



Atlanta Police Department – Standard Operating Procedure			
	<b>APD.SOP.1061 – Open Records Unit</b> <b>Effective Date: November 4<sup>th</sup>, 2025</b>		
<b>Chief Darin Schierbaum</b>	<b>Signature by: DS</b>	<b>Date Signed: 11/4/2025</b>	<b>Expires:2029</b>

## SIGNIFICANT CHANGES

APD Staff,

The Policy and Standards Section is dedicated to providing the department, and its employees, with accurate, understandable and transparent policies. In order to publish policies that reflect the most up-to-date standards, the Policy and Standard Section regularly reviews all policies to ensure that they are reflective of the current mission and objectives of the Atlanta Police Department.

The City of Atlanta recognizes that compliance with the requirements of the Georgia Open Records Act is a vital and essential component of creating and maintaining public trust and enhancing the Departments effectiveness.

As part of an effort to implement best in class policies, procedures, and protocols for transparency and compliance with the Georgia Open Records Act, the Policy and Standards team has worked with both the Open Records Unit and the City of Atlanta’s Transparency Officer to review and renew APD.SOP.1061 – Open Records Unit.

Minor changes were made to bring this policy up to date with current technology and procedures but ask that you please read this policy in its entirety in order to stay compliant with the Georgia Open Records Act.

**Thank you and stay informed!**

**Policy and Standards Section**  
**Planning, Research, and Accreditation Unit**



## TABLE OF CONTENTS

1. <a href="#">PURPOSE</a> .....	3
2. <a href="#">POLICY</a> .....	3
3. <a href="#">RESPONSIBILITIES</a> .....	3
4. <a href="#">ACTION</a> .....	4
4.1 <a href="#">Receiving Request for Information</a> .....	4
4.2 <a href="#">Open Records Act Requests and Subpoenas</a> .....	5
4.3 <a href="#">Open Records Act Exemptions</a> .....	6
4.4 <a href="#">Redaction of Body Worn Cameras</a> .....	7
4.5 <a href="#">Payment and Fees</a> .....	7
4.6 <a href="#">Limitations for Open Records Requests</a> .....	7
5. <a href="#">DEFINITIONS</a> .....	8
6. <a href="#">CANCELLATIONS</a> .....	8
7. <a href="#">REFERENCES</a> .....	8



**1. PURPOSE**

To establish procedures for employees to follow when receiving an Open Records request in accordance with the Georgia Open Records Act or a subpoena for documentation.

**2. POLICY**

2.1 The Atlanta Police Department will handle Open Records Act requests in full compliance with the Georgia Open Records Act. The Georgia Open Records Act encourages public access to information in order to foster confidence in government through openness to the public. The Act also permits withholding of limited categories of information where nondisclosure is in the public interest. O.C.G.A 50-18-72

2.2 The Atlanta Police Department will handle subpoenas for documentation in full compliance with Georgia Law by verifying the authenticity of official court orders, ensuring the information requested is released consistent with due process (discovery), and by receiving counsel from the Law Department as necessary and appropriate.

**3. RESPONSIBILITIES**

3.1 The Administrative Operations Commander under the Chief Administrative Officer will monitor the Open Records Unit to ensure the unit is acting in compliance with Federal and Georgia open records laws.

3.2 The Open Records Unit Commander is responsible for compliance with the Georgia Open Records Act and will ensure that command staff is appropriately informed regarding requests that may reflect unfavorably on the Department.

3.3 The Public Affairs Unit will be responsible for preparing and coordinating Departmental responses to all Open Records Requests made by members of the media in accordance with the Georgia Open Records Act and APD.SOP.1060. (CALEA 6<sup>th</sup> ed. Standard 82.1.1c)

3.4 The Open Records Officer (ORO) is responsible for all open records requests, along with:

1. Maintaining the Record Production Log,
2. Coordinating the retrieval of documents,
3. Establishing the estimated retrieval cost,
4. Documenting communication with the requestor,
5. Meeting the response time outlined in the Georgia Open Records Act,
6. Verifying proper redaction before releasing records,
7. Keeping the Administration Operations Commander apprised of potential issues, and
8. Notifying the Public Affairs Director upon receipt of an open record request from the media.

3.5 The Central Records Unit commander is responsible for compliance with the Georgia Open Records Act and for processing Open Records requests and subpoenas for documentation in accordance with the Georgia Open Records Act and the City of Atlanta Open Records Policy.



**APD.SOP.1061 – Open Records Unit**  
**Effective Date: November 4, 2025**

- 3.6 Division and section commanders are responsible for ensuring that open records request and subpoenas for documentation are handled responsibly and expeditiously.
- 3.7 In the event the requested documents are exempt from release pursuant to O.C.G.A. 50-18-72 or if the unit receiving the request is not the custodian of the requested records, the Open Records Unit should be notified within one business day of receipt.
- 3.8 Employees will immediately forward Open Records requests, or individuals or agencies who wish to submit an Open Records Request, to the Open Records Unit. (CALEA 6<sup>th</sup> ed. Standard 82.1.1c)
- 3.9 Employees who receive an Open Records Request or subpoena for documents must comply with this directive and are not permitted to release evidence to outside agencies or persons without the consent of the Open Records Unit.

