August 26, 2011

American Civil Liberties Union of Arizona
P.O. Box 17148
Phoenix, AZ 85011

To Whom It May Concern:

This letter is in response to the ACLU’s Public Records Request for cell phone location records, dated August 3, 2011.

Each of the requests numbered one through seven will be addressed individually.

**Request No. 1:** The Peoria Police Department does not have specific policies or procedures pertaining to cell phone location records. Our practice is to obtain a court order or Grand Jury Subpoena, unless exigent circumstances dictate otherwise.

**Request No. 2:** The Peoria Police Department does not have policies detailing how long cell phone location records are kept, or databases as they relate to cell phone location records. Any records of this type would be included in the case report done by the officer/detective. These reports are kept for the amount of time specified by Arizona law.

**Request No. 3:** The Peoria Police Department does not keep any kind of separate log or electronic file on the number of cell phone warrants requested and/or granted, or the number of emergency requests. This information would be contained within the officer’s/detective’s departmental report.

**Request No. 4:** Any documentation of judicial decisions and orders as they pertain to cell phone location records would be contained within the officer’s/detective’s departmental report.

**Request No. 5:** The Peoria Police Department makes every effort to use probable cause as the standard of proof to obtain cell phone records. The legal standard is reasonable suspicion.

**Request No. 6:** In regards to communications with cell phone companies and providers of location-based services regarding cell phone location records:
(a) We do not keep cell phone company manuals or pricing guides. That would be retained by the cell phone companies.

(b) After reviewing invoices from Jan. 1, 2006 to present, all invoices that we are aware of that contain payment for E911 Locator Services (cell phone pinging) and the use of a Pen Register (cell phone tracking) are included with this response.

(c) The Peoria Police Department does not have a record or log of instances where cell phone companies have refused to comply with a request or order.

(d) Cell phone records are provided both electronically and by hard copy. There is no one procedure followed. Any of these records would be contained within the officer’s/detective’s departmental report.

**Request No. 7:** The Peoria Police Department has not spent any money for the implementation of any cell phone location tracking programs that we are aware of.

The response to this public’s records request is made with the information available and is accurate to the best of our knowledge. Please contact me if there is any further information I can provide.

Sincerely,

Lieutenant Clark Collier
Peoria Police Department/Criminal Investigations
8351 W. Cinnabar Ave.
Peoria, AZ 85345
623-773-7024
c Clark.collier@peoriaaz.gov
<table>
<thead>
<tr>
<th>Invoice Number</th>
<th>Invoice Date</th>
<th>Voucher ID</th>
<th>Description</th>
<th>Gross Amount</th>
<th>Discount, Available</th>
<th>Paid Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>139789</td>
<td>12/02/2009</td>
<td>00239440</td>
<td></td>
<td>2,200.00</td>
<td>0.00</td>
<td>2,200.00</td>
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<table>
<thead>
<tr>
<th>Vendor Number</th>
<th>Vendor Name</th>
<th>Total Discounts</th>
<th>Check Number</th>
<th>Date</th>
<th>Total Page Amount</th>
<th>Discounts Taken</th>
<th>Total Paid Amount</th>
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</thead>
<tbody>
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<td>Cricket Communications Inc</td>
<td>$0.00</td>
<td>139711</td>
<td>02/11/2010</td>
<td>$2,200.00</td>
<td>$0.00</td>
<td>$2,200.00</td>
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Pay

THIS IS NOT A CHECK *** VOID *** NON-NEGOTIABLE

To The

CRICKET COMMUNICATIONS INC
P O Box 202650
Dallas, TX 75230-2650

Date 02/11/2010

Pay Amount ******$2,200.00

*** VOID *** THIS IS A COPY *** VOID ***

Authorized Signatures

*** NON-NEGOTIABLE *** THIS IS NOT A CHECK *** NON-NEGOTIABLE ***
**City of Peoria**  
Management Services Department  
Check Request

Vendor:  
Cricket Communications  
P.O. Box 202650  
Dallas, TX 75320-2650

Send Check To:  
Cricket Communications  
P.O. Box 202650  
Dallas, TX 75320-2650

**Check Request**  
**Vendor No.**  
**Location No.**

**City of Peoria CR Number**  
1000 - 90563

**Attachments to be sent with check? (circle one)**  
YES / NO

<table>
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<tr>
<th>Line No.</th>
<th>Description</th>
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<th>Amount</th>
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<tbody>
<tr>
<td>1</td>
<td>Pen Register used to track homicide suspect in IR#09-009616</td>
<td>139789-arc</td>
<td>$2,200.00</td>
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**Total Amount:** $2,200.00

