

Making a FOIA Request for Records from the Kingsmill Police Department

- You may request records by completing a [downloadable FOIA request form](#). If you do not have access to a computer, call 757-603-6006 to request a printed form. You may submit this form in several ways:
 - **U.S. Mail:**
FOIA Coordinator
Kingsmill Police Department
309 McLaws Circle, Suite D
Williamsburg, VA 23185
Phone: 757-603-6006
 - **Fax:** 757-603-6005
 - **Email:** Send the form to FOIA@kingsmillpolice.org
 - **In person:**
Kingsmill Police Department
309 McLaws Circle, Suite D
Williamsburg, VA 23185
Phone: 757-603-6006
- From a practical perspective, it may be helpful to both you and the person receiving your request to put your request in writing. This allows you to create a record of your request. It also gives us a clear statement of what records you are requesting, so that there is no misunderstanding over a verbal request. However, we cannot refuse to respond to your FOIA request if you elect not to put it in writing.
- A request must identify the records needed with "**reasonable specificity**." It does not refer to or limit the volume or number of records requested; instead, it requires that a request be specific enough to identify and locate records.
- A request must ask for **existing records or documents**. FOIA allows for inspection or copying of records; it does not apply to situations asking general questions about the work of the Kingsmill Police Department, nor does it require the Kingsmill Police Department to create a record that does not exist.
- Records can be provided in the **format in which they were created**.
 - For example, if you are requesting records maintained in an Excel database, you may elect to receive those records electronically, via email or on a USB or thumbnail drive, or to receive a printed copy of those records.
- If we have questions about your request, please cooperate with staff's efforts to clarify the type of records that you are seeking, or to attempt to reach a reasonable agreement about a response to a large request. Making a FOIA request is not an adversarial process, but we may need to discuss your request with you to ensure that we understand what records you are seeking.

The Kingsmill Police Department's Responsibilities in Responding to Your Request

- The Kingsmill Police Department must respond to your request within five **working** days of receiving it. "Day One" is considered the day after your request is received. The five-day period does not include weekends or holidays.
- The reason behind your request for public records from the Kingsmill Police Department is irrelevant, and you do not have to state why you want the records before we respond to your request. The FOIA does, however, allow the Kingsmill Police Department to ask you to provide your name and legal address.
- The FOIA requires the Kingsmill Police Department make one of the following responses to your request within the five-day time period, in writing (email will be used if you provide an email address in your request):
 1. We provide you with the records that you have requested in their entirety.
 2. We withhold all of the records that you have requested because they are subject to a specific exemption found in the FOIA. If all of the records are being withheld, we must identify the volume and subject matter of those records and give you the specific section of the FOIA that allows us to withhold them.
 3. We provide some of the records that you have requested, but withhold others. We cannot withhold an entire record if only a portion of it is subject to an exemption; in that instance, we may redact the exempt portion and must provide you with the remainder of the record. We must tell you the specific section of the FOIA that allows us to withhold these selected portions of the record. We inform you in writing that the requested records cannot be found or do not exist (we do not have the records you want).

4. If it is practically impossible for the Kingsmill Police Department to respond to your request within the five-day period, we must state this in writing, explaining the conditions that make the response impossible. This allows us seven additional working days to respond to your request, giving us a total of 12 working days to respond.
- If you make a request for a very large number of records, and we feel that we cannot provide the records to you within 12 working days without disrupting our other organizational responsibilities, we may petition the court for additional time to respond to your request. However, the FOIA requires that we make a reasonable effort to reach an agreement with you concerning the production of the records before we go to court to ask for more time.

Costs

You may have to pay for the records that you request from the Kingsmill Police Department. The FOIA allows us to charge for the actual costs of responding to FOIA requests. This would include items like staff time spent searching for the requested records, copying costs, or any other costs directly related to supplying the requested records. It does not include the Kingsmill Police Department's general costs of doing business.

Typical FOIA Charges		
Staff time	\$22/hour	
USB or Thumb drive	\$5 each	
Copies	15 cents/page	
Postage	Varies	
		**Other charges besides those listed may be applicable, including storage retrieval, professional printing, printing, etc.

If we estimate that it will cost more than \$200 to respond to your request, we will likely require you to pay a deposit, not to exceed the amount of the estimate, before proceeding with your request. The five days that we have to respond to your request does not include the time between when we ask for a deposit and when you respond -- that is, the five-day deadline is extended by the length of time between our request for a deposit and your response.

You may request that we estimate in advance the charges for supplying the records that you have requested. This will allow you to know about any costs upfront, or give you the opportunity to modify your request in an attempt to lower the estimated costs.

If you owe us money from a previous FOIA request that has remained unpaid for more than 30 days, the Kingsmill Police Department will require payment of the past due amount before responding to any new FOIA requests from you.