**4. ACTION**

**4.1 RECEIVING REQUEST FOR INFORMATION**

- 4.1.1 In many cases, information maintained by the Atlanta Police Department and available under the Georgia Open Records Act can be made available without the requestor having to resort to filing an Open Records Request. On a daily basis, information is routinely requested and made available to the public without reference to the Georgia Open Records Act. Incident reports, accident reports, and crime statistics are made available upon request without filing an “Open Records Request.”
- 4.1.2 In order for the Atlanta Police Department to differentiate between an information request and an Open Records Request, the requestor must indicate either verbally or in writing that the request for information is an “Open Records Request.” This notification will allow the Department to manage the request as mandated by the Georgia Open Records Act.
- 4.1.3 Individuals or agencies may submit an Open Records Request regarding any person, incident or issue connected with the Atlanta Police Department verbally or in writing.
  - 1. A written request must be mailed, emailed or faxed to:  
  
Atlanta Police Department  
Open Records Unit  
Atlanta Public Safety Headquarters  
226 Peachtree St. S.W. 2<sup>nd</sup> floor  
Atlanta, GA 30303  
  
Requests may be emailed to [OpenRecords-Police@AtlantaGa.gov](mailto:OpenRecords-Police@AtlantaGa.gov)
  - 2. A verbal request must be documented by the receiving employee and emailed to the Open Records Unit immediately.
- 4.1.4 Send requests titled as “Third Party Requests” in litigation to the Law Department as soon as possible. They can only be handled by the Law Department. Send the requested records to the Law Department as soon as possible.



**APD.SOP.1061 – Open Records Unit**  
**Effective Date: November 4, 2025**

**4.2 OPEN RECORDS ACT REQUESTS AND SUBPOENAS**

- 4.2.1 Any Open Records Act requests, requests for evidence and/or subpoenas for documentation received (i.e. in person and written request by mail, electronic submission, fax, or hand delivered), will be immediately forwarded (before attempting to fill the request) to the Open Records Unit.
- 4.2.2 The Open Records Unit will make every effort to comply with the “Three-Day Rule” as outlined in Georgia Code 50-18-70 and meet deadlines on the subpoenas.
- 4.2.3 Upon receiving an Open Records Act request or subpoena, the Open Records Unit will:
  - 1. Assign each request an Open Records number and log it into the open records database.
  - 2. Review the request to determine whether the requested records are lawfully available in accordance with the Georgia Open Records Act.
  - 3. Determine whether the records exist and are still maintained by the Atlanta Police Department and determine the organizational component that has custody of the records.
  - 4. Inform the requestor of the status in writing if the request pertains to records that are no longer on file or cannot be located.
  - 5. Notify the requestor in writing of the records that cannot be made available and the justification for the exemption citing the appropriate Georgia Code Section if the request pertains to records that are exempt.
  - 6. If records are available and not exempt, contact the custodian unit and forward a written notification along with a copy of the Open Record Request or subpoena to determine:
    - a. Accessibility;
    - b. Volume or quantity of records; and
    - c. Estimated time of retrieval and the projected cost to collect, copy, and deliver the requested documents to the Open Records Unit.

NOTE: In accordance with O.C.G.A subsection 50-18-71(d), we do not have to notify requesters of charges less than \$25 in our initial response. If the estimated cost exceeds \$500, we can insist on payment before beginning the search and retrieval of records. If a requester has not paid the charges for a prior request, we can then insist on prepayment for all subsequent requests until the original charges are paid or the issue is otherwise resolved. If the total projected estimated cost of retrieval time, administrative processing and copying exceeds \$500.00, notify the requestor that they will be required to submit payment for half the projected cost to the Open Records Officer who will forward the payment to Central Records Special Request Clerk before the Department will honor the request.

- 7. Notify the requestor of the estimated cost and time when the records will be available for review or pickup in accordance with the Georgia Open Records Act. If the records are not available within three days, provide a written notification of which records will be delayed, the reason for the delay, and the projected timetable for release.
- 8. The Open Records officer will obtain a cost estimate from the custodial unit for the requested records. If the cost is over \$10, an invoice with the estimated cost will be forwarded to the requester for approval before the Department incurs any costs.



**APD.SOP.1061 – Open Records Unit**  
**Effective Date: November 4, 2025**

9. Receive the records from the APD Unit having custody of the requested records.
10. Complete the itemized cost sheet indicating the total cost of retrieval, processing and copying the records requested.
11. Arrange the time and location for the requestor to view or receive documents.
  - a. When the requestor reviews documents to determine which records he or she will retain, payment will be made to Central Records after the viewing.
  - b. Otherwise, the records will be forwarded to the Central Records Special Request Clerk, along with the itemized cost sheet for collection of payment prior to release of the records.
  - c. Payment will be made to the Atlanta Police Department at the Central Records customer service window.
  - d. In the case of a Subpoena for documentation, the court may make arrangements for payment through the Open Records Unit.
12. Log the request completed in the Open Records Database digitally.

