



Sheriff Jerry L. Demings
ORANGE COUNTY SHERIFF'S OFFICE
TELEPHONE: 407.254.7000 ❖ P.O. BOX 1440, ORLANDO, FLORIDA 32802-1440 ❖ WWW.OCSO.COM

May 28, 2014

Nathan Freed Wessler
American Civil Liberties Union Foundation
125 Broad Street, 18th Floor
New York, NY 10004-2400

RE: Public Records Requests dated March 13, 2014

Dear Mr. Wessler:

This letter will address your March 13, 2014, record request relating to acquisition of cell site simulators by the Orange County Sheriff's Office (OCSO).

With regard to item 1 of your request, we have no responsive records regarding acquisition of cell site simulators.

As to item 2 of your request, enclosed is a copy of the Electronic Surveillance Support Team Multi-Agency Voluntary Cooperation Mutual Aid Agreement between OCSO and the Florida Department of Law Enforcement relating to electronic surveillance support, without exempt or confidential information pursuant to Florida Statute 119.071(2)(d).

The OCSO has no records responsive to item 3 of your request regarding nondisclosure agreement between the OCSO and Harris Corporation, Boeing Corporation (DRT), other companies, or any state or federal agencies regarding the OCSO's possession or use of cell site simulators.

In response to item 4, OCSO Training Bulletin 02-1 is enclosed. Also enclosed are copies of the State Attorney's current designations to OCSO law enforcement personnel authorized to seek emergency communication interception pursuant to sections 934.09 and 934.31, Florida Statutes.

The OCSO has no records responsive to items 5 and 6 of your request. The OCSO has no communications or agreements with wireless service providers, the Federal Communications Commission, or the Florida Public Service Commission concerning cell site simulator use.



*The First Law Enforcement Agency
in Orange County to Receive Both
International and State Accreditation*



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With regard to items 7-10, the OCSO can state the following:

- Between 2008 and 2014, the OCSO conducted 558 investigations in which cell site simulators may have been used. The OCSO does not keep track of the number of those investigations that result in prosecution.
- The OCSO does not create or maintain records reflecting criminal cases, with or without docket numbers, for which the OCSO used a cell site simulator as part of the investigation.
- The OCSO does not create or maintain records reflecting applications submitted to state or federal courts for search warrants or orders authorizing cell site simulators in criminal investigations associated orders or warrants associated with denials of orders, warrants, or applications, or any associated returns. Moreover, any orders signed are immediately sealed by the court.
- The OCSO does not create or maintain records reflecting or indicating the use of cell site simulators in closed investigations.

The copy fee for the records is \$2.40 (15 cents per page x 16 pages). Legal expertise was required to research, identify, retrieve, and redact responsive records. I devoted at least 1 hour of my time to those tasks at \$33.85 per hour. The total due for the record production is \$36.25. See the attached invoice for further information and payment instructions. Please bring your check to OCSO Records to obtain copies of the documents described in the invoice.

If you have any questions concerning this matter, please contact me at the address and phone number below.

Sincerely,



Wilhelmina Hirschey, ACP, FRP
Paralegal
Orange County Sheriff's Office
Legal Services Section
2500 W. Colonial Drive
Orlando, FL 32804
(407) 254-7170



ORANGE COUNTY SHERIFF'S OFFICE

Sheriff Jerry L. Demings

INVOICE

Date: 03/18/2014

Control #: 14-53939

ATTN: Wessler, Nathan
American Civil Liberties Union Foundation
(ACLU)
125 Broad Street, 18th Floor

Request: Cell site simulator information.

Electronic Surveillance Support Team Multi-Agency Voluntary Cooperation Mutual
Aid Agreement - 6 pages
OCSO Training Bulletin 02-1 - 4 pages
Designation of Law Enforcement Office to Authorize the Emergency Interception
of Communications letters issued to OCSO Personnel - 6 pages

Number of Pages	16 pages @\$0.15 per page:	\$2.40
Number of Certified Pages	None	\$0.00
Legal Services: Other	1 hour(s) voluminous fee	\$33.85
Subtotal:		\$36.25
Deposit:		\$0.00
Amount Due:		\$36.25

Payment may be made by cash (in person), check or money order.
Checks or money orders should be made payable to Orange County Sheriff's Office.
Please reference Control #: 14-53939 on your check.

This payment can be mailed to:
Orange County Sheriff's Office
P.O.Box 1440
Orlando, FL 32802-1440
Attention: Legal Services