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## UPPER SOUTHAMPTON TOWNSHIP POLICE DEPARTMENT

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### Policy 4.11.1

Subject

**Pennsylvania Right to Know Act**

Date of Issue

**February 23, 2011**

Revision Dates:

**5/11/2012**

References

**PLEAC 4.11.1**

By Authority of:

A handwritten signature in black ink, appearing to read "Ronald M. Brown".

**Chief of Police**

#### I. Purpose

The purpose of this policy is to establish guidelines necessary to comply with the Pennsylvania Right to Know Act.

#### II. Policy

It is the policy of the Department to comply with the requirements of the Pennsylvania Right to Know Act (Act 3 of 2008), 65 P.S. Sections 67.101, et seq.

#### III. Procedure

- A. The Department shall comply with the requirements of the Pennsylvania Right to Know Act (Act 3 of 2008), 65 P.S. Sections 67.101, et seq. *(PLEAC 4.11.1a), (4.11.1c,4)*
- B. The Chief of Police shall designate the Lieutenant as the Opens Records Officer to assure compliance with this policy and disseminate records to the public appropriately. In the absence of the Lieutenant, the Chief of Police shall handle the duties of the Open Records Officer. *(PLEAC 4.11.1b)*
- C. Requests for public records are available, with the appropriate, fee in person from the Upper Southampton Township Police Department Records Division, Monday through Friday, 9:00 AM to 4:00 PM, excluding holidays or extenuating circumstances. Records may also be requested by email, fax or mail with the appropriate fee included.
  1. All records requests shall be made on the Departments Right to Know Request Form for Reports and Visual Media.

- D. Under the “Right to Know Law,” investigative reports are exempted from the definition of a “public record,” therefore any such request will be denied.
- E. Criminal History information is not accessible under the “Right to Know Law.”
- F. Unless a charge of juvenile delinquency is transferred for criminal prosecution under section 6355 of the Juvenile Act, or the court otherwise orders, the records and files of a juvenile shall not be open to public inspection or their contents disclosed to the public.
- G. The Chief of Police or the Open Records Officer will make a good faith effort to determine if the record(s) requested is a public record and respond appropriately within five (5) business days after the date of the initial request.
- H. If a request for records is granted, the following fee schedule will apply:
  - 1. Incident Reports – \$0.25 per page
  - 2. Non-Reportable Accident Reports – \$10.00
  - 3. Reportable Accident Reports – \$15.00
  - 4. Photographs (4 Photos per page on 8½” x 11” plain paper) – \$15.00
  - 5. Photographs/Video on CD or DVD – \$50.00
  - 6. Postage Fee – Actual cost of mailing requested records
  - 7. Records Certification – \$5.00 per record
- I. There shall be no limitation on the number of public records which may be requested or made available for inspection or duplication. Fees will be assessed on a per copy basis. *(PLEAC 4.11.1d,1)*
  - 1. There shall be no requirement to disclose the purpose or motive in requesting access to records which are considered public. *(PLEAC 4.11.1d,2)*
- J. If a records request is denied, any fee collected shall be returned to the requestor. The requestor shall be informed of the reason for the denial and of the appeal process.
- K. Exception – Incident reports, photographs and other investigative information may be released to other law enforcement agencies upon approval from the shift supervisor or a detective. The Departments Right to Know Request Form for Reports and Visual Media need not be completed for these instances.

- L. This policy shall be posted for public view in the lobby of the Township building as well as being posted on the Township's website along with the following: *(PLEAC 4.11.1c)*

1. Contact information for the Department's open-records officer:  
*(PLEAC 4.11.1c,1)*

Upper Southampton Township Police Department  
Attn: Open Records Officer  
939 Street Road  
Southampton, PA 18966  
Phone# - 215-364-5000

2. Contact information for open records appeals:  
*(PLEAC 4.11.1c,2)*

Bucks County District Attorney's Office  
Attn: Open Records Appeal Officer  
55 East Court Street, 4th Floor  
Doylestown, PA 18901  
Phone# - 215-348-6344

2. A copy of the Departments Right to Know Request Form for Reports and Visual Media. *(PLEAC 4.11.1c,3)*