

	ROSETO BOROUGH POLICE BOROUGH Northampton County, Pennsylvania	
	POLICY AND PROCEDURE MANUAL	
	SUBJECT: RIGHT TO KNOW REQUESTS	
	REVISIONS:	FILE:
ISSUED BY: Chief Brandon Rader	REMARKS: Total Pages 5	EFFECTIVE DATE: 3/8/2023
	This policy supersedes prior policies or guidelines	

I. PURPOSE

All requests for public records must be in writing and signed by the requestor. The request should be on the official RPD request form or on the universal form promulgated by the Pennsylvania Office of Open Records. The request should identify or describe the public records sought with sufficient specificity to enable the Open-Records Compliance Officer to ascertain which records are being requested and shall include a name and address to which the RPD should address the response. The Roseto Borough Police will not accept oral or anonymous requests for open records.

II. POLICY

It is the policy of this Borough to comply with the requirements of the Pennsylvania Right to Know Act (Act 3 of 2008). 65 P.S. Sections 66.1-66.9.

III. DEFINITIONS

- A. Pennsylvania’s Right to Know Law. (RTK) The Right to Know Law defines what a public record is. It is somewhat restrictive in the amount and type of information that can be released by a Police Borough. A “public record” is not the information contained in a report that is Investigative in nature.
- B. Police - Arrow, or Right to Know Officer The RTK for the Roseto Police Department is designated to be the Chief of Police or his designee.
- C. Record. Any information regardless of its physical form or character that document a transaction or activity of an agency, and is created, received, or retained pursuant to law or in connection with a transaction business or activity of an agency

IV. GENERAL

- a) The Roseto Borough Police Department's Custodian of Records shall serve as the Open-Record Compliance Officer. This person shall be the Chief of police or designee.
- b) All requests for public records shall be addressed as follows:

**Roseto Borough Police Department
ATTN: Open-Records Compliance Officer
164 Garibaldi Ave
Roseto, Pa 18064**

- c) Written requests will be accepted by mail, or delivered in person during regular business hours of 8:00 a.m. to 4:00 p.m., Monday through Friday, except for holidays or other official office closings.
 - 1) **Under the Right-to-Know Law, investigative reports are exempted from the definition of a "public record", therefore, any and all such requests will be denied.**
 - 2) If a written request for public records is granted, fees will be assessed in accordance with the fee schedule promulgated by Pennsylvania's Office of Open Records. That fee schedule can be found at <http://openrecords.state.pa.us/>.
- d) Fees will not be charged for requests totaling less than 2 photocopies.
- e) Postage costs will be charged at actual postage rates.
- f) Fees must be paid in full prior to the public record being released.
- g) If in the opinion of the Open-Records Compliance Officer the total fees will exceed \$100.00, the requestor will receive written estimate of such and no duplication shall occur until pre-payment of the estimate is received by the Roseto Borough Police Department.
- h) All fees shall be paid by cash, check or money order made payable to the "Roseto Borough".
- i) "Photocopy" shall be defined as either a single sided copy or one side of a double sided copy of a standard 8.5" x 11" pages
- j) Questions regarding this policy should be directed to the Open-Records Compliance Officer at (610) 588-0695.
- k) This policy shall be posted in the main lobby of the Roseto Borough Police Department and on the Department's Internet website at www.boroughroseto.com/
- l) Police related security video, in car video and body cameras are not subject to an RTK, and will be served under Act 22 regulations.**
- m) Any officer or departmental employee who receives a RTK request must immediately bring it to the attention of the departmental RTK officer or Chief of Police
- n) The RTK officer will immediately review the RTK request and respond within the 5-day period if possible. If it is not possible for the RTK officer to fulfill the request within the 5 days, the RTK officer will respond requesting 30 days to respond.

- o) Any police record that falls under the CHRIA regulation regarding the release of confidential information will not be released.
- p) Also see Directive on the release of information
- q) RTK denial can be appealed at the Office of Open Records using this form <https://www.openrecords.pa.gov/Appeals/AppealForm.cfm> or the Northampton County District Attorneys Office at <https://norcopa.gov/da-right-to-know>
- r) There shall be no requirements to limit the number of records requested or for providing the reason for the request.

