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| <i>Effective Date:</i><br><b>February 1, 2005</b>         |                       | <i>Number:</i><br><b>13-10</b>                |
| <i>Subject:</i><br><b>Dissemination of Public Records</b> |                       |   |
| <i>Re-Evaluation Date:</i><br><b>December 2, 2009</b>     |                       | <i>Accreditation Number:</i><br><b>4.11.1</b> |
| <i>Chief's Signature:</i>                                 | <i>CRPC Approval:</i> | <i>Number of Pages:</i><br><b>2</b>           |

## **I. PURPOSE**

The purpose of this policy is to insure that certain records of the Colonial Regional Police Department be open for examination and inspection by the general public.

## **II. POLICY**

It is the policy of the Colonial Regional Police Department that certain records of the Department are open for examination and inspection by citizens of the Commonwealth of Pennsylvania. This policy authorizes such citizens under certain conditions set forth in this policy to make extracts, copies, photographs or photo stats of such records.

## **III. PROCEDURES**

- A. General Rule – Unless otherwise provided by law, all public records maintained by the Colonial Regional Police Department shall be accessible for inspection and duplication by a requester. All public records shall be provided to the requester in the form requested if the public record exists in that form, otherwise it shall be provided in the form in which it exists. Public Records shall be available for access during the regular business hours of the Colonial Regional Police Department. Records shall be provided as outlined in the Pennsylvania Right to Know Law Act 3 of 2008
- B. Request For Public Records – All requests for public records shall be made to the Colonial Regional Police Department, 248 Brodhead Rd. Bethlehem, Pa. 18017 Attention: Open Records Officer, and must be accompanied with the appropriate fee per record, as determined by the Colonial Regional Police Commission. The Chief of Police shall be designated as the “open records officer”.

1. Verbal Requests – Request for public records may be made verbally, in person.
  2. Written Requests – Requests for public records may be made in writing, facsimile, or e-mail and may be submitted in person, or by mail.
- C. Departmental response to request for public records - Upon receiving a request for access to a record, the department shall make a good faith effort to determine if the record requested is a public record and to provide the record as promptly as possible under the circumstances existing at the time of the request.
1. Exceptions to the Required Release of Public Records:
    - a. The record requested is determined not to be a public record as per the Pennsylvania Right to Know Act 3 of 2008.
    - b. The request for access requires the retrieval of a record stored in a remote location.
    - c. A timely response to the request for the record cannot be accomplished due to bona fide and specified staffing limitations.
    - d. The release of the record may jeopardize an on going investigation or criminal prosecution.
    - e. It is determined that the release of the information would jeopardize the safety of any individual.
    - f. The release of the information is prohibited by Local Ordinance or Federal, or state law.
    - g. The request was not accompanied by the appropriate fees.
  2. **Prohibitions:** The Colonial Regional Police Department shall not require in order to approve a request for public records the follow:
    - a. A limit on the number of records which may be requested or made available for inspection or duplication.
    - b. A requirement that the purpose or motive on requesting access to records which are public records be disclosed.
  3. **Posting:** The Pennsylvania Right To Know Law and this policy shall be conspicuously posted in the lobby are of Headquarters. This policy shall be posted on the Colonial Regional Police department Website and shall be made available by electronic means.

### III. DEFINITIONS

Public Record – Any document maintained be the Colonial Regional Police Department in any form that is determined not to be restricted or forbidden to be disclosed by statute law or order or decree of court, or which would operate to the prejudice or impairment of a person’s reputation or personal security or which would result in the loss by the Colonial Regional Police Department of Federal or State funds.