

# Appendix E: Police department APRA guidelines and forms

# Barrington Police Department

Accept APRA requests by email? Yes

Email address: [jlacross@barrington.ri.gov](mailto:jlacross@barrington.ri.gov)

Accept APRA requests by fax? Yes

Fax number:

Mailing address:

100 Federal Road  
Barrington, RI 02806

Telephone number: (401) 437-3930

APRA procedures online? No, just form

APRA procedures URL:

<http://www.barrington.ri.gov/documents/police/AccessstoPublicRecords.pdf>



# *Barrington Police Department*

100 Federal Road, Barrington, RI 02806

<b>ORDER</b>	<b>ISSUE DATE</b>	<b>NUMBER</b>	<b>EFFECTIVE DATE</b>
<b>GENERAL</b>	<b>JUNE 13, 2007</b>	<b>410.05</b>	<b>NOVEMBER 1, 2013</b>
<b>SUBJECT TITLE</b>		<b>SUBJECT AREA</b>	
<b>PUBLIC RECORDS &amp; REQUEST PROCEDURE/REQUESTS OF ACCESS TO LAW ENFORCEMENT RECORDS</b>		<b>RECORDS</b>	
<b>RIPAC REFERENCE</b>		<b>PREVIOUSLY ISSUED DATES</b>	
<b>15.2</b>		<b>6/13/07</b>	
<b>DISTRIBUTION</b>	<b>REEVALUATION DATE</b>		<b>PAGES</b>
<b>ALL</b>			<b>11</b>

## **I. POLICY**

To provide procedures and criteria for the release of agency records.

## **II. PURPOSE**

The Attorney General's Office drafted sample procedures for law enforcement responses to requests for public information. The sample guidelines have been tailored and adopted to meet the needs of the Barrington Police Department. Included are:

- A. The Barrington Police Department shall appoint a Public Records Officer identified as the Department Records Clerk.
- B. The Barrington Police Department shall provide the name of its Public Records Officer, business address and phone number to the Department of Attorney General.
- C. The Barrington Police Department adopts the language of the Public Records Request Guidelines (See Exhibit A) and agrees to maintain it in a prominent place in the lobby of the police station.

- D. The Barrington Police Department adopts the Access to Public Records Procedure. See Exhibit B.
- E. The Barrington Police Department agrees to maintain copies of the Access to Public Records Procedure at the Records Clerk's office and Dispatch Center for distribution to the public.
- F. The Barrington Police Department adopts the Public Records Request Form. See Exhibit C.
- G. The Barrington Police Department agrees to maintain copies of the Public Records Request Forms in the Department Records Clerk's office and Dispatch Center and shall make them readily available, as well as pens or pencils, to the public for completion.
- H. The Barrington Police Department understands and respects the right of the public to access public records, and will treat citizens requesting public records with courtesy consistent with the Department's Rules and Regulations.
- I. The Barrington Police Department recognizes that it must respond to a public records request within ten (10) business days. If, due to the request, we must seek an extension of an additional twenty (20) business days, we must inform the requester within the initial ten (10) day period of the need for an extension. If we do not send the extension letter or respond to the request within the initial ten (10) days, our inaction is considered a denial and we may have waived our defenses if a court action is filed.
  - 1. The following information reflecting an "initial arrest" of an adult and charge(s) shall be made available within 48 hours after receipt of the request unless the request is made on a weekend or holiday, then information shall be available within 72: The below list shall be released regarding the initial arrest within 48 hours:
    - a. Full name of the arrested adult
    - b. Home address of arrested adult, unless doing so would identify a crime victim.
    - c. Year of birth for arrested adult
    - d. Charge or charges
    - e. Date of Arrest
    - f. Time of arrest
    - g. Gender of arrested adult
    - h. Race of arrested adult.
  - 2. The police narrative is **not** required to be released within the 48 hour time period.
  - 3. Photographs of Defendant(s) shall **not** be released without authority of the Chief of Police or his/her designee.

- J. If the Department Records Clerk needs advice as to whether a document is a “public record,” he/she will promptly contact the Chief of Police or his designee. If the Chief of Police is unable to provide an answer, he/she will contact the Town Solicitor for an advisory opinion.
- K. The Department Records Clerk should review the initial arrest report and other public documents to ensure that the privacy rights of individuals are maintained and informants or law enforcement techniques are redacted and not disclosed, utilizing the attached reference guide “checklist”. See Exhibit D.
- L. The Department Records Clerk shall maintain a central file of all Public Records Request Forms by calendar year. The file will contain the completed request forms once the request has been fulfilled or responded to. It is understood that in many instances the Barrington Police Department provides public records that are readily available to the requester without requiring them to complete the Public Records Request Form.

**III. PROCEDURES**

A packet containing these documents should be kept as a reference in the Department Records Clerk’s office, Dispatch Center and Sergeant’s Office.

- A. When an individual requests police documents believed to be a public record, the Dispatcher shall refer the individual to the Department Records Clerk’s office.
- B. If the Department Records Clerk is unavailable, the Dispatcher shall provide the individual with the Public Records Request packet including:
  - 1. Exhibit A – Public Records Request Placard
  - 2. Exhibit B – Access to Public Records Act
  - 3. Exhibit C – Public Records Request Form. The request form identifying the documents requested shall be filled out and then placed in the Records Clerk’s Office for processing.
- C. If the individual’s requesting the public records provides a name, it shall be logged on the Day Sheet. Because it is **not** mandatory under the Access to Public Records law that the individual making the request provide their name, then only the date and time the individual came in to request said records will be logged on the Day Sheet.



By Order of:

John M. LaCross  
Chief of Police

## Exhibit A



### **Barrington Police Department** 100 Federal Road, Barrington, RI 02806



## **PUBLIC RECORDS REQUEST GUIDELINES**

The Barrington Police Department adheres to the Access to Public Records Act, R.I. Gen. Laws §§ 38-2-1 to -15, and has instituted the following procedures to help you obtain public records:

1. The Police Department Public Records Clerk is available to respond to records requests made either orally or in writing during regular business hours, Monday through Friday, 7:30 a.m. to 3:30 p.m. Records requests will be accepted in person, via email, US mail, telephone, or fax. Please contact the Records Clerk with any questions about availability of documents at 401-437-3930. Requests may also be hand delivered to the Department Records Clerk at the Barrington Police Department or requests may be emailed to [jlacross@barrington.ri.gov](mailto:jlacross@barrington.ri.gov).
2. In most cases, you do not need to submit a written request to inspect records as most public records, including those available pursuant to the Administrative Procedures Act (R.I. Gen. Laws § 42-35-2), are readily available for inspection during regular business hours at the Records Clerk's Office. R.I. Gen. Laws § 38-2-3(c).
3. You may be asked to submit your request in writing where it involves: search and retrieval; multiple categories of records; voluminous documents; redaction; documents in storage; or other such circumstance. You may complete a copy of the Police Department's Public Records Request Form, which may be obtained at the Records Clerk's Office or on the department's website, or you may otherwise submit your request in writing.
4. Please be advised that the Access to Public Records Act allows a public body ten (10) business days to respond, which can be extended an additional twenty (20) business days for "good cause." We appreciate your understanding and patience.
5. In the event that you wish to inspect public records that are currently in use by the Police Department or which must be retrieved from storage, the Records Clerk will contact you and arrange a time for inspection at the Barrington Police Department.
6. If you wish to obtain photocopies of public records, the cost is fifteen cents (\$0.15) per page for documents copied on standard or legal size paper. For search and retrieval, the cost is fifteen dollars (\$15.00) per hour, although there is no charge for the first hour of search or retrieval.

7. All payments for copies of records shall be paid in advance of delivery, or at such later time as the Barrington Police Department may specify. All checks/money orders shall be payable to the Town of Barrington.
8. If you feel that you have been denied access to public records, you have the right to appeal to Police Chief John LaCross. If you are still not satisfied, you may file a complaint with the Department of the Attorney General, 150 South Main Street, Providence, RI 02903 or file suit in Superior Court.
9. The Barrington Police Department is committed to providing you with public records in an expeditious and courteous manner.

## Exhibit B



# Barrington Police Department

## ACCESS TO PUBLIC RECORDS ACT PROCEDURE

### R.I. GEN. LAWS SECTION 38-2-1 ET SEQ.

The Barrington Police Department is committed to providing the public with access to public records, while protecting from disclosure information about individuals maintained that would constitute an unwarranted invasion of personal privacy. R.I.G.L. § 38-2-1. The Barrington Police Department provides numerous public documents to the public, media and attorneys everyday in the ordinary course of business. However, for any person who does not desire to make an oral request at the Police Station, over the telephone, in a formal written request or the request needs clarification, please complete the Request for Public Records written form.

Pursuant to R.I.G.L. § 38-2-3(c), the Barrington Police Department has established the following procedure regarding access to public records:

1. Please inform the Department Records Clerk/Dispatcher at the front desk that you wish to make a request for public records. Ms. Annie Agresti is the Public Records Officer for the Barrington Police Department (telephone number 437-3930). The hours for the Records Department are 7:30 AM to 3:30 PM.
2. The Department Records Clerk or Dispatcher will provide you with a form to complete, which lets this Department know the precise public documents you seek and assists us in processing your request in an expeditious manner.
3. If the public records are readily available, we will be more than happy to provide them. However, there are times/circumstances when the records will not be available at the time that you make the request. If the records are not readily available, they can either be mailed to you, faxed to you or you can pick them up on a designated date. The Access to Public Records Act grants a public body ten (10) business days to respond to your request. R.I.G.L. § 38-2-7(a). The Act further provides that “for good cause, this limit may be extended for a period not to exceed thirty (30) business days.” We thank you in advance for your understanding if it is necessary, for good cause, to request this extension. Improper release of certain information could compromise the civil rights or personal safety of your fellow citizens, and we must review documents to prevent such harm.
4. Costs. The Access to Public Records Act gives you the opportunity to view and/or copy public records. The cost per copied page of written public documents will be \$.15 (not to



exceed \$.15) for documents copied on common business or legal size paper. You may elect to obtain public records in any and all media in which we are capable of providing them. The Act permits a reasonable charge for search and retrieval of documents. The hourly costs for a search and retrieval shall not exceed fifteen (\$15.00) per hour, with no charge for the first hour. We would be more than happy to provide you with an estimate. Upon a request, we will provide a detailed itemization of the costs charged for search and retrieval.

5. Public Records. A “public record” is defined as “documents, papers, ...or other material regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.” Specifically with respect to police records, in addition to other records maintained by this Department that constitute “public records”, the Access to Public Records Act deems public “[r]ecords relating to the management and direction of law enforcement agency and records or reports reflecting the initial arrest of an adult and the charge or charges brought against an adult.” R.I.G.L. § 38-2-2(4)(i)(D).
6. Exemptions. The Access to Public Records Act exempts some records from public disclosure. See, R.I.G.L. § 38-2-2(4). The following are some explanations as to why a document or part thereof may be exempt from disclosure:
  - (A)(I) ...all personal or medical information relating to an individual in any files, -- including information relating to medical or psychological facts... R.I.G.L. § 38-2-2(4)(i)(A)(I);
  - (C) ... records of juvenile proceedings before the family court;
  - (D) All records maintained by law enforcement agencies for criminal law enforcement and all records relating to the detection and investigation of crime, including those maintained on any individual or compiled in the course of a criminal investigation by any law enforcement agency. Provided, however, such records shall not be deemed public only to the extent that the disclosure of the records or information may (a) reasonably be expected to interfere with investigations of criminal activity or with enforcement proceedings, (b) would deprive a person of a right to a fair trial or an impartial adjudication, (c) could constitute an unwarranted invasion of personal privacy (d.) could reasonably be expected to disclose the identity of a confidential source, including a state, local or foreign agency or authority, or private institution which furnished information on a confidential basis, or the information furnished by a confidential source, (e) would disclose techniques and procedures for law enforcement investigation or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions or (f) could reasonably be expected to endanger the life or physical safety of any individual..
  - (S) Records, reports, opinions, information, and statements required to be kept confidential by federal law or regulation or state rule of court, law or regulation. (i.e. information regarding juveniles, etc.).

Please be advised that this is not a complete list of documents that the Act exempts from

disclosure. For a full list see R.I.G.L. § 38-2-2.

7. Appeal of Denial. Any person or entity denied the right to inspect a record of a public body by the Department Records Clerk may petition the Chief of Police of that public body for review of the determinations made by his or her subordinates. Any petitions from a denial should be made to Chief John M. LaCross. A final determination whether or not to allow public inspection will be made within ten (10) business days after the submission of the review petition. R.I.G.L. § 38-2-8.
8. Complaint to the Attorney General. If the Chief of Police determines that the record is not subject to public inspection, the person or entity seeking disclosure may file a complaint with the Attorney General. (150 South Main Street, Providence, RI 02903, telephone 274-4400) or may retain private counsel for the purposes of instituting proceedings for injunctive or declaratory relief in the superior court of the county where the record is maintained.

***We hope this information has been of assistance to you.***

Chief John M. LaCross

Exhibit C



Barrington Police Department
REQUEST FOR PUBLIC RECORDS
FORM

Date of Request: Request Number

Name (optional):

Address (optional):

Telephone (optional):

Requested Records:

Multiple blank lines for entering requested records details.

If these records are not readily available at the time of your request, please advise whether you desire to:

pick up the records regular mail fax #

Office Use

Request taken by: Request Number:

Date: Time:

Records to be available on: Mail: Pick Up:

Records provided:

Costs: \$ copies \$ search and retrieval

Barrington Police Department - Access to Public Records Request Receipt

If you desire to pick up the records, they will be available on at the front desk. If, after review of your request, the Department determines that the requested records are exempt from disclosure for a reason set forth in R.I.G.L. § 38-2-2(4)(i)(A) through (W), the Department reserves its right to claim such exemption.

Note: If you chose to pick up the records but did not include identifying information on this form (name, etc.), please inform the officer/clerk at the front desk of the date you made the request, records requested and request number. Thank you.

## Exhibit D



# Barrington Police Department PUBLIC RECORDS CHECKLIST

It is the intent of the revised *Access to Public Records Act* that the following information reflecting an initial arrest report of an adult and or charges shall be made available within forty-eight (48) hours after receipt of a request unless a request is made on a weekend or holiday, in which event information shall be made available within seventy-two hours, to the extent such information is known by the public body:

1. Full name of arrested adult
2. Home Address, unless doing so would identify a crime victim
3. Year of birth
4. Charge or charges
5. Date of arrest
6. Time of arrest
7. Gender M/F
8. Race
9. Name of arresting officer unless doing so would identify an undercover officer

There is no mention under the revised APRA that the initial Police Narrative must accompany this request with the 48 hour rule. The initial Police Narrative should be sent within the 10 business day time line.

However, prior to releasing an adult arrest report and narrative to the public or media a “Balancing Test” should be perform on a case by case basis to determine if the information provided may reasonably be expected, in most cases, to constitute an unwarranted invasion of personal privacy vs. a public record.

As you read each case, the below information may be considered for redaction:

- ↪ Any person’s **social security** number.
- ↪ Any person’s personal telephone number or cell phone number.
- ↪ The **date of birth** or other identifying information of all individuals. (The age of an adult arrestee should be disclosed e.g. 45 years old.)
- ↪ Employer’s name, address and telephone number from arrest report.
- ↪ Name or address of or any other information identifying any **juvenile** suspect or their parent’s information that may identify the juvenile.
- ↪ Name or address of any witnesses or bystanders.
- ↪ Check with the case officer to see if any witness or complainant has specifically requested anonymity and redact the name or address of or any other information identifying such person.
- ↪ If the victim has requested anonymity, redact the name and address of or any other information identifying the victim.

- ↪ The name and address of or any other information identifying any **juvenile** victim.
- ↪ Redact any information that would disclose a law enforcement technique or procedures for law enforcement investigations or prosecutions.
- ↪ Redact any information that could reasonably be expected to interfere with investigations of criminal activity or with enforcement proceedings.
- ↪ Redact any information that would interfere with ongoing investigations.
- ↪ Redact any information that would lead to the disclosure or discovery of any confidential informant or the information furnished by a confidential source.
- ↪ Redact any information that would deprive a person of a right to a fair trial or an impartial adjudication.
- ↪ Redact any information that could reasonably be expected to endanger the life or physical safety of any individual.
- ↪ Redact any information that could reasonably be expected to constitute an unwarranted invasion of personal privacy.

# Bristol Police Department

Accept APRA requests by email? No

Accept APRA requests by fax? Yes

Fax number: (401) 253-1540

Mailing address:

Bristol Police Department, Records Office  
395 Metacom Avenue  
Bristol, Rhode Island 02809

Telephone number: (401) 253-6900

APRA procedures online? Yes

APRA procedures URL: [http://bristolri.us/police/public\\_info.php](http://bristolri.us/police/public_info.php)

# Town of Bristol, Rhode Island

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## Public Information

### PUBLIC RECORDS REQUEST PROCEDURE

The Bristol Police Department has instituted the following procedure to help you obtain public records.

1. The Public Records Unit is the Records Office. Please call (401) 253-6900 and ask to be connected to the Records office.
2. The regular business hours of the Records office are 8:00 AM to 4:00 PM Monday - Friday. If you come in after regular business hours, please complete the Request for Records Form at the main lobby window and it will be given to the Records Office Clerk on the next working day.
3. The Department may ask you the reason for your request, as its regular course of business. However, you are not required to provide identification or reasons why you seek the information. Your right to access public records will not be denied for failing to provide identification or reasons.
4. In order to ensure you are provided with the public records you seek in an expeditious manner, we ask that you complete the Request for Records form located at the main lobby window or department's website, [bristolri.us/police](http://bristolri.us/police).
5. There are times when the public records you seek are not available at the time of your request. Please be advised that the Access to Public Records Act gives a public body ten (10) business days to respond, which can be extended an additional (20) twenty days for "good cause". We appreciate your understanding and patience.
6. If you feel that you have been denied access to public records, you have the right to appeal to Josue D. Canario, Chief of Police. If you are still not satisfied, you may file a complaint with the Department of the Attorney General, 150 South Main Street, Providence, RI 02903 or file suit in Superior Court. Information on the Access to Public Record can be found at [www.riag.ri.gov/civil/opengovernment](http://www.riag.ri.gov/civil/opengovernment).
7. The Bristol Police Department is committed to providing you with public records in an expeditious and courteous manner.



# Bristol Police Department

395 METACOM AVENUE ❖ BRISTOL, RHODE ISLAND 02809  
TELEPHONE (401) 253-6900



JOSUE D. CANARIO  
Chief of Police

## REQUEST FOR RECORDS UNDER THE ACCESS TO PUBLIC RECORDS ACT

Date: \_\_\_\_\_ Request Number: \_\_\_\_\_

Name: (optional) \_\_\_\_\_

Address: (optional) \_\_\_\_\_

Telephone: (optional) \_\_\_\_\_

Requested Records: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

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**Office Use:**

Request taken by: \_\_\_\_\_ Request Number \_\_\_\_\_  
 Date: \_\_\_\_\_ Time: \_\_\_\_\_  
 Records to be available on: \_\_\_\_\_ Mail \_\_\_\_\_ Pick Up \_\_\_\_\_  
 Records provided: \_\_\_\_\_  
 Costs: \_\_\_\_\_ copies \_\_\_\_\_ search and retrieval

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### Bristol Police Department - Access to Public Records Request Receipt

If you desire to pick up the records, they will be available on \_\_\_\_\_ at the front desk. If, after review of your request, the Department determines that the requested records are exempt from disclosure for a reason set forth in R.I.Gen. Laws Section 38-2-2(4)(i)(A) through (W), the Department reserves its right to claim such exemption.

Note: If you chose to pick up the records but did not include identifying information on this form (name, etc.), please inform the officer/clerk at the front desk of the date you made the request, and records requested.

Thank you.

(Attachment B)



# Burrillville Police Department

Accept APRA requests by email? Yes

Email address: [jconnors@Burrillville.org](mailto:jconnors@Burrillville.org)

Accept APRA requests by fax? Yes

Fax number: 401-568-9499

Mailing address:

Burrillville Police Department  
1477 Victory Highway  
P.O. Box 231  
Burrillville, RI 02830

Telephone number: 401-568-6255

APRA procedures online? Yes

APRA procedures URL: [http://www.burrillville.org/Public\\_Documents/BurrillvilleRI\\_Police/Records](http://www.burrillville.org/Public_Documents/BurrillvilleRI_Police/Records)

# Burrillville Police Department

## Administrative Services Bureau

1477 Victory Highway PO Box 231 Burrillville, RI 02830  
401-371-2752 email: jconnors@burrillville.org



*Lt. John R. Connors*  
*Commanding Officer*

*Col. Stephen J. Lynch*  
*Chief of Police*

## ACCESS TO PUBLIC RECORDS ACT R.I. GENERAL LAWS SECTION 38-2-1-ET SEQ.

The Burrillville Police Department is committed to providing the public with access to public records, while protecting from disclosure information about individuals maintained that would constitute an unwarranted invasion of personal privacy. R.I. General Laws Section 38-2-1. The Burrillville Police Department provides numerous public documents to the public, media, and attorneys every day in the ordinary course of business. However, for any person who does not desire to make an oral request, wishes to make a formal written request or the request needs clarification, please complete the written form.

Pursuant to R.I. General Laws Section 38-2-3 (c.), the Burrillville Police Department has established the following procedure regarding access to public records:

1. Please inform the officer/clerk at the front desk that you wish to make a request for public records. Lt. John Connors is the Public Records Officer for the Burrillville Police Department (telephone number 568-6255). The hours for the Records Department are 0800 to 1600 hours, Monday through Friday.
2. The officer/clerk will provide you with a form to complete, which lets this department know the precise documents you seek and assists us in processing your request in an expeditious manner. ***Please give as much information as possible to assist us in obtaining the proper documents for you.***

3. If the public records are readily available, we will be more than happy to provide them. However, there are times/circumstances when the records will not be available at the time that you make the request. If the records are not readily available, they can be either mailed to you or you can pick them up on a designated date. The Access to Public Records Act grants a public body ten (10) business days to respond to your request [R.I. General Laws Section 38-2-7(a)]. The Act further provides that “for good cause, this limit may be extended for a period not to exceed thirty (30) business days.” We thank you in advance for your understanding if it is necessary, for good cause, to request this extension. Improper release of certain information could compromise the civil rights or personal safety of your fellow citizens, and we must review documents to prevent such harm.

