August 19, 2011

Richard H. Morse
Legal Director
ACLU
100 W. 10th Street, Suite 603
Wilmington, DE 19801

RE: Freedom of Information Act Request

Dear Mr. Morse:

This is the City's formal response to your Freedom of Information Act (FOIA) request wherein you asked for cell phone location records.

In reference to bullets 1, 2, 3, 4, 5, on your exhibit attached to your letter, your request is denied pursuant to 29 Del. C. §10002(g)(16)(a1) and (5a). Documents requested under those exemptions pertain to police procedures, tactics, and/or deployment plans, which if disclosed may threaten public safety.

As for bullets 6, 7, this request is outside of the parameters of FOIA. The City is not required to produce any legal research and it can be considered Attorney/Work Product.

Bullets 8 and 9 are outside the parameters of FOIA. The City is only required to produce public documents and not create any statistical analysis or information as to what type of form records are kept.

Concerning bullet 11, again you are requesting information that pertains to police procedures, tactics, and deployment in relation to criminal activity. Please refer to my answer from bullets 1 through 5.

Please feel free to contact me if any further assistance is necessary.

Sincerely yours,

[Signature]

Martin C. Meltzer
Assistant City Solicitor

MCM