

APPENDIX VI

Cumberland County 9-1-1 COMMUNICATIONS CENTER'S POLICY REGARDING RELEASE OF INFORMATION

1. Cumberland County 9-1-1 may refuse to respond to an oral request and require a written request. Cumberland County 9-1-1 will keep a record of the name, address and telephone number of the requesting person and describe the matter involved.
2. Information contained in the records relating to names, addresses and phone numbers of persons providing information or involved in any report relating to fire, police and Emergency Medical Services (EMS) shall not be released except pursuant to an appropriate court order. OEP may waive this rule and permit the release of such information when EMS or a fire or police department involved with that particular incident is the requesting party.
3. Cumberland County 9-1-1 may confirm that an incident has occurred and give the place, date, time and unit responding.
4. Cumberland County 9-1-1 shall not give any information regarding any reports, communications or other paper which has potential for disclosing the institution, progress or result of an investigation undertaken by an agency in the performance of its official duties.
5. Cumberland County 9-1-1 will not give any information which is prohibited by law or order of court.
6. Cumberland County 9-1-1 will not give any information in which in their opinion may operate to the prejudice or impairment of a person's reputation or personal security.
7. Cumberland County 9-1-1 will not give any information which may result in the loss of funding from the Commonwealth of Pennsylvania or any political subdivision thereof, or any commission or state or municipal authorities.
8. Cumberland County 9-1-1 will advise responding units, such as police, fire or EMS, that said responding units should indicate to this office any incident which such responding units do not desire to be disclosed and the reasons therefore.

9. MASTER DIGITAL AUDIO TAPE RECORDING POLICY

A. Master Digital Audio Tapes with recorded voice information are archived for a minimum of thirty (30) days pursuant to the requirements of the Pennsylvania Public Safety Emergency Telephone Act (Act 78 of 1990, P.L. 340, No. 78 as Amended).

B. All requests for a cassette copy of all or part of a Master Digital Audio tape must be submitted to the OEP in writing, which describes the involved incident, the reason for the request and the name, address and telephone number of the person making the request. The OEP may waive this rule and permit the recording of such information when the police department or other law enforcement investigating agency involved with the particular incident is the requesting party.

C. Cumberland County 9-1-1 reserves the right to have any request reviewed by the County Solicitor. An appropriate court order may be required and this notwithstanding that a subpoena has been served.

D. Cumberland County 9-1-1 will advise the requestor as to whether permission has been granted or denied. If granted, the requestor must:

1. Arrange for the time and place for the re-recording.
2. Provide necessary blank audiocassettes.
3. Have a designated representative present during the recording process.
4. Sign any documents (including a release) that Cumberland County 9-1-1 deems necessary to appropriately administer this policy.

E. Master Digital Audio Tapes will not be placed on "*hold*" for recording purposes. If additional time is needed, a written request for same with the reasons therefore must be submitted to Cumberland County 9-1-1 for consideration. Said request will be granted or denied at their discretion and subject to such conditions as said office may attach.

Attached hereto is a copy of 65 P.S. 66.1 (2) defining "*Public Record*."
Tapes are not public records.

DEFINITION OF "PUBLIC RECORD"

66.1 Definitions

- (2) *"Public Record."* Any account, voucher or contract dealing with the receipt or disbursement of funds by an agency or its acquisition, use or disposal of services or of supplies, materials, equipment or other property and any minute, order or decision by an agency fixing the personal or property rights, privileges, immunities, duties or obligations of any person or group of persons. Provided - That the term *"public records"* shall not mean any report, communication or other paper, the publication of which would disclose the institution, progress or result of an investigation undertaken by an agency in the performance of its official duties, except those reports filed by agencies pertaining to safety and health in industrial plants; it shall not include any record, document, material, exhibit, pleading, report, memorandum or other paper, access to or the publication of which is prohibited, restricted or forbidden by statute law or order of decree of court, or which would operate to the prejudice or impairment of a person's reputation or personal security, or which would result in the loss by the Commonwealth or any of its political subdivisions or commissions or State or municipal authorities of Federal funds, excepting therefrom however the record of any conviction for any criminal act.

As amended 1971, June 17, P.L. 160, No. 9 § 1.