



POLICE DEPARTMENT

September 22, 2011

Mrs. Katherine Lewis Parker  
Legal Director  
ACLU  
PO Box 28004  
Raleigh, NC 27611-8004

Re: Public Records Request

Dear Ms. Parker:

This will acknowledge receipt of your letter dated August 3, 2011 in which you request 'disclosure' of

*All records in your possession relating to [the Town of Cary Police Department's] acquisition of cell phone location records.*

*...records regarding the Cary Police Department's obtaining cell phone location records from cell phone companies, and*

*...records in your possession relating to your acquisition of cell phone location records.*

I was asked to respond for the Town of Cary Police Department. Under the public records law, Town records are subject to public inspection and copying unless exempted from the law or otherwise protected.

I have identified police department records responsive to your request, and they are enclosed with this response.

You did not specify the time period for this request. I have provided current versions of retention schedules and Town of Cary Policy; these two items may be viewed at the following addresses:

[http://www.records.ncdcr.gov/local/municipal\\_2009.pdf](http://www.records.ncdcr.gov/local/municipal_2009.pdf)

[http://www.townofcary.org/Departments/Town Clerk s Office/Town Policies/Public Records Policy - Policy Statement 152.htm](http://www.townofcary.org/Departments/Town_Clerk_s_Office/Town_Policies/Public_Records_Policy_-_Policy_Statement_152.htm).

As to invoices, I have gone back for two (2) years. We have an additional year that is in storage in our warehouse. It will take considerable sorting and a time delay to present

TOWN of CARY

120 Wilkinson Ave • Cary, NC 27513 • PO Box 8005 • Cary, NC 27512-8005  
tel 919-469-4021 • fax 919-460-4904 • www.townofcary.org

the materials. We are unsure the extent of these records, if any exists at all. Please advise if you would like for us to research the additional year.

Several records that might arguably be responsive to your request are copyrighted materials. They are *Arrest, Search and Investigation in North Carolina* and *Cell Phone Technology for Criminal Investigations*.

The Town is unable to make copies of copyrighted materials. You may inspect these copyrighted records in the Cary Police Department during normal business hours. Please call (919)469-4017 to schedule a date and time for such inspection. You may also purchase *Arrest, Search and Investigation in North Carolina* at the following address: <http://shopping.netsuite.com/s.nl/c.433425/sc.7/f>.

Finally, there may be records of criminal investigation(s) or of criminal intelligence information that relate to cell phone location records. Under the public records law records of criminal investigations and records of criminal intelligence information compiled by the Cary Police Department are not public records. We have conducted no search of criminal investigations or criminal intelligence information records.

Please let me know if you have any questions or if you desire to schedule a time to inspect the copyrighted materials.

Sincerely,



Captain Michael Williams  
Criminal Investigation Division  
Cary Police Department  
(919)469-4017  
Michael.Williams@TownofCary.org



03/24/2011

Cary Police Department  
120 Wilkinson Ave  
Attn: Brad Fletcher  
Cary, NC 27513

**RE: 30 Days Past Due**

Account # SEC0080462  
Total Amount Due \$50.00  
Invoice Detail Attached

Dear Customer,

The invoice referenced below for document retrieval remains outstanding. To date, we have not received your payment and our records indicate these invoices are in excess of 30 days past due. Attached is a list of your past due items.

Your immediate attention to this issue is appreciated. Please contact our office within 15 days to make payment arrangements.

Please send your payment to the address listed below.

Sprint  
P.O. Box 871197  
Kansas City, MO 64187

Please disregard this notice if payment has been sent within the last 5 days.

If you have any questions, please contact me at 877/722-6547 or by email at tari.jolin@sprint.com.

