

	TYPE OF DIRECTIVE LINE PROCEDURE	NUMBER LP-20-20
	SUBJECT FREEDOM OF INFORMATION	EFFECTIVE DATE 11/16/20
	REFERENCE TITLE 2.2, CHAPTER 37, CODE OF VIRGINIA	RESCINDS LP-20-18 REV.

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. The FOIA Specialist shall review all responses to FOIA requests with the Criminal Records Manager before sending the responses to the requester(s).
- B. Upon receipt of a FOIA request by any Police Division member, the request and all related documents shall be immediately forwarded to the FOIA Specialist by email.
- C. The FOIA Specialist shall review the request to determine what documents are required to fulfill the request.
- D. 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 Specialist shall notify the requester of the delay.
 - 2. An additional seven (7) business days will be allowed to obtain the requested information.
- E. When the request is from an attorney, the FOIA Specialist shall research and collect the available records and send them to the Henrico County Attorney’s Office via interoffice mail.
- F. The FOIA Specialist 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)

The FOIA Specialist shall bill the requester for the amount of time taken to research and make copies of the records.

- A. If the estimated staff and copying costs equal to or exceed \$200.00, advance payment may be required.
- B. In conjunction with the Manager, Criminal Records, the FOIA Specialist shall be responsible for collecting all applicable fees or billing the requester for applicable fees through the Oracle system. Payments will be delivered to the Henrico County Department of Finance.

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

The FOIA Specialist 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