



Fishers Police Department



General Order 53

Release of Records

CALEA Standard 82.1.1

PURPOSE <82.1.1c>

It is the policy of the Fishers Police Department to release all public records in compliance with Indiana's Public Access Laws. This general order will outline the guidelines by which the Fishers Police Department will follow in the release of records.

POLICY

A fee schedule for reports, records, permits, VIN verifications, fingerprints, gun permits, and solicitor licenses is allowed by law and established by either state statute or local ordinance.

Request for Record. Request for Public Record must be made in writing. If the requestor does not have a written letter, the Fishers Police Department will require that a form, *Request for Public Record*, be completed. The request must be stated with reasonable particularity. The Fishers Police Department will respond to an in-person request within 24 hours. The Fishers Police Department will respond to a request not made in person within 7 days of receipt. This does not mean that records will be produced within the above mentioned time periods.

Response to Request. The Fishers Police Department will produce requested materials in a reasonable time. The Fishers Police Department will contact the requestor, by telephone or in writing, notifying him/her of the records that will be made available and when they will be available. If access is denied, the Fishers Police Department will include an explanation for the denial. The denial will be in written form listing an explanation of any records that are confidential or not disclosed at the discretion of the Fishers Police Department, a list of the statutes permitting nondisclosure, and the name and title of the person responsible for making decisions concerning access to public records. (IC 5-14-3-4)

What can be Released?

Accident Report. The entire initial crash report with diagram (if done), including any supplemental crash report, will be provided. However, the Accident Investigator supplement or any Witness written supplement will not be released.

<82.1.2c> *Incident/Case Report (Adult).* The initial case report, including the reporting officer narrative/supplemental narrative, (if not part of any on-going or follow-up investigation) will be provided. The following information will be redacted: social security numbers, sex, race, date-of- birth, phone numbers, personal/employer address other than location of incident, driver's license number, any juvenile name, any sex crime victim name.

Note: Due to the sensitive nature, any sex crime report information will only be released by the Records Manager, Public Information Officer, Case Detective or their designee. Content will be released on a case by case basis.

<82.2.1c> Arrest Report (Adult). The adult arrest detail report and each probable cause affidavit will be provided. The following information will be redacted: social security numbers, sex, race, date-of-birth, phone numbers, employer address other than location of incident, driver's license number, any juvenile name, any rape victim name. (Arrestee address OK to release)

Note: Due to the sensitive nature, any sex crime report information will only be released by the Records Manager, Public Information Officer, Case Detective or their designee.

Content will be released on a case by case basis.

Case Report (Juvenile). It is the policy to not release any portion of a juvenile case report in which the juvenile is a victim. The following information will be provided by the Records Manager, Public Information Officer, Case Detective or their designee: date, location, time, reporting officer's name, juvenile age, juvenile city/state, and a synopsis of the circumstances reported. If the specific juvenile and/or guardian is the requestor, he/she may obtain the report with personal information redacted.

Arrest Report (Juvenile). It is the policy to not release any portion of a juvenile arrest report. The following information will be provided by the Records Manger, Public Information Officer, Case Detective or their designee: date, location, time, reporting officer's name, juvenile age, juvenile city/state, and a synopsis of the circumstances reported. If the specific juvenile and/or guardian is the requestor, he/she may obtain the arrest report and each probable cause affidavit. (I.C. 31-39-3)

Active Investigation Report. The Fishers Police Department will not release any portion of any report that is actively being investigated. The Fishers Police Department will release what is required by law. The information will be released by either the Case Detective, the Public Information Officer, or their designee. Closed investigation Reports may be released using the same guidelines for releasing case reports.

Calls for Service. The Fishers Police Department will provide the calls for service, also known as the run log.

Fishers Police Department Personnel. Subject to exceptions listed in I.C. sec. 5-14-3-4(22) regarding officers working in an undercover capacity, the Fishers Police Department will provide an employee's name, business address, work telephone number, job description, annual salary, any commendations, any formal disciplinary action, including status of any formal charges, education and training, previous work experience, and dates of employment.

BWC videos and in-person viewing. All non-departmental requests for viewing of BWC videos will require the requestor to complete and submit a "Release of Records" form. The video in question is then sent to the appropriate division supervisor for approval of release. Once approved, the video will be redacted by the FPD Records Manager or designee per IC 5-14-3. Video viewing will only take place during regular business hours and must be scheduled in advance. During the video viewing, requestors are not allowed to record or copy the video. Requestors may view the video twice [IC 5-14-3-5.1(c)]. Those viewing video will be monitored by an FPD sworn officer.

BWC videos and release of disk or link. A "Release of Records" form must be completed and submitted. All video releases carry a \$150 fee (due to the hourly rate of those reviewing and redacting said video). The video must be approved for release by the Patrol Division Supervisor or City Legal (all traffic court and subpoena requests), or designee. Redaction per IC 5-14-3 will be done by the FPD Records Manager or designee. Once approved, the link will be emailed and active for a 30-day period. Any decision to prohibit a video release will be made by the FPD Command Staff. The person authorizing the refusal and reason for refusal must be provided in writing to the requestor.

Note: An employee, or their designated representative may see his/her own entire file. A supervisor may review a subordinate's entire file.