4. COSTS. The Access to Public Records Act gives you the opportunity to view and/or copy public records. The cost per copied page of written public documents will be \$0.15 for documents which can be copied on common business- or legal- sized paper. You may elect to obtain public records in any and all media in which we are capable of providing them. The Act permits a reasonable charge for search and retrieval of documents. The hourly costs of a search and retrieval shall not exceed fifteen dollars (\$15) per hour, with no charge for the first hour. We would be more than happy to provide you with an estimate. Upon a request, we will provide a detailed itemization of the costs charged for search and retrieval.

5. PUBLIC RECORDS. A public record is defined as “documents, papers, ... or other material regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.” Specifically with respect to police records, in addition to other records maintained by the department that constitute public records, the Access to Public Records Act deems public “[r]ecords relating to the management and direction of law enforcement agency and records or reports reflecting the initial arrest of an adult and the charge or charges brought against an adult.” R.I. General Laws Section 38-2-2(4)(i)(D).

6. REDACTION. Although a document may constitute a public record, there may be some information contained on the document that may be redacted/deleted as it is exempt from disclosure under R.I. General Laws Section 38-2-2. In Direct Action for Rights and Equality v. Gannon, 713 A.2d 218 (R.I. 1998) and The Rave v. Gorodetsky, 452

A.2d 1144 (R.I. 1982), the Rhode Island Supreme Court held that final reports on civilian complaints of police brutality were subject to disclosure in redacted form. In addition, the Rhode Island Supreme Court has stated that “in passing the APRA, the General Assembly intended to limit access to certain documents in order to avoid disclosure of confidential information to protect individuals from invasion of their privacy.” Providence Journal Company v. Kane, 577 A.2d 661, 663 (R.I. 1990). “There is no public interest to be weighted in disclosure of nonpublic records.” Id. A “balancing of interests arises only after a record has first been determined to be a public record.” Id.

7. EXEMPTIONS. The Access to Public Records Act exempts some records from public disclosure. See R.I. General Laws Section 38-2-2(4). The following are some explanations as to why a document or part thereof may be exempt from disclosure:

- a. (A)(I) ...all personal or medical information relating to an individual in any files, --including information relating to medical or psychological facts... R.I. General Laws Section 38-2-2(4)(i)(A)(I);
- b. (C) ...records of juvenile proceedings before the Family Court
- c. (D) All records maintained by law enforcement agencies for criminal law enforcement and all records relating to the detection and investigation of crime, including those maintained on any individual or compiled in the course of a criminal investigation by any law enforcement agency. Provided, however, such records shall not be deemed public only to the extent that the disclosure of the records or information may (a) reasonably be expected to interfere with investigations of criminal activity or with enforcement proceedings, (b) would deprive a person of a right to a fair trial or an impartial adjudication, (c) could reasonably be expected to disclose the identity of a confidential source, including a state, local, or foreign agency or authority, or private institution which furnished information on a confidential basis, or the information furnished by a confidential source, (e) would disclose techniques and procedures for law enforcement investigation or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions or (f) could reasonably be expected to endanger the life or physical safety of any individual.
- d. (S) Records, reports, opinions, information, and statements required to be kept confidential by federal law or regulation or state rule of court, law, or regulation (i.e. information regarding juveniles, etc.). *(please be advised that this is not a complete list of documents that the Act exempts from disclosure. For a full list, see R.I. General Laws Section 38-2-2)*

8. APPEAL OF DENIAL. Any person or entity denied the right to inspect a record of a public body by the Public Records Officer may petition the Chief Administrative Officer of that public body for review of the determinations made by his or her subordinates. Any petitions from a denial should be made to Colonel Bernard E. Gannon. A final determination whether or not to allow public inspection will be made within ten (10) business days after the submission of the review petition. R.I. General Laws Section 38-2-8.

9. COMPLAINT TO THE ATTORNEY GENERAL. If the Chief Administrative Officer determined that the record is not subject to public inspection, the person or entity seeking disclosure may file a complaint with the Attorney General of Rhode Island (150 South Main Street, Providence, RI 02903... telephone 401- 274-4400) or may retain private counsel for the purposes of instituting proceedings for injunctive or declaratory relief in the Superior Court of the county where the record is maintained. The Act provides that “[t]he court shall impose a civil fine not exceeding one thousand dollars (\$1000) against a public body or official found to have committed a knowing and willful violation of this chapter, and shall award reasonable attorney fees and cost to the prevailing plaintiff. The court shall further order a public body found to have wrongfully denied access to [provide the] public records at no cost to the prevailing party; provided further, that in the event that the court, having found in favor of the defendant, finds further that the plaintiff’s case lacked a grounding in fact or in existing law or in good faith argument for the extension modification, or reversal of existing law, the court may award attorney’s fees and costs to the prevailing defendant.” R.I. General Laws Section 38-2-9(d).

We hope this information has been of assistance.

**ACCESS TO OPEN RECORDS REQUEST FORMS  
AVAILABLE AT WINDOW & WEBSITE.**

# Burrillville Police Department

## *Request for Records under the Access to Public Records Act*

Date \_\_\_\_\_

Request Number \_\_\_\_\_  
(Assigned by records dept)

**Officer/Dispatcher Badge #** receiving request \_\_\_\_\_

Name (optional) \_\_\_\_\_

Address (optional) \_\_\_\_\_

Telephone (optional) \_\_\_\_\_

Email address (optional) \_\_\_\_\_

Record/s Requested \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

***Please give as much information as possible. (Names, dates, times, locations etc.) This will make it easier to find the information you requested!***

If these records are not readily available at the time of your request, please advise whether you desire to:

pick up records \_\_\_\_\_      email \_\_\_\_\_      regular mail \_\_\_\_\_

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**Office Use Only:**

Records available on: \_\_\_\_\_      Date if mailed \_\_\_\_\_

Costs: \_\_\_\_\_ copies      \_\_\_\_\_ search & retrieval fee

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### Burrillville Police Department – Access to Public Records Request Receipt

If you desire to pick up records, they will be available within seven days at the front desk. If, after review of your request, the Department determines that the requested records are exempt from disclosure, for a reason set forth in RI General Laws Section 38-2-2(4)(i)(A) through (W), the Department reserves it's right to claim such exemption. Note: If you choose to pick up the records but did not include identifying information on this form (name etc.), please inform the officer/dispatcher at the front desk of the date you made the request, or records requested.

Thank you!

# Central Falls Police Department

**NOTE: APRA requests to the Central Falls Police Department are processed by the Central Falls Law Department**

Accept APRA requests by email? Yes

Email address: [MJerzyk@CentralFallsRI.us](mailto:MJerzyk@CentralFallsRI.us)

Accept APRA requests by fax? Yes

Fax number: (401) 727-7406

Mailing address:

City of Central Falls, Public Records Unit c/o Law Department  
580 Broad Street  
Central Falls, RI 02863

Telephone number: (401) 616-2560

APRA procedures online? Yes

APRA procedures URL: <http://centralfallsri.us/city-of-central-falls-access-to-public-records/>



CITY OF CENTRAL FALLS  
LEGAL DEPARTMENT

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580 BROAD STREET  
CENTRAL FALLS, RI 02863

OFFICE: (401) 727-7490  
FAX: (401) 727-7422

### PROCEDURE FOR OBTAINING RECORDS

Pursuant to Rhode Island General Law 38-2-3(d) the City of Central Falls hereby adopts the following procedure for requesting/obtaining public records:

1. A request to inspect and/or copy public records of the City of Central Falls may be presented orally or in writing to the City of Central Falls, Law Department, at 580 Broad Street, Central Falls, RI 02863 during normal business hours (8:30 a.m. to 4:30 p.m. Monday through Thursday and Friday 8:30 a.m. through 4:30 p.m.) or (401)727-7400.
2. Although not required, in order to ensure compliance with the Access to Public Records Act and that you are provided with the public records you seek in an expeditious manner, the City asks that you complete the Public Records Request Form. This form is not required if you are seeking records available pursuant to the Administrative Procedures Act or other documents prepared for or readily available to the public.
3. The Access to Public Records Act allows a public body ten (10) business days to respond, unless otherwise extended for good cause in accordance with the provisions of subsection 38-2-3(e). In such instance, a response will be provided within thirty (30) days of receipt of request.
4. If, after review of your request, the City determines that the requested records are exempt from disclosure for a reason set forth in R.I.G.L. 38-2-2(4)(A) through (Y), the City reserves its right to claim such exemption. In the event that you disagree with the City's opinion regarding exemption, you may file a review petition with the chief administrative officer of the department that maintains the records that you seek. If the chief administrative officer affirms the City's position, you may then file a complaint with the Department of Attorney General. You may also file an action for injunctive or declaratory relief in Providence County Superior Court.
5. In accordance with Rhode Island General Law 38-2-4, the City may charge a fee of fifteen cents (\$.15) per page for copies and/or fifteen dollars (\$15.00) per hour, after the first hour, for search and/or retrieval of documents. Please advise that for purposes of search and retrieval costs, multiple requests made by you within thirty (30) days to the City of Central Falls shall be considered one (1) request.
6. The City of Central Falls is not obligated to produce for inspection or copying of records that are not in the possession of the City of Central Falls. Moreover, the City of Central Falls is not required to reorganize, consolidate, or compile data that is not maintained by the City of Central Falls in the form requested.





CITY OF CENTRAL FALLS  
LEGAL DEPARTMENT

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580 BROAD STREET  
CENTRAL FALLS, RI 02863

OFFICE: (401) 727-7490  
FAX: (401) 727-7422

The City of Central Falls is committed to providing public records in an expeditious and courteous manner consistent with the Access to Public Records Act.

**REQUEST TO INSPECT AND/OR COPY PUBLIC RECORDS FORM**

In order to document the City of Central Falls compliance with the Access to Public Records Act, please complete this form and forward to the City of Central Falls, Law Department, 580 Broad Street, Central Falls, RI 02863. For questions related to a request for records, please call: (401)727-7490.

Date of Request: \_\_\_\_\_

Name: \_\_\_\_\_

Records Requested:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Contact Information (please provide at least one of the following):

Address: \_\_\_\_\_

Email: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fascimile: \_\_\_\_\_

I further declare that while inspecting original documents of the City of Central Falls, I will not remove, damage or in any way alter any original documents temporarily in my possession.

\_\_\_\_\_  
Signature

## RELEASE OF POLICE INFORMATION AND MEDIA RELATIONS POLICY

**In Effect: 07/18/2013****Review Date: 11/01/2016 @ 0800**

City of Central Falls  
 Police Department  
 160 Illinois Street  
 Central Falls, RI 02863  
 Telephone (401) 727-7411  
 Fax (401) 727-7417

Colonel James J. Mendonca  
 Chief of Police

<b>ORDER</b>	<b>EFFECTIVE DATE</b>	<b>NUMBER</b>	<b>ISSUING DATE</b>
<b>General</b>	<b>July 18, 2013</b>	<b>520.02</b>	<b>July 18, 2013</b>
<b>SUBJECT TITLE</b>		<b>SUBJECT AREA</b>	
<b>Release of Police Information and Media Relations</b>		<b>Community Relations &amp; Services</b>	
<b>REFERENCE</b>		<b>PREVIOUSLY ISSUED DATES</b>	
<b>DISTRIBUTION</b>	<b>REEVALUATION DATE</b>	<b>PAGES</b>	
<b>All</b>	<b>As necessary</b>	<b>5</b>	

**I. PURPOSE**

*The purpose of this policy is to guide personnel in the release of information to the media and to the public.*

**II. POLICY**

*It is the policy of the Central Falls Police Department to provide public access to records in accordance with law and to cooperate fully and impartially with properly identified representatives of the news media in their efforts to gather and disseminate factual information, where such activities do not subvert the ends or methods of justice or infringe upon individual rights of privacy, or upon the individual's right to a fair and impartial trial.*

**III. PROCEDURE****A. MEDIA RELATIONS**

*1. News personnel covering stories at the scene of major incidents, disasters, or events will be*

*directed to an area designated by the Incident Commander and/or designated Public Information Officer.*

*2. This area should be convenient to the reporting of the incident so long as the investigation is not jeopardized and safety considerations are not compromised.*

*3. The area must be outside the perimeter of the crime scene.*

*4. The Incident Commander and/or designated Public Information Officer will periodically update the media regarding the incident in accordance with law and this policy.*

#### **B. NEWS RELEASES AND CONFERENCES**

*1. Will be arranged through the office of the Chief of Police.*

*2. The Chief of Police will designate the appropriate division or personnel in each case.*

*3. Will be scheduled as soon as possible, after information becomes available, concerning a major event or incident.*

*4. Will include all local news media requesting such notification.*

*5. It will be the responsibility of the Chief of Police, or designee, to advise the Mayor, or other necessary elected official(s), prior to the announcement of a press conference. This should be made sufficiently in advance to allow those persons noted to be in attendance if they deem their attendance necessary or if they so desire.*

#### **C. AUTHORITY AND RESPONSIBILITY FOR RELEASE OF INFORMATION**

*1. The Chief of Police or their designee is available for calls from the media at any time and will release:*

*a. Information concerning the initial arrest of an adult and the charge(s) against an adult.*

*b. Information confirming the general facts surrounding any of the following:*

*(1) Natural Disasters.*

*(2) Unusual occurrences.*

*(3) Emergency situations.*

*(4) Crime and accident scenes.*

*(5) Civil Disturbances.*

*c. The name and age of the deceased in fatal accidents or crimes will only be released after positive identification and all immediate family members have been notified.*

2. *The Detective Bureau Commander will release:*

- a. *Information concerning the initial arrest and charges of adults in those cases assigned to the Detective Bureau.*
- b. *General information surrounding a completed investigation only when such release conforms to this policy and is in accordance with law.*

3. *The Investigative Commander will release information on all matters pertaining to the disposition and adjudication of cases involved with the court systems in accordance with law and department policy.*

4. *The Field Operations Commander will release information in accordance with law and department policy concerning incidents assigned to the Traffic Services Division.*

5. *The Administrative Division Commander or his/her designee will release:*

- a. *Copies of motor vehicle accident reports that are deemed public information by state law, in accordance with state open records law.*
- b. *Crime reports and other records, that are deemed public information by state law, only after investigations are completed and when their release conforms to this policy and is in accordance with law.*
- c. *Routine news releases as directed by the Chief of Police.*
- d. *Computer data that is deemed public information by state law, in compliance with applicable laws/regulations.*
- e. *Information that is deemed public information by state law which is not immediately available or easily accessible. The Administrative Division Commander or his/her designee will provide for an opportunity for the citizen to examine such records as expeditiously may be reasonable.*
- f. *Information and records relating to management and direction of the department that are deemed public information.*

6. *No sworn member or civilian employee will release any department records or information to the public or media unless specifically authorized in this directive or designated to do so by the member authorized to release such information.*

7. *Nothing in this directive is to be construed as to interfere with the providing of information to defendants and their counsel as part of "discovery" nor to the dissemination of information to other police departments or government agencies requesting or needing information for official purposes.*

8. *The Chief of Police may release any information in accordance with law, which in his/her discretion best serves the public interest.*

*9. Only the Chief of Police or his/her designee will release information about crisis situations or confidential investigations and operations within the police department.*

#### *D. ACCESS TO POLICE INFORMATION*

*1. Sworn members and civilian personnel with computer privileges are the only persons authorized to view IMC/RMS/C.A.D./RILETS terminals and printers.*

*2. Only full-time sworn members of this department are authorized to review classified police information disseminated at roll calls and briefings.*

*3. Information received through department computer systems, roll call, and briefings are for police use only and are not for private use or release to any persons other than those law enforcement or government agencies with specific need for the information as part of its official function.*

*4. Only the Chief of Police, Field Operations Commander, Administrative Division Commander, and Investigative Commander are allowed to contact the Registry of Motor Vehicles for the purpose of obtaining information on confidential police registration.*

*a. All requests for such information must be forwarded, in writing, to the Office of Professional Standards & Training.*

#### *E. INFORMATION WHICH WILL NOT BE RELEASED*

*1. Police reports, investigations, records, or other information precluded from release by law or the department "Report Release Guidelines." See R.I.G.L. 38-2-2.*

*2. The identity of any victim of sexual assault.*

*3. The identity of witnesses or suspects in cases under investigation or pending in court, when release of information could jeopardize the investigation.*

*4. Medical information relating to health history, any diagnosis, medical condition, any treatment provided or evaluation made by health care providers as defined in R.I.G.L. 5-37.3-3 unless specific written consent under the guidelines of R.I.G.L. 5-37.3-4 has been obtained.*

*5. Information relating to the arrest, detention, apprehension, or disposition of any juvenile unless under the written direction by a Justice of the Family Court.*

*6. Information relating to the identity or address of any victim of a fatal accident, homicide, or other death without permission of the Chief of Police or designee. All inquiries should be made to the attending hospitals and Office of the Medical Examiner. This will in no way prevent the Central Falls Police Department from assisting the above agencies in such identifications or in*

*aiding the families of the victims.*

*7. Personnel data relating to any sworn member or civilian employee. Questions concerning personnel will be referred to the Chief of Police or the City of Central Falls's Personnel Director.*

*8. Any police information received from other agencies which was furnished for confidential or law enforcement purposes. Example: B.C.I., Triple "I", license checks.*

*9. Employees will not release any information regarding confidential police registrations or unmarked police vehicles.*

*10. Preliminary drafts, notes, impressions, memoranda, etc.*

*11. Test questions, scoring keys, and other examination data used to administer any examination for employment or promotion.*

*12. Any records required to be kept confidential by law or rule of the court. See RIGL 38-2-2(4) for some explanations to these exemptions.*

#### **G. MEDIA PARTICIPATION**

*1. The department encourages the news media to participate in the development of changes in policy and procedure relating to the release of public information.*

#### **H. RIGHT TO APPEAL**

*1. If any citizen or news media personnel are denied access to any record or information, they may appeal to the Chief of Police, who will forward it to the Legal Department, who will in turn make a final determination as to release of the information within ten (10) days in accordance with law.*

*2. Additional resource and appeal is available in accordance with law.*

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**Colonel James J. Mendonca**  
**Chief of Police**

# Charlestown Police Department

Accept APRA requests by email? Yes

Email address: [lknudsen@charlestownpolice.org](mailto:lknudsen@charlestownpolice.org)

Accept APRA requests by fax? Yes

Fax number: 401-213-6941

Mailing address:

Charlestown Police Department  
4901 Old Post Road  
Charlestown, RI 02813

Telephone number: 401-364-1212

APRA procedures online? No

# Charlestown Police Department

## Request for Records Under the "Access to Public Records Act"

Date: \_\_\_\_\_ Request # \_\_\_\_\_

Name \* \_\_\_\_\_

Address \* \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Telephone\* \_\_\_\_\_

Requested Records: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If these records are not readily available at the time of your request, please advise whether you desire to:

\_\_\_\_\_ Pick up the records                      \_\_\_\_\_ Regular mail (after fee(s) are paid)

### Charlestown Police Department – Access to Public Records Request

If you desire to pick up the records, they will be available up to 10business days at the front desk. If, after review of your request, the Department determines that the requested records are exempt from disclosure for a reason set forth in RI Gen. Laws Section 38-2-2(4)(I.)(a) through (w), the Department reserves its right to claim such exemption. Note: If you chose to pick up the records but did not include identifying information on this form (name, etc) please inform the officer/clerk at the front desk you made the request, records requested number \_\_\_\_\_.



# Coventry Police Department

Accept APRA requests by email? Yes

Email address: [jshields@coventrypd.org](mailto:jshields@coventrypd.org)

Accept APRA requests by fax? Yes

Fax number:

Mailing address:

Coventry Police Department  
1075 Main Street  
Coventry, Rhode Island 02816

Telephone number: (401) 826-1100

APRA procedures online? Yes

APRA procedures URL: <http://www.coventrypd.org/divisions/records-department>

**COVENTRY POLICE DEPARTMENT**  
**ACCESS TO PUBLIC RECORDS ACT**  
**R.I. GEN. LAWS SECTION 38-2-1 ET SEQ.**

The Coventry Police Department is committed to providing the public with access to public records, while protecting from disclosure information about individuals maintained that would constitute an unwarranted invasion of personal privacy. R.I. Gen. Laws Section 38-2-1. The Coventry Police Department provides numerous public documents to the public, media and attorneys everyday in the ordinary course of business. However, for any person who does not desire to make an oral request, wishes to make a formal written request or the request needs clarification, please complete the written form

Pursuant to R.I. General Laws Section 38-2-3(D), the Coventry Police Department has established the following procedure regarding access to public records:

1. Please inform the officer/clerk at the front desk that you wish to make a request for public records. The Public Records Officer for the Coventry Police Department can be reached at (401-826-1100). The hours for the Records Department are Monday through Friday, 10:00AM to Noon and 1:00PM to 4:00 PM.
2. The officer/clerk will provide you with an optional form to complete, which lets this Department know the precise public documents you seek and assists us in processing your request in an expeditious manner.
3. If the public records are readily available, we will be more than happy to provide them. However, there are times/circumstances when the records will not be available at the time that you make the request. If the records are not readily available, they can either be mailed, faxed, emailed, or placed on a DVD and you can pick them up on a designated date. The Access to Public Records Act grants a public body ten (10) business days to respond to your request. R.I.Gen. Laws Section 38-2-7(a). The Act further provides that “for good cause, this limit may be extended for a period not to exceed twenty (20) business days.” We thank you in advance for your understanding if it is necessary, for good cause, to request this extension. Improper release of certain information could compromise the civil rights or personal safety of your fellow citizens, and we must review documents to prevent such harm.
4. Costs. The Access to Public Records Act gives you the opportunity to view and/or copy public records. The cost per copied page of written public documents will be fifteen cents (.15 cents) for documents copied on common business or legal size paper. The Act permits a reasonable charge for search and retrieval of documents. The hourly costs for a search and retrieval shall not exceed fifteen (\$15.00) per hour, with no charge for the first hour. For purposes of calculating search and retrieval time, multiple requests from same

person or entity during a 30 day time period shall be considered one request. We would be more than happy to provide you with an estimate. Upon a request, we will provide a detailed itemization of the costs charged for search and retrieval.

