

DOUGLAS T. SLOAN, City Attorney
CITY OF FRESNO
By: Francine M. Kanne, Chief Assistant City Attorney (#139028)
2600 Fresno Street, Room 2031
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Attorneys for the CITY OF FRESNO

RE:

**RECORDS REGARDING
FLIR THERMAL CAMERAS**

**RESPONSE TO PUBLIC RECORDS
ACT REQUEST FOR DOCUMENTS
(Govt. Code §6250, et seq.)**

The City of Fresno (City) responds to a request pursuant to the California Public Records Act (Gov. Code §6250, et seq.) by the Aaron Swartz Day Police Surveillance Project, regarding **information for the period of January 1, 2015 to the date of this letter pertaining to FLIR thermal cameras**, as follows:

Request No. 1 – The number, if any, of Thermal Cameras (FLIR) owned by this department or agency; specify if the equipment is hand-held, pole-mounted or in used in conjunction with aircraft: The City objects to this inquiry on grounds the request seeks information and does not seek production of an existing public record. (Gov. Code § 6253(b).) Under the California Public Records Act, the City is not required to respond to inquiries that seek only information. Without waiving this objection, the City did not locate any potentially responsive documents for this request.

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1 **Request No. 2 – The number, if any, of Thermal Cameras (FLIR) available for use by**
2 **this department or agency via collaborative agreements that were utilized within the period**
3 **encompassing this request; provide the name of the department or agency that made FLIR**
4 **devices available to this department or agency for use:** The City objects to this inquiry on
5 grounds the request seeks information and does not seek production of an existing public record.
6 (Gov. Code § 6253(b).) Under the California Public Records Act, the City is not required to respond
7 to inquiries that seek only information. Without waiving this objection, the City did not locate any
8 potentially responsive documents for this request.

9 **Request No. 3 – Any documents or correspondence during the period encompassing**
10 **this request regarding possible or planned acquisition of Thermal Cameras or FLIRS:** After a
11 diligent search and reasonable inquiry of the City's records, the City did not locate any potentially
12 responsive documents for this request. Please note the City is still searching for potentially
13 responsive emails for this request. If potentially responsive email records exist, the City will
14 provide a supplemental response.

15 **Request No. 4 – Any existing or proposed usage policies regarding the use of Thermal**
16 **Cameras or FLIRS including protocols, training documents, data storage procedures and**
17 **prohibited activities:** The City objects to this request to the extent it seeks disclosure of pre-
18 decisional documents or drafts. (Gov. Code § 6254(k).) Without waiving this objection, the City did
19 not locate any responsive documents to this request.

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1 **Request No. 5 – Any current or past litigation involving or referencing this department**
2 **or agency involving the use of Thermal Cameras or FLIRS:** The City objects to this inquiry on
3 grounds the request seeks information and does not seek production of an existing public record.
4 (Gov. Code § 6253(b).) Under the California Public Records Act, the City is not required to respond
5 to inquiries that seek only information. Without waiving this objection, the City did not locate any
6 potentially responsive documents for this request.

7 DATED: January 22, 2019.

Respectfully submitted,

8 DOUGLAS T. SLOAN

9 City Attorney

10 By: 

11 FRANCINE M. KANNE

12 Chief Assistant City Attorney

13 Attorneys for CITY OF FRESNO

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PROOF OF SERVICE
CCP §§ 1011, 1013, 1013a, 2015.5
FRCP 5(b)

STATE OF CALIFORNIA, COUNTY OF FRESNO

I am employed in the County of Fresno, State of California. I am over the age of 18 and not a party to the within action; my business address is 2600 Fresno Street, Fresno, CA 93721-3602.

On January 22, 2019, I served the document described as **RESPONSE TO PUBLIC RECORDS ACT REQUEST FOR DOCUMENTS** on the interested parties in this action ☐ by placing the true copies thereof enclosed in sealed envelopes addressed as stated on the attached mailing list: ☒ by placing ☐ the original ☒ a true copy thereof enclosed in sealed envelopes addressed as follows:

Aaron Swartz Day Police Surveillance Project
MuckRock News
DEPT MR 66603
411A Highland Ave
Somerville, MA 02144-2516
Email: 66603-39953365@requests.muckrock.com

☐ BY MAIL ☐ I deposited such envelope in the mail at Fresno, California. The envelope was mailed with postage thereon fully prepaid.

☐ As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Fresno, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☐ (BY PERSONAL SERVICE) I caused such envelope to be hand delivered.

☐ (BY FAX) I caused the above-referenced document to be transmitted by fax to the addressee(s) at the fax number(s) shown.

☐ (BY OVERNIGHT COURIER) I caused the above-referenced envelope(s) to be delivered to an overnight courier service for delivery to the addressee(s).

☒ (BY ELECTRONIC MAIL) I caused the above-referenced document to be transmitted by electronic mail (e-mail) to the addressee(s) at the e-mail(s) shown.

Executed on January 22, 2019, at Fresno, California.

☒ (State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.


Kimberly Hernandez

RESPONSE TO PUBLIC RECORDS ACT REQUEST