

GRAMA Notice of no Records to Provide

use to notify a requester that records are publicly available, do not exist, or were previously provided

Notes: Utah Code § 63G-2-204(4) states that after a governmental entity has received and reviewed a records request, it should notify the requester if it does not maintain the requested record(s), and if possible provide a referral. Utah Code § 63G-2-204(8) states that in response to a request, a governmental entity is not required to create a record, nor is it required to provide a record that is publicly accessible. Providing repeated access is also not required.

Respondent information:

Record officer or respondent name: Kaye Rhoades

Date: 31-Mar-2022

Address: 48 W Young St/PO Box 1047

City: Morgan

State: Utah

ZIP code: 84050

Telephone number: (801) 845-4045

Email address: krhoades@morgancountyutah.gov

Requester information:

Name: Burkely Hermann/MuckRock News

Address: DEPT MR 126312 411A Highland Ave.

City: Somerville

State: MA

ZIP code: 02144-2516

Daytime telephone number:

Email address:

Statement of records officer's response:

A claim that no records are available applies to the following requested record(s):

Policy and procedures pertaining to FamilySearch indexing run by the Morgan County Sheriff's Office

This claim is based on the following reason:

- No record(s) is known to exist. As provided in Utah Code § 63G-2-201(8)(a)(b)(c), a governmental entity is not required to create a record or to compile, summarize, tailor, or reformat information in response to a records request.
- This request unreasonably duplicates a previous request and therefore the governmental entity is not required to fulfill it as provided in Utah Code § 63G-2-201(8)(d).
- The requested record(s) has been destroyed according to an approved retention schedule as required by Utah Code § 63A-12-105(1)(2) and Utah Code § 63G-2-604(1). Details may be provided below.
- The requested record(s) is available on line or in a publicly available publication. Therefore based on Utah Code § 63G-2-201(8)(e) the governmental entity is not required to provide it. Details are provided below:

Details about location of record(s) that is publicly available:

Note: Although a governmental entity is not required to provide access to a record that is accessible online or otherwise publicly available, Utah Code § 63G-2-201(8)(a) requires government to specify where the record is available or accessible on line.

Location of publicly available record(s) or additional explanation:

Details about record(s) that has been destroyed:

Note: Utah Code § 63G-2-604(1) requires government records to be maintained and destroyed according to approved retention schedules. Approved general retention schedules are available on Utah State Archives website.

The requested record(s) has been properly destroyed according to an approved schedule .

Title of relevant schedule (if known):

Destruction date (if known):

Details about the requester's right to appeal a claim that no record(s) exists:

Note: If a governmental entity claims that no record(s) exists and the requester has reasonable evidence that records do or should exist, then the requester may consider this claim a denial and make an appeal to the chief administrative officer. See Utah Code § 63G-2-204(9). Such an appeal should include evidence that a record(s) exists.

Statement or Requester's Right to Appeal:

A requester may appeal a claim that a record does not exist to the chief administrative officer.

Chief administrative officer or designee's name: Mike Newton

Address: 48 W Young St/PO Box 886

City: Morgan

State: Utah ZIP code: 84050

Telephone number: (801) 317-6275

Email address: mnewton@morgancountyutah.gov

Details about appeal requirements:

Note: An appeal must be submitted to the chief administrative officer or designee no later than 30 days after the date on the notice of denial as outlined in Utah Code § 63G-2-401(1)(2)(3). The appeal must include:

- the name, address, and telephone number of the person making the appeal.
- a statement of the relief sought
- may also include a short statement of facts, reasons, and legal authority to support the appeal, including evidence that a record exists.

For convenience the Archives provides: GRAMA Notice of Appeal to Chief Administrative Officer Form.

Kaye Rhoades

From: 126312-25953637@requests.muckrock.com
Sent: Sunday, March 27, 2022 11:01 PM
To: Kaye Rhoades
Subject: RE: Government Records Access and Management Act Request: FamilySearch Indexing (Morgan County Sheriff)

Morgan Sheriff
GRAMA Office
48 W. Young Street
Morgan, UT 84050

March 28, 2022

This is a follow up to a previous request:

To Whom It May Concern:

I wanted to follow up on the following Government Records Access and Management Act request, copied below, and originally submitted on March 17, 2022. Please let me know when I can expect to receive a response.

Thanks for your help, and let me know if further clarification is needed.

View request history, upload responsive documents, and report problems here:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fmorgan-sheriff-30207%252Ffamilysearch-indexing-morgan-county-sheriff-126312%252F%253Femail%253Dkrhoades%252540morgan-county.net&url_auth_token=AAE66RIh1BWJzsSSyLwe5EVth3Y%3A1nYhUc%3Ax9JBPq111QXr4T_mElgbxS3afwkguShIbyzahGMRz0o

If prompted for a passcode, please enter:
HCXMYVGM

Filed via MuckRock.com
E-mail (Preferred): 126312-25953637@requests.muckrock.com

For mailed responses, please address (see note):

MuckRock News
DEPT MR 126312
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

On March 14, 2022:

Subject: Government Records Access and Management Act Request: FamilySearch Indexing (Morgan County Sheriff)
To Whom It May Concern:

Pursuant to the Government Records Access and Management Act, I hereby request the following records:

Policies, procedures and/or documents pertaining to indexing for FamilySearch, otherwise known as Intellectual Reserve, Inc., a genealogical non-profit operated by The Church of Jesus Christ of Latter-day Saints (LDS), by inmates within facilities run by the Morgan County Sheriff. This includes any documents regarding Family History Centers operated within such facilities, and any documents referencing the LDS division named LDS Correctional Services, or the new LDS division named FamilySearch Correctional Facility Services.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 business days, as the statute requires.

Sincerely,

Burkely Hermann

View request history, upload responsive documents, and report problems here:

https://accounts.muckrock.com/accounts/login/?next=https%3A%2F%2Fwww.muckrock.com%2Faccounts%2Flogin%2F%3Fnext%3D%252Faccounts%252Fagency_login%252Fmorgan-sheriff-30207%252Ffamilysearch-indexing-morgan-county-sheriff-126312%252F%253Femail%253Dkrhoades%252540morgan-county.net&url_auth_token=AAE66RIh1BWJzsSSyLwe5EVth3Y%3A1nYhUc%3Ax9JBPq111QXr4T_mElgbxS3afwkguShlbyzahGMRz0o

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Please note: Morgan County is switching our domain from @morgan-county.net to @morgancountyutah.gov. Please update your address book for my email address removing the @morgan-county.net and replace it with @morgancountyutah.gov.