Re: Public Records Request – Cell Phone Location Records

Dear Ms. Parker:

I am in receipt of your records request dated August 3, 2011. In your request, you asked for disclosure of specific records concerning cell phones. I will respond to your request by line addressing the follow request:

"...all records in your possession relating to your acquisition of cell phone location records. This request encompasses records regarding real-time tracking and records regarding where cell phones have been in the past, and it encompasses all available methods of locating cell phones, including "cell site," triangulation, and GPS. This request includes but is not limited to the following records:

* Policies, procedures and practices you follow to obtain cell phone location records.

RESPONSE: There are no documents responsive to your request in the possession of the Greenville Police Department.

* Data retention policies, detailing how long cell phone location records are kept, databases in which they are placed, and agencies (federal, state and local) with which they are shared.

RESPONSE: There are no documents responsive to your request in the possession of the Greenville Police Department.
* The use of cell phone location records to identify all of the cell phones at a particular location.

RESPONSE: There are no documents responsive to your request in the possession of the Greenville Police Department.

* Your use of "digital fences" (systems whereby you are notified whenever a cell phone comes within a specific geographic area).

RESPONSE: There are no documents responsive to your request in the possession of the Greenville Police Department.

* The legal standard (e.g. probable cause, relevance) you proffer to obtain cell phone location records.

RESPONSE: There are no documents responsive to your request in the possession of the Greenville Police Department.

* Judicial decisions and orders ruling on your applications to obtain cell phone location records.

RESPONSE: There are no documents responsive to your request in the possession of the Greenville Police Department.

* Statistics regarding your use of cell phone location records, including the number of emergency requests for which no court order was obtained.

RESPONSE: There are no documents responsive to your request in the possession of the Greenville Police Department.

* The form in which cell phone location records are provided (hard copy, through specific online databases).

RESPONSE: There are no documents responsive to your request in the possession of the Greenville Police Department.

* Communications with cell phone companies and providers of location-based services regarding cell phone location records, including:

  - Company manuals, pricing, and data access policies.
  - Invoices reflecting payments obtaining cell phone location records.
  - Instances in which cell phone companies have refused to comply with a request or order.

RESPONSE: There are no documents responsive to your request in the possession of the Greenville Police Department.
The Greenville Police Department does not acquire cell phone location records and does not maintain any records or databases concerning such location records.

I believe this responds to your request in full. If there are any questions, please do not hesitate to contact me.

Sincerely,

William J. Anderson
Chief of Police

pc: William J. Little, III, Assistant City Attorney