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OCT 30 2012

October 24, 2012

Ms. Jann Carson, Associate Director
American Civil Liberties Union of Oregon
P.O. Box 40585
Portland, Oregon 97240

Re: Public Records Request

Dear Ms. Carson,

In accordance with ORS 192.440(2), this is to acknowledge our receipt on July 30, 2012 of your request for the following records:

- A. All current policies and procedures describing police officers' use of department equipment sold or manufactured under the TASER brand name.
- B. Records related to ALPR ownership and use.
- C. Police department records of cell phone data obtained from cell phone carriers in the past three years.
- D. All current policies and procedures describing police officers' appropriate response to members of the public photographing or video recording officers while engaged in their official duties.

Having reviewed your request, we are able to inform you that:

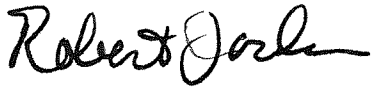
- 1. Copies of all requested public records for which the City of Milwaukie does not claim an exemption from disclosure under ORS 192.410 to 192.505 are enclosed.
- 2. The City of Milwaukie does not possess any records that meet the requests of B or D above.
- 3. The City of Milwaukie claims that public records responsive to request C above are conditionally exempt from disclosure under ORS 192.501(3) as criminal investigatory material, and conditionally exempt as containing private personal information under ORS 192.502(2). Generally, the Department obtains such records under the terms of a grand jury subpoena, court order or via a search warrant. Since the request does not specify types of records from which the desired information is requested, the City is unable at this time to determine whether the public interest outweighs the need to maintain the confidentiality of the records. Please also know that if your organization means to request a form of "blanket" request covering several years, the City does not maintain an index of which investigations do and do not contain

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carrier-provided cell phone data. A blanket request would cover hundreds of investigations, and to offset the burden and expense of complying with such a request the City would have to require a deposit for time and material costs of research, analysis, and making records available, assuming responsive records were located.

Please contact our office if you have further questions.

Sincerely,

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

Bob Jordan
Chief of Police