



Tulsa Police Department

This policy statement and the procedures thereunder are intended for Police Department use only. The policies, procedures, and regulations are for internal Police Department administrative purposes and are not intended to create any higher legal standard of care or liability in an evidentiary sense than is created by law. Violations of internal Police Department policies, procedures, regulations, or rules form the basis for disciplinary action by the Police Department. Violations of law form the basis for civil and/or criminal sanctions to be determined in a proper judicial setting, not through the administrative procedures of the Police Department.

Policy # 105B

Effective Date 06/25/2009

Policy Name Request for Information

Approved Date 06/25/2009

Approved by *Wendell Franklin, Chief of Police*

Previous Date 08/15/2003

PURPOSE OF CHANGE:

To update the policy format.

POLICY:

This policy and procedure should be considered in conjunction with 105A, *News Media/Release of Information*. This policy and procedure is applicable to requests for information, documents, and records in situations not reasonably contemporaneous with arrest, whether contained in documents, computer files, investigative files, photographs, video or audio tapes, or teletypes.

It is necessary to recognize the limitations placed on the release of information by laws and court decisions. The Open Records Act sets forth categories of records that are, if kept, open to the public for inspection.

All documents and records in the possession of, or generated by, the Tulsa Police Department are in the custody of the Chief of Police. The Information Services Division (ISD) Commander is the official designee authorized to release records for inspection, copying, or mechanical reproduction, under the authority of the Open Records Act or other law.

Requests for material under the Open Records Act or other pertinent law will only be accepted when directed in writing to the ISD Division Commander.

Information not covered by the Open Records Act is presumed to be confidential and will be released only to other law enforcement agencies or as provided by applicable law.

SUMMARY: Procedures governing the release of information, documents, and records. these items include criminal history information, crime reports, collision reports, teletypes, investigative reports, or other documents, tapes, or photos.

APPLIES TO: All police personnel

DEFINITIONS:

CRIMINAL HISTORY RECORD INFORMATION – information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, information, or other formal criminal charges, and any dispositions arising therefrom, sentencing, correctional supervision, and release.

RECORD – all documents, including but not limited to, any book, paper, photograph (including mugshots), microfilm, computer tape, disk, record, sound recording, film recording, video recording, or other material, regardless of physical form or characteristic, created by, received by, under the authority of, or coming into the custody, control, or possession of the Tulsa Police Department.

PROCEDURES:

1. Unless otherwise granted permission by the Chief of Police, or official designee, no officer or employee has

permission to release police records to other than law enforcement personnel.

2. Officers and employees in positions where routine information requests are received shall familiarize themselves with applicable laws, regulations, and procedures relating to the release of information. Other officers and employees who are requested to release information, documents, or records shall refer the person requesting such items to ISD.
3. Officers and employees shall not release information obtained via teletype for other than a law enforcement purpose. This includes vehicle registration and license information.
4. A subpoena duces tecum, in the name of an officer or employee, is not authority for the officer or employee to take any official police record or document, either original or copy, to court. The Chief of Police is the legal custodian of all official records. The Chief, or his designee, must be served for official records to be surrendered. The subject of a subpoena duces tecum may be required, subject to the terms of the subpoena, to disclose any personally possessed materials such as field notes, etc. For purposes of subpoenas, the ISD Captain will accept subpoenas directed to the Chief of Police.
5. Officers or employees, for community service purposes, may release statistical information, such as crime statistics for a given neighborhood, providing such statistics do not contain information relating to specific victims, suspects, or addresses.
6. All requests from non-law enforcement agencies or persons for the release of criminal history information will be referred to ISD.

REGULATIONS: None

REFERENCES:

105A, *News Media/Release of Information*