5. Delivery. At the option of the person making the request, the public body shall provide copies of public records electronically, by facsimile, or by email, unless doing so would be unduly burdensome due to the volume of records requested or the costs that would be incurred. The person requesting delivery shall be responsible for the actual cost of delivery, if any. R.I. Gen. Laws § 38-2-3(k).
6. Public Records. a “public record” is defined as “all documents, papers, letters, maps, books, tapes, photographs, films, sound recordings, magnetic or other tapes, electronic data processing records, computer stored data (including electronic mail messages, except specifically for any electronic mail messages of or to elected officials with or relating to those they represent and correspondence of or to elected officials in their official capacities) or other material regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.” R.I. Gen. Laws § 38-2-2(4).
7. Redaction. Although a document may constitute a public record, there may be some information contained on the document that may be redacted/deleted as it is exempt from disclosure under R.I.Gen. Laws Section 38-2-2. In Direct Action for Rights and Equality v. Gannon, 713 A.2d 218 (R.I. 1998) and The Rake v. Gorodetsky, 452 A.2d 1144 (R.I.1982), the Rhode Island Supreme Court held that final reports on civilian complaints of police brutality were subject to disclosure in redacted form. In addition, the Rhode Island Supreme Court has stated that “in passing the APRA, the General Assembly intended to limit access to certain documents in order to avoid disclosure of confidential information to protect individuals from invasion of their privacy.” Providence Journal Company v. Kane, 577 A.2d 661, 663 (R.I.1990). “There is no public interest to be weighed in disclosure of nonpublic records.” Id. A “balancing of interests arises only after a record has first been determined to be a public record.” Id.
8. Exemptions. The Access to Public Records Act exempts some records from public disclosure. See, R.I.Gen. Laws Section 38-2-2(4). The following are some explanations as to why a document or part thereof may be exempt from disclosure:
  - (A)(I)(a) All records relating to client/attorney and doctor/patient relationships, including all medical information. R.I. Gen. Laws § 38-2-2(4)(A)(I)(a).
  - (A)(I)(b) Individually-identifiable records, the disclosure of which would constitute a clearly unwarranted invasion of personal

privacy pursuant to the Freedom of Information Act. R.I. General Laws § 38-2-2(4)(A)(I)(b).

- (C) Child custody and adoption records, records of illegitimate births, and records of juvenile proceedings before the family court. R.I. General Laws § 38-2-2(4)(C).
- (D) All records maintained by law enforcement agencies for criminal law enforcement and all records relating to the detection and investigation of crime, including those maintained on any individual or compiled in the course of a criminal investigation by any law enforcement agency. Provided, however, such records shall not be deemed public only to the extent that the disclosure of the records or information may (a) reasonably be expected to interfere with investigations of criminal activity or with enforcement proceedings, (b) would deprive a person of a right to a fair trial or an impartial adjudication, (c.) could reasonably be expected to disclose the identity of a confidential source, including a state, local or foreign agency or authority, or private institution which furnished information on a confidential basis, or the information furnished by a confidential source, (e) would disclose techniques and procedures for law enforcement investigation or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions or (f) could reasonably be expected to endanger the life or physical safety of any individual. R.I. General Laws § 38-2-2(4)(D).
- (S) Records, reports, opinions, information, and statements required to be kept confidential by federal law or regulation or state rule of court, law or regulation. (i.e. information regarding juveniles, etc.) R.I. General Laws § 38-2-2(4)(S).

***Please be advised that this is not a complete list of documents that the Act exempts from disclosure. For a full list see R.I.Gen.Laws Section 38-2-2.***

9. Appeal of Denial. Any person or entity denied the right to inspect a record of a public body may petition the chief administrative officer (Chief of Police) of that public body for review of the determinations made by his or her subordinates. A final determination whether or not to allow public inspection will be made within ten (10) business days after the submission of the review petition. R.I.Gen. Laws Section 38-2-8.
10. Complaint to the Attorney General. If the custodian of the records or the chief administrative officer determined that the record is not subject to public inspection, the person or entity seeking disclosure may file a complaint with the Attorney General, telephone 274-4400, 150 South Main Street, Providence, RI 02903, or may retain private counsel for the purposes of instituting proceedings for injunctive or declaratory relief in the superior court of the county where the record is maintained. The Act provides that “The

court shall impose a civil fine not exceeding two thousand dollars (\$2,000) against a public body or official found to have committed a knowing and willful violation of this chapter, and a civil fine not to exceed one thousand dollars (\$1000) against a public body found to have recklessly violated this chapter and shall award reasonable attorney fees and cost to the prevailing plaintiff. The court shall further order a public body found to have wrongfully denied access to public records to provide the records at no cost to the prevailing party; provided, further, that in the event that the court, having found in favor of the defendant, finds further that the plaintiff's case lacked a grounding in fact or in existing law or in good faith argument for the extension, modification, or reversal of existing law, the court may award attorneys fees and costs to the prevailing defendant. A judgment in the plaintiff's favor shall not be a prerequisite to obtaining an award of attorneys' fees and/or costs if the court determines that the defendant's case lacked grounding in fact or in existing law or good faith argument for extension, modification or reversal of existing law." R.I.Gen. Laws Section 38-2-9(d).

We hope this message has been of assistance.

**Coventry Police Department**  
**Request For Records Under The Access To Public Records Act**

Date:	Request Number:
Name (Optional):	
Address (Optional):	
Telephone (Optional):	
Requested Records:	

If these records are not readily available at the time of your request, please advise whether you desire to:

- Pick Up The Records       Regular Mail\*       Fax       E-mail

\*If regular mail is requested, you must provide a stamped, self-addressed envelope

**Office Use**

Request Taken By: _____	Request Number: _____
Date: _____	Time: _____
Records To Be Available On: _____	<input type="checkbox"/> Mail <input type="checkbox"/> Pick Up
Records Provided: _____	<input type="checkbox"/> Fax <input type="checkbox"/> E-mail
Costs: _____ copies	Search And Retrieval _____

**Coventry Police Department - Access to Public Records Request Receipt**

If you desire to pick up records, they will be available on \_\_\_\_\_ at the front desk.

If, after review of your request, the Department determines that the requested records are exempt from disclosure for a reason set forth in R.I. Gen. Laws Section 38-2-2(4)(A) through (Y), the Department reserves its right to claim such exemption. Note: If you chose to pick up the records but did not include identifying information on this form (Name, etc.), please inform the officer/clerk at the front desk of the date you made the request, records requested, and request number. Thank You

# Cranston Police Department

Accept APRA requests by email? No

Accept APRA requests by fax? Yes

Fax number: (401) 477-5112

Mailing address:

Cranston Police Department  
Attn: Planning & Research Division  
5 Garfield Avenue  
Cranston, RI 02920

Telephone number: (401) 942-2211

APRA procedures online? Yes

APRA procedures URL: <http://www.cranstonpolice.com/records.html>

**MEDIA RELATIONS AND PUBLIC INFORMATION**

In Effect: 03/25/2011

Review Date: 02/05/2014

**Cranston Police Department**  
GENERAL ORDER 530.01

SECTION	EFFECTIVE DATE	PAGES
500 – Community Relations And Services	March 25, 2011	6
SUBSECTION	SPECIAL INSTRUCTIONS	
30 – Informational Services	Replaces and rescinds GO 86-9, 97-4	
TITLE	CALEA STANDARD	
530.01 – MEDIA RELATIONS AND PUBLIC INFORMATION	<b>54.1.1, 54.1.2, 54.1.3, 82.1.1</b>	

**I. PURPOSE**

To establish and maintain guidelines for Department members, regarding the release of information to the public and news media.

**II. POLICY**

The Department recognizes its obligation to inform the public and news media of events that affect the lives of citizens in the community with openness and candor. Therefore, it is the policy of the Cranston Police Department, pursuant to R.I.G.L. 38-2-3, to provide the public with access to public records while protecting an individual's right to privacy, the administration of justice, individual's right to a fair and impartial trial and the value and integrity of information that is vital in a pending investigation.

Public documents will be provided to the general public and media upon written or oral request. Such requests will be satisfied with factual information in a cooperative and impartial manner. The policy of the Cranston Police Department is to ensure that factual information is appropriately disseminated in a timely fashion consistent with state and federal laws, and guidelines enumerated in this policy.

**III. DEFINITIONS**

- A. PUBLIC RECORDS** – Defined by Rhode Island General Law, Title 38 as: "All documents, papers, letters, maps, books, tapes, photographs, film, sound recordings, or material regardless of physical form or characteristics, made or received pursuant to law or ordinance with the transaction of official business by any agency.
- B. CLASSIFIED INFORMATION** – Information designated by law to remain private and not subject to public access or information designated by the Chief of Police pursuant to law, which will not be released as "Public Information" consistent with state law. (See R.I.G.L. 38-2-2).

**III. PROCEDURE**

The Chief of Police will designate a Public Information Officer (PIO) who shall be responsible for the dissemination



of public information for the department, in compliance with consistent state law. \_ \_

A. Persons Authorized to Release Information;

1. Chief of Police or his/her designee.
2. Division Commanders
3. Duty Executives
4. Officer in Charge (OIC)
5. Chief Records Clerk

B. Media Relations:

News/media personnel that are reporting / broadcasting from the scene of major accidents, crime scenes, disasters or events will be collectively directed to a designated area by an Incident Commander (on scene-OIC).

1. The media staging area will be outside the perimeter of the incident or scene.
  2. The media staging area will be an area that allows optimal news reporting without compromising the integrity of the scene, safety of the public, media and police personnel.
  3. The Incident Commander shall assist members of the media reporting from scenes of incidents in accordance with state law and policy.
- C. The Officer in Charge will be available for on – call responses to the media at any time during non-business hours. The (OIC) will forward requests from the media to the Duty Executive on call in the absence of the (PIO).
- D. In a mutual – aid effort, the agency with primary jurisdiction will be responsible for media relations and the release of information.
- E. Information relating to a subject's name, address, date of birth, telephone number, arrest, charge or bond will not be released at the scene unless released by the PIO.

**IV. ACCESS TO POLICE RECORDS AND INFORMATION**

- A. Only sworn members and civilian personnel with computer privileges are authorized to view the agencies Records Management System: IMC, AS-400, Lanier System, RILETS/NCIC terminals and printers.
- B. Only sworn members of this Department, or those persons designated by the Chief of Police are authorized to receive classified information disseminated at roll calls and briefings.
- C. Classified information received from the department computer systems, roll calls, and briefings are for police use only and are not for private use or release to any persons other than law enforcement and government agencies, acting in an official capacity with a specific need for the information that is being requested.

**V. REPORT REQUESTS FOR RECORDS AND FORMS**

- A. An oral or written request for records under the Access to Public Records Act (R.I.G.L. 38-2-1) may be made during regular business hours, Monday through Friday 0900-1600 hours, and evenings Tuesday through Thursday 1600-1800 hours at the records division within the Cranston Police Department.
1. An officer or clerk will impart a "Request for Records" form for written requests. This form will be used for written inquires and/or any clarifications that may be needed to sufficiently honor a request.
  2. Once an oral request or written request has been received and the request and release has been determined to conform to the provisions of the law and agency policy; the records provider will expeditiously supply the records or information that has been requested.
    - a. An officer or clerk can ask a person requesting records for their name and reason for the report. However, if they refuse to give their name or reason (s) for requesting a record they cannot and shall not be denied access to the record (s) requested.
  3. Should the materials requested not be readily available the records or information shall be mailed or may be picked up at the Cranston Police Department within ten days. The access to "Public Information Act" provides that for good cause this limit may be extended for a period not to exceed thirty (30) business days (R.I.G.L. 38-2-7. a).
  4. The Cranston Police Department will redact any information not deemed public and will use a redaction form letter to indicate what type of information was redacted.
- B. The charge for documents capable of being photocopied on common business or legal-size paper will be consistent with "Public Information Act" R.I.G.L. 38-2-4 (Cost).
- C. Right to Appeal:
- If any citizen or media personnel are denied access to any records or information, an appeal may be made to the Chief of Police, who in his capacity as Chief Administrator will make a final determination as to the release of the information within ten (10) days.
1. The Chief of Police will supply the requesting person or agency with a written reason for the denial and shall indicate the procedures for appealing the denial (R.I.G.L. 38-2-7).
  2. If the Chief of Police denies a request for records or information, the person making the inquiry may appeal to the Office of the Attorney General for the State of Rhode Island or the State of Rhode Island Judicial System.
- D. The Cranston Police Department has appointed the Planning and Research Division Commander as the Public Records Officer.
1. The department has provided the name of the Public Records Officer, business address and phone number to the Department of Attorney General.
  2. The Cranston Police Department adopts the Access to Public Records Procedure enumerated in Title 38 of R.I.G.L.

**VI. NEWS RELEASES AND CONFERENCES**

Formal news releases, press responses or conferences will be arranged through the Public Information Officer (PIO).

- A. The PIO will designate the Division, Unit commanders that will conduct a formal news release, press conference or Department response to media inquires on a case-by- case basis.
- B. The department will schedule releases and conferences in an expeditious manner when information is received or a response is requested concerning a major event or incident.
- C. Releases and conferences will include all local news agencies requesting such notification.
- D. It shall be the responsibility of the Chief of Police, or his/her designee, to advise the City Administration of press releases or conferences prior to their scheduling and announcement. This notification should be made sufficiently in advance to allow those interested to properly prepare if they so desire to attend.
- E. Only the Chief of Police or his/her designee may release information concerning another jurisdiction or agency.
- F. Only the Chief of Police, or his/her designee, may release information concerning internal investigations and disciplinary actions in accordance with the law.

**VII. AUTHORITY AND RESPONSIBILITY FOR RELEASE OF INFORMATION**

The Uniform Patrol Division Officer in Charge (OIC) is available for calls from the media at any time and will forward all requests through the Duty Executive on call during non-business hours and the Public Information Officer during normal business hours.

- A. The OIC receiving authorization from the Duty Executive shall provide a **prepared statement** to the media.
  - 1. The OIC shall prepare a **written** press release for all facets of the media, after compiling factual information he/she shall transcribe the release on Cranston Police Department Letter Head.
  - 2. The transcribed press release shall only be faxed, mailed, delivered or couriered to the requesting media agency.
  - 3. All members of the agency authorized to release information enumerated in section III (A) of this policy, shall prepare written press releases for dissemination, unless authorized by the Chief of Police.
  - 4. The OIC of the appropriate division shall prepare and forward newsworthy events, i.e. arrests, serious accidents, unusual occurrences, etc. to the Media Release Group for the enhancement of communication between divisions. The **Media Release Group** shall consist of the Chief Police, Deputy Chief of Police (PIO), Division Commanders, Platoon Commanders.
    - a. The OIC shall forward media releases and newsworthy events to the **Media Release Group** prior to the end of their shift.
- B. Authorized Statements to the Media:
  - 1. Information concerning the initial arrest of an adult and the charge (s) against an adult along

with other collective information.

2. Information concerning general facts or information surrounding incidents i.e. natural disasters, unusual occurrences, emergency situations, crime and accident scenes, civil disturbances, etc.
3. The name and age of the deceased in fatal accidents or crimes will only be released after positive identification and all immediate family members have been notified.

C. Detective Division:

The Detective Division OIC, when authorized by the designated Public Information Officer or Division Commander may release:

1. Information concerning the initial arrest and charges of adults in those cases assigned to the Detective Division.
2. General information surrounding a completed investigation, only when such release is in accordance with policy.

### **VIII. CLASSIFIED INFORMATION**

A. Police information that is considered classified consists of:

1. Police reports, investigations, records, or any other information contrary to law or existing department policy concerning report release guidelines. (See R.I.G.L. 38-2-2).
2. The identity of any victim of a sexual assault.
3. The identity of police officers, agents, witnesses or suspects in cases under investigation or pending in court when releasing that information may jeopardize the investigation or compromise their safety.
4. Medical information relating to health history, any diagnosis, medical condition, any treatment provided or evaluation made by health care providers as defined in R.I.G.L. 5-37.3-3, unless written consent is obtained under guidelines of R.I.G.L. 5-37.3-4.
5. Information relating to the arrest, detention, apprehension or disposition of any juvenile unless under the written direction of the family Court as provided for in 14-1-64 and 14-1-66 of R.I.G.L.
6. Personnel data relating to any past or present sworn member or civilian employee of the Cranston Police Department. Questions concerning personnel will be referred to the office of the Deputy Chief of Police (PIO) or the Director of Personnel for the City of Cranston.
7. Any police information provided by any law enforcement, government or public agency, furnished for confidential or law enforcement purposes, i.e., BCI, NCIC, NCIC-III, license and registration queries, etc.
8. Any and all records required to be kept confidential by law or rule of a court of law. See R.I.G.L. 38-2-2(4).
9. The Access to Public Records Act lists twenty- three (23) exceptions that exempt a record for disclosure. The Cranston Police Department adheres to this requirement.

10. Information protected by the "*LAW Enforcement Officers Bill of Rights*" enumerated in R.I.G.L. 42-28.6-2 (M).

**IX. MEDIA PARTICIPATION**

The Cranston Police Department encourages the news media to participate in the development of changes in policy and procedure relating to the release of public information. This participation forges a working relationship between the Cranston Police department and the media.

**XII. RESPONSIBILITY**

It shall be the responsibility of all officers to familiarize themselves and comply with this order.

# CRANSTON POLICE DEPARTMENT

## REQUEST FOR RECORDS UNDER THE ACCESS TO PUBLIC RECORDS ACT

Date \_\_\_\_\_ Request Number \_\_\_\_\_

Name (optional) \_\_\_\_\_

Address (optional) \_\_\_\_\_

Telephone (optional) \_\_\_\_\_

Requested Records: (Report Number If Known) \_\_\_\_\_

Date of Incident: \_\_\_\_\_

Type of Incident: (Please Check One) Accident \_\_\_\_\_

Vandalism \_\_\_\_\_ Breaking & Entering \_\_\_\_\_

Stolen Auto \_\_\_\_\_ Other \_\_\_\_\_

Location of Incident: \_\_\_\_\_

Name(s) of Person(s) Involved: \_\_\_\_\_

If these records are not readily available at the time of your request, please advise whether you desire to:

\_\_\_\_\_ pick up the records or \_\_\_\_\_ regular mail

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### Office Use

Request taken by: \_\_\_\_\_

Request Number \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Records to be available on: \_\_\_\_\_

Mail \_\_\_\_\_ Pick Up \_\_\_\_\_

Records provided: \_\_\_\_\_

Costs: \_\_\_\_\_ copies

\_\_\_\_\_ search and retrieval

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### Cranston Police Department - Access to Public Records Request Receipt

If you desire to pick up the records, they will be available on \_\_\_\_\_ at the Records Section. If, after review of your request, the Department determines that the requested records are exempt from disclosure for a reason set forth in R.I.Gen. Laws Section 38-2-2(4)(i)(A) through (W), the Department reserves its right to claim such exemption.

Note: If you chose to pick up the records but did not include identifying information on this form (name, etc.), please inform the clerk in the Records Section of the date you made the request, records requested and request number \_\_\_\_\_.

Thank you. \_\_\_\_\_

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# Cumberland Police Department

Accept APRA requests by email? Yes

Email address: [nwhitney@cumberlandpolice.com](mailto:nwhitney@cumberlandpolice.com)

Accept APRA requests by fax? Yes

Fax number: (401) 334 - 2049

Mailing address:

Cumberland Police Department  
1380 Diamond Hill Road  
Cumberland, RI 02864

Telephone number: 401.333.2500

APRA procedures online? Yes

APRA procedures URL:

[http://www.cumberlandpolice.com/Public%20Records/Public\\_Records.html](http://www.cumberlandpolice.com/Public%20Records/Public_Records.html)

[HOME](#)[UNIFORM](#)[DETECTIVES](#)[ADMINISTRATION](#)[COMMUNICATIONS](#)[EMPLOYMENT INFO](#)[FAQ](#)

## *Public Records Request Guidelines*

**To further enhance the Cumberland Police Department's commitment to transparency, we have instituted the following procedure to help you obtain public records.**

1. To reach our Access to Public Record Division please call (401)333-2500 and ask to be connected with the Records Division. The Supervisor of the Records Division is Deputy Police Chief George Stansfield.
2. Our Regular business hours are 8:00am - 4:00pm, Monday thru Friday. If you come in after regular business hours, please complete the Public Records Request form located in the front lobby.
3. The Records Division may ask you for the reason for the request, as part of it's regular course of business. **However, you are not required to provide identification or the reason you seek the information**, and your right to access public records will not depend upon providing identification or reasons.
4. In order to ensure that you are provided with the public record you seek in an expeditious manner, we ask that you complete the Public Records Request form which can be downloaded by clicking the link at the bottom of this page. On-line requests and fax request for public records can be submitted to Ms. Nancy Whitney at [nwhitney@cumberlandpolice.com](mailto:nwhitney@cumberlandpolice.com). The fax number is (401)334-2049.
5. **Record Request made from November 19th - 30th 2012 should be made to: [Gstansfield@cumberlandpolice.com](mailto:Gstansfield@cumberlandpolice.com)**
6. There are times when the public records you seek are not available at the time of your request. Please be advised that the Access to Public Records Act allows a public body ten (10) business days to respond to requests, which can be extended to twenty (20) days for "good cause". All request for extensions by the Cumberland Police Department will be provided in writing, explaining the reason for the extension request.
7. Adult arrest log information will be provided within forty-eight (48) hours after receipt of request unless the request is made on a weekend or holiday, then the information will be available in seventy-two (72) hours. This time schedule pertains to arrest made within five (5) days of your request.
8. All denials of Public Records requests will be provided in writing, detailing the reason for denial.
9. If you feel that you have been denied access to public records, you have the right to file a review petition with the Department of the Attorney General.

