

Weyauwega Police Department \_\_\_\_\_ OPEN RECORDS REQUEST

Rev. 09/23/2008

**NOTE:** The records from the Weyauwega Police Department are to be considered as investigative files only. PENDING JUDICIAL MATTERS: If the records being sought have not been adjudicated by the court you must file for discovery through the City Attorney for all civil citations or the District Attorney for all criminal matters. GENERAL REQUESTS: Under Sec. 19.35, Wis. Stats. a request for access to a public record is deemed sufficient if it reasonably describes the requested record or the information requested. However, a request for a record without a reasonable limitation as to subject matter or length of time represented by the record does not constitute a sufficient request. JUVENILE RECORDS: Please consult Sec. 48.396 Wis. Stats. (on back) in regard to Juvenile records requests. Any requests not in conformity with Sec. 48.396 Wis. Stats. will be denied. DISPOSITIONS: To obtain a disposition for the specific charge, the Requester must contact the appropriate Clerk of Courts. Wisconsin Circuit Court Access (CCAP): Additional information on an individual's court record may be obtained through the at <http://wcca.wicourts.gov>.

Date of Request: \_\_\_\_\_ Time of Request: \_\_\_\_\_

**REQUESTER'S INFORMATION**

Company or Business Name: \_\_\_\_\_

Name: \_\_\_\_\_ Date of Birth \_\_\_\_\_  
(First Name) (Middle Initial) (Last Name)

Address: \_\_\_\_\_  
State ZIP Phone

Nature of Request: \_\_\_\_\_  
(i.e. hit and run, burglary, theft, clearance letter, record check, etc.)

**PLEASE COMPLETE AS MUCH INFORMATION AS POSSIBLE**

Date/Time of Incident(s)/Incident Number: \_\_\_\_\_

Location of Where Incident(s) Took Place: \_\_\_\_\_

Names of Complainant(s), Defendant(s), Victim(s), etc: \_\_\_\_\_

Description of the Record(s) to be Inspected: \_\_\_\_\_

**SUBJECT OF REQUEST** If a person is the subject of your request, list the name and date of birth for each person for whom you are requesting a record search.

Name: \_\_\_\_\_ Date of Birth \_\_\_\_\_  
(First Name) (Middle Initial) (Last Name)

Name: \_\_\_\_\_ Date of Birth \_\_\_\_\_  
(First Name) (Middle Initial) (Last Name)

**OFFICE USE ONLY**

Date/Time Request Received By Records Custodian: \_\_\_\_\_

Request Processed By: \_\_\_\_\_ Date/Time: \_\_\_\_\_

\_\_\_\_ Request Denied                      \_\_\_\_ Approved In Part                      \_\_\_\_ Approved In Whole

Comments: \_\_\_\_\_

Information Released: \_\_\_\_\_

## RELEASE OF JUVENILE RECORDS

### Chapter 48 Children's Code

#### Subchapter VII Permanency Planning; Records

##### 48.396 Records.

(1) Law enforcement officers' records of children shall be kept separate from records of adults. Law enforcement officers' records of the adult expectant mothers of unborn children shall be kept separate from records of other adults. Law enforcement officers' records of children and the adult expectant mothers of unborn children shall not be open to inspection or their contents disclosed except under sub. (1 b), (1d) or (5) or s. 48.293 or by order of the court. This subsection does not apply to the representatives of newspapers or other reporters of news who wish to obtain information for the purpose of reporting news without revealing the identity of the child or adult expectant mother involved, to the confidential exchange of information between the police and officials of the school attended by the child or other law enforcement or social welfare agencies or to children 10 years of age or older who are subject to the jurisdiction of the court of criminal jurisdiction. A public school official who obtains information under this subsection shall keep the information confidential as required under s. 118.125 and a private school official who obtains information under this subsection shall keep the information confidential in the same manner as is required of a public school official under s. 118.125. A law enforcement agency that obtains information under this subsection shall keep the information confidential as required under this subsection and s. 938.396 (1). A social welfare agency that obtains information under this subsection shall keep the information confidential as required under ss. 48.78 and 938.78.

(1 b) If requested by the parent, guardian or legal custodian of a child who is the subject of a law enforcement officer's report, or if requested by the child, if 14 years of age or over, a law enforcement agency may, subject to official agency policy, provide to the parent, guardian, legal custodian or child a copy of that report. If requested by the parent, guardian or legal custodian of a child expectant mother of an unborn child who is the subject of a law enforcement officer's report, if requested by an expectant mother of an unborn child who is the subject of a law enforcement officer's report, if 14 years of age or over, or if requested by an unborn child through the unborn child's guardian ad litem, a law enforcement agency may, subject to official agency policy, provide to the parent, guardian, legal custodian, expectant mother or unborn child by the unborn child's guardian ad litem a copy of that report.

(1d) Upon the written permission of the parent, guardian or legal custodian of a child who is the subject of a law enforcement officer's report or upon the written permission of the child, if 14 years of age or over, a law enforcement agency may, subject to official agency policy, make available to the person named in the permission any reports specifically identified by the parent, guardian, legal custodian or child in the written permission. Upon the written permission of the parent, guardian or legal custodian of a child expectant mother of an unborn child who is the subject of a law enforcement officer's report, or of an expectant mother of an unborn child who is the subject of a law enforcement officer's report, if 14 years of age or over, and of the unborn child by the unborn child's guardian ad litem, a law enforcement agency may, subject to official agency policy, make available to the person named in the permission any reports specifically identified by the parent, guardian, legal custodian or expectant mother, and unborn child by the unborn child's guardian ad litem in the written permission.

(5)(a) Any person who is denied access to a record under sub. (1), (1 b) or (1d) may petition the court to order the disclosure of the records governed by the applicable subsection. The petition shall be in writing and shall describe as specifically as possible all of the following: 1. The type of information sought. 2. The reason the information is being sought. 3. The basis for the petitioner's belief that the information is contained in the records. 4. The relevance of the information sought to the petitioner's reason for seeking the information. 5. The petitioner's efforts to obtain the information from other sources.