



Marion County **OREGON**

OFFICE OF LEGAL COUNSEL

RECEIVED
OCT 16 2012

October 12, 2012

COUNTY COUNSEL
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ACLU of Oregon
PO Box 40585
Portland, Oregon 97240

CHIEF
ADMINISTRATIVE
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John Lattimer

Re: Public Records Request

Dear Jann:

ASSISTANT LEGAL
COUNSEL
Bruce T. Armstrong
Kirstin E. Lurtz
Scott A. Norris
Rebeca A. Plaza

I am writing in response to your letter dated July 30, 2012 requesting copies of certain records of the Marion County Sheriff's Office. Your request was initially misplaced and I have traded phone messages with you and Kevin Diaz since tracking down the request. I apologize for the delay.

Enclosed please find Marion County Sheriff's Office Policy 1235, which falls within item #1 in your public records request because it addresses deputies' use of Tasers. No other documents fall within that request.

The Marion County Sheriff's Office does not use automatic license plate readers. As a result, there are no documents falling within your request listed as items 2(a) through (e) in your letter.

The Marion County Sheriff's Office is checking on the extent that records fall within your request # 3 (policies and procedures on obtaining cell phone data and accounting documents on the funds used to obtain cell phone data). We expect that records exist but will need to provide you with an estimate of the cost to track down those records. An estimate will be provided to you shortly. As you know, we will need to review these records to ensure that they are not exempt from disclosure before they can be released.

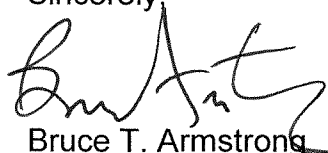
The Marion County Sheriff's Office has no policy or procedure on the appropriate deputy response to members of the public photographing or video recording the deputy (item #4).

The Marion County Sheriff's Office does not have a practice of waiving fees for public records requests. This is especially true when staff time and resources are limited. No fee is being charged for the copy of the attached

Taser policy. However, a reasonable fee will be charged for the remaining request.

Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Bruce T. Armstrong". The signature is fluid and cursive, with the first name "Bruce" and last name "Armstrong" clearly distinguishable.

Bruce T. Armstrong
Assistant Legal Counsel

Enc.

cc: Commander Kevin Schultz