[Download Request Form](#)



**Cumberland Police Department**  
**Open Record Request Form**  
(See Reverse Side)

Date \_\_\_/\_\_\_/\_\_\_

Name (Optional) \_\_\_\_\_

Address (Optional) \_\_\_\_\_  
\_\_\_\_\_

Phone (Optional) \_\_\_\_\_

.....  
Type of Report Requested

Check Appropriate Box

\_\_\_ Accident Report

Date of Accident \_\_\_/\_\_\_/\_\_\_

Location/Name \_\_\_\_\_

\_\_\_ Incident Report/Arrest Report

Date of Incident \_\_\_/\_\_\_/\_\_\_

Location/Name \_\_\_\_\_

\_\_\_ Other

Date of Report \_\_\_/\_\_\_/\_\_\_

Description \_\_\_\_\_

Of Request \_\_\_\_\_

\_\_\_ Denial (See Reverse Side)

.....  
In Accordance with the Access of Public Records Act, The Cumberland Police Department will also accept requests for public records by fax (401 334-2049), e-mail (nwhitney@cumberlandpolice.com), or any other form of written request. Please contact Public Records Supervisor Deputy Chief George Stansfield, at (401) 333-2500 if there is a concern regarding your request.  
.....

Office Use Only

Request Taken By \_\_\_\_\_

Date & Time Received \_\_\_/\_\_\_/\_\_\_ Time \_\_\_\_\_

Date Completed \_\_\_/\_\_\_/\_\_\_ Mail \_\_\_\_\_ Pickup \_\_\_\_\_

Dear Sir/Madam,

In accordance with RIGL 38-2-4 Cumberland Police Department may charge for costs and the time required to search and retrieve records. It is our estimate that your request will cost:

- \$\_\_\_\_.\_\_\_\_ which is based on \_\_\_\_ pages @ \$.15 per page.
- \$\_\_\_\_.00 which is based on \_\_\_\_ hours retrieval/redaction @ \$15 per hr.

In accordance with RIGL 38-2-7 Cumberland Police Department is **extending the time period** of this request for an additional 20 business days to \_\_\_/\_\_\_/\_\_\_ because:

- Further time is required to determine if this record is exempt under RIGL
  - Further time is required to locate & examine the records requested.
- Your request for reports/records or other Cumberland Police documents is **denied** :
- these documents are exempt under RIGL 38-2-2 (5) (i)(D) as disclosure is deemed to reasonably be expected to interfere with investigations of criminal activity or with enforcement proceedings.
  - these documents are exempt under RIGL 38-2-2 (5) (i)(D) as disclosure would deprive a person of a fair trial or impartial adjudication.
  - these documents are exempt under RIGL 38-2-2 (5) (i)(D) as disclosure is deemed to reasonably be expected to constitute an unwarranted invasion of personal privacy.

Rhode Island General Law grants you the right to appeal this denial as indicated below:

**§ 38-2-8 Administrative appeals.** – (a) Any person or entity denied the right to inspect a record of a public body by the custodian of the record may petition the chief administrative officer of that public body for a review of the determinations made by his or her subordinate. The chief administrative officer shall make a final determination whether or not to allow public inspection within ten (10) business days after the submission of the review petition.

(b) If the chief administrative officer determines that the record is not subject to public inspection, the person or entity seeking disclosure may file a complaint with the attorney general. The attorney general shall investigate the complaint and if the attorney general shall determine that the allegations of the complaint are meritorious, he or she may institute proceedings for injunctive or declaratory relief on behalf of the complainant in the superior court of the county where the record is maintained. Nothing within this section shall prohibit any individual or entity from retaining private counsel for the purpose of instituting proceedings for injunctive or declaratory relief in the superior court of the county where the record is maintained.

Sincerely,

\_\_\_\_\_

Cumberland, RI Police Department

333-2500

# East Greenwich Police Department

Accept APRA requests by email? Yes

Email address: [jfague@eastgreenwichri.com](mailto:jfague@eastgreenwichri.com)

Accept APRA requests by fax? Yes

Fax number: (401) 886 -8653

Mailing address:

East Greenwich Police Department  
176 1st Avenue  
East Greenwich, RI 02818

Telephone number: (401) 884-2244

APRA procedures online? No

APRA procedures URL:

**PUBLIC ACCESS POLICY**

**In Effect: 06/16/1999**

**Review Date: 06/07/2012 @ 1313**

**PUBLIC ACCESS TO DEPARTMENT RECORDS POLICY**

03-2.71

Effective 06/16/1999

Reviewed 06-07-2012

**I. Purpose:** It is the intent of the Public Access to Department Records Policy to provide the public with access to public records while protecting from disclosure information about individuals that would constitute an unwarranted invasion of personal privacy.

**II. Policy:** The East Greenwich Police Department understands and respects the right of the public to access public records and will treat citizens requesting public records with courtesy consistent with this policy.

**III. Procedure:**

1. The Public Records Officer of the East Greenwich Police Department is Detective Lt. Jeremy Fague.
2. The East Greenwich Police Department has provided the Department of Attorney General with the name, address, and telephone number of the Public Records Officer.
  3. The Department has adopted the language of a public notice placard and has displayed this placard in the lobby of the police station.
4. The Department has adopted an Access to Public Records Procedure.
5. The Department will maintain copies of the Access to Public Records Procedure at the front desk for distribution to the public.
6. The Department has adopted a Public Records Request Form.
7. The Department will maintain copies of the Public Records Request Form at the front desk and will make them readily available, as well as pens or pencils, to the public for completion.
8. Department recognizes that it must respond to a public records request within ten (10) business days. If, due to the request, the Department must seek an extension of an additional twenty (20) business days, we must inform the requester within the initial ten (10) day period of the need for an extension. If we do not send the extension letter or respond to the request within the initial ten (10) days our inaction is considered a denial and we may have waived our defenses if a court action is filed.

9. If we need advise as to whether a document is a "public record" we will promptly contact the Town Solicitor. If he/she is unable to provide and answer, he/she will contact the Civil Division of the Department of Attorney General for an advisory opinion. If he is for some reason unavailable, the Police Chief or his designate may contact the Department of Attorney General directly.

10. The Public Records Officer will review the initial arrest report and other public documents to ensure that the privacy rights of individuals are maintained and informants or law enforcement techniques are redacted and not disclosed, utilizing the attached reference guide checklist.

11. The Public Records Officer will maintain a central file of all Public Records Request Forms. The file will contain the completed request forms once the request has been fulfilled or responded to. It is understood that in many instances we will provide public records that are readily available to the requester without requiring them to complete the Public Records Request Form.

12. Open records check list;

a. It is the intent of the Access to Public Records Act that the initial arrest report of an adult, including the supporting narrative, be made available to the public. The public has a right to know the facts that led to the arrest. However, prior to releasing an Arrest Report and Narrative to the public or the media, please make sure that the following information, if present in the Report or Narrative, has been redacted:

(1) Redact any person's social security number.

(2) Redact a person's telephone number

(3) Redact the name and address of, or any other information identifying any juvenile suspect.

(4) Redact the name or address of any witnesses or bystander.

(5) Check with the case officer to see if any witness or complainant has specifically requested anonymity and redact the name or address of or any other information identifying such person.

(6) If the victim has request anonymity, redact the name and address of or any other information identifying the victim.

(7) Redact the name and address of or any other information identifying any juvenile victim.

(8) Redact any information that would disclose a law enforcement technique in a way that would interfere with ongoing investigations.

(9) Redact any information that would lead to the disclosure or discovery of any confidential informant.

b. Other than these specific redactions, all other information should remain intact.

**PUBLIC RECORDS FORM**

**In Effect: 11/07/2000**

**Review Date: 06/07/2012 @ 1312**

**EAST GREENWICH POLICE DEPARTMENT**

**REQUEST FOR RECORDS UNDER THE ACCESS TO  
PUBLIC RECORDS ACT**

Date \_\_\_\_\_ Request Number \_\_\_\_\_

Name (optional) \_\_\_\_\_

Address (optional) \_\_\_\_\_

\_\_\_\_\_

Telephone (optional) \_\_\_\_\_

Requested Records: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If these records are not readily available at the time of your request, please advise whether you desire to:

\_\_\_\_\_ pick up the records or \_\_\_\_\_ regular mail

-----  
*Office Use*

Request taken by: \_\_\_\_\_ Request Number \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Records to be available on: \_\_\_\_\_ Mail \_\_\_\_\_ Pick Up \_\_\_\_\_

Records provided: \_\_\_\_\_

Costs: \_\_\_\_\_ copies \_\_\_\_\_ search and retrieval

-----  
East Greenwich Police Department - Access to Public Records Request Receipt

If you desire to pick up the records, they will be available on \_\_\_\_\_ at the front desk. If, after

review of your request, the Department determines that the requested records are exempt from disclosure for a reason set forth in R.I. Gen. Laws Section 38-2-2(4)(i)(A) through (W), the Department reserves its right to claim such exemption. Note: If you chose to pick up the records but did not include identifying information on this form (name, etc.), please inform the officer/clerk at the front desk of the date you made the request, records requested and request number.

Thank you.



## EAST GREENWICH POLICE DEPARTMENT

ACCESS TO PUBLIC RECORDS ACT  
R.I. GEN LAWS SECTION 38-2-1 ET SEQ.

The East Greenwich Police Department is committed to providing the public with access to public records, while protecting from disclosure information about individuals maintained that would constitute an unwarranted invasion of personal privacy. R.I. Gen. Laws Section 38-2-1. The East Greenwich Police Department provides numerous public documents to the public, media and attorneys everyday in the ordinary course of business. However, for any person who does not desire to make an oral request, wishes to make a formal written request or the request needs clarification, please complete the written form.

Pursuant to R.I. Gen. Laws Section 38-2-3(c.), the East Greenwich Police Department has established the following procedure regarding access to public records:

1. Please inform the officer/clerk at the front desk that you wish to make a request for public records. The hours for the Records Department are 8:00 A.M. to 4:00 P.M.
2. The officer/clerk will provide you with a form to complete, which lets this Department know the precise public documents you seek and assists us in processing your request in an expeditious manner.
3. If the public records are readily available, we will be more than happy to provide them. However, there are times/circumstances when the records will not be available at the time that you make the request. If the records are not readily available, they can either be mailed to you or you can pick them up on a designated date. The Access to Public Records Act grants a public body ten (10) business days to respond to your request. R.I. Gen. Laws Section 38-2-7(a). The Act further provides that "for good cause, this limit may be extended for a period not to exceed thirty (30) business days." We thank you in advance for your understanding it if is necessary, for good cause, to request this extension. Improper release of certain information could compromise the civil rights or personal safety of your fellow citizens, and we must review documents to prevent such harm.
4. Costs. The Access to Public Records Act gives you the opportunity to view and/or copy public records. The cost per copied page of written public documents will be free (not to exceed \$.15) for documents copiable on common business or legal size paper. You may elect to obtain public records in any and all media in which we are capable of providing them. The Act permits a reasonable charge for search and retrieval of documents. The hourly costs for a search and retrieval shall not exceed fifteen (\$15.00) per hour, with no charge for the first hour. We would be more than happy to provide you with an estimate. Upon a request, we will provide a detailed itemization of the costs charged for search and retrieval.
5. Public Records. A "public record" is defined as "documents, papers... or other material regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency." Specifically with respect to police records, in addition to other records maintained by this Department that constitute "public records", the Access to Public Records Act deems public " [r]ecords relating to the management and direction of law enforcement agency and records or reports reflecting the initial arrest of an adult and the charge or charges brought

against an adult." R.I. Gen. Laws Section 38-2-2(4)(i.)(D).

6. Redaction. Although a document may constitute a public record, there may be some information contained on the document that may be redacted/deleted as it is exempt from disclosure under R.I. Gen Laws Section 38-2-2. In Direct Action for Rights and Equality v. Gannon, 713 A.2d 218 (R.I. 1998) and The Rake v. Gorodetsky, 452 A.2d 1144 (R.I. 1982), the Rhode Island Supreme Court held that final reports on civilian complaints of police brutality were subject to disclosure in redacted form. In addition, the Rhode Island Supreme Court has stated that "in passing the APRA, the General Assembly intended to limit access to certain documents in order to avoid disclosure of confidential information to protect individuals from invasion of their privacy." Providence Journal Company v. Kane, 577 A.2d 661, 663 (R.I. 1990). "There is no public interest to be weighted in disclosure of nonpublic records." Id. A "balancing of interests arises only after a record has first been determined to be a public record." Id.

7. Exemptions. The Access to Public Records Act exempts some records from public disclosure. See, R.I. Gen. Laws Section 38-2-2(4). The following are some explanations as to why a document or part thereof may be exempt from disclosure:

(A)(I)...all personal or medical information relating to an individual in any files,--including information relating to medical or psychological facts...R.I. Gen.Laws Section 38-2-2(4)(i)(A)(I);

(B)...records of juvenile proceedings before the family court

(C) All records maintained by law enforcement agencies for criminal law enforcement and all records relating to the detection and investigation of crime, including those maintained on any individual or compiled in the course of a criminal investigation by any law enforcement agency. Provided, however, such records shall not be deemed public only to the extent that the disclosure of the records or information may (a) reasonably be expected to interfere with investigations of criminal activity or with enforcement proceedings, (b) would deprive a person of a right to a fair trial or an impartial adjudication, (c.) could reasonable be expected to disclose the identity of a confidential source, including a state, local or foreign agency or authority, or private institution which furnished information on a confidential basis, or the information furnished by a confidential source, (e) would disclose techniques and procedures for law enforcement investigation or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions or (f) could reasonably be expected to endanger the life or physical safety of any individual.. (S) Records, reports, opinions, information, and statements required to be kept confidential by federal law or regulation or state rule of court, law or regulation. (i.e. information regarding juveniles, etc.)

Please be advised that this is not a complete list of documents that the Act exempts from disclosure. For a full list see R.I. Gen. Laws Section 38-2-2.

8. Warning About Commercial Use. The Access to Public Records Act provides that "[n]o person or business entity shall use information obtained from public records pursuant to this chapter to solicit for commercial purposes, or to obtain a commercial advantage over the party furnishing that information to the public body. Anyone who, knowingly and willfully, violates the provision of this section shall, in addition to civil liability, be punished by a fine of not more than five hundred dollars (\$500.00)

and/or imprisonment for no longer than one year." R.I. Gen. Laws Section 38-2-8.

9. Appeal of Denial. Any person or entity denied the right to inspect a record of a public body by the Public Records Officer may petition the chief administrative officer of that public body for review of the determinations made by his or her subordinates. Any petitions from a denial should be made to Chief Thomas E. Coyle III and William Sequino, Jr., Town Manager. A final determination whether or not to allow public inspection will be made within ten (10) business days after the submission of the review petition. R.I. Gen. Laws Section 38-2-8.

10. Complaint to the Attorney General. If the chief administrative officer determined that the record is not subject to public inspection, the person or entity seeking disclosure may file a complaint with the Attorney General, (150 South Main Street, Providence, RI 02903, telephone 274-4400) or may retain private counsel for the purposes of instituting proceedings for injunctive or declaratory relief in the superior court of the county where the record is maintained. The Act provides that "[t]he court shall impose a civil fine not exceeding one thousand dollars (\$1,000) against a public body or official found to have committed a knowing and willful violation of this chapter, and shall award reasonable attorney fees and cost to the prevailing plaintiff. The court shall further order a public body found to have wrongfully denied access to [provide the] public records at no cost to the prevailing party; provided further, that in the event that the court, having found in favor of the defendant, finds further that the plaintiff's case lacked a grounding in fact or in existing law or in good faith argument for the extension modification, or reversal of existing law, the court may award attorneys fees and costs to the prevailing defendant." R.I. Gen. Laws Section 38-2-9(d).

We hope this message has been of assistance.

## EAST GREENWICH POLICE DEPARTMENT

### PUBLIC RECORDS REQUEST

The East Greenwich Police Department has instituted the following procedure to help you obtain public records.

1. The Public Records Officer is Detective Lt Jeremy Fague. Phone number 886-8633.
2. The regular business hours of the Records Department are 8:00 A.M. to 4:00 P.M. If you come in after regular business hours, please complete the Public Records Request Form at the front desk and it will be given to the Public Records Officer the following day.
3. The Department may ask you for identification as its regular course of business. However, you are not required to provide identification nor will your right to access public records be dependant upon it.
4. In order to ensure that you are provided with the public records you seek in an expeditious manner, we ask that you complete the Public Records Request Form located at the front desk.
5. You may also obtain at the front desk a handout on the Access to Public Records Act, which summarizes the procedures and your rights to access public records.
6. There are times when the public records you seek are not available at the time of your request. Please be advised that the Access to Public Records Act gives a public body ten (10) business days to respond. We appreciate your understanding and patience.
7. If you feel that you have been denied access to public records, you have the right to appeal to Police Chief Thomas E. Coyle III. If you are still not satisfied, you may file a complaint with the Department of Attorney General, 150 South Main Street, Providence, Rhode Island, 02903 or file suit in Superior Court.
8. The East Greenwich Police department is committed to providing you with public records in an expeditious and courteous manner.

# East Providence Police Department

Accept APRA requests by email? Yes

Email address: [wnebus@cityofeastprov.com](mailto:wnebus@cityofeastprov.com)

Accept APRA requests by fax? No

Mailing address:

750 Waterman Avenue  
East Providence, RI 02914

Telephone number: (401) 272-3121

APRA procedures online? Yes

APRA procedures URL:

<http://www.eastprovidence.com/content/666/738/746/780/802/default.aspx>

## **CITY OF EAST PROVIDENCE PUBLIC RECORDS REQUEST GUIDELINES/PROCEDURE**

Pursuant to R.I.G.L. § 38-2-3(d), the City of East Providence has instituted the following procedure to help you request/obtain public records:

1. A request to inspect and/or copy public records of the City of East Providence may be presented by telephone or in writing to the City Clerk at 145 Taunton Avenue East Providence, RI 02915. To reach the City Clerk's office by telephone, the number is (401) 435-7596. The Regular business hours of East Providence City Hall are 8:00 a.m. to 4:00 p.m. If the request is regarding East Providence Police Department reports/records, the request should be made to the East Providence Police Department Records Division (401) 435-7645.
2. Although not required in order to ensure compliance with the Access to Public Records Act and that you are provided with the public records you seek in an expeditious manner, the City asks that you complete the Public Records Request Form attached. This form is not required if you are seeking records available pursuant to the Administrative Procedures Act (R.I.G.L. § 42-35-2) or other documents prepared for or readily available to the public.
3. There are times when the public records you seek are not available at the time of your request. Please be advised that the Access to Public Records Act allows a public body ten (10) business days to respond which can be extended an additional twenty (20) business days for "good cause." We appreciate your understanding and patience.
4. In accordance with R.I.G.L. § 38-2-4, the City may charge a fee of fifteen (\$.15) cents per page for copies and/or fifteen (\$15.00) dollars per hour, after the first hour, for the search and/or retrieval of documents. Please be advised that for purposes of search and retrieval costs, multiple requests made by you within thirty (30) days to the City of East Providence shall be considered one (1) request.
5. If, after review of your request, the City of East Providence determines that the requested records are exempt from disclosure for a reason set forth in the Access to Public Records Act, the City reserves the right to claim such exemption.
6. If you feel that you have been denied access to public records, you have the right to petition the City Manager for a review of the determinations made. The city Manager shall make a final determination within ten (10) business days or you can file a review petition with the Attorney General. If you are still not satisfied, you may file a lawsuit in Superior Court.
7. The City of East Providence is not obligated to produce for inspection and/or copying records that are not in possession of the City of East Providence. Moreover, the City of East Providence is not required to reorganize, consolidate, or compile data that is not maintained by the City of East Providence in the form requested at the time the request to inspect the public records was made, except to the extent that such records are in electronic format and the public body would not be unduly burdened in providing such data.
8. The Rhode Island Public Records Act can be found online under Rhode Island General Laws § 38-2-1 and said Act delineates those records that are not public.

The City of East Providence is committed to providing public records in an expeditious and courteous manner, consistent with the Access to Public Records Act.

**EAST PROVIDENCE POLICE DEPARTMENT**

**REQUEST FOR RECORDS UNDER THE ACCESS TO PUBLIC RECORDS ACT**

Date: \_\_\_\_\_ Request Number \_\_\_\_\_

Name (optional) \_\_\_\_\_

Address (optional) \_\_\_\_\_

Telephone (optional) \_\_\_\_\_

Request Records: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If these records are not readily available at the time of your request, please advise whether you desire to:

\_\_\_\_\_ pick up the records or \_\_\_\_\_ regular mail

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Office Use

Request taken by \_\_\_\_\_ Mail \_\_\_\_\_ Pick Up \_\_\_\_\_

Date \_\_\_\_\_

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**East Providence Police Department – Access to Public Records Request Receipt**

If you desire to pick up the records, they will be available on \_\_\_\_\_ at the front desk. If, after review of your request, the Department determines that the requested records are exempt from disclosure for a reason set forth in RI Gen. Laws Section 38-2-2(4)(i)(A) through(W), the Department reserves its right to claim such exemption.

**Note:** If you chose to pick up the records but did not include identifying information on this form (name, etc), please inform the officer/clerk at the front desk of the date you made the request, records requested and request number.  
Thank You.

**\*EFFECTIVE SEPTEMBER 1, 2006 COPIES OF REQUESTED REPORTS THAT ARE NOT PICKED UP WITHIN 30 DAYS OF NOTIFICATION WILL BE DISCARDED**

# Foster Police Department

Accept APRA requests by email? Yes

Email address: [wziehl@fosterpd.com](mailto:wziehl@fosterpd.com)

Accept APRA requests by fax? Yes

Fax number: (401) 397-8731

Mailing address:

Foster Police Department  
182 Howard Hill Road  
Foster, RI 02825

Telephone number: (401) 397-3317

APRA procedures online? No





# FOSTER POLICE DEPARTMENT

182 Howard Hill Rd  
Foster, Rhode Island 02825  
Ph# 401-397-3317 Fax# 401-397-8731  
Chief William J. Ziehl

## ACCESS TO PUBLIC RECORDS ACT R.I. GEN. LAWS SECTION 38-2-1 ET SEQ.

The Foster Police Department is committed to providing the public with access to public records, while protecting from disclosure information about individuals maintained that would constitute an unwarranted invasion of personal privacy.

