University Police and Public Safety
Records & Compliance
The Pennsylvania State University
University Support Bldg 1
University Park, PA 16802

Phone: 814-865-1865
Fax: 814-865-2654

Crime Victim Right of Access Request Process

Information will only be released to a requesting party or to a requesting party's attorney. A requesting party is "a crime victim or a defendant in a civil action in which a crime victim is a party." (18 PA. C.S. §9158) A crime victim is defined as any individual "against whom a crime has been committed or attempted and who as a direct result of the criminal act or attempt suffers physical or mental injury, death or the loss of earnings." (18 PA C.S. § 11.103)

All requests must be mailed via Certified mail or delivered in person to the University Police & Public Safety's Records Office located at:

University Police & Public Safety
Attn: Records
Suite 150, University Support Building I
University Park, PA 16802

The Office of General Counsel will be provided with a copy of the request and any responses so they are aware of the request and can be consulted as needed.

The request must include:

1. The Crime Victims Right of Access Request Form
    a. If you are an attorney, please include your Client's information in the Requestor's Information section
2. Specific description of the information requested
    a. Be as specific as possible when describing the information you are requesting so the department can determine what is being requested and provide an appropriate response
3. An Unsworn Statement
    a. Include an unsworn statement by the requesting party or the requesting party's legal representative, made subject to the penalties of 18 PA C.S. §4904 (relating to unsworn falsification to authorities), that the requested information is directly related to a civil action pending in a court in this Commonwealth or, if the requesting party is a crime victim or the crime victim's legal representative, material and necessary to the investigation or preparation of a civil action in this Commonwealth

A request shall be denied if after reasonable redaction, the release of requested information:

- Endangers a person or the public,
- Adversely affects an ongoing investigation or prosecution,
- Relates to law enforcement's use of confidential informants or discloses investigative techniques and procedures.

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Additionally, a request shall be denied:

- If the criminal history investigative information is not directly related to a pending Pennsylvania civil action OR material and necessary to the investigation or preparation of a civil action in Pennsylvania, or
- The release would identify a third-party victim of child abuse, domestic violence or sexual abuse, unless UPPS determines that reasonable redaction of that information will prevent identification of the third-party victim.

Once received, a written response from our department will be provided via certified mail within sixty (60) days or by the date returnable on the request, whichever is later.

Please maintain a copy of your request and any supporting materials that may be needed for any future appeal.

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Crime Victim Right of Access Request Form

REQUEST DATE: _____

Requestor's Information:

NAME: _____

INVOLVEMENT: ___ Victim ___ Victim's Representative ___Defendant in Civil Action

ADDRESS: _____
Street

_____
City State Zip

PHONE NUMBER: _____ EMAIL: _____

Information Requested:

REASON: ___ Pending Civil Action (Include Civil Docket # & Case information) ___ Preparation of Civil Action

MATERIALS REQUESTED: Please be as specific as possible. Include the criminal docket number, case information, OTN or incident number. Include the name of the victim(s) and any criminal defendant(s) if known. Additional pages can be included with this form.

PROVIDE MATERIALS TO: ___Requesting Party ___Requesting Party's Attorney

NAME:_____ FIRM:_____

MAILING ADDRESS:_____

PHONE NUMBER:_____ EMAIL:_____

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UNSWORN STATEMENT

I, _____, hereby state as follows:
Print Name

- I am a Requesting Party or the legal representative of a Requesting Party pursuant to 18 PA C.S. § 9158
- The requested information is directly related to a civil action pending in a court in this Commonwealth, or material and necessary to the investigation or preparation of a civil action in this Commonwealth. 18 PA C.S. § 9158.2 (a)
- I understand that criminal history investigative information obtained pursuant to 18 PA C.S. § 9158 is discoverable in a civil action directly related to the crime, unless otherwise non-discoverable or privileged from discovery. 18 PA C.S. § 9158.2 (e)
- I understand that information obtained pursuant to this request shall be used only in connection with an actual or potential civil action directly relating to this criminal history investigative information and that use of information to harass, intimidate, or threaten another shall constitute a criminal offense. 18 PA C.S. § 9158.5 (c), 18 PA C.S. § 9158.5 (d)
- The statements made in this declaration are true and correct to the best of my knowledge, information and belief. I make these statements pursuant to the penalties of 18 PA C.S. § 4904 (relating to unsworn falsification to authorities).

_____ _____
Signature of Requesting Party or Requesting Party's Legal Representative — Date

_____
Print Name

_____ _____
Signature of Attorney for Requesting Party or Requesting Party's Legal Representative (if applicable) — Date

_____
Print Name