Sincerely,  
Tari Jolin  
Financial Analyst  
Security Compliance

PR # 191329 on 5/3 (Acct -4500)

Invoice Date: August 31, 2011

Invoice Number: 74514

Bill To:



National Compliance Center

Phone: 1-800-635-6840

Fax: 1-888-938-4715

CARY POLICE DEPARTMENT  
JOSEPH LENGEL  
120 WILKINSON AVE  
CARY NC 27513

EFT (Electronic Fund Transfer)  
Tax ID Number - 91-1379052  
D&B Number - 130598238 SUPO  
Bank Name - Bank Of America  
Bank Routing Number - 111000012  
Bank Account Number - 3751632054

Cage Code  
Cage Code - 3L6E3  
D&B Number - 130598238 SUPO

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## Invoice

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LEA TRACKING NUMBER(S)

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File Code

963349

Court Issued Number:

LEA Tracking Number:

Component	Target Number	Description/Duration	Units/Days	Price	Amount
Hourly Rate	Hourly Rate		2.0	\$75.00	\$150.00

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Subtotal **\$150.00**

Payments Received **- \$0.00**

Total Due **\$150.00**

CAC

**Sprint**



**Subpoena Compliance**

Cary Police Department  
120 Wilkinson Avenue  
PO Box 8005  
Cary NC 27512

Invoice # LCI-111202  
Bill Date: 9/2/2011  
Payment Due Date: 12/1/2011  
CBO: CORP  
Reference # NONE PROVIDED  
Sprint Case # 2011-243439

**PLEASE MAKE CHECK PAYABLE TO:**

SPRINT  
PO BOX 871197  
KANSAS CITY MO 64187-1197

Tax ID # 481165245

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Description	Flat Fee	Unit Rate	Units	UOM	Total
1 CDMA Tower Search @ \$50 X 2 Days		\$50.00	2	Days	\$100.00
1 CDMA Real Tower Search @ \$50 X 8		\$50.00	8	Days	\$400.00
<b>Total Amount Due:</b>					<b>\$500.00</b>

To insure proper credit, please write the invoice number on your check.  
Please detach and RETURN BOTTOM PORTION with payment.



Invoice # LCI-111202  
Bill Date: 9/2/2011  
Reference # NONE PROVIDED

<b>Amount Due</b>
\$500.00

<b>Amount Remitted</b>

SPRINT  
PO BOX 871197  
KANSAS CITY MO 64187-1197

Cary Police Department  
120 Wilkinson Avenue  
PO Box 8005  
Cary NC 27512

LCI1112023 0000000000500008



Sprint Corporate Security  
KSOPHM0206  
6480 Sprint Parkway  
Overland Park, KS 66251  
FAX NUMBER: 816-600-3111

**Historic Tower/Switch Record Search  
Payment Agreement**

Sprint Analyst: **Abby Rollert**  
Sprint Analyst Phone #: **913-315-7748**  
Sprint Analyst E-Mail: **Abby.X.Rollert@sprint.com**  
Sprint Case #: **2011-243439**

**For CDMA (PCS) Requests:** (\$50 per tower/time frame). Yes / No  
Please list the towers from the CDMA map needed. The towers that are nearest to your targeted location are listed below the CDMA map. Towers are represented on the map by mini tower shapes.

1. **RA25XC047** [redacted]
2. **BA03XC136** [redacted]
3. \_\_\_\_\_

**For IDEN (Nextel) Requests:**  
Call Detail Tower Search (\$50 per tower/time frame). Yes / No  
Direct Connect Tower Search (\$50 per tower/time search). Yes / No

Please circle all IDEN (Nextel) towers on the enclosed map that you would like searched. Towers are represented by triangles on the IDEN map. Please return the map with this form.

**Requestor Contact & Billing Address Information: (Please Print)**

REQUESTING AGENCY: Cary Police Department  
AGENCY ADDRESS (Street): P.O. BOX 8005  
AGENCY ADDRESS (City, State, Zip): Cary, NC 27513  
AGENCY FAX #: (919) 380-2127 AGENCY PHONE #: (919) 469-4012  
AGENT AUTHORIZATION: Margit Sylvester  
AGENT NAME: Margit Sylvester TITLE: Administrative Assistant  
AGENT CONTACT #: (919) 469-4022  
AGENT CONTACT E-MAIL ADDRESS: Margit.Sylvester@TownofCary.org  
AGENT SIGNATURE: Cary Police Dept. DATE: 8/26/11