



MORTON COUNTY SHERIFF'S DEPARTMENT



Kyle L. Kirchmeier, Sheriff

205 First Avenue NW Mandan, ND 58554
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To: Adam Schwartz

Re: Your request for records

Requested Records¹:

- All records that relate or refer to the use of CSSs at protest against the Dakota Access Pipeline.
- All records that relate or refer to technical specifications about CSSs.
- All polices (including procedures, protocols, guidelines, standards, and practices), legal analysis, and training material that relate or refer to CSSs.
- All records sent to or from the CSSs' manufacturers and vendors, including but not limited to correspondence, promotional materials, presentations, contracts, memoranda of understanding, service agreements, invoices, purchase orders, loan agreements, non-disclosure agreements, and procurement documents (including but not limited to solicitation documents, notices of proposed contracts, proposed bids, unsolicited proposals, and documents about contracting without open competition).
- All records that relate or refer to grants (including but not limited to proposals and awards) to purchase CSSs.
- All records sent to or from federal, states, and local government agencies about CSSs, including requests to use or borrow CSSs.
- All records sent to or from wireless service providers concerning CSSs.
- All records sent to or from any wireless service provider concerning CSSs.
- All records that relate or refer to search warrants or orders from federal or state courts pertaining to the use of CSSs in criminal investigations.
- All records that relate or refer to the installation or use of a mobile cellular tower (including but not limited to a portable or temporary tower) in the vicinity of protesters against the Dakota Access Pipeline, including but not limited to any correspondence or contract with any wireless service provider.
- All records that relate or refer to the use of chartering of planes, helicopters, or unmanned aerial vehicles in the vicinity of protesters against the Dakota Access Pipeline, including but not limited to any logs of deployments.
- All records that relate or refer to purchase order number 9991215 for \$9,375 to In Cell Site Solutions.
- All records that relate or refer to purchase order number 990915 for \$9,375 to In Cell Site

¹ A public entity does not have to convert its records to another format, create or compile records that do not exist, or obtain records originating from another public entity that it does not have in its possession. A public entity has no obligation to respond to questions about its duties and functions or to explain the content of its records.

Solutions.

- All records that your agency has release to any other request under the North Dakota open records statute (a) about CSSs, (b) about mobiles cellular towers installed or used in the vicinity of the protests against the Dakota Access Pipeline, and (c) about planes, helicopters, or UAVs used in the vicinity of those protesters.

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- Attached are the records you requested.
 - The records you requested cannot be provided because no such records exist OR the requested records are not records of this agency.
 - To the extent requested/other records may exist, the records are/would be confidential or exempt in entirety, under Public Health and Security Plans Exception, N.D.C.C. § 44-04-25.²
 - To the extent requested/other records may exist, the records are/would be confidential or exempt in entirety, under Criminal Intelligence Information and Criminal Investigative Information, N.D.C.C. § 44-04-18.7.³
 - To the extent requested/other records may exist, the records are/would be confidential or exempt in entirety, under Records of Juvenile Court Supervisors and Probation Officers and Law Enforcement and Correctional Employees, N.D.C.C. § 44-04-18.3.⁴

The estimated cost for the requested records is \$ _____, calculated as follows:

_____ pages @ 25¢ per page	\$ _____
_____ other copies @ \$ _____ each	\$ _____
_____ hours for locating the records @ \$25/hr each [after the first hour]	\$ _____
_____ hours for redacting the records @ \$25/hr each [after the first hour]	\$ _____

Estimated costs are payable *in advance*. We do not waive estimated costs. When we receive a cashier's check/money order to " _____," we will begin work on your request.

- If we do not receive payment/hear from you within ten (10) days from today's date, we will assume you have withdrawn your request.
- Your request did not provide sufficient information for us to identify specific records. We cannot comply with your request without clarification.
- Your request did not reasonably identify a record/records.

² Portions of the records, information, surveys, communications, and consultations used to procedure the plans relating to protection of the public or public officials against threats of violence.

³ Information with respect to an identifiable person or group of persons compiled by a criminal justice agency in the course of conducting a criminal investigation of a specific act or omission or collected by a criminal justice agency in an effort to anticipate, prevent, or monitor possible criminal activity.

⁴ Any telephone number, home address, work schedules, and information containing personal records.