

# Marquette University Police Department

## B. REQUESTER

Requester means any person except a person committed to a mental facility or person incarcerated in a federal, state, county, or municipal correctional facility. However, committed or incarcerated people may receive records about themselves or records of their children. A Requester does not have to identify him/herself, does not have to state the purpose of the request. A requester has a greater right to access his or her own records than the general public does.

Marquette University Trustees and University employees not part of MUPD shall not be considered "Requesters" for purposes of this Policy, provided that such requests are made (1) in order to carry out activities that assist MUPD in discharging its responsibilities and (2) the request is made by a person acting within the scope of his or her appointment or employment. Any such disclosure of records shall not be considered a "public disclosure" for purposes of this Policy.

## C. RECORD

Record means any material on which written, drawn, printed, spoken, visual, or electromagnetic information is recorded or preserved, regardless of physical form or characteristics, which has been created or is being stored by MUPD. University materials or information that is accessed by MUPD but not created or stored by MUPD are not Records and are not subject to the requirements of this Policy.

### **10.2.25 Procedure**

- A. When determining whether or not it is proper to release a Record, MUPD must balance the public's right to know against the obligation to have the Record remain confidential. Prior to any denial, in whole or in part, of a request for Records, MUPD shall consult with the University's Office of General Counsel. If a request for Records is denied, the Requester shall be notified of the reason for denial. All denials must be in writing and must inform the Requester that the denial is subject to review in an action for mandamus pursuant to WI Stats. 19.37(1) or by application to the district attorney or the attorney general pursuant to WI Stats. 19.34(4)(b).
- B. Requests are not required to be in writing. Requests for Records may be made between 8:30 AM and 4:30 PM at the MUPD offices at Parking Structure 1, (North 16<sup>th</sup> Street between West Wells Street and

West Wisconsin Avenue), P.O. Box 1881, Milwaukee, Wisconsin, 53201-1881, ATTN: MUPD RECORDS.

- C. If the requested Record does not exist, the Requester shall be informed of that fact. MUPD is not required to create a new record by extracting or compiling information from other existing Records.
- D. The Requester must be reasonably specific concerning the subject matter of the Record or Records being requested.
- E. Generally, telephone requests for access to Records will not be honored, except that telephone requests from other law enforcement services, from social/human services departments, and from medical service providers may be honored.
- F. Continuing or ongoing requests for Records will not be honored.
- G. MUPD employees should instruct other Requesters to appear in person, mail, or send requests for access to Records by facsimile to the attention of Records Custodian, Marquette University Police Department, P.O. Box 1881 Milwaukee, WI, 53201-1881.

#### **10.2.35**      **Designated Authority to Release Records**

The Chief of Police delegates to the Marquette University Police Department Office Coordinator the authority to disseminate and to release Records to the public.

The Office Coordinator's authority and responsibility to release Records is limited to releases of a routine nature as directed by the Chief of Police.

#### **10.2.40**      **Release of Personnel Records**

Only the MUPD Chief of Police has the authority to release Records concerning personnel, after consultation with the Office of General Counsel and the University's Department of Human Resources.

#### **10.2.45**      **Confidential Records Not Subject to Release**

- A. Juvenile Records.
- B. Personnel Records.
- C. Records created by other law enforcement agencies, DCI, WSP, and the medical examiner.

D. Personal notes created by MUPD employees that are not shared with others. Any notes that are a part of a case file or that are disseminated to other people are considered Records and are subject to request and release.

E.

upon the reputation of any person to whom reference is made. If the contents of any Record contain "highly offensive conduct," caution must be exercised when considering public accessibility. Records such as this are subject to a balance test, considering the public's right to



2. The illegal possession of a dangerous weapon as defined in