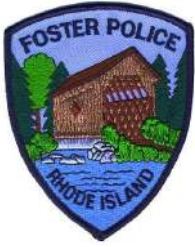
R.I. Gen. Laws Section 38-2-1. The Foster Police Department provides numerous public documents to the public, media and attorneys everyday in the ordinary course of business. However, for any person who does not desire to make an oral request, wishes to make a formal written request or the request needs clarification, please complete the written form Pursuant to R.I.Gen. Laws Section 38-2-3(c.), the Foster Police Department has established the following procedure regarding access to public records: Please inform the officer/clerk at the front desk that you wish to make a request for public records. Chief William J. Ziehl is the Public Records Officer for the Foster Police Department (telephone number 397-3317). The hours for the Records Department are 9:00 am to 3:00pm. The officer/clerk will provide you with a form to complete, which lets this Department know the precise public documents you seek and assists us in processing your request in an expeditious manner. If the public records are readily available, we will be more than happy to provide them. However, there are times/circumstances when the records will not be available at the time that you make the request. If the records are not readily available, they can either be mailed to you or you can pick them up on a designated date. The Access to Public Records Act grants a public body ten (10) business days to respond to your request. R.I.Gen. Laws Section 38-2-7(a). The Act further provides that for good cause, this limit may be extended for a period not to exceed thirty (30) business days. We thank you in advance for your understanding if it is necessary, for good cause, to request this extension. Improper release of certain information could compromise the civil rights or personal safety of your fellow citizens, and we must review documents to prevent such harm.

The Access to Public Records Act gives you the opportunity to view and/or copy public records. The cost per copied page of written public documents will be .10 (not to exceed \$.15) for documents copyable on common business or legal size paper. You may elect to obtain public records in any and all media in which we are capable of providing them. The Act permits a reasonable charge for search and retrieval of documents. The hourly costs for a search and retrieval shall not exceed fifteen (\$15.00) per hour, with no charge for the first hour. We would be more than happy to provide you with an estimate. Upon a request, we will provide a detailed itemization of the costs charged for search and retrieval. **Public Records.** A public record is defined as documents, papers, or other material regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency. Specifically with respect to police records, in addition to other records maintained by this Department that constitute public records, the Access to Public Records Act deems public records relating to the management and direction of law enforcement agency and records or reports reflecting the initial arrest of an adult and the charge or charges brought against an adult. R.I. Gen. Laws Section 38-2-2(4)(i).(D). Redaction. Although a document may constitute a public record, there may be some information contained on the document that may be redacted/deleted as it is exempt from disclosure under R.I.Gen. Laws Section 38-2-2. In *Direct Action for Rights and Equality v. Gannon*, 713 A.2d 218 (R.I. 1998) and *The Rake v. Gorodetsky*, 452 A.2d 1144 (R.I.1982), the Rhode Island Supreme Court held that final reports on civilian complaints of police brutality were subject to disclosure

in redacted form. In addition, the Rhode Island Supreme Court has stated that in passing the APRA, the General Assembly intended to limit access to certain documents in order to avoid disclosure of confidential information to protect individuals from invasion of their privacy.

*Providence Journal Company v. Kane*, 577 A.2d 661, 663 (R.I.1990). There is no public interest to be weighed in disclosure of nonpublic records. *Id.* A balancing of interests arises only after a record has first been determined to be a public record.

**Id Exemptions** The Access to Public Records Act exempts some records from public disclosure. See R.I.Gen. Laws Section 38-2-2(4). The following are some explanations as to why a document or part thereof may be exempt from disclosure: (A)(I) all personal or medical information relating to an individual in any files, -- including information relating to medical or psychological facts R.I.Gen. Laws Section 38-2-2(4)(i.) (A)(I); (C.) à records of juvenile proceedings before the family court (D) All records maintained by law enforcement agencies for criminal law enforcement and all records relating to the detection and investigation of crime, including those maintained on any individual or compiled in the course of a criminal investigation by any law enforcement agency. Provided, however, such records shall not be deemed public only to the extent that the disclosure of the records or information may (a) reasonably be expected to interfere with investigations of criminal activity or with enforcement proceedings, (b) would deprive a person of a right to a fair trial or an impartial adjudication, (c.) could reasonably be expected to disclose the identity of a confidential source, including a state, local or foreign agency or authority, or private institution which furnished information on a confidential basis, or the information furnished by a confidential source, (e) would disclose techniques and procedures for law enforcement investigation or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions or (f) could reasonably be expected to endanger the life or physical safety of any individual.. (S) Records, reports, opinions, information, and statements required to be kept confidential by federal law or regulation or state rule of court, law or regulation. (i.e. information regarding juveniles, etc.) Please be advised that this is not a complete list of documents that the Act exempts from disclosure. For a full list see R.I. Gen. Laws Section 38-2-2. Appeal of Denial. Any person or entity denied the right to inspect a record of a public body by the Public Records Officer may petition the chief administrative officer of that public body for review of the determinations made by his or her subordinates. Any petitions from a denial should be made to Chief William J. Ziehl. A final determination whether or not to allow public inspection will be made within ten (10) business days after the submission of the review petition. R.I.Gen. Laws Section 38-2-8. Complaint to the Attorney General. If the chief administrative officer determined that the record is not subject to public inspection, the person or entity seeking disclosure may file a complaint with the Attorney General. (150 South Main Street, Providence, RI 02903, telephone 274-4400) or may retain private counsel for the purposes of instituting proceedings for injunctive or declaratory relief in the superior court of the county where the record is maintained. The Act provides that the court shall impose a civil fine not exceeding one thousand dollars (\$1,000) against a public body or official found to have committed a knowing and willful violation of this chapter, and shall award reasonable attorney fees and cost to the prevailing plaintiff. The court shall further order a public body found to have wrongfully denied access to [provide the] public records at no cost to the prevailing party; provided further, that in the event that the court, having found in favor of the defendant, finds further that the plaintiffs case lacked a grounding in fact or in existing law or in good faith argument for the extension modification, or reversal of existing law, the court may award attorneys fees and costs to the prevailing defendant. R.I.Gen. Laws Section 38-2-9(d). We hope this message has been of assistance.



# **FOSTER POLICE DEPARTMENT**

182 Howard Hill Rd  
Foster, Rhode Island 02825  
Ph# 401-397-3317 Fax# 401-397-8731  
Chief William J. Ziehl

## **ACCESS TO PUBLIC RECORDS INTERNAL PROCEDURE**

The Foster Police Department shall appoint a Public Records Officer. The Foster Police Department shall provide the name of its Public Records Officer, business address and phone number to the Department of Attorney General. The Foster Police Department adopts the language of the public notice placard (See Exhibit A) and agrees to maintain it in a prominent place in the lobby of the police station. The Foster Police Department adopts the Access to Public Records Procedure. See Exhibit B. The Foster Police Department agrees to maintain copies of the Access to Public Records Procedure at its front desk for distribution to the public. The Foster Police Department adopts the Public Records Request Form. See Exhibit C. The Foster Police Department agrees to maintain copies of the Public Records Request Forms at its front desk and shall make them readily available, as well as pens or pencils, to the public for completion. The Foster Police Department understands and respects the right of the public to access public records, and will treat citizens requesting public records with courtesy consistent with the Department's Rules and Regulations. The Foster Police Department recognizes that it must respond to a public records request within ten (10) business days. If, due to the request, we must seek an extension of an addition twenty (20) business days, we must inform the requester within the initial ten (10) day period of the need for an extension. If we do not send the extension letter or respond to the request within the initial ten (10) days, our inaction is considered a denial and we may have waived our defenses if a court action is filed. If we need advice as to whether a document is a public record we will promptly contact our city or town solicitor. If he or she is unable to provide an answer, he or she may contact the Civil Division of the Department of Attorney General for an advisory opinion. If the city or town solicitor is for some reason unavailable, the Police Chief may contact the Department of Attorney General directly. The Public Records Officer or his/her designee should review the initial arrest report and other public documents to ensure that the privacy rights of individuals are maintained and informants or law enforcement techniques are redacted and not disclosed, utilizing the attached reference guide checklist. See Exhibit D. The Public Records Officer shall maintain a central file of all Public Records Request Forms. The file will contain the completed request forms once the request has been fulfilled or responded to. It is understood that in many instances the Foster Police Department provides public records that are readily available to the requester without requiring them to complete the Public Records Request.



# **FOSTER POLICE DEPARTMENT**

**182 Howard Hill Rd  
Foster, Rhode Island 02825  
Ph# 401-397-3317 Fax# 401-397-8731  
Chief William J. Ziehl**

## **OPEN RECORDS CHECK LIST**

It is the intent of the Access to Public Records Act that the initial arrest report of an adult, including the supporting narrative, be made available to the public. The public has a right to know the facts that led to the arrest. However, prior to releasing an Arrest Report and Narrative to the public or the media, please check to make sure that the following information, if present in the Report or Narrative, has been redacted. Redact any person's social security number. Redact any person's telephone number. Redact the name or address of or any other information identifying any juvenile suspect. Redact the name or address of any witnesses or bystanders. Check with the case officer to see if any witness or complainant has specifically requested anonymity and redact the name or address of or any other information identifying such person. If the victim has requested anonymity, redact the name and address of or any other information identifying the victim. Redact the name and address of or any other information identifying any juvenile victim. Redact any information that would disclose a law enforcement technique in a way that would interfere with ongoing investigations. Redact any information that would lead to the disclosure or discovery of any confidential informant. Other than these specific redactions, all other information should remain intact. Please also note that some of this information may be disclosed after a review balancing the public interest in disclosure against privacy interests of individuals. This must be determined case by case.



# **FOSTER POLICE DEPARTMENT**

**182 Howard Hill Rd  
Foster, Rhode Island 02825  
Ph# 401-397-3317 Fax# 401-397-8731  
Chief William J. Ziehl**

## **PUBLIC RECORDS REQUEST**

The FOSTER Police Department has instituted the following procedure to help you obtain public records. The Public Records Officer is Chief William J. Ziehl. Phone Number is 397-3317. The regular business hours of the Records Department are 9:00am to 3:00pm. If you come in after regular business hours, please complete the Public Records Request Form at the front desk and it will be given to the Public Records Officer the following day. The Foster Police Department may ask you for identification, or for the reason for your request, as its regular course of business. However, you are not required to provide identification or the reason you seek the information, and your right to access public records will not depend upon providing identification or reasons. In order to ensure that you are provided with the public records you seek in an expeditious manner, we ask that you complete the Public Records Request Form located at the front desk. You may also obtain at the front desk a handout on the Access to Public Records Act, which summarizes the procedures and your rights to access public records. There are times when the public records you seek are not available at the time of your request. Please be advised that the Access to Public Records Act gives a public body ten (10) business days to respond. We appreciate your understanding and patience. If you feel that you have been denied access to public records, you have the right to appeal to Police Chief William J. Ziehl. If you are still not satisfied, you may file a complaint with the Department of the Attorney General, 150 South Main Street, Providence, RI 02903 or file suit in Superior Court. The FOSTER Police Department is committed to providing you with public records in an expeditious and courteous manner.



# FOSTER POLICE DEPARTMENT

182 Howard Hill Rd  
Foster, Rhode Island 02825  
Ph# 401-397-3317 Fax# 401-397-8731  
Chief William J. Ziehl

## REQUEST FOR RECORDS UNDER THE ACCESS TO PUBLIC RECORDS ACT

Date \_\_\_\_\_

Request Number \_\_\_\_\_ Name (optional) \_\_\_\_\_

Address (optional) \_\_\_\_\_

Telephone (optional) \_\_\_\_\_

Requested Records: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If these records are not readily available at the time of your request, please advise whether you desire to:  
pick up the records \_\_\_\_\_ or by regular mail \_\_\_\_\_

### Office Use Only

Request taken by: \_\_\_\_\_ Request Number \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_ Records to be available on: \_\_\_\_\_

Mail \_\_\_\_\_ Pick Up \_\_\_\_\_

Records Provided: \_\_\_\_\_

\_\_\_\_\_

Costs: # of Copies # \_\_\_\_\_ Search and retrieval \$ \_\_\_\_\_

### Police Department Access To Public Records Request Receipt.

If you desire to pick up the records, they will be available on \_\_\_\_\_ at the front desk. If, after review of your request, the Department determines that the requested records are exempt from disclosure for a reason set forth in R.I.Gen. Laws Section 38-2-2(4)(i.) (A) through (W), the Department reserves its right to claim such exemption.

Note: If you chose to pick up the records but did not include identifying information on this form (name, etc.), please inform the officer/clerk at the front desk of the date you made the request, records requested and request number \_\_\_\_\_.

Thank you,

Chief William J. Ziehl  
Foster Police Department

# Glocester Police Department

Accept APRA requests by email? Yes

Email address: [MatthewFague@glocesterri.org](mailto:MatthewFague@glocesterri.org)

Accept APRA requests by fax? Yes

Fax number: 401-568-3280

Mailing address:

Glocester Police Department  
162 Chopmist Hill Road (Route 102)  
Chepachet, RI 02814

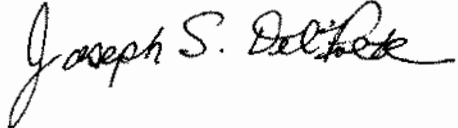
Telephone number: 401-568-2533

APRA procedures online? No



# Glocester Police Department

## GENERAL ORDER [REDACTED]

TITLE	EFFECTIVE DATE	PAGES
510.30 ACCESS TO PUBLIC RECORDS GUIDELINES	March 31, 2014	2
SECTION	SPECIAL INSTRUCTIONS	
500 – Support Operations	Rescinds Policy dated January 13, 2006	
SUBSECTION	BY ORDER OF	
10 – Records		

### I. PURPOSE

To provide Department employees with guidelines concerning the release of public records.

### II. POLICY

The Glocester Police Department is committed to providing the public with access to public records. The Department provides numerous public documents to the public, media and attorneys everyday in the ordinary course of business, and shall continue to provide these documents in an expeditious and courteous manner.

### III. DEPARTMENT PROCEDURES

- A. The Department shall appoint a Public Records Officer, whose name, business address and phone number shall be provided to the Rhode Island Department of Attorney General.
- B. The Department adopts the language of the public notice placard (See Exhibit A) and shall maintain it in a prominent place in the lobby of the police station.
- C. The Department adopts the Access to Public Records Procedure (See Exhibit B).
- D. The Department shall maintain copies of the Access to Public Records Procedure at its front desk for distribution to the public.
- E. The Department adopts the *Public Records Request Form* (See Exhibit C).



- F. The Department shall maintain copies of the *Public Records Request Form* in its front lobby and shall make them readily available, as well as pens or pencils, to the public for completion.
- G. The Department understands and respects the right of the public to access public records, and shall treat citizens requesting public records with courtesy, consistent with the Department's Rules and Regulations.
- H. The Department shall respond to a public records request within ten (10) business days.
  - 1. If, due to the request, the Department must seek an extension of an additional twenty (20) business days, the requester shall be informed in writing within the initial ten (10) day period of the need for an extension.
  - 2. If the Department does not inform the requester of the need for an extension or respond to the request within the initial ten (10) days, such inaction shall be considered a denial and may cause the Department to waive its defenses if a court action is filed.
- I. The Department shall promptly contact the town solicitor if advice as to whether a document is a "public record" is needed.
  - 1. If the town solicitor is unable to provide an answer, he or she may contact the Civil Division of the Rhode Island Department of Attorney General for an advisory opinion.
  - 2. If the town solicitor is unavailable, the Police Chief may contact the Civil Division of the Rhode Island Department of Attorney General directly.

**IV. ATTACHMENTS**

- A. *Public Records Request* – which contains the text for an information placard to be posted in the front lobby of the police station, and which shall be available for distribution to the public.
- B. *Access to Public Records Act* – which identifies the procedures for accessing public records, and which shall be available for distribution to the public.
- C. *Public Records Request Form* – which shall be completed by those requesting public records, and which shall be readily available to the public.
- D. *Open Records Checklist* – which shall be used by Department employees to ensure that only public information is released to those requesting public records.

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Joseph S. DelPrete  
Chief of Police

**GLOCESTER POLICE DEPARTMENT**  
**162 Chopmist Hill Road**  
**Glocester, Rhode Island 02814**  
**(401) 568-2533**

**PUBLIC RECORDS REQUEST**  
**INFORMATION**

1. The Public Records Officer is Lt. Matthew Fague, telephone number (401) 568-2533.
2. If you come in when the Public Records Officer is not on duty, please complete a *Public Records Request Form* available in the lobby. This will be given to the Public Records Officer the next business day.
3. The Department may ask you for identification, or for the reason for your request, as its regular course of business. However, you are not required to provide identification or the reason you seek the information, and your right to access public records will not depend upon providing identification or reasons.
4. There may be instances when the public records you seek are not available at the time of your request. Please be advised that the Access to Public Records Act gives a public body ten (10) business days to respond. To ensure that you are provided with the public records you seek in an expeditious manner, we ask that you complete a *Public Records Request Form* located in the front lobby. We appreciate your understanding and patience.
5. The cost for copies of reports and public records is \$ .15 cents per page, and a search and retrieval charge of \$15.00 per hour. There is no charge for the first hour of search and retrieval of records.
6. You may also obtain in the lobby a handout regarding the Access to Public Records Act which summarizes the procedures and your rights to public records.
7. If you feel that you were denied access to public records, you have the right to appeal to Police Chief Joseph S. DelPrete. If you are still not satisfied, you may file a complaint with the Department of Attorney General, 150 South Main Street, Providence, Rhode Island 02903 or file suit in Superior Court.
8. The Glocester Police Department is committed to providing you with public records in an expeditious and courteous manner.



# GLOCESTER POLICE DEPARTMENT

## ACCESS TO PUBLIC RECORDS ACT R.I. GEN. LAWS SECTION 38-2-1 ET. SEQ.

The Glocester Police Department is committed to providing the public with access to public records, while protecting from disclosure information about individuals maintained that would constitute an unwarranted invasion of personal privacy. R.I. Gen. Laws Section 38-2-1. The Glocester Police Department provides numerous public documents to the public, media and attorneys everyday in the ordinary course of business. However, for any person who does not desire to make an oral request, wishes to make a formal written request or the request needs clarification, please complete the written form.

Pursuant to Rhode Island General Laws, Section 38-2-3(c.), the Glocester Police Department has established the following procedure regarding access to public records:

1. Please inform the officer/clerk at the front desk that you wish to make a request for public records. Lt. Matthew Fague is the Public Records Officer for the Glocester Police Department, telephone number (401) 568-2533.
2. The public records officer, or in his absence the on-duty dispatcher, will provide you with a form to complete, which lets this Department know the precise public documents you seek and assists us in processing your request in an expeditious manner.
3. If the public records are readily available, we will be more than happy to provide them. However, there are times/circumstances when the records will not be available at the time that you make the request. If the records are not readily available, they can either be mailed to you or you can pick them up on a designated date. The Access to Public Records Act grants a public body ten (10) business days to respond to your request. Rhode Island General Laws, Section 38-2-7(a). The Act further provides that "for good cause, this limit may be extended for a period not to exceed thirty (30) business days." We thank you in advance for your understanding if it is necessary, for good cause, to request this extension. Improper release of certain information could compromise the civil rights or personal safety of your fellow citizens, and we must review documents to prevent such harm.
4. Costs. The Access to Public Records Act gives you the opportunity to view and/or copy public records. The cost per copied page of written public documents will be \$.15 for documents copyable on common business or legal size paper. You may elect to obtain public records in any and all media in which we are capable of providing them. The Act permits a reasonable charge for search and retrieval of documents. The hourly costs for a search and retrieval shall not exceed fifteen (\$15.00) per hour, with no charge for the first hour. We would be more than happy to provide you with an estimate. Upon a request, we will provide a detailed itemization of the costs charged for search and retrieval.

5. Public Records. A “public record” is defined as “documents, papers, ...or other material regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.” Specifically with respect to police records, in addition to other records maintained by this Department that constitute “public records”, the Access to Public Records Act deems public “[r]ecords relating to the management and direction of law enforcement agency and records or reports reflecting the initial arrest of an adult and the charge or charges brought against an adult.” R.I. Gen. Laws Section 38-2-2(4)(i)(D).
6. Redaction. Although a document may constitute a public record, there may be some information contained on the document that may be redacted/deleted as it is exempt from disclosure under Rhode Island General Laws, Section 38-2-2. In Direct Action for Rights and Equality v. Gannon, 713 A.2d 218 (R.I. 1998) and The Rake v. Gorodetsky, 452 A.2d 1144 (R.I.1982), the Rhode Island Supreme Court held that final reports on civilian complaints of police brutality were subject to disclosure in redacted form. In addition, the Rhode Island Supreme Court has stated that “ in passing the APRA, the General Assembly intended to limit access to certain documents in order to avoid disclosure of confidential information to protect individuals from invasion of their privacy.” Providence Journal Company v. Kane, 577 A.2d 661, 663 (R.I.1990). “There is no public interest to be weighed in disclosure of nonpublic records.” Id. A “balancing of interests arises only after a record has first been determined to be a public record.” Id.
7. Exemptions. The Access to Public Records Act exempts some records from public disclosure. See, Rhode Island General Laws, Section 38-2-2(4). The following are some explanations as to why a document or part thereof may be exempt from disclosure:
  - (A)(I) ...all personal or medical information relating to an individual in any files, -- including information relating to medical or psychological facts...Rhode Island General Laws, Section 38-2-2(4)(i)(A)(I);
  - (C.) ... records of juvenile proceedings before the family court
  - (D) All records maintained by law enforcement agencies for criminal law enforcement and all records relating to the detection and investigation of crime, including those maintained on any individual or compiled in the course of a criminal investigation by any law enforcement agency. Provided, however, such records shall not be deemed public only to the extent that the disclosure of the records or information may (a) reasonably be expected to interfere with investigations of criminal activity or with enforcement proceedings, (b) would deprive a person of a right to a fair trial or an impartial adjudication, (c.) could reasonably be expected to disclose the identity of a confidential source, including a state, local or foreign agency or authority, or private institution which furnished information on a confidential basis, or the information furnished by a confidential source, (e) would disclose techniques and procedures for law enforcement investigation or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions or (f) could reasonably be expected to endanger the life or physical safety of any individual..

