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Kansas
Department of Corrections

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Jeff Zmuda, Secretary

Laura Kelly, Governor

December 20, 2022

Wayne Byun
info@muckrock.com

Dear Mr. Byun,

I am writing in response to your Kansas Open Records Act (KORA) request to the Kansas Department of Corrections (KDOC) received on December 19, 2022 for the following information:

a) All current policies and procedures regarding medical and room & board costs or fees for which incarcerated youth (i.e. juvenile) and/or their parents or legal guardians are or may become liable. Please include all policies and procedures related to how fees are set, accrued, imposed, collected, and enforced (such as those related to per diem fees, ability to pay determinations, penalties for late or non-payment, authorization for civil or criminal action for payment enforcement, etc.).

b) All reports, databases, spreadsheets, or equivalent materials regarding debts/restitution paid to or owed to this department or any facility/agency under its jurisdiction in FY2021. Please include all relevant data regarding medical and room & board costs, including the number of youths (i.e., juveniles) charged for medical and room & board costs or fees and the total amount of medical and room & board fees imposed in FY2021.
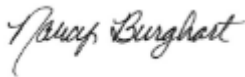
In accordance with K.S.A. 45-218 (d), we have begun the process of determining if we possess any public records meeting the terms of your request and how best to proceed. Soon we will provide you with one or more of the following:

1. Copies of the requested public records.
2. A statement concerning our inability to locate any public records meeting the terms of your request.
3. A request for additional clarification concerning the types of records or information you are seeking.
4. Record requests that can be provided with less than one hour of staff time will not be billed for labor. If we determine that our office possesses the public records you request, but are voluminous, difficult to locate, and/or contain information that may include open and closed information, we will provide you with a written estimate of the fees that we will require be pre-paid in order to pay for the actual costs associated with (a) locating and/or retrieving the public records from storage, (b) staff time spent in assisting with making copies of the records, including staff time spent examining the records for possible closure and/or redaction, and (c) copying and mailing the requested public records. In addition to billing for labor that exceed one hour of staff time, the following rates shall apply:

- Copies, 25 cents per page after 100 pages
- Staff time will be charged at the rate of pay for each person whose time is used in order to assist and/or respond to a specific request. This may include the time spent to access records maintained on computer facilities, review records to determine whether closure exceptions apply and /or to redact open from closed information. For the purpose of transparency, our rates are as follows: general staff time will be charged at $20 per hour, and information technology (IT) services and Legal staff services will be charged at $38 per hour.
- Additional fees may be assessed if any other costs are incurred by KDOC in connection with complying with a record request. KDOC will provide an estimate of the fees which shall be paid prior to the department gathering the records. In order to ensure payment, the final cost of providing access to or furnishing copies must be paid before the records are provided. If the final cost is less than the estimate, the requestor will be reimbursed for the difference.

5. If we determine that we do possess the records, but that the records are subject to closure by law, we will provide you with that information with a written citation to the laws allowing or requiring that type of public record to be closed.

We will respond as soon as possible to your KORA request. Thank you.

Sincerely,

Nancy Burghart,
Public Service Administrator
Kansas Department of Corrections