



SPRINGFIELD TOWNSHIP POLICE DEPARTMENT
Wyndmoor, Pennsylvania

Policy 4-10

Policy Title: Pennsylvania Right to Know Act and the Release of Police Records

Date of Issue: December 1, 2022

Rescinds: None

By Authority of:

Chief of Police

I. Purpose

The purpose of this policy is to establish guidelines necessary to comply with the Pennsylvania Right to Know Act.

II. Policy

It is the policy of the Springfield Township Police Department to comply with the requirements of the Pennsylvania Right to Know Act (Act 3 of 2008), 65 P.S. Sections 67.101, et seq.

III. Procedure

- A. The Detective supervisor serves as the Open-Records Officer for the Springfield Township Police Department.
- B. All requests for police department records covered under the PA Right to Know Act should be made using the appropriate form (Attachment A), however other forms of written request will be accepted.
- C. Public records are available in person from the Springfield Township Police Department, Monday through Friday, 8:30 a.m. to 5:00 p.m., excluding holidays or extenuating circumstances. Records may be requested by mail with the appropriate fee and a self-addressed stamped envelope. If a request for records is granted, the following fee schedule will apply:
 1. Accident Reports - \$15.00 as provided by PA Title 75
 2. Incident Reports - \$0.25 per page for black & white copies
\$0.50 per page for color

3. Photographs - \$1.00 per CD
 4. In-Car Camera, Body Worn Camera, and Police Station Security Footage shall be in accordance with Act 22 of 2017. Fees for the Springfield Township Police Department shall be:
 - i. \$125.00 non-refundable initial filing fee AND a \$200.00 deposit for the first hour, or any part thereof, for the requested production.
 - ii. After one hour, the department will continue to charge \$200.00 per hour, or any part thereof, for the requested production.
 5. All other fees shall follow the PA Office of Open Records Fee Schedule (Attachment B).
 6. All fees shall be collected prior to the release of any record.
- D. There shall be no limitation on the number of public records which may be requested or made available for inspection or duplication. Fees will be assessed per copy requested.
- E. There shall be no requirement to disclose the purpose or motive in requesting access to records which are considered public.
- F. Under the "Right to Know Law," investigative reports are exempted from the definition of a "public records," therefore any such request will be denied.
- G. Criminal History information is not accessible under the "Right to Know Law."
- H. Unless a charge of juvenile delinquency is transferred for criminal prosecution under section 6355 of the Juvenile Act, or the court otherwise orders, the records and files of a juvenile shall not be open to public inspection or their contents disclosed to the public.
- I. The Open Records Officer will make a good faith effort to determine if the record requested is a public record and respond as promptly as possible under the circumstances existing at the time of the request.
- J. Act 22 of 2017 – Recordings by Law Enforcement Officers
- a. The department adheres to the requirements established by Act 22 of 2017 and Title 42, Ch 67 A01 to 67A09 inclusive. These requirements apply specifically to designated Recordings by Law Enforcement Officers within the scope of the act. In addition to specified requirements the department is provided certain allowances to request information not normally included within the provisions of the Right To Know Act.
 - b. The department's process for the release of these records shall be as follows:

1. The requestor must comply with department policy regarding video retention schedules utilized by the department for the availability of recordings.
 2. The requestor must file a Request for Recordings by Law Enforcement Pursuant to Chapter 67A Form (Attachment C), along with the minimum fee listed within this policy.
 3. The department shall provide an itemized invoice depicting the expected time frame and service distribution to the requestor, should the fee exceed the required minimum.
 4. Regardless of the above, any and all total fees shall be paid in full by the requestor prior to the release of the record to the requestor.
- K. This policy shall be posted for public view in the lobby of the police station as well as on the police department's website. Additionally, the following information shall also be made available:
1. Contact information for the open-records officer
 2. Contact information for the Office of Open Records
 3. The Springfield Township Police Department Right To Know / Open Records Request Form
 4. Request for Recordings by Law Enforcement Pursuant to Chapter 67A Form
 5. PA Office of Open Records Fee Schedule

IV. Attachments

- A. The Springfield Township Police Department Right To Know / Open Records Request Form
- B. PA Office of Open Records Fee Schedule
- C. Request for Recordings by Law Enforcement Pursuant to Chapter 67A Form

ATTACHMENT A



Standard Right-to-Know Law Request Form

Good communication is vital in the RTKL process. Complete this form thoroughly and retain a copy; it is required should an appeal be necessary. 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. Use additional sheets if necessary. 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.*

DO YOU WANT COPIES? Yes, electronic copies preferred if available
 Yes, printed copies preferred
 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.
More information about the RTKL is available at <https://www.openrecords.pa.gov>*

