

REQUEST FOR RECORDS

NOTE: THE REQUESTER MUST READ THE BACK SIDE OF THIS DOCUMENT PRIOR TO MAKING ANY RECORDS REQUEST.

Employee Taking Request: _____

Date of request: _____ **Time of request:** _____

PERSON REQUESTING RECORDS: (OPTIONAL)

Name: _____ DOB: _____

Address: _____ Phone: _____

CITY/STATE/ZIP: _____ Fax: _____

RECORD REQUESTED: {CIRCLE TYPE(S)}

Incident Accident Arrest Traffic/Mun Citation Records Other

DATE(S) OF INCIDENT: _____ TIME OF INCIDENT(S): _____

SPECIFIC LOCATION OF INCIDENT: _____
HOUSE #, STREET, # Apt #, ETC.

INVOLVED PERSON(S): _____ DOB: _____

ADDRESS: _____ PHONE: _____

OFFICER(S) INVOLVED: _____

DESCRIBE RECORD(S) REQUESTED:

{ANY INFORMATION THAT WILL ASSIST THE EVANSVILLE POLICE DEPARTMENT IN FULFILLING THE REQUEST}

CIRCLE ONE: TO BE MAILED WILL PICK UP _____
DATE & TIME

WE WILL ATTEMPT TO FULFILL ALL RECORD/DOCUMENT REQUEST'S AS SOON AS POSSIBLE. POLICE RECORDS WILL BE MADE AVAILABLE WHEN THEY ARE COMPLETED, SUBMITTED, REVIEWED, AND APPROVED. PLEASE ALLOW 7-14 BUSINESS DAYS FROM ORIGINAL REQUEST. CERTAIN REQUESTS MAY TAKE LONGER THAN 7-14 DAYS TO FULFILL, IN WHICH CASE YOU WILL BE NOTIFIED THAT MORE TIME IS NECESSARY. IF YOU HAVE QUESTIONS, DIRECT ALL INQUIRES TO: CHIEF OF POLICE 608-882-2299.

* (SEE BACK SIDE OF THIS SHEET)

** The requester will be charged .25 per page with a minimum fee of 2.00. See sec. 19.35(3)(a), Wis. Stats.
The requester may be charged an hourly rate as permitted by law. see sec. 19.35(3)(c) Wis. Stats.
The requester may be charged mailing and shipping fees. See sec. 19.35(3)(d), Wis. Stats.

Prepayment may be required as permitted by law. See sec. 19.35(3)(f), Wis. Stats.

Sec. 6-2-4 Records Not to Be Released

1. Any record exempt from disclosure by the Wisconsin public records statute or any other applicable state statute or regulation.
2. Any record exempt from disclosure by federal statute or regulation.
3. Any record exempt from disclosure by state and/or federal court decisions.
4. Any record where, in the opinion of the record custodian, disclosure would result in harm to the public interest that outweighs the legislative policy recognizing the public interest in allowing access.
5. If part, but not all, of a record is subject to disclosure, the record custodian will redact that part of the record that is exempt from disclosure and then provide a redacted copy of the requested record.

Sec. 6-2-5 Investigatory Records

Police reports, witness statements, and/or any other records pertaining to any investigation (criminal or non-criminal) shall not be open to public inspection under ss. 19.31 to 19.39 before one of the following occurs:

- (a) The suspect is convicted or acquitted of an offense that is a subject of the investigation.
- (b) All investigations and prosecutions to which the investigation relates are concluded.

Prior to providing any records covered by this subsection, the record custodian shall confirm the existence and/or status of any prosecutions relating to the investigation. If the matter is already closed, with or without prosecution, the record custodian shall treat the request the same as any other, including determination of whether it is permissible and/or appropriate to release copies of the requested records.

If the requester is a defendant seeking copies of records pertaining to the investigation of the charges against him/her, after entry of a plea, the defendant may request the records from the prosecuting attorney. The police department will not release copies of any records pertaining to a pending prosecution.

Note: This policy is consistent with State ex rel. Richards v. Foust, 165 Wis. 2d 429, 477 N.W.2d 608 (1991) and Linzmeier v. D.J. Forcey, 254 Wis. 2d 306, 646 N.W.2d 811, 2002 WI 84 (2002).

*** Excerpted from the Evansville Police Department Policy Manual.**