NOTE: In the case of a request that requires mailing, the requestor will coordinate the shipment with the Open Records Officer. If the requestor has a Federal Express Account, the Open Records Officer can forward the records using the requestor's account.

**4.3 OPEN RECORDS ACT EXEMPTIONS**

- 4.3.1 The Georgia Open Records Act provides for a number of exemptions that allow or require certain types of information to be withheld from a response to a public records request. While any of these exemptions may apply to a request for records from the City of Atlanta, the ones that apply most frequently are:
1. Records that are required by federal law or regulation to be kept confidential.
  2. Medical records.
  3. Records that would reveal a confidential law enforcement investigation or reveal a confidential source.
  4. Records related to an open investigation into criminal or unlawful activity (except that an initial police report is not exempt).
  5. Records related to an open investigation into employee misconduct.
  6. Records related to the acquisition of real property by the agency.
  7. Records related to an open procurement process.
  8. Personal privacy related information of all individual, such as day/month of birth, mother's maiden name, Social Security number, medical information, financial account information, and utility account numbers.



**APD.SOP.1061 – Open Records Unit**  
**Effective Date: November 4, 2025**

9. Personal privacy related information of public employees, such as home address, home telephone number, and identification of immediate family members.
10. Information in records that would compromise security against criminal or terrorist acts if made public.
11. Records that are subject to the attorney-client privileged or are confidential attorney work product.

**4.4 REDACTION OF BODY WORN CAMERA (BWC) FOOTAGE**

- 4.4.1 All BWC footage will be redacted of all information that is exempt from release in accordance with the Open Records Act.
- 4.4.2 The following content will be exempt from release unless approved for release by the Chief of Police, or their designee:
  1. The interior of a private residence.
  2. Death or serious injury.
  3. Persons receiving medical care, such as but not limited to, the inside of an ambulance or hospital.
  4. Displays of nudity.
- 4.4.3 The redaction of any BWC footage by any employee that has not received authorization by the Open Records Unit Commander is strictly prohibited and will be subject to disciplinary measures.

**4.5 PAYMENT AND FEES**

The Atlanta Police Department will charge a fee for providing records associated with an Official Open Records Request and Subpoenas for documentation. Determination of the fee will be made in accordance with the guidelines established in Georgia Code 50-18-71. The Open Records Unit will prepare the final invoice.

1. The invoice will not charge for the first 15 minutes to prepare the records. The hourly rate charged for administrative/clerical tasks may not exceed the salary of the lowest paid, full-time employee who, in the discretion of the custodian of the records, has the necessary skill and training to perform the request. The charges for copies of records shall be \$.10 per page for copying. Additional cost may apply for audiotapes, videotapes, photographs, computer discs, CDs, or DVDs.
2. All payments will be made to the Atlanta Police Department through the Central Records Unit.

**4.6 LIMITATIONS FOR OPEN RECORD REQUESTS**

1. If the requested document does not exist, the employee does not have to create it.
2. The Department does not have to review and summarize records to create a document responsive to a request.
3. The Act only requires that the records be made available for inspection and copying.



## 5. DEFINITIONS

Open Record Request: A request for information where the requestor indicates verbally by phone, in person or in writing by mail, fax, or hand delivered that their request is an “Open Records Request.” Notification allows the Department to manage the request as mandated by the Georgia Open Records Act.

Open Records Liaisons: Any employee designated as custodian of records or information for a unit.

Public Employee: the term "public employee" means any officer, employee, or former employee of:

- (a) The State of Georgia or its agencies, departments, or commissions;
- (b) Any county or municipality or its agencies, departments, or commissions;
- (c) Other political subdivisions of this state;
- (d) Teachers in public and charter schools and nonpublic schools; or
- (e) Early care and education programs administered through the Department of Early Care and Learning.

Public Record: All documents, papers, letters, maps, books, tapes, photographs, computer based or generated information, or similar material prepared and maintained or received in the course of the operation of a public office or agency. A 'Public Record' shall also mean such items received or maintained by a private person or entity on behalf of a public office or agency which are not otherwise subject to protection from disclosure.

Redact: To remove, censor or obscure (part of a text) for legal or security purposes.

Three-Day Rule: In accordance with Georgia Code 50-18-70, records must be made available for inspection and copying within three business days. If unable to comply, give estimated time of availability and the reason for the delay, still within the three-day period.

## 6. CANCELATIONS

APD.SOP.1061 “Open Records Act Requests and Subpoenas for Documentation”, effective December 2020.

## 7. REFERENCES

Georgia Code Section 50-18-70 through 50-18-77

Commission on Accreditation for Law Enforcement Agencies, Inc. 6th ed., Standard 82.1.1

City of Atlanta Office of Transparency