Dear Ms. Rich,

The Summit County Sheriff’s Office is in receipt of your Request for records dated April 18, 2012. We received your requested on Friday, April 20, 2012. You requested “all of the records” in our possession related to our acquisition of cell phone location records. As a preliminary matter, the records you have requested are governed by the Colorado Criminal Justice Records Act (“CCJRA”), found at C.R.S. §24-72-301 et seq. The Sheriff’s Office response to each of the bullet points set forth on page 2 of your request is as follows:

- Policies, procedures and practices the Summit County Sheriff’s Office follows to obtain cell phone location records;

No policies exist, our practice has been to only request this information in limited circumstances when we have needed to locate a missing person in a Search and Rescue call, or to locate an individual who is suicidal.

- 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;

Again, we do not have a specific policy in place for these types of records as we only use them in very limited circumstances. Therefore any records made, kept or received as part of those incidents are not maintained pursuant to our criminal investigation records policy.

- The use of cell phone location records to identify “communities of interest (detailing those persons who have been called, or called by a target)” in investigation.

There is no policy or record regarding this issue and this does not appear to be a records request.
• The use of cell phone location records to identify all of the cell phones at a particular location.

_There is no policy or record regarding this issue and this does not appear to be a records request._

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

_There is no policy nor are there any records in our possession regarding this issue._

• Judicial decision and orders ruling on your applications to obtain cell phone location records.

_There is no policy nor are there any records in our possession regarding this issue._

• Communications with cell phone companies and provides of location-based services regarding cell phone location records, including;

  1. Company manuals, pricing, and data access policies;

_The Sheriff’s Office is not in possession of any record of this type._

  2. Invoices reflecting payments for obtaining cell phone location records; and

_The Sheriff’s Office is not in possession of any record of this type._

  3. Instances in which cell phone companies have refused to comply with a request or order;

_The Sheriff’s Office is not in possession of any record of this type. If such records exist, they would be in the custody of the Summit County Communications Center._

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

_The Summit County Sheriff’s Office is not in possession of any record of this type._

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

_The Sheriff’s Office is not in possession of any record of this type. If such records exist, they would be in the custody of the Summit County Communications Center._
Should you wish to contact the Summit County Communications Center, the contact information is:

Summit County Communications Center  
P.O. Box 4188  
Frisco, CO 80443  
Dispatch: 970-668-4094  
Fax: 970-668-4224

Should you have any additional questions, please do not hesitate to contact me.

Sincerely,

[Signature]

John G. Minor, Summit County Sheriff