Form updated Nov. 16, 2021

ATTACHMENT B

Office of Open Records – Official RTKL Fee Schedule

Updated December 22, 2020

Record Type / Delivery Method	Fee
Black & White Copies (first 1,000)	Up to \$0.25 per copy.
Black & White Copies (beyond 1,000)	Up to \$0.20 per copy. ¹
Color Copies	Up to \$0.50 per copy. ²
Specialized Documents ³	Up to actual cost.
Records Delivered via Email	No additional fee may be imposed. ⁴
CD / DVD	Up to actual cost, not to exceed \$1.00 per disc.
Flash Drive	Up to actual cost.
Facsimile	Up to actual cost. ⁵
Other Media	Up to actual cost.
Redaction	No additional fee may be imposed. ⁶
Conversion to Paper	Up to \$0.25 per page. ⁷
Photographing a Record	No additional fee may be imposed. ⁸
Postage	Up to actual cost of USPS first-class postage.
Certification of a Record	Up to \$5.00 per record. ⁹

¹ A “copy” is either a single-sided copy, or one side of a double-sided copy, on 8.5”x11” or 8.5”x14” paper.

² A “copy” is either a single-sided copy, or one side of a double-sided copy, on 8.5”x11” or 8.5”x14” paper. Note that a requester may ask for black and white copies even if the original is in color and color copies are available.

³ Including, but not necessarily limited to, non-standard sized documents and blueprints.

⁴ If a requester asks to receive records which require redactions in electronic format and the agency is unable to securely redact the records by electronic means, an agency may print the records to provide for secure redaction, then scan them in for delivery by email. Accordingly, the agency may charge the fees noted above for either B&W or color copies, as appropriate.

⁵ If an agency must print records to send them by facsimile, the agency may charge the fees noted above for B&W copies.

⁶ If a requester seeks records requiring redaction and the agency is unable to securely redact the records by electronic means, an agency may copy or print the records to provide for secure redaction. Accordingly, the agency may charge the fees noted above for either B&W or color copies, as appropriate.

⁷ If a record is only maintained electronically or in other non-paper media, duplication fees shall be limited to the lesser of the fee for duplication on paper or the fee for duplication in the original media, unless the requester specifically requests for the record to be duplicated in the more expensive medium. *See § 1307(d)*.

⁸ This assumes the requester is using his or her own camera, such as a cellphone camera, to photograph the records. *See Muenz v. Township of Reserve, OOR Dkt. AP 2015-1021, 2015 PA O.O.R.D. LEXIS 1176*. If redaction is required prior to the requester being granted access to photograph records and the agency is unable to securely redact the records by electronic means, an agency may copy or print the records to provide for secure redaction. Accordingly, the agency may charge the fees noted above for either B&W or color copies, as appropriate.

⁹ Under the RTKL, an agency may impose “reasonable fees for official certification of copies if the certification is at the behest of the requester and for the purpose of legally verifying the public record.” The OOR recommends no more than \$5 per record to certify a public record. Certification fees do not include notarization fees.

Additional Notes

Fees May Be Waived: All fees established herein may be waived at the discretion of the agency.

Medium Requested: A record being provided to a requester shall be provided in the medium requested if it exists in that medium; otherwise, it shall be provided in the medium in which it exists. *See § 701.*

Other Statutory Fees: If a statute other than the RTKL governs the amount an agency may charge for a certain type of record, the other statute controls. For example, a Recorder of Deeds may charge a copy fee of 50 cents per uncertified page and \$1.50 per certified page (42 P.S. § 21051). Police departments may charge up to \$15 for a copy of a vehicle accident report (75 Pa.C.S. §3751 (b)(2)); the Philadelphia Police Department may charge up to \$25 per copy (Id. at (b)(3)). State police are authorized to charge "\$5 for each copy of the Pennsylvania State Police full report of investigation." (75 Pa.C.S. §1956(b)). Other examples include the History Code, the Municipalities Planning Code, and the Criminal History Record Information Act.

Inspection of Redacted Records: If a requester wishes to inspect, rather than receive copies of, records which contain both public and non-public information, the agency may redact the non-public information. An agency may not charge the requester for the redaction itself. However, an agency may charge (in accordance with the OOR's Official Fee Schedule) for any copies it must make in order to securely redact the material before allowing the requester to view the records. If, after inspecting the records, the requester chooses to obtain the copies, no additional fee may be charged.

