

	TYPE OF DIRECTIVE LINE PROCEDURE	NUMBER LP-20-22
	SUBJECT FREEDOM OF INFORMATION	EFFECTIVE DATE 12/09/22
	REFERENCE TITLE 2.2, CHAPTER 37, CODE OF VIRGINIA	RESCINDS LP-20-20

PURPOSE

To establish procedures for handling Virginia Freedom of Information Act (FOIA) requests. FOIA requests can be made verbally, electronically or in writing to any Police Division member.

PROCEDURES

I. INFORMATION REQUESTS

- A. Upon receipt of a FOIA request by any Police Division member, the request and all related documents shall be immediately forwarded to the FOIA Coordinator.
- B. The FOIA Coordinator shall review the request to determine what documents are required to fulfill the request.
- C. Notification to the requester must be made within five (5) business days from the receipt of the request.
 - 1. In the event the records cannot be obtained within the five (5) business days, the FOIA Coordinator shall notify the requester of the delay.
 - 2. An additional seven (7) business days will be allowed to obtain non-criminal information and up to an additional sixty (60) business days will be allowed to obtain criminal information.
- D. When the request is from an attorney or an insurance company, the FOIA Coordinator shall research and collect the available records and send them to the Henrico County Attorney’s Office via interoffice mail.
- E. The FOIA Coordinator shall confer with the Henrico County Attorney’s Office for clarification and assistance when interpretation of Code of Virginia, Title 2.2, Chapter 37 is necessary.

II. TRAINING

All members of the Police Division who receive, handle, or manage FOIA requests shall receive appropriate training, updated on an as needed basis, to ensure the law and procedures are clearly understood. Such training shall be documented by the Police Training Unit.

III. ASSESSMENT OF FEES (§2.2-3704)

FOIA allows a reasonable fee to be charged to the requester. This fee will not exceed the actual cost incurred in accessing, duplicating, supplying, or searching for the requested records.

FREEDOM OF INFORMATION LP-20-22

- A. If a cost estimate is requested, the FOIA Coordinator will notify the requester of the estimated cost before processing the request for records. If the requester wishes to proceed, the FOIA Coordinator will process the request for records and bill the requester.
- B. If a cost estimate is not requested, the FOIA Coordinator will process the request and bill the requester the appropriate cost.

IV. EXCEPTIONS TO THE VIRGINIA FREEDOM OF INFORMATION ACT (§ 2.2-2704 through § 2.2-3712)

The FOIA Coordinator will maintain and update, as needed, an electronic file which contains the following information:

- A. A complete copy of the Freedom of Information Act;
- B. A listing of exceptions to the Act for law enforcement;
- C. Documentation of all FOIA requests made with responses; and
- D. Any pertinent legal opinions.

By Order of:

Eric D. English
Chief of Police