

ORDER NO. 12-01

RIGHT-TO-KNOW REQUEST POLICY

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Effective Date:

Reevaluation Date: As Needed



1.0 PURPOSE

1.1 The purpose of this policy is to outline proper procedures for requesting and disseminating records from the Ambridge Police Department under Pennsylvania's Right-to-Know Law, Act 3, effective 01 January, 2009.

2.0 POLICY

2.1 It is the policy of this Department that police officers for the Borough of Ambridge shall instruct all requesters of the requirements under this policy and shall direct all requests to the Right-To-Know Officer (with the exception of Crash Reports which officers may provide under the guidelines set forth in Section 3.5 of this policy).

2.2 It is the policy of this department that all requests for records must be in writing and signed by the requester. Verbal requests for records will be denied. The request should identify or describe the records sought with sufficient specificity to enable the Ambridge Police Department to ascertain which records are being requested and shall include a name and address to which the Ambridge Police Department should address its response.

2.3 All requests shall be in writing and shall be sent to the Ambridge Police Department by mail, facsimile to (724) 266-0860 or delivered in person to the Ambridge Police Department during regular business hours of 0900 to 1600, Monday through Friday, except holidays and official office closings.

2.4 All requests for records shall be addressed as follows:

Ambridge Police Department
600 11th Street
Ambridge, PA 15003
ATTN: Right-To-Know Officer

2.4.1 Response to written requests may take up to 5 business days.

2.4.2 If a written request for records is granted, the following fees will be charged to the requester:

RECORD TYPE	FEE
Copies: <i>A photocopy is either a single-sided copy or one side of a double-sided black & white copy of a standard 8.5" x 11" page</i>	Paper: \$0.25 per copy or; CD: \$1.00 per record, if available
Certification of Record	\$1.00 per record, not per page. <i>Please note that certification fees do not include notarization fees.</i>
Specialized Documents: <i>For example, but not limited to blue prints, color copies, non-standard sized documents.</i>	Actual Cost
Facsimile/Microfiche/Other Electronic Media	Actual Cost
Conversion to Paper	If a record is only maintained electronically or in other non-paper media, duplication fees shall be limited to the lesser of the fee for duplication on paper or the fee for duplication in the original media unless the requester specifically requests for the record to be duplicated in the more expensive medium.
Postage Fees	Actual cost of mailing
Photographs	Printed on glossy photo paper: 4"x6" - \$1.00 for 1 photograph - \$0.75 each in multiples of 2. 8"x10" - \$2.00 each. Digital photographs on CD - \$1.00 per CD.

3.0 EXEMPTIONS

3.1 The Act exempts Criminal Investigative Information, including complaints of past, present and potential criminal conduct other than a Private Criminal Complaint. Also included are investigative materials, notes, correspondence, videos, reports, 911 calls and transcripts.

3.1.1 Criminal Investigative material shall also include the institution, progress or result of a criminal investigation, except for filing of the criminal complaint itself. Criminal Investigative Information shall include that information that would impair this agency's ability to secure an arrest, prosecute, convict, or endanger the life or safety of any individual involved in a given criminal investigation.

3.1.2 Additionally, any such information that is protected by privilege or is exempt under any federal or state law including Act 3 of 2008, judicial order or decree. The Ambridge Police Department may exercise its discretion to make any otherwise exempt record accessible for inspection as provided in Section 506 (c) of Act 3 of 2008

3.2 Criminal history information is not accessible under the Right-to-Know Law, but may be obtained through the submission of a Request for Criminal Record Check, Form SP 4-164, which is available on the Pennsylvania State Police website (www.psp.state.pa.us). All such requests will be referred to the Pennsylvania State Police.

3.3 The Ambridge Police Department does not possess or retain investigative or administrative information for other state or local agencies; therefore, such requests will be denied.

3.4 Any request without sufficient specificity to enable the Ambridge Police Department to ascertain which records are being requested will be denied.

3.5 **Crash Reports:** The Ambridge Police Department shall make Crash Reports available, for **\$15.00 per report**, as per Title 75 Section 3751 (b) *to any person involved in the crash, his attorney or insurer*. The copy of the report shall not be admissible as evidence in any action for damages or criminal proceedings arising out of a motor vehicle crash. Police departments may refuse to furnish the complete copy of investigation of the vehicle crash whenever there are criminal charges pending against any persons involved in the vehicle crash unless the Pennsylvania Rules of Criminal Procedure require the production of the documents.