

ATTORNEY GENERAL OF [REDACTED]

[REDACTED]
ATTORNEY GENERAL

August 11, 200 [REDACTED]

Chief [REDACTED]
[REDACTED] Police Department
[REDACTED]
[REDACTED]

Dear Chief [REDACTED]

As you know, [REDACTED] contacted our office some time ago to follow up on a Sunshine Law request he made for an incident report regarding a possible crime (possession of child pornography) involving a local video store. As I understand this issue, you responded that your office did not have an incident report related to that incident.

After consulting with [REDACTED] about the response, he has asked that I follow up with the U.S. Attorney's Office about this matter. I contacted Assistant U.S. Attorney [REDACTED] who told me that, while your department did consult with [REDACTED] about the case, [REDACTED] never received any written report.

Section [REDACTED] states:

[REDACTED]

[REDACTED]

[REDACTED]
August 11, 200 [REDACTED]

As I understand the incident that [REDACTED] has contacted me about, your department, in following up on his information, did an investigation into whether the video store did in fact possess child pornography. Ultimately, I believe you determined that it did not.

As I read Section [REDACTED] an agency that conducts an investigation must maintain a record of that investigation. If the investigation becomes inactive, that report would become an open record under this provision.

Please let me know if your department created an incident or investigative report regarding this matter. If yes, please let me know if you have retained those reports. As you probably know, [REDACTED] is interested in obtaining copies of those reports if they have been retained. [REDACTED]
[REDACTED]

If, as a matter of policy, there are certain types of complaint calls that the [REDACTED] Police Department does not create a report on, I would like a copy of that policy.

Thank you for your cooperation in this matter.

Respectfully,

[REDACTED]
Attorney General

[REDACTED]
Assistant Attorney General

[REDACTED]
C: [REDACTED]

Enclosure