**City of Aurora**

**Open Records Request Form**

Email: municipalrecords@auroragov.org  
Fax: 303-739-7520

*Documents requested in accordance with the City of Aurora Administrative Policy Memorandum Number 4.9.*

**Requestor Information:**

Name: Sara Fich

Company Name: ACU University

Telephone: 303-777-5163  
Fax:  
E-mail: 

**Detailed Description of Document(s) Being Requested:**

[Signature Attached]

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### FOR CITY USE ONLY

<table>
<thead>
<tr>
<th>MUNICIPAL RECORDS USE:</th>
<th>LEGAL USE:</th>
<th>CITY DEPARTMENT USE:</th>
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<tbody>
<tr>
<td>RECEIVED BY:</td>
<td>Approved ☐</td>
<td>Denied ☐</td>
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<tr>
<td>DATE COMPLETED:</td>
<td>Extension Letter ☐</td>
<td>Denial Letter ☐</td>
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<td>Fees Received</td>
<td>ROUTINE ☐</td>
<td>NONROUTINE ☐</td>
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<td>(Attach paid Invoice)</td>
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<td>Remarks/Actions:</td>
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<td>4/25/12 Police</td>
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| RECORDS SIGN OFF:     | LEGAL SIGN OFF: | DEPARTMENT SIGN OFF: |
|                       |                |                      |

**REQUESTOR SAW OR RECEIVED INFORMATION REQUESTED:**

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F:\Shared\$POLICY\$FORMS\CITY CLERK-RECORDS FORMS\OPEN RECORDS

- 5597 -
May 8, 2012
Interim Records Administrator Lisa Horton
Municipal Records ~ City Clerk's Office
1151 E. Alameda Parkway
Aurora, CO 80012

Re: Open Records Request #1474
Interim Records Administrator Horton:

In response to the above Open Records Request from the ACLU, I spoke to
Lieutenant Mark of the Technology Section, Lieutenant Wilkes of the
Professional Standards Section, Lieutenant Dufour of the Crime Lab Section,
Detective Leiker, the Computer Forensic Examiner, and Dawn Tollakson, Senior
Crime Analyst in the Investigations Bureau, but was unable to locate any
information that addressed their records request.

I spoke to Dave Lathers, Assistant City Attorney assigned to the Police
Department, who advised: As to the point regarding "The legal standard (e.g.
probable cause, relevance) you proffer to obtain cell phone location records", I
would state that we have no records on this subject separate and apart from
that which is contained in our Directives and/or SOP's. As to the point
regarding: "Judicial decisions and orders ruling on your applications to obtain
cell phone location records" I can only take this to mean do we have copies of
warrant applications wherein a judge has signed off on a search warrant for cell
phone records. I can't imagine that the Department has such a file, and I
certainly do not. I do not know how we could correlate that information,
though we must have made such applications.

I also spoke to Mike Bedwell, the Public Safety Communications Director, who
advised: As Manager of the Public Safety Communications Department, I am
aware of and have in my Department records of Wireless 911 Emergency
Information Forms, commonly referred to as 911 Exigent Circumstance Forms, submitted to area wireless cell phone carriers for the purpose of obtaining information about wireless 911 calls received by this Public Safety Answering Point, PSAP.

Each wireless vendor including, but not limited to Verizon, AT&T, Sprint/Nextel, T-Mobile, and Cricket, provides this PSAP with an unique form for the purpose of obtaining information about a wireless 911 call received by this PSAP that has no ANI/ALI information attached to the incoming call that may require public safety first responder assistance.

Generally speaking, these forms are generated when we have a 911 hang-up call or a 911 call where there is no ANI/ALI information and the call-taker believes an emergency situation may be occurring and we cannot determine the location of the caller. The call taker contacts the cell phone provider and requests information on the cell phone which may include owner, address of record, and a provider system generated ping to locate the general location of the caller. The cell phone company’s unique Exigent Circumstance form is then faxed to the cell phone provider.

We have filed Exigent Circumstance Forms from October 2009 through current date. On average it appears we have in excess of 150 forms for each calendar month on file. We have scanned and digitally filed copies of these forms in pdf format from October 2009 until May 2010. From May 2010 to current date we have the original paper copies, which are unsorted, unfiled, and not scanned.

My administrative staff feels it is possible to scan all of the files from May 2010 to date and then attach all of the scanned files from October 2009 to date in monthly folders to emails. As per City Council approved fee structure for this Department, the cost of the first hour of generating these reports and emails would be $55.87 and each additional hour would be $37.25. My administrative staff estimates this project would take six work hours for a total estimated cost of $242.12. As per City and Department policy, this Department must receive a check in the estimated amount of $242.12 made out to the City of Aurora prior to beginning the above quoted work. If the work extends beyond six hours, additional charges of $37.25 per hour will be required to be paid before any copies of the referenced Exigent Circumstance forms will be provided.
Please let me know if I can be of further assistance but it appears Public Safety Communications, rather than the Police Department, is the keeper of such records.

Captain Fran Gomez
15001 E. Alameda Pkwy
Aurora, CO 80012