

UPPER ALLEN TOWNSHIP POLICE DEPARTMENT

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| Title | Public Requests for Records and Recordings | Effective Date | 08/01/2008 |
| Section | Pennsylvania Legal Mandates | Last Revised | 01/16/2025 |
| Issuing Authority | Andrew Parsons, Chief of Police | Significance Level | Reference |
| Operations Policy | 4.1.6 | Distribution | All Personnel |
| Accreditation Standard | 4.11.1 | Pages | 3 |
| Related Documents | Pennsylvania Right-to-Know Law (Act 3 of 2008) Act 22 of 2017 (specifically, Chapter 67A - Police Recordings) | | |
| Related Forms | Pennsylvania Office of Open Records Standard Right-to-Know Request Form Law Enforcement Recording Request Form – Act 22 of 2017 | | |
| Amends and Supersedes | All previous special orders, policies and procedures relative to subject. | | |

I. PURPOSE

The purpose of this policy is to provide guidance for requesting and processing requests for records and recordings.

II. POLICY

It is the policy of the Department to provide public records per the Pennsylvania Right-to-Know Law (Act 3 of 2008) and police recordings per Act 22 of 2017 (specifically, Chapter 67A - Police Recordings). This policy shall be posted in the lobby and on the Department website.

III. PROCEDURES

- A. The Chief of Police (PoliceChief@upperallenpolice.com) is the designated open records officer for the Department.
- B. The Pennsylvania Office of Open Records (openrecords@pa.gov) can be contacted by visiting <https://www.openrecords.pa.gov>.
- C. Investigative records are protected under the Criminal History Record Information Act (CHRIA) and exempted from the Pennsylvania Right-to-Know Law. These reports are only available to the public via court order or subpoena.

D. Requests for Public Records

1. Requests for public records must follow the Right-to-Know Law (Act 3 of 2008).
2. Requests must be made on the Pennsylvania Office of Open Records Standard Right-to-Know Request Form. This form is available in the Department lobby, on the Department website, and at: <https://www.openrecords.pa.gov/Documents/RTKL/RTKRequestForm.pdf>.
3. Requests must be submitted to the Chief of Police:
 - a) In-person during business hours, or
 - b) Via US Mail, or
 - c) Via email to PoliceChief@upperallenpolice.com
4. Contact information and business hours are posted on the Department website <https://upperallenpolice.com>.
5. Anonymous requests will not be honored.
6. There shall be no limitation on the number of public records which may be requested or made available for inspection or duplication.
7. There shall be no requirement to disclose the purpose or motive in requesting access to records which are considered public.
8. Under the Right-to-Know Law there are exemptions to public records listed in § 708.
9. Fees associated with a records request are regulated by § 1307.
10. To file an appeal with the Office of Open Records visit <https://www.openrecords.pa.gov/Appeals/HowToFile.cfm>

E. Requests for Police Recordings

1. The Pennsylvania Right-to-Know Law (Act 3 of 2008) does not apply to requests for police recordings, nor do they fall under the jurisdiction of the Pennsylvania Office of Open Records.
2. Act 22 of 2017 (specifically, Chapter 67A of the Act) established a new process for requesting audio and video recordings in the

possession of law enforcement agencies in Pennsylvania. See also, <https://www.openrecords.pa.gov/RTKL/PoliceRecordings.cfm>.

3. Requests must use the Law Enforcement Recording Request Form. This form is available in the Department lobby, on the Department website, and at:
https://www.openrecords.pa.gov/Documents/RTKL/Act22_RequestForm.pdf.
4. Requests must be submitted to the Chief of Police within sixty (60) days of the date the recording was made:
 - a) In-person during business hours, or
 - b) Via certified US Mail
5. Requests received via email or fax will not be accepted.
6. Anonymous requests will not be honored.
7. The request is not officially received until it is personally delivered to the Department, or when it is marked as "delivered" by certified mail.
8. The Department may charge a fee associated with providing a copy of the recording.
9. When a request is denied, you may appeal within 30 days of the date of denial to the Court of Common Pleas. See also, <https://www.openrecords.pa.gov/RTKL/PoliceRecordings.cfm>.