

Northeastern Regional Police Department		Policy & Procedure # 143-09	
Subject: THE RIGHT-TO-KNOW LAW		Effective Date 01/01/09	Re-Evaluation Period Yearly
References: Act 3 of 2008		Special Instructions: Form 701ADM	
PLEAC:			
REVISED:			

I. PURPOSE

Under the law, the Northeastern Regional Police Department is required to appoint a Right-To-Know Officer (RTKO).

The Right-To-Know Officer for the Northeastern Regional Police Department is Chief Darryl Albright. He can be contacted at Northeastern Regional Police Department, 5570 Board Road, Mt. Wolf, PA 17347.

To view the Right-To-Know Law; Act 3 of 2008: <http://openrecords.state.pa.us>

The Right-To-Know request form appears on our forms link.

All requests shall be in writing and sent to Northeastern Regional Police Department by mail or facsimile (717) 268-8645, or delivered in person during regular business hours at the Northeastern Regional Police Department from 8:00 a.m. to 4:00 p.m. Monday thru Friday except holidays and official office closing. The Northeastern Regional Police Department will not accept verbal, anonymous or e-mail requests for records.

II. THE RIGHT-TO-KNOW OFFICER WILL:

1. Receive requests submitted to the agency
2. Direct requests to other appropriate persons within the agency or to the appropriate persons in another agency
3. Track the agency's progress to requests
4. Issue interim and final responses under this act

III. WHEN THE RTKO RECEIVES A REQUEST FOR A PUBLIC RECORD HE WILL:

1. Ensure that the date of the receipt has been stamped on the written request. Facsimile and U.S. Mail will be considered a written request. **E-mail, verbal and anonymous requests will not be accepted.**
2. Compute the day on which the five day response expires and make a notation of that date on the written request
3. Within five working days, the agency will respond in one of the following three ways by using the appropriate Department Right-To-Know documents:

- a. Grant the request and provide the records.
 - b. Deny the request in whole or in part, cite the reason for denial and outline the appeals process for the requestor.
 - c. Invoke a 30 Calendar-day extension
4. Within 30 Calendar-days, the agency will
 - 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 procedure for the request
 5. Maintain an electronic or paper copy file that includes the original written request, all documents submitted with the request, a copy of the response to the request and a record of any written communications with the requestor until the request has been fulfilled.
 6. If the request is denied, this file will be maintained for thirty days.
 7. If an appeal is filed, the records will be maintained until a final determination is issued under section 110 (b) or the appeal is deemed denied.

All records in possession of the Northeastern Regional Police Department shall be presumed to be a public record, unless:

1. The record is exempt under Section 708
2. The record is protected by a privilege.
3. The record is exempt under any other federal or state law or judicial order or decree.

In accordance with Section 503, the Northeastern Regional Police Department may exercise its discretion to make any otherwise exempt record accessible for inspection and copying if all three of the following apply:

1. Disclosure of the record is not prohibited by federal or state or regulation, judicial order or decree.
2. The record is not protected by privilege.
3. The agency head determines that the public interest favoring access outweighs any individual, agency or public interest that may favor restriction of access.

IV. FEES:

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| a | \$0.25 | Copy per page (A photocopy is either a single-sided copy or one side of double-sided black and white copy of a standard 8.5" x 11" page) |
| | \$5.00 | Certification per record (At the request of the requestor) |

Actual Cost (Specialized documents, color copies, non-standard-sized documents, facsimile or other media)

Postage Fees (Actual cost of mailing)

Statutory Fees If separate statute authorizes an agency to charge a set amount for a certain type of record, you will be charged no more than the statutory fee.(i.e. Accidents reports are \$15.00)

Inspection of Redacted Records:

If a requestor wishes to inspect rather than receive a copy of a record and the record contains both public and non-public information the agency shall redact the non-public information. The agency will charge for the copies it must make to redact the information for the requestor to view the public record.

V. PREPAYMENT:

Prior to granting a request for access in accordance with this Act, we require the requestor to prepay an estimate of fees authorized under the Act if the fees required to fulfill the request are expected to exceed \$100.00

Once the request is fulfilled and prepared for release, we require the cost of the records to be paid prior to releasing the records to the requestor.

BY THE ORDER OF

CHIEF OF POLICE