

PUBLIC INFORMATION REQUESTS

In accordance with Article II, sections 8 through 10, of the Montana constitution and Montana Code Annotated Title 2, Chapter 6, Part 10, Madison County provides the following information for Requests to Madison County for Public Information.

Pursuant to MCA § 2-6-1003(1) and except as otherwise provided, “every person has a right to examine and obtain a copy of any public information of this state”. However, Madison County may withhold from public scrutiny information relating to individual or public safety or the security of public facilities, including public schools, jails, correctional facilities, private correctional facilities, and prisons, if release of the information jeopardizes the safety of facility personnel, the public, students in a public school, or inmates of a facility”. MCA § 2-6-1003(2). **Public information does not include Confidential Criminal Justice Information, which is defined as criminal investigative information, criminal intelligence information, finger prints and photographs, criminal justice information or records made confidential by law, and any other criminal justice information not clearly defined as public criminal justice information under the dictates of Title 44, Chapter 5 of the Montana Code Annotated.**

In accordance with MCA § 2-6-1006, and as otherwise provided by law, upon receipt of the Request for Public Information Form provided, Madison County will respond to the request by (a) making the public information maintained by Madison County available for inspection and copying by the requesting person; or (b) providing the requesting person with an estimate of the time it will take to fulfill the request if the public information cannot be readily identified and gathered and any associated fees. Please be advised that pursuant to MCA § 2-6-1006(3) Madison County will charge a fee for fulfilling a public information request. Except where a fee is otherwise provided by law, the fee may not exceed the actual costs directly incident to fulfilling the request in the most cost-efficient and timely manner possible, inclusive of the staff time required to gather the requested public information. Per MCA § 7-4-2631 (e) (i), Madison County charges \$0.50 for the first page and \$0.25 for each additional page of documents provided. As the statutes do not distinguish between paper and electronic copies, Madison County will impose the statutory charge regardless of whether the information is conveyed in hard or electronic format. Please note too that Madison County required the requesting person to pay the estimated fee for the public information prior to identifying and gathering the requested public information.

Madison County is not required to alter or customize public information to provide it in a form specified to meet the needs of the requesting person. That said, should Madison County agree to customize a records request response, the costs of customization may be included in the fees charged by the agency.

Lastly, pursuant to MCA § 2-6-1017(1)(a) and (b), and except as otherwise provided, Madison County may not distribute or sell a distribution list without first securing the permission of those on the list, nor may a list of persons prepared by Madison County be used as a distribution list without first securing the permission of those on the list except by that agency. A person found in violation of MCA § 2-6-1017(1)(b) is guilty of a misdemeanor.

Madison County will refer all Public Information Requests to the Madison County Attorney’s Office for review and processing. Public Information Requests will be responded to within a reasonable period of time.

REQUEST FOR MADISON COUNTY PUBLIC RECORDS

Requestor Information:

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|----------------------|-------|-------|---------|--|
| Request Date | | | | |
| Phone Number | Home: | | Cell: | |
| Name | | | | |
| Organization/Company | | | | |
| Street Address | | | | |
| City | | State | Zipcode | |
| Email | | | | |

Public Information Requested: Describe in detail the Public Information you are requesting. Be as specific as possible.

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Pursuant to MCA 2-6-1017(1)(a) and (b) I do hereby certify that should the Public Information I have requested herein contain a list of persons that said list will not be used as a distribution list without first securing the permission from those on the list. A person found in violation of MCA 2-6-1017(1)(b) is guilty of a misdemeanor. Moreover, I do hereby certify that I am not requesting a mailing list for commercial purposes.

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| Signature of Requestor |
| Printed Name of Requestor |

Please submit the signed and completed Request for Public Information to:

*Madison County Attorney's Office
100 W Wallace Street (physical address)
P.O. Box 73 (mailing address)
Virginia City, MT 59755*

Email: madcoattorney@madisoncountymt.gov.