



YORK AREA POLICE DEPARTMENT

GENERAL ORDER

<i>Subject</i> PUBLIC RECORDS POLICY	<i>Date</i> 05/30/11	<i>Number</i> 11- 01- 01
<i>Distribution</i> ALL POLICE PERSONNEL		
<i>Replaces</i> Gen Order 02-01-04		<i>Review Date</i> ANNUAL
<i>References</i> Right to Know Law, PA. Title 65, Sec. 66.1 et seq.; PLEAC 4.11.1; CALEA 82.1.1.d.		

I. PURPOSE

To provide a structure for compliance with legal requests for release of information and for access to records

II. POLICY

It is the policy of the York Area Regional Police Commission (police department) to provide public records in accordance with the Right to Know Law 2008, Feb. 14, P.L. 6. No. 3, effective Jan. 1, 2009. Title 65 P.S. Sec. 66.1 et. seq. as amended. Pursuant to the requirements of the Law, the police department has adopted this Public Records Policy.

As a law enforcement agency, the police department must be careful pursuant to the requirements of the Law to balance the need to conduct effective investigations, the need to maintain the confidentiality of its investigations and the need to protect the innocent who happen to be subject to investigation. It is the intent of the police department to comply with the spirit and the letter of the Law.

Therefore, police investigations will not be provided except such data as is required to be made public pursuant to applicable decisions at the time a request is made.

Similarly, the confidentiality of personnel records and actions are recognized as confidential.

III. PROCEDURES – PUBLIC RECORDS

A. APPLICABLE RECORDS

1. Public records are defined by law to include:

A record, including a financial record, of a Commonwealth or local agency that:

- i) Is not exempt under section 708 of the Law
- ii) Is not exempt from being disclosed under any other Federal or State Law regulation or judicial order or decree; or
- iii) Is not protected by a privilege

B. REQUEST PROCEDURE AND COSTS

1. Requests must be made in writing on the form supplied by the police department. They may be submitted to the police department in the office of the Chief of Police or his designee by mail or in person.
2. The request should be sufficiently specific as to permit identification of the records in fact sought.
3. Inspection may be made during regular business hours, Monday through Friday at the headquarters of the police department.
4. The applicable fees are included as a separate document at the end of this general order.

C. RIGHT TO KNOW OFFICER

1. The Chief of Police shall appoint a Right to Know Officer who shall perform the following tasks.
 - a. Receive requests submitted to the department
 - b. Direct requests to the appropriate persons within the department or to appropriate persons in another agency.

- c. Track the department's progress in responding to requests
- d. Issue interim and final responses under the Law.

D. TIME LINES

- 1. The police department will as practicable, make public records that the Law requires be disclosed available within 5 business days of receipt of the request.
- 2. The police department may take up to an additional 30 days where:
 - a. redaction is required;
 - b. retrieval of a record stored in remote location is required;
 - c. staffing limitations do not permit response within 5 business days;
 - d. a legal review is required;
 - e. the requester has not complied with the police department's request procedures; or
 - f. the requester has not paid applicable fees.
- 3. In such cases the police department will supply written notice of the delay, shall explain the reason for such delay, and indicate when response will be provided. Notice of the extension shall be given to the requester within five (5) business days of the receipt of the request. Any response that indicates that response will take in excess of an additional 30 days may be deemed a denial.

D. DENIALS

- 1. Denials of written requests shall be made in writing within five (5) days of receipt of the request. The written denial will include a description of the records requested, the specific reasons for the denial, including legal citations, the typed or printed name, title, business address, business telephone number and signature of the police department official denying the request, the date of the denial and the appeal procedure.

**YORK AREA REGIONAL POLICE DEPARTMENT
ADMINISTRATIVE FEES**

POLICE REPORTS

Report of 5 pages or less	\$ 5.00
Each additional page	\$.25
Accident Report	\$ 15.00

REPRODUCTION OF PHOTOGRAPHS**COLOR**

3" X 5"	\$ 1.00
4" X 6"	\$ 2.00
5" X 7"	\$ 3.00
8" X 10"	\$ 6.00

CONTACT SHEET 4" X 5"	\$ 5.50
8 X 10	\$11.00

REPRODUCTION OF AUDIO RECORDING	\$15.00
REPRODUCTION OF VIDEO RECORDING	\$25.00

Copying of documents that are not of a size that can be copied by the equipment at hand. In such instance, the charge shall be actual cost plus 10% for labor.

Electronic documents will be converted to hard copy upon request at a cost of \$.50 per page. Electronic transfer of a document shall be \$2.00 unless the transfer requires more than 15 minutes of employee time, at which point the hourly cost to the Police department of the employee in charge of electronic transfers shall be charged to the nearest quarter hour increment.

To the extent the requester has sought information that requires more than 30 minutes to compile irrespective of the format, the hourly cost to the police department of the employee performing the work shall be charged to the nearest quarter hour increment.

Certification of documents shall be made at a charge of \$1.00 per document plus notary fee.

Postage costs shall be the responsibility of the requester.

Prepayment may be required for all information requested that is projected to cost more than one hundred dollars (\$100).

BY ORDER OF

Thomas C. Gross
Chief of Police



YORK AREA REGIONAL POLICE DEPARTMENT
RECORDS REQUEST

Name of the Requester: _____

Organization: (Not Required) _____

Address of Requester: _____

Telephone Number _____

Are you a resident of the United States of America? _____

Date Request Received by the Police department _____

Document(s) requested. Please identify the documents you are requesting with specificity. The Act requires that you be specific in order to prevent undue interference with the operations of the police department.