(S) Records, reports, opinions, information, and statements required to be kept confidential by federal law or regulation or state rule of court, law or regulation. (i.e. information regarding juveniles, etc.).

Please be advised that this is not a complete list of documents that the Act exempts from disclosure. For a full list see Rhode Island General Laws, Section 38-2-2.

8. Appeal of Denial. Any person or entity denied the right to inspect a record of a public body by the Public Records Officer may petition the chief administrative officer of that public body for review of the determinations made by his or her subordinates. Any petitions from a denial should be made to Chief Joseph S. DelPrete. A final determination whether or not to allow public inspection will be made within ten (10) business days after the submission of the review petition. Rhode Island General Laws, Section 38-2-8.
9. Complaint to the Attorney General. If Chief Joseph S. DelPrete determined that the record is not subject to public inspection, the person or entity seeking disclosure may file a complaint with the Attorney General. (150 South Main Street, Providence, RI 02903, telephone 274-4400) or may retain private counsel for the purposes of instituting proceedings for injunctive or declaratory relief in the superior court of the county where the record is maintained. The Act provides that “[t]he court shall impose a civil fine not exceeding one thousand dollars (\$1,000) against a public body or official found to have committed a knowing and willful violation of this chapter, and shall award reasonable attorney fees and cost to the prevailing plaintiff. The court shall further order a public body found to have wrongfully denied access to [provide the] public records at no cost to the prevailing party; provided further, that in the event that the court, having found in favor of the defendant, finds further that the plaintiff’s case lacked a grounding in fact or in existing law or in good faith argument for the extension modification, or reversal of existing law, the court may award attorneys fees and costs to the prevailing defendant.” Rhode Island General Laws, Section 38-2-9(d).

We hope this message has been of assistance.



**Glocester Police Department**  
 162 Chopmist Hill Road  
 Glocester, Rhode Island 02814

Joseph S. DelPrete  
 Chief of Police

Tel: (401) 568-2533  
 Fax: (401) 568-3280

**PUBLIC RECORDS REQUEST FORM**

Today's Date: \_\_\_\_\_

Name: (optional) \_\_\_\_\_

Address: (optional) \_\_\_\_\_  
 \_\_\_\_\_

Telephone: (optional) \_\_\_\_\_

**Requested Records:**

If you know the report number(s), please provide it here: \_\_\_\_\_

If you don't know the report number, please describe in the space below the record(s)/report(s) that you wish to obtain. State what type of report you are requesting, ie: accident, incident, arrest, etc. Be as specific as possible and include the date(s) and name(s) of involved parties.

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

**Please note: The cost for copied documents is \$ .15 cents per page.**

The police department has ten (10) business days to respond to your request. If these records are not readily available at the time of your request, please indicate whether you wish to:

\_\_\_\_\_ pick up records or \_\_\_\_\_ send via US mail (be sure address is listed above)

If your records are not immediately available, please leave this form with the dispatcher who will forward it to the Public Records Officer. Our Public Records Officer, Lieutenant Matthew Fague, can be contacted by calling (401) 568-2533. If, after review of your request, the Department determines that the requested records are exempt from disclosure for a reason set forth in RI General Laws Section 38-2-2(4)(i)(A) through (W), the Department reserves the right to claim such exemption.

**--- For Office Use Only ---**

*To be completed by Dispatch personnel:*

Request taken by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

*To be completed by Public Records Officer:*

Records to be available on: \_\_\_\_\_ Records provided on: \_\_\_\_\_

Number of copies: \_\_\_\_\_ Search/Retrieval time: \_\_\_\_\_

# Hopkinton Police Department

Accept APRA requests by email? Yes

Email address: [chief@hopkintonpolice.org](mailto:chief@hopkintonpolice.org)

Accept APRA requests by fax? Yes

Fax number: (401) 377-7755

Mailing address:

Hopkinton Police Department  
406 Woodville Road  
Hopkinton, RI 02833

Telephone number: (401) 377-7750

APRA procedures online? No, just form

APRA procedures URL: <http://www.hopkintonpolice.org/records/>

EXHIBIT B



# HOPKINTON POLICE DEPARTMENT

406 Woodville Road, Hopkinton, RI 02833

ORDER	EFFECTIVE DATE	NUMBER	ISSUING DATE
GENERAL	OCTOBER 1, 2013	500.02	OCTOBER 1, 2013
SUBJECT TITLE		SUBJECT AREA	
RELEASE OF POLICE INFORMATION AND MEDIA RELATIONS		COMMUNITY SERVICES	
RIPAC REFERENCE		PREVIOUSLY ISSUED DATES	
15.2		NONE	
DISTRIBUTION	REVIEW DATE		PAGES
ALL	MARCH 1, 2014		8

## RELEASE OF POLICE INFORMATION AND MEDIA RELATIONS

### I. PURPOSE

To establish guidelines for the release of police information to the news media. To provide the news media and public with timely and accurate information regarding Department activities while ensuring that police investigations are not jeopardized by the premature release of information.

### II. POLICY

The Hopkinton Police Department actively seeks to establish a cooperative climate in which the news media may obtain information on matters of public interest in a manner that does not hamper police operations. The Department is committed to informing the community and the news media of events within the public domain. However, certain information must be withheld from the media to protect the constitutional rights of an accused, to avoid interfering with a Department investigation, or because it is legally privileged.

### III. PROCEDURE

#### A. PUBLIC INFORMATION FUNCTION

1. The Chief of Police is designated as the Public Information Officer and is responsible for the public information function of the Department, and compliance with the Access to Public Records Act of the State of Rhode Island.



2. In the absence of the Chief of Police the Captain will be responsible for:
  - a. Assisting news personnel in covering routine news stories, and at the scene of incidents.
  - b. Being available for on-call responses to the news media.
  - c. Preparing and distributing formal news releases, subject to the approval of the Chief.
  - d. Arranging for, and assisting at news conferences.
  - e. Coordinating and authorizing the release of information about victims, witnesses and suspects.
  - f. Developing procedures for releasing information when other public service agencies are involved in a mutual effort.
3. It shall be the responsibility of the Chief of Police or designee to:
  - a. Coordinate and authorizing the release of information concerning:
    - 1) Confidential Department investigations and operations.
    - 2) Assisting in crisis situations within the department.
4. Police Officers who are approached by members of the news media for information concerning official activities of the Department are to refer all such inquiries to the O.I.C.

## **B. NEWS MEDIA/AT SCENE ACCESS**

1. News personnel and photographers covering stories at the scene of major incidents, disasters, or events will be directed to an area designated by the on scene O.I.C.
2. The area designated for the media should be convenient to the reporting of the incident so long as the investigation is not jeopardized and safety considerations are not compromised.
3. The area will be outside of the crime scene perimeter.
4. The O.I.C., should periodically update the media in accordance with this policy and Rhode Island Law.
5. If other agencies are involved in a mutual effort, the agency with primary jurisdiction will be responsible for releasing information unless other arrangements have been agreed upon.

## C. NEWS RELEASES

1. News releases are divided into three (3) categories. The frequency and content of the release depends upon the objective desired. Normally releases will be provided to those media agencies that have a direct relationship with the service community. The three types of news releases are:

**a. ONGOING INVESTIGATIONS** - It is important that all releases contain the same information. If possible a printed release will be prepared for distribution to the media. The Chief, Captain or their designee (the O.I.C. in their absence), MAY RELEASE the following information if it does not hinder the investigation:

- 1) The type of crime or nature of incident.
- 2) The location (certain restrictions apply), date, time, injuries sustained, damaged property and a brief description of the incident.
- 3) Amount and type of property taken, including value if known.
- 4) The name, age, and address of any adult charged with a crime.
- 5) The fact that a juvenile has been taken into custody, including sex, age, and general area of residence.
- 6) The nature, substance or text of the charge.
- 7) The facts, time and place of arrest.
- 8) The next step in the judicial process.
- 9) Requests for aid in locating evidence, a complainant, or a suspect. The identity of a suspect before arrest will not be disclosed except to the extent necessary to aid in the investigation, to assist in the apprehension of the suspect, or to warn the public of any danger. A person's gender, general physical characteristics, and race may be released as descriptive information in such cases.
- 10) Available photographs may be released only if they serve a valid law enforcement function such as the identity of an unknown victim or to enlist public assistance in the apprehension of the offender. Release of a photograph of an unknown victim requires the authorization of the Chief of Police.

**b. PUBLIC RELATIONS** - The Chief of Police or his designee shall be responsible for issuing public relation news releases. Information should be provided on a regular basis to all media agencies that have contact within the Department's service area. The content of the news releases may include:

- 1) Department accomplishments.
- 2) New program announcements.
- 3) Crime prevention information.
- 4) Relevant crime problems and statistics.
- 5) Appointments and promotions.

**c. EMERGENCY NEWS RELEASE** - Whenever there is an immediate need to inform the general public concerning an emergency, the on duty O.I.C. may contact the news media and issue a press release. The need for such release will depend upon the severity of the situation and the need for the public to be informed. In special situations of public concern such as natural disaster (tornadoes, severe wind, snow emergencies, floods, or rainstorms, etc.), a major fire or a chemical spill, the O.I.C. may issue a press release at their discretion. Comments to reporters should be comprised only of factual, on-the-record information. The Chief of Police will be informed of the emergency release as soon as practical.

#### **D. WITHHOLDING INFORMATION**

1. In general, comments to the news media concerning investigations, indictments, arrests and criminal incidents should be minimal, consistent with the responsibility of keeping the public informed without jeopardizing the rights of individuals.

2. The following information WILL NOT be released:

a. Any victim, complainant, or witness information such as identity, address, phone number, age, etc., in the following instances:

1) The information is contained in an on-going investigation whereby release of such information may jeopardize successful resolution and/or prosecution of the case.

2) The information is contained in any sex offense or sex related investigation which, if divulged, would tend to lead to the victim's identification.

b. Law enforcement officers may not disclose the identity of any juvenile in releasing information to the general public as to the arrest, investigation or disposition of any case involving a juvenile, unless under the written direction of a Justice of the Family Court.

c. Medical information relating to health history, any diagnosis, medical condition, treatment provided or evaluation made by health care providers

as defined in R.I.G.L. (5-37.3-3) unless specific consent has been obtained under the guidelines of R.I.G.L. (5-7.3-4).

d. The identity of any critically injured or deceased person, before notification of the next of kin.

e. Personnel data relating to any sworn member or employee of the department. Questions concerning personnel will be referred to the Chief of Police.

f. Exact information concerning an on-going investigation, whether it is a crime or traffic accident, will not be released if the information would jeopardize the investigation or prosecution of a subject.

g. Any police information released from other agencies which was furnished for confidential or law enforcement purposes, ex. BCI, Triple "III", license checks.

h. Preliminary drafts, notes, impressions, memoranda, etc.

i. Confidential intelligence or operations will not be disclosed except by the express permission of the Chief of Police.

j. Sensitive or investigative information concerning internal investigations except by express permission of the Chief of Police in accordance with the RI Law Enforcement Officer's Bill of Rights.

k. Any records required to be kept confidential by federal or state law or rule of the court.

## **E. ACCESS TO PUBLIC RECORDS**

1. The Hopkinton Police Department has appointed the Captain as the Public Records Officer.

2. The Hopkinton Police Department shall provide the name of its Public Records Officer, business address and phone number to the Department of Attorney general.

3. The Hopkinton Police department adopts the language of the public notice placard and agrees to maintain it in a prominent place in the lobby of the police station.

4. The Hopkinton Police Department adopts the Access to Public Records Procedure.

5. The Hopkinton Police Department agrees to maintain copies of the Access to Public Records Procedure at its front desk for distribution to the public.

a. If someone requests a copy of the Access to Public Records Procedure, they will be given one. These copies will be located at the front desk.

6. The Hopkinton Police Department agrees to maintain the public records request form at its front desk and shall make them readily available, as well as pens or pencils, to the public for completion.

a. In most cases reports will be available within 24 hours of the request on the following business day. Regular business hours of the record department will be 8:15 am to 3:50 pm.

b. Accident reports will generally be made available immediately at the time of the request. All other requested records will be forwarded to the Records Clerk. (Example; larceny reports, arrest reports, etc.)

c. The Chief of Police or the Captain will be responsible for any redaction or refusal of the requested information. (Examples of redacted or denial of records; witness information, victim information, juvenile defendants, ongoing investigation, suspects, medical information, social security numbers etc.)

7. The Hopkinton Police Department understands and respects the right of the Public to access public records, and will treat citizens requesting public records with courtesy consistent with the department's Rules and Regulations.

a. Officers can ask a person requesting records for their name and the reason for the report. However, if they refuse to give their name or the reason they are requesting a record they cannot and will not be denied access to the record requested.

b. If a person requesting a report refuses to give their name, the request will be completed and the copy will be left with a description of the record requested and "anonymous request" typed at the top of the envelope.

8. The Hopkinton Police Department recognizes that it has seven (7) business days to allow either the copying or the inspection of the requested public record.

9. If due to the request, the Hopkinton Police Department must seek an extension of up to additional 20 business days, the department must explain in writing why seven (7) business days is not long enough to permit the copying or inspecting of the requested records and demonstrates one of the following:

a. That the voluminous nature of the request is such that additional time is necessary to avoid imposing an undue burden on the public body;

b. That the number of requests for records pending is such that additional time is necessary to avoid imposing an undue burden on the public body; or

c. That the difficulty in searching for and retrieving or copying the requested records is such that additional time is necessary to avoid imposing an undue burden on the public body.

A failure to comply with a request to copy or inspect a public record within seven (7) days will be considered a denial and will also entitle the requesting entity or person to a waiver of all copying and search fees.

10. If we do not send the extension letter or respond to the request within the initial seven (7) days, our inaction is considered a denial and we may have waived our defenses if a court action is filed.

11. A public body must provide public records in one of the following manners as chosen by the requesting entity or person: Electronically, fax or mail. However, a public entity is exempt from complying with this requirement if doing so would be unduly burdensome due to the volume of records requested; and the costs that would be incurred.

12. Arrest records (including narrative reports) must be made available within 24 hours after receipt of a request. Such records must contain the following information:

- a. full name of the arrested adult
- b. home address of the arrested adult
- c. date of birth of the arrested adult
- d. charge or charges
- e. date of the arrest
- f. time of the arrest
- g. location of the arrest
- h. gender of the arrest
- i. race of the arrested adult
- j. name of the arresting officer

13. If we need advice as to whether a document is a "public record" we will promptly contact our town solicitor. If he or she is unable to provide an answer, he or she may contact the Civil Division of the Department of the Attorney General for an advisory opinion. If the town solicitor is for some reason unavailable, the Chief of Police may contact the Department of Attorney General directly.

14. The Chief of Police or the Public Records Officer or his/her designee should review the initial arrest report and other public documents to ensure that privacy rights of

individuals are maintained and informants or law enforcement techniques are redacted and not disclosed, utilizing the attached "checklist".

15. The Public Records Officer shall maintain a central file of all public records request forms. The file will contain the completed request forms once the request has been fulfilled or responded to. It is understood that in many instances the Hopkinton Police Department provides public records that are readily available to the requester without requiring them to complete the Public Records Request Form.

16. If someone feels they have been denied access to public records by the chief administrative officer or the custodian of the records they have the right to appeal to the Chief of Police. If they are still not satisfied they may file a complaint with the Department of the Attorney General.

17. The production of records shall not be considered untimely if the public body is awaiting receipt of payment for costs properly charged under RIGL 38-2-4, entitled "Denial of Access."


18. Only upon request does a public body have to provide an estimate of the costs of a request for documents prior to providing copies.

19. Persons or businesses are now allowed to use information from public records to solicit for commercial purposes.

#### **F. MEDIA REVIEW**

1. The Hopkinton Police Department will involve the news media in the development of changes in policies and procedures relating to the public information function by allowing them to review and comment on this procedure.

Per Order,



David S. Palmer  
Chief of Police

# HOPKINTON POLICE DEPARTMENT

## REQUEST FOR RECORDS UNDER THE ACCESS TO PUBLIC RECORDS ACT

Date \_\_\_\_\_ Request Number \_\_\_\_\_

Name (optional) \_\_\_\_\_

Address (optional) \_\_\_\_\_

Telephone (optional) \_\_\_\_\_

Requested Records: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

If these records are not readily available at the time of your request, please advise whether you desire to:

\_\_\_\_\_ pick up the records or \_\_\_\_\_ regular mail

---

### Office Use

Request taken by: \_\_\_\_\_

Request Number \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Records to be available on: \_\_\_\_\_

Mail \_\_\_\_\_ Pick Up \_\_\_\_\_

Records provided: \_\_\_\_\_

Costs: \_\_\_\_\_ copies

\_\_\_\_\_ search and retrieval

---

### Hopkinton Police Department - Access to Public Records Request Receipt

If you desire to pick up the records, they will be available on \_\_\_\_\_ at the front desk. If, after review of your request, the Department determines that the requested records are exempt from disclosure for a reason set forth in R.I.Gen. Laws Section 38-2-2(4)(i)(A) through (W), the Department reserves its right to claim such exemption.

Note: If you chose to pick up the records but did not include identifying information on this form (name, etc.), please inform the officer/clerk at the front desk of the date you made the request, records requested and request number \_\_\_\_\_.



# Jamestown Police Department

Accept APRA requests by email? Yes

Email address: [adeneault@jamestownri.net](mailto:adeneault@jamestownri.net)

Accept APRA requests by fax? No

Mailing address:

250 Conanicus Avenue  
Jamestown, Rhode Island 02835

Telephone number: (401) 423-1212

APRA procedures online? Yes

APRA procedures URL: <http://www.jamestownri.net/police/records.html>



# Jamestown Police Department

## Town of Jamestown, Rhode Island

Home
Chief of Police
Staff Members
Police Day Log
Professional Standards
Traffic Complaints
Annual Report
Animal Control
Request Home Checks
Police Detail Requests
Employment
Emergency Management
Domestic Violence
Sex Offenders
Community Outreach
Department History
Common Department Forms
Questions & Answers
Links

## Public Records Requests

The Jamestown Police Department is committed to providing you with public records in an expeditious and courteous manner. All requests for records may be made verbally or in writing to the Public Information Officer, Lieutenant Angela M. Denea. Telephone Number (401) 423-1212.

The regular business hours of the Records Department are 7:00 AM to 3:00 PM. If you come in at a time when the Public Information Officer is not available, please complete the Public Records Request form attached. It will be given to the Public Information Officer their next working day.

Accident reports may be obtained at [www.GetCrashReports.Com](http://www.GetCrashReports.Com).



You are not required to provide identification or the reason you seek the information, and your right to access public records does not depend on providing identification or reasons.

In order to ensure that you are provided with the public records you seek in an expeditious manner, we ask that you complete the Public Records Request form attached, although this is not required.

There are times when the public records you seek are not available at the time of your request. Please be advised that the Public Records Act gives a public body ten business days to respond. We appreciate your understanding and patience.

In accordance with R.I.G.L. 38-2-4, the Department may charge a fee of fifteen cents (\$.15) per page for copies and/or fifteen dollars (\$15.00) per hour, after the first hour, for search and/or retrieval of documents. For purposes of search and retrieval cost, requests made within a thirty (30) day period to the Department shall be considered as one (1) request.

If you feel that you have been denied access to public records, you have the right to appeal to the Jamestown Police Chief F. Mello. If you are still not satisfied, you may file a complaint with the Department of Attorney General, 150 South Main St. Providence, RI 02903 or file suit in Superior Court.

## Public Records Request Form

# Jamestown Police Department

## Request for Records under the *Access to Public Records Act*

Date: \_\_\_\_\_

Request Number: 12-\_\_\_\_\_

(Optional)

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

Requested Records: **(BE SPECIFIC)**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Please advise whether you desire to: ( ) pick up the records, ( ) regular mail,

**OR ( ) email to:** \_\_\_\_\_.

Please Note:

If you desire to pick up the records, they will be available at the front desk. Please inquire with the dispatcher as to when the Public Information Officer will be working and may process your request. You may stop back at that time, or call ahead to the department to check if your records are available. If, after review of your request, the Department determines that the requested records are exempt from disclosure for a reason set forth in RI General Laws Section 38-2-2(4)(i)(A) through (W), the Department reserves the right to claim such exemption. Also, if you chose to pick up the records but did not include identifying information on the form (name, etc.) please note your request number on the top of this form and give the number to the dispatcher/desk officer when you come in to pick up your records.

Thank You

---

*Office use:*

Records Provided: \_\_\_\_\_

Date/Time: \_\_\_\_\_

Initials: \_\_\_\_\_

# Johnston Police Department

Accept APRA requests by email? No

Accept APRA requests by fax? No

Mailing address:

Johnston Police Department, ATTN: Records Division  
1651 Atwood Avenue  
Johnston, RI 02919

Telephone number: (401) 231-4210

APRA procedures online? Yes

APRA procedures URL: [http://www.johnstonpd.com/pdfs/Records\\_Request\\_Form.pdf](http://www.johnstonpd.com/pdfs/Records_Request_Form.pdf)



# *Johnston Police Department*

*Town of Johnston*

*1651 Atwood Avenue*

*Johnston, Rhode Island 02919*

*Chief of Police*

*Richard S. Tamburini*

*Telephone - 231-4210*

*Fax No. 231-9660*

## **PUBLIC RECORDS REQUEST GUIDELINES**

The Johnston Police Department adheres to the Access to Public Records Act, R.I. Gen. Laws § 38-2-1, et. seq., and has instituted the following procedures for the public to obtain public records.

