

**Rankin County Sheriff's Department
Law Enforcement
Policies and Procedures**

Subject: Request for Records	Policy Number: 2.9b
Issue Date: April, 2008	Revision Date: February, 2023
Approval Authority: Bryan Bailey, Sheriff	

POLICY:

The Rankin County Sheriff's Department ("RCSD") cooperates fully and impartially with public efforts to gather public information pertaining to its activities, so long as requests do not significantly interfere with operations, infringe upon individual rights, or violate the law. Any person or entity shall have the right to inspect, copy, or mechanically reproduce or obtain a reproduction of any public record of the RCSD in accordance with this policy.

In accordance with Miss. Code Ann. § 25-61-5(1)(a), the RCSD adopts these written procedures "concerning the cost, time, place and method of access" for public record requests, and shall provide public notice of these procedures by placing them on the RCSD website.

DEFINITIONS:

Incident Report: Defined by Miss. Code Ann. § 25-61-3(e) as "a narrative description, if such narrative description exists and if such narrative description does not contain investigative information, of an alleged offense, and at a minimum shall include the name and identification of each person charged with and arrested for the alleged offense, the time, date and location of the alleged offense, and the property involved, to the extent this information is known."

Investigative Report: Defined by Miss. Code Ann. § 25-61-3(f) as RCSD records containing information beyond the scope of the matters contained in an incident report, and generally will include, but not be limited to, the following matters if beyond the scope of the matters contained in an incident report:

- (i) Records that are compiled in the process of detecting and investigating any unlawful activity or alleged unlawful activity, the disclosure of which would harm the investigation which may include crime scene reports and demonstrative evidence;
- (ii) Records that would reveal the identity of informants and/or witnesses;
- (iii) Records that would prematurely release information that would impede the RCSD's enforcement, investigative, or detection efforts;
- (iv) Records that would disclose investigatory techniques and/or results of investigative techniques;
- (v) Records that would deprive a person of a right to a fair trial or an impartial adjudication;
- (vi) Records that would endanger the life or safety of a public official or law enforcement personnel, or confidential informants or witnesses;
- (vii) Records pertaining to quality control or PEER review activities; or
- (viii) Records that would impede or jeopardize a prosecutor's ability to prosecute the alleged offense.

PROCEDURES:

The Sheriff or his designee will coordinate and respond to Mississippi Public Records Act requests per statutes and distribute information to the public when requested following these procedures.

Requests for Public Information:

1. Requests for release of RCSD public records shall be made to the RCSD in writing on the ***Public Information Request Form*** attached to this procedure, which should be completed with as much specificity as possible. Requests that are vague and/or fail to identify the specific incident / occurrence cannot be responded to and will be returned for further clarification.
2. There is a \$10 fee charged for processing the request, which includes production of the first report, if there is anything found, and must be included in the submission. There is a \$10.00 charge for each additional document requested and found. A ***Record Response Fee Schedule*** is attached. Fees shall be paid prior to release of records. Checks should be made payable to "***Rankin County Sheriff's Department***".
3. All requests for release of RCSD records shall include (a) a completed ***Public Information Request Form***, (b) a \$10 check, (c) a copy of the Requestor's valid government-issued photo identification, and (d) a self-addressed, stamped envelope (where a response is to be mailed).
4. Public records requests must be submitted either (a) via hand-delivery to the RCSD during normal business hours or (b) via U.S. Mail to **Rankin County Sheriff's Department, Attn: Public Records Request Official, 221 N. Timber St., Brandon, MS 39042.** Faxed or emailed requests will not be accepted.
5. Public record requests submitted in the proper form shall be responded to within seven (7) working days from the date received. In the event that the record(s) requested cannot be providing within this time period, a written explanation will be provided to the person making the request stating that the record requested will be produced and specifying with particularity why the record(s) cannot be produced within the seven-day period. Unless there is mutual agreement of the parties, the record(s) will be produced no later than fourteen (14) working days from receipt of the original request.
6. Denial of a public records request or production of redacted public records shall be submitted to the requestor in writing with the reason for such denial / redaction.
7. Denials of requests shall be maintained on file for three (3) years and shall be available for inspection and/or copying during regular business hours to any person upon written request.

Release of Information:

Information authorized for release concerning an investigation or crime includes:

1. Incident Report information;
2. Any unusual or hazardous road conditions;
3. Location of destruction due to a natural disaster;
4. Number of officers or people involved in an event or investigation, the length of the investigation, and the different departments involved; and
8. The name, address, and age of:
 - a. Any charged and arrested adult; and/or
 - b. Any charged and arrested juvenile under adult jurisdiction.

Non-Release of Information:

The following information may not be released unless authorized by the Sheriff:

1. Investigative Report information.
2. The identity of a suspect prior to arrest, unless (a) the release of information would aid in apprehending the suspect or warn the public of potential danger; and (b) probable cause has been established and an arrest warrant has been obtained.
3. The identity of any critically injured or deceased person prior to notification of close relatives or next of kin.

The following information will not be released, in which exemption from production is not discretionary.

1. The personnel records of any RCSD official / employee, including but not limited to their home address, any telephone number of a privately paid account, other private information (*i.e.*, date of birth, social security number, medical records, names or information related to their family members, etc.), evaluations, applications for employment, recommendations submitted with applications, complaints made against them, disciplinary measures contemplated or taken against them, internal affairs investigations.
2. The identity of any victim of a sex crime, or any related information which, if divulged, could lead to the victim's identity.
3. The identity of any victims or witnesses which may prejudice an investigation or place the victim(s) or witness(es) in personal danger.
4. The identity and address of any juvenile except by order of the Youth Court pursuant to Miss. Code Ann. § 43-21-261.
5. Any record or information deemed confidential or privileged by any constitutional law, state or federal statutory law, or decision of a court of Mississippi or the United States.

Rankin County Sheriff's Department
Public Records Request DENIAL / REDACTION Form

REQUESTOR: _____ Date Received: ____/____/____

Your request for release of information has been [] DENIED or [] REDACTED for the following reason(s):

Check all that apply:

- | | |
|--|--|
| <input type="checkbox"/> Failure to submit request pursuant to procedure on RCSD website | <input type="checkbox"/> Investigative Report information |
| <input type="checkbox"/> Request sent via Fax or Email | <input type="checkbox"/> Personnel Records |
| <input type="checkbox"/> Failure to pay \$_____ (amount) | <input type="checkbox"/> Victim / Witness Information |
| <input type="checkbox"/> Juvenile Records, request must be made through the Rankin County Youth Court | <input type="checkbox"/> Confidential / Privileged Information |
| <input type="checkbox"/> Information requested not generated by RCSD, must be requested from originating agency. | |

Other: _____

Date Response Submitted: ____/____/____

Response Submitted: Via Email OR Via U.S. Mail

By: _____