Public Records Starter Guide

South Carolina edition · Follow the Records field guide · October 2026

A practical sequence for government technology records: discover what exists, request a narrow first set, then pursue the records that matter. This guide complements the Surveillance Technology Questions and Government Technology Transparency Checklist.

1. Orient before filing

- Find the public body that holds the records. A city, sheriff, purchasing office, or state agency may hold different parts of the same project. Search its website for FOIA contact, fee schedule, agendas, minutes, budgets, contracts, and policies.
- Ask for existing documents, not answers or a new analysis. If the system or vendor is unknown, an existing contract register, payment ledger, or meeting packet for one department and period can reveal the right terms. The agency need not create an index. Follow a conversation with a written request.

2. Start with a small, high-value request

- Name one system and agency, a sensible date range, and two or three likely records: executed contract and amendments, current use policy, and recent purchase order or invoice. Ask for existing electronic files electronically.
- Save broad emails, detailed audit logs, user-level searches, and multi-district sweeps for later. Use first-wave records to identify vendor, dates, and offices, then ask for one log type or agreement in a narrow period. Request nonexempt portions if something is withheld.

Adaptable first request

Subject: South Carolina FOIA request — [system] / [agency]

Under the South Carolina Freedom of Information Act, I request existing records held by [agency] for [date range]:

1. The executed contract and current amendments for [system/vendor].
2. The current policy governing agency use of the system.
3. The purchase order or most recent invoice showing cost and funding.

Please send existing electronic records electronically, in their existing format when practical. If part of a record is exempt, please provide the nonexempt portion and identify the legal basis for any withholding. If these records are already online, links to the exact records are welcome.

Please send a fee estimate before work that would exceed $[amount], and contact me about a narrower scope before incurring that amount. I intend to use the records for [specific public education purpose]; please consider a public-interest fee reduction or waiver. If another public body holds the requested records, please let me know which one.

Thank you,

[name and reply address]

3. If the fee estimate is high

Ask what causes it: hours by category, custodian/location, and task; employee classification and rate; copy or conversion charges; and whether a smaller electronic tranche can be produced first. Ask about a public-interest reduction. Do not authorize a large amount before deciding on scope.

- South Carolina caps search, retrieval, and redaction fees at actual cost and the prorated pay of the lowest-paid qualified employee. Electronic transmission has no copy charge; conversion of nonelectronic material can carry staff time if the agency agrees. Review for disclosability cannot be charged. A deposit may be required up to 25% of the reasonably anticipated cost.

Adaptable fee response

> Thank you for the estimate. I am not authorizing the estimated fees at this time, and I am not withdrawing my request. Please identify the estimated hours by record category, custodian or location, and task (search, retrieval, redaction, copying or conversion); the hourly rate and job classification used; and any assumptions that drive the estimate. Please also let me know whether readily available electronic records can be provided first, and whether narrowing to [one system / one district / date range] would reduce the estimate. Please confirm whether a public-interest fee reduction was considered. I can then decide on a revised scope and any deposit.

4. Track two separate deadlines

Determination: 10 working days after receipt, or 20 working days if the requested record is older than 24 months. Production: 30 calendar days after the final determination or required deposit, or 35 calendar days for older records. Written mutual extensions are possible. Count legal holidays and keep receipt evidence. [S.C. Code §30-4-30(C)]

If no determination arrives on time, the request is considered approved as to nonexempt information. Exemptions remain; this does not itself deliver records. Follow up with the original request attached. If production is late after a grant or deposit, cite that date and ask for a concrete delivery date.

Adaptable no-response follow-up

> I sent a written South Carolina FOIA request on [date] for [brief description] and have not received a determination. Please confirm the date it was received and provide the agency's final determination on public availability, with reasons, and the anticipated production date. I have attached my original request. If you need a specific clarification or wish to propose a written extension, please identify it. Thank you.

5. Respond to a denial or “no records”

- For a withholding, ask for the specific exemption and segregable nonexempt portions. For “no records,” ask which custodians, systems, and dates were searched, and consider whether a different public body holds the record. Ask, rather than assume, about any agency-held vendor reports or access records.
- Reconsideration is an informal step, not a mandatory administrative appeal. For an unresolved violation, S.C. Code §30-4-100 allows a South Carolina citizen to seek declaratory or injunctive relief in circuit court within one year of the alleged violation (or the later public vote described in the statute). Do not assume informal correspondence stops that clock; seek legal advice if considering litigation.

Adaptable denial / no-records follow-up

> Thank you for the response. Please identify the specific statutory basis for each withheld record or category and release reasonably segregable nonexempt portions. If the response is that no responsive records exist, please confirm the custodians, systems, date range, and record types searched, and identify another public body that may hold the records if known. I am asking for reconsideration of the response; please keep the original request and this correspondence in the request file.

6. Field lessons and packet workflow

- In Follow the Records, a local request was estimated around $47, while a state-level search spanning many offices grew beyond 100 staff hours. Geography and record categories matter: ask for the breakdown, then narrow to a system, district, office, or period.
- An agency meeting can reveal useful terminology and refine the request; only the actual records can verify a policy, contract, or retention practice. A “no records” answer may redirect the search to a different custodian rather than settle the underlying issue.
- Keep a log of sent/received dates, estimates, deposits, production, and scope revisions. Put received sources and gaps in the Transparency Checklist; use the Question List to guide a meeting or interview.

Primary sources and scope

S.C. Code Title 30, Chapter 4 (especially §§ 30-4-30, 30-4-40(b), 30-4-100): https://www.scstatehouse.gov/code/t30c004.php

South Carolina Attorney General FOIA overview: https://www.scag.gov/freedom-of-information-act-foia

This is an educational South Carolina guide, not legal advice. Other states and federal agencies have different rules.