1. To reach us by telephone please call (401) 231-4210 and ask to be connected to the Records Division. Requests for records may be mailed to the Johnston Police Department, Records Division, which is the Division within the Johnston Police Department designated to handle these matters, except as provided in paragraph 4. The mailing address is: Johnston Police Department, ATTN: Records Division, 1651 Atwood Avenue, Johnston, RI 02919.
2. The regular business hours of the Records Division are 8:00 a.m. to 4:00 p.m., Monday –Friday. If you come in after regular business hours, please complete the Public Records Request Form at the front desk and return it to the Records Division the next business day.
3. You are not required to provide identification or the reason you seek the information, and your right to access public records will not depend upon providing identification or reasons.
4. In order to ensure that you are provided with the public records you seek in an expeditious manner, unless you are seeking records available pursuant to the Administrative Procedures Act or other documents prepared for or readily available to the public, we ask that you complete the Public Records Request Form located at the front desk. If you are seeking documents available pursuant to the Administrative Procedures Act or other documents prepared for or readily available to the public and do not wish to submit a written request, you must contact an attorney in the Open Government Unit to make your request.
5. You may also obtain a copy of the Attorney General's Guide to Open Government, which can be found at <http://www.riag.ri.gov> (then proceed to the link entitled "Open Government").
6. Please be advised that the Access to Public Records Act allows a public body ten (10) business days to respond, which can be extended an additional twenty (20) business days for "good cause." We appreciate your understanding and patience.
7. If you feel that you have been denied access to public records, you have the right to file a review petition with the Attorney General. You may also file a lawsuit in Superior Court.
8. The Johnston Police Department is committed to providing you with public records in an expeditious and courteous manner.



# *Johnston Police Department*

*Town of Johnston*

*1651 Atwood Avenue*

*Johnston, Rhode Island 02919*

*Chief of Police*

*Richard S. Tamburini*

*Telephone - 281-4210*

*Fax No. 281-9660*

## **PUBLIC RECORDS REQUEST FORM**

Date: \_\_\_\_\_ Request Number: \_\_\_\_\_

Name (optional): \_\_\_\_\_

Address (optional): \_\_\_\_\_

Telephone (optional): \_\_\_\_\_

Requested Records:

Offense Report (s): \_\_\_\_\_

Arrest Report (s): \_\_\_\_\_

Accident Report (s): \_\_\_\_\_

Search by dates: Start: \_\_\_\_\_ Finish: \_\_\_\_\_

Search by Involved Parties:

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

First Name: \_\_\_\_\_ Last Name: \_\_\_\_\_

---

### **OFFICE USE ONLY**

Request taken by: \_\_\_\_\_ Date: \_\_\_\_\_ Time: \_\_\_\_\_

Records to be available on: \_\_\_\_\_

Records provided by: \_\_\_\_\_

Costs: \_\_\_\_\_ number of copies: \_\_\_\_\_ search and retrieval fee: \_\_\_\_\_

# Lincoln Police Department

Accept APRA requests by email? Yes

Email address: [bsullivan@lincolnpoliceri.com](mailto:bsullivan@lincolnpoliceri.com)

Accept APRA requests by fax? Yes

Fax number: (401) 334-4244

Mailing address:

Lincoln Police Department  
100 Old River Road  
Lincoln, RI 02865

Telephone number: (401) 333-1111

APRA procedures online? No

**LINCOLN POLICE DEPARTMENT**  
**ACCESS TO PUBLIC RECORDS ACT**  
**R.I. GEN. LAWS SECTION 38-2-1 ET SEQ.**

The Lincoln Police Department is committed to providing the public with access to public records, while protecting from disclosure information about individuals maintained that would constitute an unwarranted invasion of personal privacy. R.I. Gen. Laws Section 38-2-1. The Lincoln Police Department provides numerous public documents to the public, media and attorneys everyday in the ordinary course of business. However, for any person who does not desire to make an oral request, wishes to make a formal written request or the request needs clarification, please complete the written form

Pursuant to R.I.Gen. Laws Section 38-2-3(c.), the Lincoln Police Department has established the following procedure regarding access to public records:

1. Please inform the officer/clerk at the front desk that you wish to make a request for public records. Deputy Chief Brian Sullivan , is the Public Records Officer for the Lincoln Police Department (telephone number 333-1111). The hours for the Records Department are 8:00am to 4:00pm.
2. The officer/clerk will provide you with a form to complete, which lets this Department know the precise public documents you seek and assists us in processing your request in an expeditious manner.
3. If the public records are readily available, we will be more than happy to provide them. However, there are times/circumstances when the records will not be available at the time that you make the request. If the records are not readily available, they can either be mailed to you or you can pick them up on a designated date. The Access to Public Records Act grants a public body ten (10) business days to respond to your request. R.I.Gen. Laws Section 38-2-7(a). The Act further provides that "for good cause, this limit may be extended for a period not to exceed thirty (30) business days." We thank you in advance for your understanding if it is necessary, for good cause, to request this extension. Improper release of certain information could compromise the civil rights or personal safety of your fellow citizens, and we must review documents to prevent such harm.
4. Costs. The Access to Public Records Act gives you the opportunity to view and/or copy public records. The cost per copied page of written public documents will be \$.15 (not to exceed \$.15) for documents copyable on common business or legal size paper. You may elect to obtain public records in any and all media in which we are capable of providing them. The Act permits a reasonable charge for search and retrieval of documents. The hourly costs for a search and retrieval shall not exceed fifteen (\$15.00) per hour, with no charge for the first hour. We would be more than happy to provide you



with an estimate. Upon a request, we will provide a detailed itemization of the costs charged for search and retrieval.

5. Public Records. A "public record" is defined as "documents, papers, ...or other material regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency." Specifically with respect to police records, in addition to other records maintained by this Department that constitute "public records", the Access to Public Records Act deems public "[r]ecords relating to the management and direction of law enforcement agency and records or reports reflecting the initial arrest of an adult and the charge or charges brought against an adult." R.I. Gen. Laws Section 38-2-2(4)(i)(D).
6. Redaction. Although a document may constitute a public record, there may be some information contained on the document that may be redacted/deleted as it is exempt from disclosure under R.I.Gen. Laws Section 38-2-2. In Direct Action for Rights and Equality v. Gannon, 713 A.2d 218 (R.I. 1998) and The Rake v. Gorodetsky, 452 A.2d 1144 (R.I.1982), the Rhode Island Supreme Court held that final reports on civilian complaints of police brutality were subject to disclosure in redacted form. In addition, the Rhode Island Supreme Court has stated that "in passing the APRA, the General Assembly intended to limit access to certain documents in order to avoid disclosure of confidential information to protect individuals from invasion of their privacy." Providence Journal Company v. Kane, 577 A.2d 661, 663 (R.I.1990). "There is no public interest to be weighed in disclosure of nonpublic records." Id. A "balancing of interests arises only after a record has first been determined to be a public record." Id.
7. Exemptions. The Access to Public Records Act exempts some records from public disclosure. See, R.I.Gen. Laws Section 38-2-2(4). The following are some explanations as to why a document or part thereof may be exempt from disclosure:
  - (A)(I) ...all personal or medical information relating to an individual in any files, -- including information relating to medical or psychological facts... R.I.Gen. Laws Section 38-2-2(4)(i)(A)(I);
  - (C.) ... records of juvenile proceedings before the family court
  - (D) All records maintained by law enforcement agencies for criminal law enforcement and all records relating to the detection and investigation of crime, including those maintained on any individual or compiled in the course of a criminal investigation by any law enforcement agency. Provided, however, such records shall not be deemed public only to the extent that the disclosure of the records or information may (a) reasonably be expected to interfere with investigations of criminal activity or with enforcement proceedings, (b) would deprive a person of a right to a fair trial or an impartial adjudication, (c.) could reasonably be expected to disclose the identity of a confidential source, including a state, local or foreign agency or authority, or private institution which furnished

information on a confidential basis, or the information furnished by a confidential source, (e) would disclose techniques and procedures for law enforcement investigation or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions or (f) could reasonably be expected to endanger the life or physical safety of any individual..

(S) Records, reports, opinions, information, and statements required to be kept confidential by federal law or regulation or state rule of court, law or regulation. (i.e. information regarding juveniles, etc.).

Please be advised that this is not a complete list of documents that the Act exempts from disclosure. For a full list see R.I.Gen.Laws Section 38-2-2.

8. Appeal of Denial. Any person or entity denied the right to inspect a record of a public body by the Public Records Officer may petition the chief administrative officer of that public body for review of the determinations made by his or her subordinates. Any petitions from a denial should be made to Chief William P. Strain. A final determination whether or not to allow public inspection will be made within ten (10) business days after the submission of the review petition. R.I.Gen. Laws Section 38-2-8.
  
9. Complaint to the Attorney General. If the chief administrative officer determined that the record is not subject to public inspection, the person or entity seeking disclosure may file a complaint with the Attorney General. (150 South Main Street, Providence, RI 02903, telephone 274-4400) or may retain private counsel for the purposes of instituting proceedings for injunctive or declaratory relief in the superior court of the county where the record is maintained. The Act provides that "[t]he court shall impose a civil fine not exceeding one thousand dollars (\$1,000) against a public body or official found to have committed a knowing and willful violation of this chapter, and shall award reasonable attorney fees and cost to the prevailing plaintiff. The court shall further order a public body found to have wrongfully denied access to [provide the] public records at no cost to the prevailing party; provided further, that in the event that the court, having found in favor of the defendant, finds further that the plaintiff's case lacked a grounding in fact or in existing law or in good faith argument for the extension modification, or reversal of existing law, the court may award attorneys fees and costs to the prevailing defendant." R.I.Gen. Laws Section 38-2-9(d).

We hope this message has been of assistance.

# LINCOLN POLICE DEPARTMENT

## REQUEST FOR RECORDS UNDER THE ACCESS TO PUBLIC RECORDS ACT

Date \_\_\_\_\_ Request Number \_\_\_\_\_

Name (optional) \_\_\_\_\_  
Address (optional) \_\_\_\_\_

Telephone (optional) \_\_\_\_\_

Requested Records: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

If these records are not readily available at the time of your request, please advise whether you desire to:

\_\_\_\_\_ pick up the records or \_\_\_\_\_ regular mail

### Office Use

Request taken by: \_\_\_\_\_ Request Number \_\_\_\_\_

Date: \_\_\_\_\_ Time: \_\_\_\_\_

Records to be available on: \_\_\_\_\_ Mail \_\_\_\_\_ Pick Up \_\_\_\_\_

Records provided: \_\_\_\_\_  
Costs: \_\_\_\_\_ copies \_\_\_\_\_ search and retrieval \_\_\_\_\_

### Lincoln Police Department - Access to Public Records Request Receipt

If you desire to pick up the records, they will be available on \_\_\_\_\_ at the front desk. If, after review of your request, the Department determines that the requested records are exempt from disclosure for a reason set forth in R.I. Gen. Laws Section 38-2-2(4)(i)(A) through (W), the Department reserves its right to claim such exemption.

Note: If you chose to pick up the records but did not include identifying information on this form (name, etc.), please inform the officer/clerk at the front desk of the date you made the request, records requested and request number \_\_\_\_\_.

Thank you.

# Little Compton Police Department

Accept APRA requests by email? Yes

Email address: [bmarion@tlcri.com](mailto:bmarion@tlcri.com)

Accept APRA requests by fax? Yes

Fax number: (401) 635-8782

Mailing address:

Public Safety Complex  
60 Simmons Road  
Little Compton, RI 02837

Telephone number: (401) 635-2311

APRA procedures online? Yes

APRA procedures URL:

[http://www.little-compton.com/docs/PublicRecords/LCPD\\_AccessOpenRecordsPolicy.pdf](http://www.little-compton.com/docs/PublicRecords/LCPD_AccessOpenRecordsPolicy.pdf)

LITTLE COMPTON POLICE DEPARTMENT  
ACCESS TO PUBLIC RECORDS ACT  
R.I. GENERAL LAWS SECTION **38-2-1** ET SEQ.

The Little Compton Police Department is committed to providing the public with access to public records, while protecting from disclosure information about individuals maintained, that would constitute an unwarranted invasion of personal privacy. R.I. General Laws Section 38-2-1. The Little Compton Police Department provides numerous public documents to the public, media, and attorneys everyday in the ordinary course of business.

Pursuant to R.I. General Laws Section 38-2-3(c.), the Little Compton Police Department has established the following procedure regarding access to public records:

1. Please inform the officer/dispatcher at the front desk that you wish to make a request for public records. Lt Antone Marion is the Public Records Officer for the Little Compton Police Department (telephone number 401 635-2311). The hours for the Records Department are 8:00 A.M. through 4:00 P.M.
2. The officer/dispatcher will provide you with a form to complete, which lets this department know the precise public documents you seek and assist us in processing your request in an expeditious manner.
3. If the public records are readily available, they will be provided to you at the time of your request. However, there are times/circumstances when the records will not be available at the time you make the request. If the records are not readily available, they can be mailed to you or you can pick them up on a designated date. The Access to Public Records Act grants a public body ten (10) business days to respond to your request. R.I. Gen. Laws Section 38-27(a). The act further provides that “for good cause, this limit may be extended for a period not to exceed thirty (30) business days.” We thank you in advance for your understanding if it is necessary, for good cause, to request this extension. Improper release of certain information could compromise the civil rights or personal safety of your fellow citizens, and we must review documents to prevent such harm.
4. **Cost** – The Access to Public Records Act gives you the opportunity to view and/or copy public records. The cost per copied page of written public documents will not exceed \$.15 (fifteen cents) for documents copy able on common business or legal size paper. You may elect to obtain public records in any and all media in which we are capable of providing them. The Act permits a reasonable charge for search and retrieval of documents. The hourly cost for search and retrieval shall not exceed \$15.00 (fifteen dollars) per hour, with no charge for the first hour.

Upon a request, we will provide a detailed itemization of the cost charged for search and retrieval.

5. **Public Records** – A “Public Record” is defined as “documents, papers, ... or other material regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency.” Specifically with respect to police records, in addition to other records maintained by this Department that constitute “public records,” the Access to Public Records Act deems public “[r]ecords relating to the management and direction of a law enforcement agency and records or reports reflecting the initial arrest of an adult and the charge or charges brought against and adult.” R.I. Gen Laws Section 38-2-2(4)(i)(D).
6. **Redaction** – Although a document may constitute a public record, there may be some information contained on the document that may be redacted/deleted as it is exempt from disclosure under R.I. Gen. Laws Section 38-2-2. In Direct Action for Rights and Equality v. Gannon, 713 A.2d 218 (R.I. 1998) and the Rake v. Gorodetsky, 452 A.2d 1144 (R.I. 1982), the Rhode Island Supreme Court held that final reports on civilian complaints of police brutality were subject to disclosure in redacted form. In addition, the Rhode Island Supreme Court has stated that “in passing the APRA, General Assembly intended to limit access to certain documents in order to avoid disclosure of confidential information to protect individuals from invasion of their privacy.” Providence Journal Company v. Kane, 577 A.2d 661,663(R.I.1990). “ There is no public interest to be weighed in disclosure of nonpublic records.” Id. A “ balancing of interests arises only after a record has first been determined to be a public record.” Id.
7. **Exemptions** – The Access to Public Records Act exempts some records from public disclosure. See, R.I. Gen. Laws Section 38-2-2(4). The following are some explanations as to why a document or part thereof may be exempt from disclosure.

(A)(1) ... all personal or medical information relating to an individual in any files, including information relating to medical or psychological facts...R.I. Gen. Laws Section 38-2-2(4)(i)(A)(I);(C)... records of juvenile proceedings before the family court (D). All records maintained by law enforcement agencies for criminal law enforcement and all record relating to the detection and investigation of crime, including those maintained on any individual or compiled in the course of a criminal investigation by law enforcement agency. Provided however, such records shall not be deemed public only to the extent that the disclosure of the records or information may (a) reasonably be expected to interfere with investigations of criminal activity or with enforcement proceedings, (b) would deprive a person of a right to a fair trial or an impartial adjudication, (c) could reasonably be expected to disclose the identity of a confidential source, including a state, local, or foreign agency or authority, or private institution which furnished information on a confidential basis, or the information furnished by a confidential

source, (e) would disclose techniques and procedures for law enforcement investigation or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions, or (f) could reasonably be expected to endanger the life or physical safety of any individual..(S) records, reports, opinions, information, and statements required to be kept confidential by federal law or regulation or state rule of court, law or regulation. (i.e. – information regarding juveniles, etc.)

NOTE - Please be advised that this is not a complete list of documents that the Act exempts from disclosure. For a full list see R.I. Gen. Laws Section 38-2-2.

8. **Appeal or Denial** – Any person or entity denied the right to inspect a record of public body by the Public Records Officer may petition the chief administrative officer of that public body for review of the determinations made by his or her subordinates. Any petitions from a denial should be made to Chief Sidney Wordell. A final determination whether or not to allow public inspection will be made within ten (10) business days after the submission of the review petition. R.I. Gen. Laws section 38-2-8.
  
9. **Complaint to the Attorney General** – If the chief administrative officer determined that the record is not subject to public inspection, the person or entity seeking disclosure may file a complaint with the Attorney General, (150 South Main Street, Providence, R.I. 02903 – telephone 401-222-4400) or may retain private counsel for the purpose of instituting proceedings for injunctive or declaratory relief in the superior court of the county where the record is maintained. The Act provides that “[t]he court shall impose a civil fine not exceeding one thousand dollars (\$1,000.00) against a public body or official found to have committed a knowing and willful violation of this chapter, and shall award reasonable attorney fees and cost to the prevailing plaintiff. The court shall further order a public body found to have wrongfully denied access to [provide the] public records at no cost to the prevailing party; provided further, that in the event that the court, having found in favor of the defendant, finds further that the plaintiffs case lacked a grounding in fact or in existing law or in good faith argument for the extension modification, or reversal of existing law the court may award attorneys fees and costs to the prevailing defendant.” R.I. Gen. Laws Section 38-2-9(d).



## LITTLE COMPTON POLICE DEPARTMENT

60 Simmons Road  
Little Compton, RI 02837  
Phone 401-635-2311  
Fax 401-635-8782

Sidney M. Wordell  
Chief of Police

### Request for records under the access to public records act

Date: \_\_\_\_\_

Request # \_\_\_\_\_

Name: (optional) \_\_\_\_\_

Address: (optional) \_\_\_\_\_  
\_\_\_\_\_

Telephone: (optional) \_\_\_\_\_

Requested records:

After review of your public record request, the Little Compton Police Department determines that the requested records are exempt from disclosure for a reason set forth in R.I. General Laws 38-22(4)(i); Section (A) through (W), the Department reserves its right to claim such exemption and you shall receive written notice indicating so.

**Note:** If you chose not to include identifying information on this form (name, tel# etc.) please inform the dispatcher/officer at the front desk of the date you made the request, records requested and request number.

---

#### Office Use

Request taken by: \_\_\_\_\_

Request Number: \_\_\_\_\_



# Middletown Police Department

Accept APRA requests by email? Yes

Email address: [rnutt@middletownri.com](mailto:rnutt@middletownri.com)

Accept APRA requests by fax? Yes

Fax number: (401) 846-0175

Mailing address:

Middletown Police Department  
123 Valley Road Middletown  
Middletown, Rhode Island 02842

Telephone number: (401) 849-3131

APRA procedures online? Yes

APRA procedures URL:

<http://www.middletownri.com/government/8/334/Procedure-for-Obtaining-a-Public-Records>



**MIDDLETOWN**  
Rhode Island



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- [Citizen Police Academy](#)
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## Police Department Procedure for Obtaining a Public Record(s)

Pursuant to Rhode Island General Law 38-2-3(d) the Middletown Police Department, (MPD), hereby adopts the following procedure for requesting/obtaining public records:

1. A request to inspect and/or copy public records of the MPD can be requested verbally or in writing to the Lieutenant of Administrative Services, at 123 Valley Road, Middletown, RI 02842 during normal business hours (8:00 a.m. to 4:00 p.m.- Monday through Friday), telephoning (401) 842-6500 x7016 or by email at [mutt@middletownri.com](mailto:mutt@middletownri.com).
2. To ensure compliance with the Access to Public Records Act, (APRA), and to help you receive the records in an expeditious manner, we ask you complete a Public Records Request Form. This form **is not required** if you are seeking records pursuant to APRA or other documents prepared for, or readily available, to the public.
3. The APRA allows the MPD ten (10) business days to respond to the request, unless otherwise extended for good cause in accordance with the provisions of subsection 38-2-3(e). In such an instance, you will receive a response from the MPD within thirty (30) days of the request.
4. The following information reflecting an initial arrest of an adult and charge or charges shall be made available with forty-eight (48) hours after receipt of such request, unless a request is made on a weekend or holiday, in which event the information shall be made available within seventy-two hours. The arrest records must contain the following information:
  - a. Full name of arrested adult
  - b. Home address of the arrested adult (unless it would ID a victim)
  - c. Year of birth of the arrested adult
  - d. Charge(s)
  - e. Date of the arrest
  - f. Time of the arrest
  - g. Gender of the arrested adult
  - h. Race of the arrested adult
  - i. Name of arresting officer (unless undercover)
4. If the MPD determines the requested records are exempt from disclosure for a reason set forth in R.I.G.L. 38-2-2, (5), (i), (A-Y), the MPD reserves its right to claim such exemption.
5. In accordance with R.I.G.L. 38-2-4, the MPD may charge a fee of fifteen cents (\$.15) per page for copies and/or fifteen dollars (\$15.00) per hour, after the first hour, for search and/or retrieval of documents. For purposes of search and retrieval costs, multiple requests made within a thirty (30) day period to the MPD shall be considered as one (1) request.
6. The MPD is not obligated to produce for inspection, or copy any records not in the possession of the MPD. In addition, the MPD is not required to reorganize, consolidate, or compile data not maintained by the MPD in the form requested.

