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County auditor sends pay records; includes Oct. 23 reply that the sheriff's office decides on rosters

From: "Schmidt, Jaden" <jadschmidt@nd.gov>
To: Lawrence King <lking@kinglawnd.com>, Dan <editor@701report.com>
Cc: "Grinsteinner, Alice" <algrinsteinner@nd.gov>, "Hawkins, Taylor R." <thawkins@nd.gov>, Sharon Cavender <Scavender@kinglawnd.com>
Date: Tue, 27 Oct 2026 19:43:21 +0000
Subject: Re: Open Records Requests

Mr. Lamers,

Pertaining to your open records request, find attached the document with pay records for the time period of July 1-August 10.

_____

From: Lawrence King <lking@kinglawnd.com>
Sent: Friday, 23 October 2026 12:50:58
To: Dan <editor@701report.com>
Cc: Grinsteinner, Alice <algrinsteinner@nd.gov>; Schmidt, Jaden <jadschmidt@nd.gov>; Hawkins, Taylor R. <thawkins@nd.gov>; Sharon Cavender <Scavender@kinglawnd.com>
Subject: RE: Open Records Requests

I forwarded the third request to the Sheriff's office for response. If they have question of me on the legal issues, I will advise them. Otherwise, they can respond to the request directly.

In relation to the first request, the Sheriff's office makes the final decision, but I have advised that legally those records are exempt, and denied the request on that basis.

Lawrence E. King

King Law PC

101 Slate Dr., Ste. 4

Bismarck, ND 58503

701-712-2676

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From: Dan <editor@701report.com>
Sent: Friday, October 23, 2026 11:37 AM
To: Lawrence King <lking@kinglawnd.com>
Cc: Grinsteinner, Alice <algrinsteinner@nd.gov>; jadschmidt@nd.gov; Hawkins, Taylor R. <thawkins@nd.gov>; Sharon Cavender <Scavender@kinglawnd.com>
Subject: Re: Open Records Requests

Mr. King,

Thank you for the response. A few follow-ups:

1. Duty roster. Section 44-04-18.3(3) makes law enforcement work schedules exempt, not confidential. Under section 44-04-17.1(5), an exempt record may be released at the public entity's discretion. The period requested, July 1 to Aug. 10, 2026, is closed, so releasing it would not reveal any current or future schedule. I'm asking the county to exercise its discretion and release the roster. If it declines, please confirm in writing which official made that decision.

2. Pay records. Please let me know when Auditor Schmidt expects to have these ready. Since the request covers two employees over about six weeks, I'd expect locating and redacting them to fall within the first hour, which carries no charge. If any fee is estimated, please send an itemized estimate before processing.

3. Camera and vehicle policy. Thank you for forwarding it. Please let me know the expected timeline.

On Fri, Oct 23, 2026 at 11:14 AM Lawrence King <lking@kinglawnd.com<mailto:lking@kinglawnd.com>> wrote:

Mr. Lamers – this office has been contacted to respond to and coordinate responses to three open records requests you sent to Jaden Schmidt, Oliver County Auditor. You characterized these as “Duty Roster”, Sheriff’s Office pay records” and “Camera and Vehicle policy.”

In response to your request for the patrol schedule or duty roster of Oliver Countty Sheriff Deputies from July 1 Through August 10, 2026, I would note that records containing work schedules of employees of law enforcement agency are exempt and prohibited from disclosure pursuant to 44-04-18.3(3), N.D.C.C. As such, that request is denied.

In response to your request for pay records of Sheriff Hilliard and Deputy Ferderer from July 1 through August 10, 2026, and any overtime, I am requesting that Auditor Schmidt review and process that request with appropriate redactions. If that will cost more than $25, she will advise.

In response to your request for camera and vehicle policy, that should have been directed to the Sherriff’s office. I will forward your request to the Sheriff’s office and will then coordinate a response to your request, noting that you are requesting records only.

Lawrence E. King

King Law PC

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Daniel Lamers

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