



NORTH WALES BOROUGH POLICE DEPARTMENT

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Public Information and Right-to-Know

- 1.** The department will provide public records in accordance with the Pennsylvania Right-to-Know Law.

- 2.** The Open Records Officer shall:
 - a.** Receive requests submitted to the agency under the Right-to-Know Law and direct requests to other appropriate persons within the agency or to appropriate persons in another agency;
 - b.** Track the department's progress in responding to requests and issue interim and final responses under this act;
 - c.** Upon receiving a request for a public record(s), the Open Records Officer will do the following:
 - i.** Note the date of receipt on the written request.
 - ii.** Compute the day on which the five-day period under section 901 of the Right-to-Know Law will expire and make a notation of that date on the written request.
 - iii.** Maintain an electronic or paper copy of a written request, including all documents submitted with the request until the request has been fulfilled.
 - iv.** If the request is denied, the written request shall be maintained for 30 days or, if an appeal is filed, until a final determination is issued under section 1101(b) or the appeal is deemed denied.

- 3.** Posting requirements
 - a.** The following information will be posted at the department and on the Borough's website:
 - i.** Contact information for the Open Records Officer.

- ii.** Contact information for the Office of Open Records or other applicable appeals officer.
- iii.** The Open Records Request Form.
- iv.** Regulations, policies, and procedures of the Department relating to the Right-to-Know law.

4. Process for Requesting Information:

- a.** With the exception of vehicle crash reports (as listed under statute 75 Pa.C.S. 3751 (b)(1)), all requests for public records under the Right-to-Know Law shall be in writing and shall be made utilizing the Open Records Request Form developed by the Borough or the Standard Right-to-Know Request Form specified by the Pennsylvania Office of Open Records.
- b.** Request Forms may be submitted in the following manner:
 - i.** Via mail.
 - ii.** In person.
 - iii.** Electronically

5. Responses to a Request

- a.** The Open Records Officer will respond in writing to a Right-to-Know Request within five working days in one of the following ways:
 - i.** Grant the request and provide the records.
 - ii.** Deny the request in whole or in part, cite the reason for the denial, and outline the appeals process for the requestor.
 - iii.** Invoke a 30 calendar-day extension.
 - 1.** In the event that the Open Records Officer invokes an extension, the Open Records Officer will within 30 days take one of the following actions:
 - a.** Grant the request and provide the records.
 - b.** Deny the request in whole or in part, cite the reason for the denial, and outline the appeals process for the requestor.

6. Fees

- a.** Pennsylvania statute (75 Pa.C.S. 3751 (b) (2)) gives the Department the authority to charge up to \$15.00 per report for providing a copy of a vehicle accident report. Non-police-related reports such as minutes and financial records will follow the fee schedule established by the Office of Open Records:
 - i.** Up to 25 cents per page for black-and-white copies.
 - ii.** Actual cost for specialized documents such as color copies or blueprints.
 - iii.** \$1 per page for certifications.
 - iv.** Actual cost for fax, microfiche, or other media.
 - v.** Actual cost for postage.

7. If a written request is denied or deemed denied, the requester shall be advised of the appeal process.

- a.** The requester must file the appeal in writing (may utilize the Pennsylvania Office of Open Records Appeals Form).
- b.** The appeal must include the following information:
 - i.** A copy of the original Right-to-Know request.
 - ii.** A copy of the Open Records Officer's response (or a written statement that the request was deemed denied due to a lack of response).
 - iii.** Statement of the grounds for asserting that the information requested is a public record.
 - iv.** Address any ground stated by the Open Records Officer for denying the request.
 - v.** The appeal must be submitted to the Office of Open Records within 15 business days of the mailing date of the Department's response.

8. Redaction

- a.** If the Open Records Officer determines that a public record contains information that is subject to access as well as information that is not subject to access, the Open Records Officer's response will grant access to the information that is subject to access and deny access to the information which is not subject to

access. The Borough and/or Department will redact from the record the information which is not subject to access. The Department may not deny access to the record if the information that is not subject to access is able to be redacted.

9. Prohibitions

- a.** No policy or regulation of the Department shall include any of the following:
 - i.** A limitation on the number of records that may be requested or made available for inspection or duplication.
 - ii.** A requirement to disclose the purpose or motive in requesting access to records.

Sincerely,

Chief David J. Erenius

North Wales Borough Police