

Truro Police Department

REQUEST FOR REPORTS/RECORDS

Policy Number: ADM-1.07

REFERENCE: Mass Public Records Law

Effective Date: June 1, 2000

Revised Date: April 21, 2003

Accreditation Standards:

Mass. Gen. Law: Chap. 4, Sec. 6B, 7(26), 178(k), Chap. 6, Sec. 167-168, Chap. 41, Sec. 97D, Chap. 66, Sec. 10, Chap. 66A, Sec. 1-3, Request for Reports; 950 CMR, and Sec. 32.01-32.09

Other: TPDM Policy Media Relations OPS-8.02

Commercial businesses are making requests for police department records which such companies resell. The bulk and/or frequency of such record requests may require the department to respond in ways that take into consideration its resources and ability to provide more traditional and pressing law enforcement services to the public;

When the state enacted the Public Records Law, it is unlikely that there were any commercial data dissemination companies requesting police department records. The legislature certainly did not intend that police personnel would be diverted from their primary duties to address time-consuming public records requests from commercial businesses. However, unless and until the law is changed, police departments must make reasonable attempts to comply, without neglecting their primary responsibilities.

The Public Records Division (PRD) in the Secretary Of State's Office is charged with interpreting the law and compliance orders. Over the years, that office has made an effort to apply common sense when responding to parties seeking public records. They have encouraged public agencies to work with parties requesting records in an effort to reach reasonable accommodation of everyone's needs.

On occasion, when parties have sought enforcement of a PRD order by the Attorney General, that same principle of reasonable accommodation and common sense has been applied. This probably accounts for the rarity of enforcement actions by the Attorney General's office.

Because this department respects and wants to cooperate with both of those agencies, it will strive to accommodate records requests from commercial businesses. However, where the bulk or frequency of the requests is burdensome, or the information is available elsewhere, the department may have to limit its production, or in some cases even decline, if to do so would be unduly disruptive of its primary mission. *(Added April 18, 2003)*

All personnel shall consult with policy OPS-8.02 concerning any media request for information. *(Added April 18, 2003)*

POLICY:

It shall be the policy of the Truro Police Department to furnish copies of written reports, tapes or other records upon written request as allowed by law. The Truro Police Department will respond to requests for public records from commercial data supplying businesses in a way that is consistent with the department's resources and not unduly disruptive of the department's mission. *(Revised April 18, 2003)*

Only where the bulk or frequency of such requests is unduly burdensome, or where substantially the same information is available elsewhere will a request be denied. *(Revised April 18, 2003)*

PROCEDURE FOR POLICE REPORTS REQUESTS:

1. All requests for copies of written reports, tapes or other records shall be in writing to the Administrative Assistant.
2. A fee listed on the request form shall accompany said request along with a self addressed stamped envelope. Cash will not be accepted.
3. All requests from victims in family disputes covered under MGL c.209A shall be exempt from the any fee. *(Revised April 18, 2003)*
4. Any detainee or person charged with an offence by the Truro Police requesting his/her arrest or criminal police report, tapes or records shall be referred to the Investigator/Prosecutor. That report will be made available through the defense counsel or to the defendant at his/her first court appearance through the Court. The Defendant shall be exempt from any fee in obtaining a report in which they are directly charged. The Defendant shall not obtain any report, tape or records in which the case is still being investigated. *(Revised April 18, 2003)*
5. No report, tape or record shall be released unless approved by the Chief of Police or his designee. No report, tape or record shall be released without a written request, and shall not be released after business hours without permission of the Chief of Police or his designee.
6. In the event of criminal charges pending, reports, tapes or records will not be released until the case has been disposed of in court.
7. This policy is to be used in conjunction with all relevant existing department policies, procedures, rules, regulations, and statute laws.

PROCEDURES FOR RECORDS REQUESTS: (Added April 18, 2003)

1. A commercial data supplying business that wants to access or receive copies of department records in bulk or on a recurring basis must submit a written request detailing what records are sought and how frequently similar requests are anticipated.
2. The chief, or other officer or employee so assigned by the chief, will review the request form and attempt to estimate the amount of time and effort required to comply.
3. An estimate of the time and cost of complying with such requests will be presented to the requesting party.
4. Where the response to such request would be very burdensome, or where much of the same information is available elsewhere (e.g., Registry of Motor Vehicles), an effort will be made to have the requesting party modify the request.
5. If no reasonable accommodation is reached, the matter will be referred to the chief (unless the chief is the one that evaluated the request or attempted to reach a reasonable accommodation with the requesting party.)
6. The chief or designated officer or employee will issue a written decision outlining what the department is prepared to provide, including such things as an estimated time4able and charges.
7. If the requesting party is not satisfied with the department's official response, it may appeal the matter to the Supervisor of Public Records in the Secretary of State's office.



Truro Police Department
“...dedicated to public service...”



John J. Thomas, Chief of Police

REQUEST FOR POLICE REPORT

(Name/Operator)(Mailing Address)

(Type of Report)(Date/Location of Incident)

Reports will be mailed AFTER FIVE (5) WORKING DAYS. Payment will be made in advance - no reports will be picked up at the front desk.

PAYMENT: \$5.00 for all Motor Vehicle Accidents, B&E, Larceny, Vandalism, etc.

NO CHARGE FOR REPORTS TO VICTIMS OF DOMESTIC VIOLENCE

(Signature of Officer receiving request) (Date & time)