



Town of Forest Heights

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December 27th, 2024

Subject: Response to Maryland Public Information Act Request

Dear Requestor,

Thank you for your request pursuant to the Maryland Public Information Act (MPIA). Your request seeks various records regarding every sworn officer and civilian member of the Forest Heights Police Department for fiscal years 2023 and 2024, including information related to names, salaries, overtime, race, gender, hire dates, and a "unique sequence number."

After reviewing your request, I must inform you of the following:

1. Existing Records and Obligation to Create New Records

Under the MPIA, a public agency is required to provide access to existing public records but is not obligated to create or compile a new record to satisfy a request. See *Faulk v. State's Attorney for Harford County*, 299 Md. 493 (1984). The specific combination of data you have requested does not exist as a single document or record maintained by the agency. While some of the requested information may be contained in various records, fulfilling your request as written would require the agency to compile data from multiple sources, effectively creating a new document, which the MPIA does not require.

2. Personnel Records Exemption

Certain information you have requested, including race, gender, and hire dates, is considered part of an employee's personnel file and is therefore exempt from disclosure under § 4-311(a) of the General Provisions Article. The MPIA specifically protects personnel records from disclosure to ensure employee privacy and confidentiality.

3. Unique Sequence Number

The Forest Heights Police Department does not maintain or assign a "unique sequence number" to officers or employees, as no such designation exists within our record-keeping practices.

4. Agency Roster

The agency does maintain an employee roster, which includes names and positions. This document can be provided in response to your request, as it is an existing public record.

5. However, salary and overtime information for fiscal years 2023 and 2024 are not compiled in a singular document. If you wish to pursue this aspect of your request, additional clarification or narrowing of the scope may be necessary.

We remain committed to providing access to public records in accordance with the MPIA. If you would like the agency roster or other public records we can provide within the scope of the law, please let us know. Additionally, should you have questions about narrowing your request, we are happy to discuss potential options.

Finally, if fees apply to processing your revised request, we will notify you in advance. The research on this request exceeded the two hour gratis permissible by the MPIA and record charges will be applied to any further request or narrowing of scope. Please also be advised that any fee waiver requests will be considered pursuant to § 4-206(e) of the General Provisions Article.

Sincerely,



Interim Town Administrator

Town of Forest Heights