


PBP FORM 290  PITTSBURGH BUREAU OF POLICE <i>"...accountability, integrity and respect."</i>		SUBJECT: RIGHT TO KNOW		ORDER NUMBER: 76-01	
		PLEAC STANDARD: 4.11.1		PAGE 1 OF 2	
RE-ISSUE DATE: 12/30/2015	EFFECTIVE DATE: 12/30/2015	ANNUAL REVIEW DATE: December	RESCINDS: ALL PREVIOUS	AMENDS: ALL PREVIOUS	

1.0 PURPOSE:

1.1. The purpose of this policy is to provide procedural guidelines for Pittsburgh Bureau of Police members so they may assist in providing the public with information necessary to obtain public records under the Right to Know Law of 2009.

2.0 POLICY:

2.1. On January 1, 2009, a new Right-to-Know Law ("RTKL") took effect in the Commonwealth of Pennsylvania. Under this statute, records of the City of Pittsburgh are generally available to citizens who request them subject to numerous exceptions. It will be the policy of the Pittsburgh Bureau of Police to direct all inquires from the public, for public records, to the Open Records officer located at the City-County Building 414 Grant St.

3.0 REQUEST FOR PUBLIC RECORDS:

3.1. All requests for public records will be referred to the City of Pittsburgh Open Records Officer located at the following address:

Open Records Officer
313 City- County Building
414 Grant Street
Pittsburgh, PA 15219
FAX 412-255-2285
openrecords@pittsburghpa.gov

3.2 The Right to Know Law defines a "record" as information, regardless of physical form, which documents a transaction or activity of the City and that is created, received or retained pursuant to law or in connection with a transaction, business or activity of the City Of Pittsburgh.

3.2.1 A record is **not** a "**public** record" if:

- 3.2.1.1 It is exempt from disclosure under section 708(b) of the Right to Know Law; or
- 3.2.1.2 It is exempt from disclosure under any other Federal or State Law, or regulation or judicial order or decree; or
- 3.2.1.3 It is protected by a privilege.

3.3 Determinations as to what is a public record under the Right to Know Law shall not be made by any member of the Pittsburgh Bureau of Police. Said determination shall be made by the City's Open Records Officer and in accordance with the RTKL..

3.4 Members of the Pittsburgh Bureau of Police must refer the public to the City Of Pittsburgh Open Records website to obtain the appropriate information and paperwork to request a public record.

4.0 PITTSBURGH BUREAU OF POLICE RESTRICTED INFORMATION:

No member of the Pittsburgh Bureau of Police will divulge any restricted or confidential information and/or release any department records outside of the Pittsburgh Bureau of Police, except in the official performance of their duties and/or when required by law.

- 4.1. Except as required by the RTKL or any other law, all members will defer to their supervisors on matters where uncertainty develops as to the release of any Pittsburgh Bureau of Police information.
- 4.2. Except as required by the RTKL, or any other law the Public Information Officer will serve as the primary releasing authority for information requested by the media and the community. (PBP 14 -17 Sec 2.1).

5.0 PROHIBITIONS:

- 5.1. No policy or regulation of the Pittsburgh Bureau of Police shall include any of the following:
 - 5.1.1. A limitation on the number of records which may be requested pursuant to the RTKL or made available for inspection or duplication.
 - 5.1.2. A requirement to disclose the purpose or motive in requesting access to records via the RTKL.

| Approved by:



Cameron McLay
Chief of Pol