITY USE ONLY

Employee receiving request: _____ Date: _____

Referred to: _____ Date: _____

Person to whom public documents were given: _____

Request is Denied: _____ See reverse side for instructions.

FEE SCHEDULE

Mailing Costs	_____
Other (Telephone, Photographs, Etc.)	_____
Duplication	
8.5 x 11: \$.30 per copy @ _____ copies	_____
8.5 x 14: \$.35 per copy @ _____ copies	_____
Maps: \$2-\$20 each @ _____ copies	_____
Labor: \$.282 per min @ _____ minutes (Includes examination, review, separation & deletion of documents)	_____
	Subtotal : _____
	Minus Deposit: _____
	Total: _____
Date documents supplied: _____	Fee Paid: _____

A request for documents or information under the Freedom of Information Act requires that an oral or written request must describe the public record sufficiently enough to enable the City to find the public record. A person then has the right to inspect, copy or receive copies of a public record of the City except as otherwise expressly provided herein. The City should furnish the requesting person a reasonable opportunity to inspect and examine the records at reasonable times during the usual business hours of the City. The City may make reasonable requirements of the applicant necessary to protect the public records and to prevent excessive and unreasonable interference with the discharge of other City duties. City records are not to be removed from the building, or in certain cases from the site of City employees depending on the nature of the documents being reviewed.

The City may charge a fee for providing a copy of a public record. The fee shall be limited to actual mailing costs, and to the actual incremental cost of duplication or publication including labor, the costs of search, examination, and review and the deletion and separation of exempt from non-exempt information. A copy of a public record shall be furnished without charge for the first \$20.00 of the fee for each request to an individual who submits an affidavit stating that the individual is then receiving public assistance, or if not receiving public assistance, stating facts showing inability to pay the costs because of indigence.

At the time the request is made to the City, the City may require a good faith deposit from the person requesting the public record or series of public records, if the cost to provide information is anticipated to exceed \$50.00. The deposit shall not exceed ½ of the total anticipated fee. A financial deposit should be required by the City when any of the following conditions exist:

1. The volume of documents requested to be copied is anticipated to exceed \$50.00
2. Research time anticipated to retrieve documents will exceed \$50.00
3. The combination of retrieval time and copy costs will exceed \$50.00
4. The request for data refers only to an extensive period of time & contains no other reference by which the public record can be found
5. The request in question does not describe the public record sufficiently to enable the City to find it in a reasonable period of time.

The City has not more than five business days after receiving a request for information to respond to a request for public record.

The City has a responsibility to provide reasonable facilities so that persons making a request may examine and take notes from public records. The facilities must be available during the normal business hours of the City.

When a request for a public record is denied, the City must provide the requestor with a full explanation of the reasons for the denial and notify the requestor of their right to seek judicial review. Notification of the right to judicial review must include notification of the right to receive attorney's fees and collect damages.

The City may, but is not required to, withhold from public disclosure certain categories of public records under the Freedom of Information Act. The following categories of information may be withheld.

1. Specific personal information about an individual if the right to have the information protected from public scrutiny is greater than the public's right to the information.
2. Investigating records compiled for law enforcement purposes, but only to the extent that disclosure as a public record would do any of the following:
 - interfere with law enforcement proceeding;
 - deprive a person of the right to a fair trial or impartial administrative adjudication;
 - constitute an unwarranted invasion of personal privacy;
 - disclose the identity of a confidential source or, if the record is compiled by a criminal law enforcement agency in the course of a criminal investigation, disclose confidential information furnished only by a confidential source;
 - disclose law enforcement investigative techniques or procedures; or
 - endanger the life or physical safety of law enforcement personnel.
3. Public records which if disclosed would prejudice a public body's ability to maintain the physical security of custodial or penal institutions occupied by persons arrested or convicted of a crime or admitted because of a mental disability, unless the public interest in disclosure under this act outweighs the public interest in nondisclosure.
4. Records which if disclosed would violate the Federal (Buckley) Education Rights and Privacy Act (primarily student records).
5. A public record or information which is furnished by the public body originally compiling, preparing, or receiving the record or information to a public officer or public body in connection with the performance of the duties of that public officer or public body, if the consideration originally giving rise to the exempt nature of the public record remains applicable.
6. Trade secrets or commercial or financial information voluntarily provided to an agency for use in developing governmental policy.
7. Information subject to attorney-client privilege.
8. Information subject to other enunciated privileges such as counselor-client and those recognized by statute or court rule.
9. Pending public bids to enter into contracts.
10. Appraisals of real property to be acquired by a public body.
11. Test questions and answers, scoring keys and other examination instruments.
12. Medical, counseling or psychological facts that would reveal an individual's identity.
13. Internal communications and notes between and within public bodies of an advisory nature to the extent that they cover other than purely factual materials and are preliminary to a final agency determination of policy or action. This exemption shall not apply unless the public body shows that in the particular instance the public interest in encouraging frank communications between officials and employees of public bodies clearly outweighs the public interest in disclosure. (Note that factual materials in such memoranda are open records and must be separated out and made available upon request even if the other material is not.)
14. Law enforcement communication codes and deployment plans unless the public interest in disclosure outweighs the public interest in nondisclosure.
15. Information, which would reveal the location of archeological sites.
16. Product testing data developed by agencies buying products where only one bidder meets the agency's specifications.
17. A student's college academic transcript where the student is delinquent on university loans.
18. Records of any campaign committee including any committee that receives moneys from a state campaign fund. (These records are open to the public under Public Act 388 of 1976.)

The information noted above is intended to serve only as a guide for compliance with the Freedom of Information Act. If information requested is questionable, please refer to the specifics of the act.

(January 1, 2009)