Respectfully,

Anthony M. Pesare

Chief of Police



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The Middletown, RI Town Hall is located at [350 East Main Rd, Middletown, RI 02842](#) · [Click Here for Directions](#) or call 401.842.6500

It is open from 8:00am to 4:00pm, Monday through Friday

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TOWN OF MIDDLETOWN  
PUBLIC RECORDS REQUEST GUIDELINES AND FORM

Pursuant to Rhode Island General Law (R.I.G.L.) 38-2-3(d), the Town of Middletown has instituted the following procedure in compliance with the Access to Public Records to assist you in obtaining public records:

1. A request to inspect and/or copy public records of the Town of Middletown may be presented orally or in writing to the Public Records Officer of each Department as listed below:
  - a. Town Administrator Shawn Brown (401) 849-2898, [sbrown@middletownri.com](mailto:sbrown@middletownri.com)
  - b. Town Clerk Wendy J.W. Marshall (401) 847-0009, [wmarshall@middletownri.com](mailto:wmarshall@middletownri.com)
  - c. Finance Director Lynne Dible (401) 846-4478, [ldible@middletownri.com](mailto:ldible@middletownri.com)
  - d. Tax Assessor George Durgin (401) 847-7300, [gdurgin@middletownri.com](mailto:gdurgin@middletownri.com)
  - e. Building Official Jack Kane (401) 847-5769, [jkane@middletownri.com](mailto:jkane@middletownri.com)
  - f. Town Planner Ronald Wolanski (401) 849-4027, [rwolanski@middletownri.com](mailto:rwolanski@middletownri.com)
  - g. IT Director Matthew Wainwright (401) 847-3830, [mwainwright@middletownri.com](mailto:mwainwright@middletownri.com)
  - h. Parks and Recreation Director Timothy Shaw (401) 847-1993, [tshaw@middletownri.com](mailto:tshaw@middletownri.com)
  - i. Department of Public Works Director Thomas O'Loughlin (401) 846-2119, [toloughlin@middletownri.com](mailto:toloughlin@middletownri.com)
  - j. Fire Department Chief Ron Doire 846-7888, [rdoire@middletownri.com](mailto:rdoire@middletownri.com)
  - k. Police Department Lt. Rob Nutt, 842-6500 ext. 7016, [rnutt@middletownri.com](mailto:rnutt@middletownri.com)
  - l. Senior Center Director Arleen Kaull, 849-8823, [akaull@middletownri.com](mailto:akaull@middletownri.com)
  - m. Public Library Director Theresa Coish, 846-1573, [tcoish@middletownri.com](mailto:tcoish@middletownri.com)
  - n. Middletown Public Schools Superintendent Rosemarie Kraeger (401) 849-2122, [rkraeger@mpsri.net](mailto:rkraeger@mpsri.net)
2. The regular business hours of the Town Hall are 8:00 a.m. to 4:00 p.m. In order to ensure that you are provided with the public records you seek in an expeditious manner, we ask that you complete the Public Records Request Form attached to these guidelines. Additional copies of the Public Records Request guidelines and form are available in each department listed above or on our website at [www.middletownri.com](http://www.middletownri.com).
3. Although not required, in order to ensure compliance with the Access to Public Records Act and in order to provide you with the public records in the most efficient manner, the Town asks that you complete the Public Records Request Form. This form is not required if you are seeking records or documents prepared for or readily available to the public.

4. The Town Department from which you request public records may ask you the reason for your request as part of its regular course of business. However, you are not required to provide personal identification or the reason you seek the information, and your right to access public records will not depend upon providing identification or reasons.
5. Vital Records are not public information.
6. All public records readily available may be searched by the individual.
7. There are times when the public records you seek are not available at the time of your request. Please be advised that the Access to Public Records Act allows a public body ten (10) business days to respond, which can be extended an additional twenty (20) days for "good cause" [RIGL 38-2-3(e)]. In such an instance, a response will be provided within thirty (30) days of receipt of request. We appreciate your understanding and patience.
8. If, after review of your request, the Town determines that the requested records are exempt from disclosure for a reason set forth in R.I.G.L. 38-2-2(5)(i)(A) through (Y), the Town reserves its right to claim such exemption.
9. In accordance with R.I.G.L. 38-2-4, the Town may charge a fee of fifteen cents (\$0.15) per page for copies and/or fifteen dollars (\$15.00) per hour, after the first hour, for search and/or retrieval of documents. Please be advised that for the purpose of search and retrieval costs, multiple requests made by you within thirty (30) days to the Town of Middletown shall be considered one (1) request.
10. The Town of Middletown is not obligated to produce for inspection or for copying any records that are not in the possession of the Town of Middletown. Moreover, the Town of Middletown is not required to reorganize, consolidate, or compile data that is not maintained by the Town in the form requested.
11. If you feel that you have been denied access to public records, you have the right to file a review petition with the Attorney General. If you are still not satisfied, you may file a lawsuit in Superior Court.
12. The Town of Middletown is committed to providing you with public records in an expeditious and courteous manner consistent with the Access to Public Records Act.

Town of Middletown, Rhode Island  
PUBLIC RECORDS REQUEST

For questions related to a request for public records, please contact the Town Clerk's office at (401) 847-0009 or at [wmarshall@middletownri.com](mailto:wmarshall@middletownri.com).

Date requested: \_\_\_\_\_

Department Requested from: \_\_\_\_\_

Name (optional): \_\_\_\_\_

Address (optional): \_\_\_\_\_

Phone (optional): \_\_\_\_\_

Email address: \_\_\_\_\_

Requested Records (please be specific):

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Cost:

- a. Standard photocopies of public documents: \$0.15 per page (R.I.G.L., Access to Public Records Act, Sec. 38-2-1. et seq., 38-2-4)
- b. Search and retrieval of documents: \$15.00 per hour with no cost charged for the first hour
- c. Land Evidence Documents and Probate Records: \$1.50 per page (R.I. G. L. 34-13-9)

Please note: vital statistics are not public records.

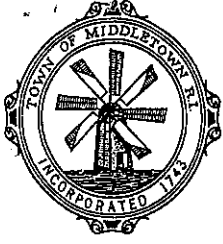
I declare that while inspecting original documents of the Town of Middletown, I will not remove, damage or in any way alter any original documents temporarily in my possession.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

-----  
Office Use Only:

Date Received: \_\_\_\_\_ Time: \_\_\_\_\_ Received By: \_\_\_\_\_

# of pages requested: \_\_\_\_\_ Fee Charged: \_\_\_\_\_



*Middletown Police Department*  
*123 Valley Road*  
*Middletown, Rhode Island 02842-5397*

Administrative (401)-846-1144  
Emergency (401) 846-1104  
Records (401) 849-3131  
Detectives (401) 846-0029  
Fax (401) 846-0175

Anthony M. Pesare  
Chief of Police

**PROCEDURE FOR OBTAINING RECORDS**

Pursuant to Rhode Island General Law 38-2-3(d) the Middletown Police Department, (MPD), hereby adopts the following procedure for requesting/obtaining public records:

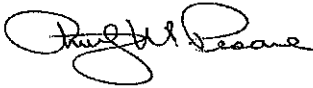
1. A request to inspect and/or copy public records of the MPD can be requested verbally or in writing to the Lieutenant of Administrative Services, at 123 Valley Road, Middletown, RI 02842 during normal business hours (8:00 a.m. to 4:00 p.m.– Monday through Friday), telephoning (401) 842-6500 x7016 or by email at [rnuttmiddletownri.com](mailto:rnuttmiddletownri.com).
2. To ensure compliance with the Access to Public Records Act, (APRA), and to help you receive the records in an expeditious manner, we ask you complete a Public Records Request Form. This form is not required if you are seeking records pursuant to APRA or other documents prepared for, or readily available, to the public.
3. The APRA allows the MPD ten (10) business days to respond to the request, unless otherwise extended for good cause in accordance with the provisions of subsection 38-2-3(e). In such an instance, you will receive a response from the MPD within thirty (30) days of the request.
4. The following information reflecting an initial arrest of an adult and charge or charges shall be made available with forty-eight (48) hours after receipt of such request, unless a request is made on a weekend or holiday, in which event the information shall be made available within seventy-two hours. The arrest records must contain the following information:
  - a. Full name of arrested adult
  - b. Home address of the arrested adult (unless it would ID a victim)
  - c. Year of birth of the arrested adult
  - d. Charge(s)
  - e. Date of the arrest
  - f. Time of the arrest
  - g. Gender of the arrested adult
  - h. Race of the arrested adult
  - i. Name of arresting officer (unless undercover)

4. If the MPD determines the requested records are exempt from disclosure for a reason set forth in R.I.G.L. 38-2-2, (5), (i), (A-Y), the MPD reserves its right to claim such exemption.

5. In accordance with R.I.G.L. 38-2-4, the MPD may charge a fee of fifteen cents (\$.15) per page for copies and/or fifteen dollars (\$15.00) per hour, after the first hour, for search and/or retrieval of documents. For purposes of search and retrieval costs, multiple requests made within a thirty (30) day period to the MPD shall be considered as one (1) request.

6. The MPD is not obligated to produce for inspection, or copy any records not in the possession of the MPD. In addition, the MPD is not required to reorganize, consolidate, or compile data not maintained by the MPD in the form requested.

Respectfully,

A handwritten signature in black ink, appearing to read "Anthony M. Pesare". The signature is cursive and somewhat stylized, with a large initial "A" and "P".

Anthony M. Pesare  
Chief of Police





# Middletown Police Department

123 Valley Road, Middletown, RI 02842

ORDER	EFFECTIVE DATE	NUMBER	ISSUING DATE
GENERAL	MARCH 10, 2014	520.01	MARCH 10, 2014
SUBJECT TITLE		SUBJECT AREA	
RELEASE OF POLICE INFORMATION AND MEDIA RELATIONS		INFORMATION SERVICES	
CALEA REFERENCE		PREVIOUSLY ISSUED DATES	
46.1.3, 54.1.1, 54.1.2, 54.1.3		07/01/08, 8/29/12	
DISTRIBUTION	REEVALUATION DATE	PAGES	
ALL	AS NECESSARY	8	

## RELEASE OF POLICE INFORMATION AND MEDIA RELATIONS

### I. PURPOSE

To establish guidelines for the release of information to the news media. To provide the news media and public with timely and accurate information regarding Department activities while ensuring that police investigations are not jeopardized by the premature release of information.

### II. POLICY

The Middletown Police Department actively seeks to establish a cooperative climate in which the news media may obtain information on matters of public interest in a manner that does not hamper police operations. The Department is committed to informing the community and the news media of events within the public domain. However, certain information must be withheld from the media to protect the constitutional rights of an accused, to avoid interfering with a Department investigation, or because it is legally privileged.

### **III. PROCEDURE**

#### **A. PUBLIC INFORMATION FUNCTION**

1. The Lieutenant of Administrative Services is designated as the Public Information Officer and is responsible for the public information function of the Department, and compliance with the Access to Public Records Act of the State of Rhode Island.
2. In the absence of the Lieutenant of Administrative Services the Officer-in-Charge, (O.I.C.), will be responsible for:
  - a. Assisting news personnel in covering routine news stories, and at the scene of incidents.
  - b. Being available for on-call responses to the news media.
  - c. Preparing and distributing formal news releases, subject to the approval of the Chief or his designee.
  - d. Arranging for, and assisting at news conferences.
  - e. Coordinating and authorizing the release of information about victims, witnesses and suspects.
  - f. Developing procedures for releasing information when other public service agencies are involved in a mutual effort.
3. It shall be the responsibility of the Chief of Police or designee to:
  - a. Coordinate and authorizing the release of information concerning:
    - 1) Confidential Department investigations and operations.
    - 2) Assisting in crisis situations within the department.
4. Police Officers approached by members of the news media for information concerning official activities of the Department are to refer all such inquiries to the O.I.C.

#### **B. NEWS MEDIA / AT SCENE ACCESS**

1. News personnel and photographers covering stories at the scene of major incidents, disasters, or events will be directed to an area designated by the on-scene O.I.C.
2. The area designated for the media should be convenient to the reporting of the incident so long as the investigation is not jeopardized and safety considerations are not compromised.
3. The area will be outside of the crime scene perimeter.

4. The O.I.C., should periodically update the media in accordance with this policy and Rhode Island Law.
5. If other agencies are involved in a mutual effort, the agency with primary jurisdiction will be responsible for releasing information unless other arrangements have been agreed upon.

### C. NEWS RELEASES

1. News releases are divided into three (3) categories. The frequency and content of the release depends upon the objective desired. Normally, releases are provided to those media agencies that have a direct relationship with the service community. The three types of news releases are:
  - a. **ONGOING INVESTIGATIONS** - It is important that all releases contain the same information. If possible a printed release will be prepared for distribution to the media. The Chief, Deputy Chief, Lieutenant of Administrative Services or their designee (the O.I.C. in their absence), **MAY RELEASE** the following information:
    - 1) The type of crime or nature of incident.
    - 2) The location (certain restrictions apply), date, time, injuries sustained, damaged property and a brief description of the incident.
    - 3) Amount and type of property taken, including value if known.
    - 4) The name, age, and address of any adult charged with a crime.
    - 5) The fact that a juvenile has been taken into custody, including sex, age, and general area of residence.
    - 6) The nature, substance or text of the charge.
    - 7) The facts, time and place of arrest.
    - 8) The next step in the judicial process.
    - 9) Requests for aid in locating evidence, a complainant or a suspect. The identity of a suspect before arrest will not be disclosed except to the extent necessary to aid in the investigation, to assist in the apprehension of the suspect, or to warn the public of any danger. A person's gender, general physical characteristics, and race may be released as descriptive information in such cases.
    - 10) Available photographs may be released only if they serve a valid law enforcement function such as the identity of an unknown victim or to enlist public assistance in the apprehension of the offender. Release of a photograph of an unknown victim requires the authorization of the Chief of Police.
  - b. **PUBLIC RELATIONS** - The Chief of Police or his designee shall be responsible for issuing public relation news releases. Information should be

provided on a regular basis to all media agencies that have contact within the Department's service area. The content of the news releases may include:

- 1) Department accomplishments.
- 2) New program announcements.
- 3) Crime prevention information.
- 4) Relevant crime problems and statistics.
- 5) Appointments and promotions.

- c. **EMERGENCY NEWS RELEASE** - Whenever there is an immediate need to inform the general public concerning an emergency, the on duty O.I.C. may contact the news media and issue a press release. The need for such release will depend upon the severity of the situation and the need for the public to be informed. In special situations of public concern such as natural disaster (tornadoes, severe wind, snow emergencies, floods, or rainstorms, etc.), a major fire or a chemical spill, the O.I.C. may issue a press release at his or her discretion. Comments to reporters should be comprised only of factual, on-the-record information. The Chief of Police will be informed of the emergency release as soon as practical.

#### **D. WITHHOLDING INFORMATION**

1. In general, comments to the news media concerning investigations, indictments, arrests and criminal incidents should be minimal, consistent with the responsibility of keeping the public informed without jeopardizing the rights of individuals.
2. The following information **WILL NOT** be released:
  - a) Any victim, complainant, or witness information such as identity, address , phone number, age, etc., in the following instances:
    - 1) The information is contained in an on-going investigation whereby release of such information may jeopardize successful resolution and/or prosecution of the case.
    - 2) The information is contained in any sex offense or sex related investigation which, if divulged, would tend to lead to the victim's identification.
  - b) Law enforcement officers may not disclose the identity of any juvenile in releasing information to the general public as to the arrest, investigation or disposition of any case involving a juvenile, unless under the written direction of a Justice of the Family Court.

- c) Medical information relating to health history, any diagnosis, medical condition, treatment provided or evaluation made by health care providers as defined in R.I.G.L. (5-37.3-3) unless specific consent has been obtained under the guidelines of R.I.G.L. (5-37.3-4).
- d) The identity of any critically injured or deceased person, before notification of the next of kin.
- e) Personnel data relating to any sworn member or employee of the department. Questions concerning personnel will be referred to the Chief of Police.
- f) Exact information concerning an on-going investigation, whether it is a crime or traffic accident, will not be released if the information would jeopardize the investigation or prosecution of a subject.
- g) Any police information released from other agencies furnished for confidential or law enforcement purposes, ex. BCI, Triple "I", license checks.
- h) Preliminary drafts, notes, impressions, memoranda, etc.
- i) Confidential intelligence or operations will not be disclosed except by the express permission of the Chief of Police.
- j) Sensitive or investigative information concerning internal investigations except by express permission of the Chief of Police in accordance with the RI Law Enforcement Officer's Bill of Rights.
- k) Any records required to be kept confidential by federal or state law or rule of the court.

#### **E. ACCESS TO PUBLIC RECORDS**

1. The Middletown Police Department has appointed the Lieutenant of Administrative Services as the Public Records Officer.
2. The Middletown Police Department shall provide the name of its Public Records Officer, business address and phone number to the Department of Attorney general.
3. The Middletown Police department adopts the language of the public notice placard and agrees to maintain it in a prominent place in the lobby of the police station.
4. The Middletown Police Department adopts the Access to Public Records Procedure.
5. The Middletown Police Department agrees to maintain copies of the Access to Public Records Procedure at its front desk for distribution to the public.
  - a. If someone requests a copy of the Access to Public Records Procedure, they will be given one. These copies will be located at the front desk.

6. The Middletown Police Department agrees to maintain the public records request form at its front desk and shall make them readily available, as well as pens or pencils, to the public for completion.
  - a. In most cases reports will be available within 24 hours of the request on the following business day. Regular business hours of the record department will be 8:15 am to 3:50 PM.
  - b. Accident reports are normally available at the time of the request. All other requested records will be forwarded to the Records Clerk. (Example; larceny reports, arrest reports, etc.)
  - c. The Lieutenant of Administrative Services is responsible for any redaction or refusal of the requested information. (Examples of redacted or denial of records; witness information, victim information, juvenile defendants, ongoing investigation, suspects, medical information, social security numbers etc.)
7. The Middletown Police Department understands and respects the right of the Public to access public records, and will treat citizens requesting public records with courtesy consistent with the department's Rules and Regulations.
  - a. Officers can ask a person requesting records for their name and the reason for the report. However, **if they refuse to give their name or the reason they are requesting a record they cannot and will not be denied access to the record requested!**
  - b. If a person requesting a report refuses to give their name, the request will be completed and the copy will be left with a description of the record requested and "anonymous request" typed at the top of the envelope.
8. The Middletown Police Department recognizes that it has Ten (10) business days to allow either the copying or the inspection of the requested public record.
9. If due to the request, the Middletown Police Department must seek an extension of up to additional 20 business days, the department must explain in writing why Ten (10) business days is not long enough to permit the copying or inspecting of the requested records *and* demonstrates one of the following:
  - a. That the voluminous nature of the request is such that additional time is necessary to avoid imposing an undue burden on the public body;
  - b. That the number of requests for records pending is such that additional time is necessary to avoid imposing an undue burden on the public body; or
  - c. That the difficulty in searching for and retrieving or copying the requested records is such that additional time is necessary to avoid imposing an undue burden on the public body.

A failure to comply with a request to copy or inspect a public record within Ten (10) days will be considered a denial and will also entitle the requesting entity or person to a waiver of all copying and search fees.

10. If we do not send the extension letter or respond to the request within the initial Ten (10) days, our inaction is considered a denial and we may have waived our defenses if a court action is filed.
11. A public body must provide public records in one of the following manners as chosen by the requesting entity or person: Electronically, fax or mail. However, a public entity is exempt from complying with this requirement if doing so would be unduly burdensome due to the volume of records requested; and the costs that would be incurred.
12. Arrest records (including narrative reports), must be made available within forty- eight (48) hours after receipt of a request, unless a request is made on a weekend or holiday, in which event the information shall be made available within seventy-two hours (72) hours. Such records must contain the following information:
  - a. full name of the arrested adult;
  - b. home address of the arrested adult, unless doing so would identify a crime victim;
  - c. year of birth of the arrested adult;
  - d. charge or charges;
  - e. date of the arrest;
  - (f) time of the arrest;
  - (h) gender of the arrested adult;
  - (i) race of the arrested adult;
  - (j) name of the arresting officer, unless doing so would identify an undercover officer
13. If we need advice as to whether a document is a "public record" we will promptly contact our town solicitor. If he or she is unable to provide an answer, he or she may contact the Civil Division of the Department of the Attorney General for an advisory opinion. If the town solicitor is for some reason unavailable, the Chief of Police may contact the Department of Attorney General directly.
14. The public records officer or his/her designee should review the initial arrest report and other public documents to ensure that privacy rights of individuals are maintained and informants or law enforcement techniques are redacted and not disclosed, utilizing the attached "checklist".
15. The Public Records Officer shall maintain a central file of all public records request forms. The file will contain the completed request forms once the request has been fulfilled or responded to. It is understood that in many instances the Middletown Police Department provides public records that are readily available to the requester without requiring them to complete the Public Records Request Form.

16. If someone feels they have been denied access to public records by the chief administrative officer or the custodian of the records they have the right to appeal to the Chief of Police. If they are still not satisfied they may file a complaint with the Department of the Attorney General.
17. The production of records shall not be considered untimely if the public body is awaiting receipt of payment for costs properly charged under RIGL 38-2-4 entitled "Denial of Access."
18. Only upon request does a public body have to provide an estimate of the costs of a request for documents prior to providing copies.
19. Persons or businesses are now allowed to use information from public records to solicit for commercial purposes.
20. The Chief of Police shall, on an annual basis, notify the Attorney General in writing that all MPD officers and civilian employees who have the authority to grant or deny persons or entities access to records under the APRA, have been provided orientation and training in regards to the act.

#### **F. MEDIA REVIEW**

1. The Middletown Police Department will involve the news media in the development of changes in policies and procedures relating to the public information function by allowing them to review and comment on this procedure.

**By order of:**



**Chief of Police**





# Middletown Police Department

## REQUEST FOR RECORDS UNDER THE ACCESS TO PUBLIC RECORDS ACT

Date \_\_\_\_\_ Request Number \_\_\_\_\_

Name (Optional) \_\_\_\_\_

Address (Optional) \_\_\_\_\_

Telephone (Optional) \_\_\_\_\_

Requested Records  
\_\_\_\_\_  
\_\_\_\_\_

Check the manner in which you wish to receive the records

Pick up  Mail  Fax  # \_\_\_\_\_

Email  Email Address \_\_\_\_\_

### Police Dept Use Only

Request Taken By \_\_\_\_\_

Date \_\_\_\_\_ Time \_\_\_\_\_

Records Available on \_\_\_\_\_ Method of Delivery \_\_\_\_\_

Cost of records ( \$ .15 per page ) \_\_\_\_\_

### Access to Public Records Request Receipt

If you desire to pick up the records, they will be available on \_\_\_\_\_ at the front desk. If, after review of your request, The Department determines that the requested records are exempt from disclosure for a reason set forth in RI General Laws Section 38-2-2(4)(i)(A) through (W) the Department reserves its right to claim such exemption. NOTE: If you chose to pick up the records but did not include identifying information on this form (name etc.) please inform the officer/clerk at the front desk of the date you made the request, records requested and request number \_\_\_\_\_.