WEST WHITELAND TOWNSHIP POLICE DEPARTMENT

101 COMMERCE DRIVE
EXTON, PA 19341
OFFICE: (610) 363-0200 FAX: (610) 363-6671
WESTWHITELANDPD.ORG

Crime Victim Right of Access Request – Instructions

Please carefully review these instructions before submitting a request under 18 Pa. C.S. 9158 et. seq.

Materials will only be provided to a requesting party as defined in 1 Pa. C.S. 9158 or a requesting party's attorney. A **requesting party** is a "crime victim or a defendant in a civil action in which a crime victim is a party" Furthermore, a "crime victim" is any individual "against whom a crime has been committed or attempted and who as a direct result of the criminal act or attempt suffers a physical or mental injury, death, or the loss of earning." 18 Pa. C.S. 11.103.

All Crime Victim Right of Access Requests will be submitted to the West Whiteland Township Police Department's Records Department (CHRIAmail@westwhiteland.org) and must include the following:

1. **Crime Victim Right of Access Form**: this form must be thoroughly and accurately completed. Attorneys should include their client's name and information as the requesting party.

2. **Specific description of the information requested**: all requests must describe the information sought with sufficient specificity to enable the West Whiteland Township Police Department to ascertain what is being requested. 18 Pa. C.S. 9158,2(b). Failure to adequately identify the information sought shall be grounds for denial. Requests must include the following: name of the victim, name of the defendant/suspected defendant, and incident date.

3. **Unsworn Statement**: all requests must include a statement demonstrating the requested information is "directly related to a civil action pending in a court of this Commonwealth" or "material necessary to the investigation or preparation of a civil action in this Commonwealth." 1 Pa. C.S. 9158.2

The failure to comply with the foregoing may result in denial. Please be sure to retain a copy of all materials submitted; these materials will be needed in the event of any future appeal.

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Response

A written response granting or denying the request will be provided within sixty (60) days of receipt of the request or by the date returnable on the request, whichever is later.

The West Whiteland Township Police Department may deny a request, in whole or in part, for any of the reasons provided in 18 Pa. C.S. 9158.3. Absent extenuating circumstances, all requests for information related to a pending investigation or prosecution will be denied. Where appropriate, the West Whiteland Township Police Department may contact the Chester County District Attorney's Office to determine if a protective order limiting further dissemination of the requested materials must be sought.

Fees

Under 18 Pa. C.S. 9158.2(d) the West Whiteland Township Police Department will impose reasonable fees for costs incurred to comply with the requests; reference the Fee Schedule for more information. A cost estimate will be provided in advance, and payment is expected before the materials are released. Payment must be provided ***directly*** to the West Whiteland Township Finance Department and if being paid by check or money order, must be made out to *West Whiteland Township*.

The information and requirements contained herein are subject to change, without notice, and will be further amended under any rules and regulations provided by the proper authorities, courts, and/or law.