Enhanced Electronic Access: If an agency offers enhanced electronic access to records in addition to making the records accessible for inspection and duplication by a requester, the agency may establish user fees specifically for the provision of the enhanced electronic access. The user fees for enhanced electronic access may be a flat rate, a subscription fee for a period of time, a per-transaction fee, a fee based on the cumulative time of system access, or any other reasonable method and any combination thereof. Such fees shall not be established with the intent or effect of excluding persons from access to records or duplicates thereof or of creating profit for the agency. **NOTE: Fees for enhanced electronic access must be reasonable and must be pre-approved by the OOR. Please [submit enhanced electronic access fee requests to the OOR](#).**

Fee Limitations: Except as otherwise provided by statute, the RTKL states that no other fees may be imposed unless the agency necessarily incurs costs for complying with the request, and such fees must be reasonable. No fee may be imposed for an agency's review of a record to determine whether the record is a public record subject to access under the RTKL. No fee may be charged for searching for or retrieval of documents. An agency may not charge staff time or salary for complying with a RTK request. No fee may be charged for an agency's response letter.

Prepayment: Prior to granting a request for access in accordance with the RTKL, an agency may require a requester to prepay an estimate of the fees authorized under this section if the fees required to fulfill the request are expected to exceed \$100. Once a request is fulfilled and prepared for release, the OOR recommends that an agency obtain payment prior to releasing the records.

Questions: If you have any questions regarding the OOR's Official Fee Schedule, please [contact the OOR](#) (email: openrecords@pa.gov, telephone: 717-346-9903).

ATTACHMENT C



SPRINGFIELD TOWNSHIP POLICE DEPARTMENT

**PUBLIC REQUEST FOR RECORDINGS MADE BY LAW ENFORCEMENT
PURSUANT TO CHAPTER 67A FORM**

All public requests for audio and / or video recordings made by the Springfield Township Police Department shall be made in writing to the Open Records Officer. The request must specify the incident or event that is the subject of the recording, including the date, time, and location of the incident. The request shall also include a statement describing the requester's relationship to the incident. If the incident occurred inside a residence, the request shall identify each individual who was present at the time of the recording, unless not known and not reasonably ascertainable.

Requestor Information

Name	
Street Address	
City	
State and ZIP Code	
Phone Number	
Email Address	

Event Information

Time	
Date	
Location	

Requestor's relationship to the incident or event that is the subject of the audio or video recording.

Please complete all blocks on this form and submit for administrative review. Responses are subject to the requirements of the Act and other governing regulations.

Identify each individual who was present at the time of the audio or video recording, if known.

NOTE: For incidents which occurred inside a residence, the requestor shall certify that notice of this request has been served or that service was attempted on each individual who was present at the time the audio or video recording was made, as well as the property owner and / or occupant of the residence.

Property Owner

Name					
Circle All That Apply	Notice Given: YES	NO	Manner of Notice: WRITTEN	VERBAL	N/A

Occupant 1

Name					
Circle All That Apply	Notice Given: YES	NO	Manner of Notice: WRITTEN	VERBAL	N/A

Additional occupants can be listed on the last page of this application

I understand that the Springfield Township Police Department will attempt to comply with my request and that the agency response will be within the scope of compliance with the requirements established under the CRIMES CODE (18 PA.C.S.) AND JUDICIAL CODE (42 PA.C.S.) - OMBINUS AMENDMENTS Act of Jul. 7, 2017, P.L. 304, No. 22 Cl. 18 Session of 2017 No. 2017-22. I understand the fee schedule listed herein, have provided the required non-refundable filing fee to the department in compliance with the fee schedule, and understand that no recording will be released until payment in full has been provided to the department.

Initial filing fee: \$125.00

First hour, or any part thereof, for the requested production: \$200.00

After one hour, the department will continue to charge \$200.00 per hour, or any part thereof, for the requested production.

Printed Name	
Signature	
Time / Date	

ADDITIONAL OCCUPANTS, IF APPLICABLE

Occupant 2

Name	
Circle All That Apply	Notice Given: YES NO Manner of Notice: WRITTEN VERBAL N/A

Occupant 3

Name	
Circle All That Apply	Notice Given: YES NO Manner of Notice: WRITTEN VERBAL N/A

Occupant 4

Name	
Circle All That Apply	Notice Given: YES NO Manner of Notice: WRITTEN VERBAL N/A

Occupant 5

Name	
Circle All That Apply	Notice Given: YES NO Manner of Notice: WRITTEN VERBAL N/A

Occupant 6

Name	
Circle All That Apply	Notice Given: YES NO Manner of Notice: WRITTEN VERBAL N/A

Occupant 7

Name	
Circle All That Apply	Notice Given: YES NO Manner of Notice: WRITTEN VERBAL N/A

Occupant 8

Name	
Circle All That Apply	Notice Given: YES NO Manner of Notice: WRITTEN VERBAL N/A

Occupant 9

Name	
Circle All That Apply	Notice Given: YES NO Manner of Notice: WRITTEN VERBAL N/A