

# UW Whitewater Police



## Redaction of Police Records

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### I. Purpose

The purpose of this policy is to provide a general guideline of when to redact records for public record 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 public record 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 requester to contact the District Attorney for the corresponding county. UWWPD will keep a log of all public record requests. Public 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> or [crashdocs.org](https://crashdocs.org)
  - 3. National Guard or other military requests
  - 4. Private citizens

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- C. Redactions are made based upon the WI Statue 19.35(1)(a) balancing test. The balancing test weighs the need of 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 redacted record will include a letter 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 are completed utilizing appropriate software to ensure both the information and metadata is removed from the record. Removing metadata ensures an individual cannot retrieve the information from the redacted electronic copy received.
- G. Records which will not be released unless ordered by an appropriate legal authority:
  - 1. Medical records
  - 2. Juvenile records
  - 3. Confidential informant information
  - 4. Mental Health records
- H. Police Records are not FERPA protected.