For more information see the OOR website at <http://www.openrecords.pa.gov/> or the citizen's guide to RTK.



Standard Right-to-Know Law Request Form

Good communication is vital in the RTKL process. Complete this form thoroughly and retain a copy; it may be required if an appeal is filed. You have 15 business days to appeal after a request is denied or deemed denied.

SUBMITTED TO AGENCY NAME: _____ (Attn: AORO)

Date of Request: _____ Submitted via: Email U.S. Mail Fax In Person

PERSON MAKING REQUEST:

Name: _____ Company (if applicable): _____

Mailing Address: _____

City: _____ State: _____ Zip: _____ Email: _____

Telephone: _____ Fax: _____

How do you prefer to be contacted if the agency has questions? Telephone Email U.S. Mail

RECORDS REQUESTED: Be clear and concise. Provide as much specific detail as possible, ideally including subject matter, time frame, and type of record or party names. RTKL requests should seek records, not ask questions. Requesters are not required to explain why the records are sought or the intended use of the records unless otherwise required by law. Use additional pages if necessary.

- DO YOU WANT COPIES? Yes, printed copies (default if none are checked)
- Yes, electronic copies preferred if available
- No, in-person inspection of records preferred (may request copies later)

Do you want certified copies? Yes (may be subject to additional costs) No
RTKL requests may require payment or prepayment of fees. See the [Official RTKL Fee Schedule](#) for more details.

Please notify me if fees associated with this request will be more than \$100 (or) \$_____.

ITEMS BELOW THIS LINE FOR AGENCY USE ONLY

Tracking: _____ Date Received: _____ Response Due (5 bus. days): _____

30-Day Ext.? Yes No (If Yes, Final Due Date: _____) Actual Response Date: _____

Request was: Granted Partially Granted & Denied Denied Cost to Requester: \$_____

Appropriate third parties notified and given an opportunity to object to the release of requested records.

NOTE: In most cases, a completed RTKL request form is a public record. Form updated Feb. 3, 2020
More information about the RTKL is available at <https://www.openrecords.pa.gov>

Law Enforcement Recording Request Form – Act 22 of 2017

This form can be used to request law enforcement recordings ("any audio recording or video recording made by a law enforcement agency") under Act 22 of 2017. Note that the Right-to-Know Law does not apply to such recordings. Any denials must be appealed to the appropriate Court of Common Pleas, not the Office of Open Records.

SUBMITTED TO AGENCY NAME: _____ (Attn: AORO)

Date of Request: _____ Submitted via: U.S. Mail In Person
(Act 22 requires requests to be submitted via "personal delivery or certified mail.")

PERSON MAKING REQUEST:

Name: _____ Company (if applicable): _____

Mailing Address: _____

City: _____ State: _____ Zip: _____ Email: _____

Telephone: _____ Fax: _____

How do you prefer to be contacted if the agency has questions? Telephone Email U.S. Mail

RECORDING REQUESTED: Requests must be submitted within 60 days of the event recorded. All of the following information is **required**. Be thorough; use additional pages if necessary.

Date and Time of the Event: _____

Location of the Event: _____

Describe the Event:

Describe Your Relationship to the Event:

If the Event Occurred in a Residence, Identify All People Present (unless unknown & not reasonably ascertainable):

If an Act 22 request is granted, the agency may charge "reasonable fees" to provide a copy of the recording.

Please notify me if fees associated with this request will be more than \$100 (or) \$_____.

ITEMS BELOW THIS LINE FOR AGENCY USE ONLY

Tracking: _____ Date Received: _____ Response Due (30 cal. days): _____

Extension? Yes No (If Yes, Final Due Date: _____) Actual Response Date: _____

Request was: Granted Partially Granted & Denied Denied Cost to Requester: \$_____

NOTE: In most cases, a completed Request Form is a public record.
More information about Act 22 is available at <https://www.openrecords.pa.gov>

Form updated March 16, 2020
by the Office of Open Records