


# COUNTY OF NORTHAMPTON SHERIFF'S DEPARTMENT



<b>Subject: Open Records Policy</b>		<b>Policy 4.11.1</b>
<b>Accreditation Ref.: 4.11.1</b>		
<b>Effective Date: July 12, 2023</b>	<b>Revised Date:</b>	
<b>By Authority Of: SHERIFF Richard H. Johnston</b>	<b>Signature:</b> 	

## I. POLICY

It is the policy of the Northampton County Sheriff's Department (NCSD) to comply with the requirements of the Pennsylvania Right to Know Act (Act 3 of 2008). 65 P.S. Sections 66.1-66.9.

## II. DEFINITIONS

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

## III. GENERAL

- A. The Northampton County Solicitor shall serve as the Open-Record Compliance Officer.
- B. All requests for public records shall be addressed as follows:

**Northampton County**  
**ATTN: Open-Records Compliance Officer**  
**669 Washington Street**  
**Easton, Pa 18042**

- B. Written requests will be accepted by mail, facsimile to (610) 559-3001, or delivered in person during Northampton County regular business hours of 8:30 a.m. to 4:30 p.m., Monday through Friday, except for holidays or other official office closings.
  - 1) **Under the Right-to-Know Law, investigative reports are exempted from the definition of a "public-record", therefore, any and all such requests will be denied.**

- 2) If a written request for public records is granted, fees will be assessed in accordance with the fee schedule promulgated by Pennsylvania's Office of Open Records. That fee schedule can be found at <http://openrecords.state.pa.us/>.
- a) Fees will not be charged for requests totaling less than 2 photocopies.
  - b) Postage costs will be charged at actual postage rates.
  - c) Fees must be paid in full prior to the public record being released.
  - d) If in the opinion of the Open-Records Compliance Officer the total fees will exceed \$100.00, the requestor will receive written estimate of such and no duplication shall occur until pre-payment of the estimate is received by the County of Northampton
  - e) All fees shall be paid by cash, check or money order made payable to the "Northampton County".
  - f) "Photocopy" shall be defined as either a single sided copy or one side of a double sided copy of a standard 8.5" x 11" pages
  - g) Questions regarding this policy should be directed to the Open-Records Compliance Officer.
  - h) This policy shall be posted in the main lobby of the Northampton County Sheriff's Department and on the Department's Internet website.
  - i) Police related security video, in car video and body cameras are not subject to an RTK, and will be served under Act 22 regulations.**
  - j) The RTK officer will immediately review the RTK request and respond within the 5-day period if possible. If it is not possible for the RTK officer to fulfil the request withing the 5 days, the RTK officer will respond requesting 30 days to respond.
  - k) Any police record that falls under the CHRIA regulation regarding the release of confidential information will not be released.
  - l) RTK denial can be appealed at the Office of Open Records using this form <https://www.openrecords.pa.gov/Appeals/AppealForm.cfm>
  - m) There shall be no requirements to limit the number of records requested or for providing the reason for the request.

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