**CHARTFIELD DISTRIBUTION**

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<th>Fund (4)</th>
<th>Org* (4)</th>
<th>Acct* (6)</th>
<th>Prog* (5)</th>
<th>Sub-Cl*</th>
<th>Proj/Grant (7-9)</th>
<th>AMOUNT</th>
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<td>NA</td>
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* Required chartfields

**Total Amount:** $2,200.00

**FINANCE**  
Revised 7/1/99

**RECEIVED**  
FEB 10 2010
Cricket Communications
5887 Copley Drive
San Diego, CA 92111-7906
(858)882-9301

RE: 602 754 2625

INVOICE
Invoice Number: 139789-arc
Invoice Date: Wednesday, 12/02/09

BILL TO:
City of Peoria PD
8351 W Cinnabar Ave
Peoria, AZ 85345

REMIT TO:
Cricket Communications, Inc.
P.O. Box 202650
Dallas, TX 75230-2650

Payments: Please contact Nicole Degler 858-882-9295

<table>
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<th>Information/Service Requested</th>
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<tr>
<td>Subscriber Information Only</td>
<td>0</td>
<td>$0 per phone number or name look up</td>
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<td>Call History</td>
<td>0</td>
<td>$0 per phone number for up to 2 months of records. Over two months billed at 2X</td>
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<tr>
<td>Wire Tap</td>
<td>0</td>
<td>$2200 per phone number per Court order or Court order renewal</td>
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<tr>
<td>Pen Register</td>
<td>1</td>
<td>$2200 per phone number per Court order or Court order renewal</td>
<td>2200.00</td>
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TOTAL AMOUNT DUE $2200.00

If you have any questions regarding this invoice, please contact Janet Schwabe at (858) 882-6258 or jeschwabe@cricketcommunications.com.

PUT INVOICE NUMBER ON PAYMENT TO ENSURE PROPER CREDIT.

# 11573

- 43 -
<table>
<thead>
<tr>
<th>Invoice Number</th>
<th>Invoice Date</th>
<th>Voucher ID</th>
<th>Description</th>
<th>Gross Amount</th>
<th>Discount Available</th>
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**CITY OF PEORIA, ARIZONA**

**Non-Negotiable**

**VOID THIS COPY**

**Non-Negotiable**

**VOID THIS COPY**

**Non-Negotiable**

**VOID THIS COPY**

**Non-Negotiable**

**VOID THIS COPY**

**Non-Negotiable**
## City of Peoria
### Management Services Department
#### Check Request

**Vendor:**
T-Mobile USA  
P.O. Box 94503  
Seattle, WA 98124-6803

**Location No.:**

**Send Check To:**

**Voucher #:**

**Attachments to be sent with check? (circle one)**
- YES  
- NO

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**PY Circle if Prior Year (July only)**

**Total Amount:**
$100.00

### CHARTFIELD DISTRIBUTION

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<tr>
<th>BY*</th>
<th>Fund*</th>
<th>Org*</th>
<th>Acct*</th>
<th>Prog*</th>
<th>Sub-CI*</th>
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**Initiated by:**

**Date:** 4-2-09

**Department Approval Date:** (Must be Authorized Sign)

**Budget Approval Date:** (Only if capital purchase)

**Financial Services Approval Date:**

**Teresa Corless/ FSU Supervisor/ 7035**

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**Required chartfields**

**Revised 7/1/99**

**1CheckRequest.xls**

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**FINANCE**

**Date and Entered Stamps**

**Financial Svcs Approval Date:** 4-13-05
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<tr>
<th>Service Description</th>
<th>Number of targets</th>
<th>Initial Order (up to 60 days)</th>
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<td></td>
<td>$0.00</td>
</tr>
<tr>
<td>Pen Register (data only) including Cell Site/Location information</td>
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<td></td>
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<tr>
<td>T-III - Pen Register and Intercept (data and content)</td>
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<td>Uninterrupted Pen Register Continuation (60 days each)</td>
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<td>Uninterrupted T-III Continuation (30 days each)</td>
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<tr>
<td>E911 Locator Tool</td>
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<td>Flat fee: $100.00 per day</td>
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</tbody>
</table>

Please pay this amount

$100.00

Please mail one copy of this invoice with your payment to

T-Mobile USA
P O Box 94503
Seattle, WA 98124-6803

If you have any questions regarding this invoice please call
973-292-8783