

UW Whitewater Police



Redaction of Police Records

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Special Instructions:			
Approved By: Chief Kiederlen	Effective Date: 9/20/2018	Revised Date: 8/9/2022	Revision number: 1

I. Purpose

The purpose of this policy is to provide a general guideline of when to redact records for open records requests.

II. Definitions

FERPA: The Family Educational Rights and Privacy Act (FERPA) is a federal law that affords parents the right to have access to their children’s education records, the right to have the records amended, and the right to have some control over the disclosure of personally identifiable information from the education records.

III. Policy

The UW-Whitewater Police Department (UWWPD) receives open records requests from various sources. Records will never be released while the case is open and/or currently under investigation. If an incident has been referred to the District Attorney, then UWWPD will advise the open records requester to contact the District Attorney for the corresponding county. UWWPD will keep a log of all open records requests except those from other law enforcement agencies. Open record requests redactions are done on a case-by-case basis.

IV. Procedure

- A. As a general guideline, redaction is not required for records requested from:
 - 1. Law Enforcement Agencies.
 - 2. Attorneys – they are officers of the court.
 - 3. House of Corrections staff requests.
- B. Redaction is normally required for requests from:
 - 1. Office of Personnel Management.
 - 2. Insurance Companies – accident report requests should be referred to the State of Wisconsin website: <https://app.wi.gov/crashreports>.
 - 3. National Guard or other military requests.
 - 4. Private citizens.

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- C. Redactions are taken based upon the WI Statute 19.35(1)(a) balancing test. The balancing test weighs the needs of the public interest in disclosure of the information against the expectation of privacy on the part of the individuals involved.
- D. Records are individually analyzed and redacted. The requester copy of the redacted record will normally include a paragraph advising of the redaction and statutory requirements.
- E. The following information is always redacted from records:
 - 1. Driver's License numbers.
 - 2. Social Security numbers.
 - 3. Passport numbers.
 - 4. State Identification numbers.
 - 5. Bank account numbers.
 - 6. Credit Card numbers.
 - 7. Other like numbers.
- F. Redactions will be completed utilizing appropriate software to ensure both the information and metadata is removed from the records. Removing metadata ensures an individual cannot retrieve the information from the redacted electronic copy received.
- G. Information which will not be released:
 - 1. Medical records.
 - 2. Juvenile records.
 - 3. Confidential informant information.
 - 4. Mental Health records.
- H. Police Records are not FERPA protected.