PUBLIC RECORDS REQUEST POLICY

Effective Date: November 5th, 2026

Adopted By: Deuel County Board of County Commissioners

1. Purpose

It is the policy of Deuel County to provide access to public records in accordance with South Dakota Codified Law Chapter 1-27 while maintaining an accurate, consistent, and verifiable record of public records requests received by the entity.

This policy establishes procedures for submitting, receiving, documenting, clarifying, and responding to formal written requests for public records.

This policy is intended to facilitate legitimate public-records requests and is not intended to restrict or discourage access to records that are subject to disclosure under South Dakota law.

2. Informal Requests

Informal requests for public records may be made to the custodian of the record pursuant to SDCL S 1-27-35.

The custodian may respond to an informal request in accordance with applicable law and may assess applicable costs for retrieval, reproduction, mailing, or transmittal.

If an informal request is denied in whole or in part, the requester may submit a formal written request pursuant to this policy and SDCL S 1-27-37.

3. Formal Written Requests

A formal written request for public records shall be submitted to the appropriate Department Head or Elected Official.

To establish a clear and verifiable record of the request, formal written requests shall be submitted by one of the following methods:

1. Personal delivery: The requester may deliver a written and signed request to the office of the appropriate Department Head or Elected Official during normal business hours; or
2. Certified mail: The requester may submit the written and signed request by United States Postal Service certified mail, return receipt requested, addressed to the appropriate Department Head or Elected Official at the address designated by the entity.

4. Required Information

A formal written request should contain sufficient information to allow the appropriate Department Head/Elected Official to identify and locate the records sought.

The request should include:

- The requester's full legal name;
- Mailing address;
- Telephone number;
- 0 Email address, if available;
- The date of the request;
- A specific description of the records requested;
- The relevant date range, if applicable;
- The department, office, program, person, transaction, or subject matter believed to be associated with the records, if known;
- The preferred method of receiving responsive records, subject to applicable law and the entity's available capabilities; and
- The requester's signature.

The requester should identify existing records or categories of records sought rather than requesting that the entity create a new record, answer questions, conduct research, or provide an explanation unless the requested information already exists in a public record.

5. Requester Certification

Each formal written request shall contain the following certification:

Requester Certification

I certify that I am the person identified in this request and that the information provided in this request is true and correct to the best of my knowledge. I understand that this request is being submitted pursuant to South Dakota Codified Law Chapter 1-27 and that the governmental entity will process the request in accordance with applicable law.

I understand that the entity may contact me if clarification of the records requested is necessary.

Signature:_____

Printed Name: _____

Date:_____

The certification is intended to establish the identity of the requester and the authenticity of the submitted request.

6. Verification of Requests

If the Department Head or Elected Official has a reasonable, documented basis to believe that a submitted request is incomplete, materially ambiguous, unauthorized, or does not provide

sufficient information to identify the requester or records sought, the Department Head/Elected Official may contact the requester using the contact information provided with the request.

7. Processing of Written Requests

Upon receipt of a qualifying written request, the Department Head/Elected Official shall process the request in accordance with SDCL S 1-27-37.

The Department Head/Elected Official shall promptly respond and, in no event, later than ten business days from receipt of the written request, shall:

1. Provide the requested record in whole or in part upon payment of applicable fees;
2. Deny the request; or
3. Acknowledge receipt and provide an estimate of the time reasonably required to further respond.

If a request is unclear, the Department Head/Elected Official may require the requester to clarify which records are being sought. Under SDCL S 1-27-37, if the requester fails to provide a written response to a request for clarification within ten business days, the request is deemed withdrawn.

8. Date of Receipt

For purposes of determining the date on which a formal written request is received:

- A personally delivered request is received when delivered to the designated office during normal business hours.
- A request sent by certified mail is received when delivered to the designated governmental office.
- The entity shall retain the date of delivery, mailing documentation, return receipt, or other documentation necessary to establish the date of receipt.

9. Request Tracking

The Department Head/Elected Official shall maintain a record of formal requests sufficient to document:

- Date received;
- Requester's name;
- General description of records requested; • Date clarification was requested, if applicable;
- Date and nature of the entity's response; • Any applicable fee estimate;
- Date records were provided, if applicable;
- Any denial and the statutory basis for the denial; and

- Other material correspondence concerning the request.

10. No Waiver of Statutory Rights

Nothing in this policy shall be interpreted to waive, restrict, or diminish any right of access provided by South Dakota law.

If any provision of this policy conflicts with applicable South Dakota or federal law, the applicable law shall control.

11. Governing Law

All requests shall be processed in accordance with South Dakota Codified Law Chapter 1-27 and any other applicable state or federal law.

The Department Head/Elected Official shall apply the statutory requirements governing disclosure, exemptions, redaction, fees, response times, clarification, and review of denials.

Adopted this 5th day of November 2026.

Chairman, Jay Grabow
Deuel County Commission