



October 11, 2012

Via US Mail and facsimile

Sheriff Gregory J. Ahern
Alameda County Sheriff's Office
1401 Lakeside Drive, 12th Floor
Oakland, CA 94612
Fax: 510-272-3796

Re: Public Records Act Request

Dear Sheriff Ahern:

Media outlets have recently reported that the Alameda County Sheriff's Office has tested and is considering purchasing unmanned aerial drones to engage in surveillance. The American Civil Liberties Union of Northern California submits the following request for records pursuant to the California Public Records Act (PRA), and Article I § 3(b) of the California Constitution.¹

In particular, we seek the following records:

- 1) Records relating to any needs assessment of drones and/or aerial surveillance generally;
- 2) Records relating to any cost benefit analysis of drones and/or other forms of aerial surveillance;
- 3) Requests for proposal and any responses thereto relating to the purchase and acquisition by the Alameda County Sheriff's Office of drones and/or other forms of aerial surveillance;
- 4) Records relating to the proposed or actual funding for the acquisition, operation and maintenance of drones and/or other forms of aerial surveillance;
- 5) Records relating to the proposed or estimated costs for the acquisition, operation and maintenance of drones and/or other forms of aerial surveillance;
- 6) Records related to budget proposals, budget requests, and any supporting documentation for the acquisition, operations, and maintenance of drones and/or other forms of aerial surveillance;

MICHELLE A. WELSH, CHAIRPERSON | DENNIS MCNALLY, AJAY KRISHNAN, FARAH BRELVI, ALLEN ASCH, VICE CHAIRPERSONS | KENNETH SUGARMAN, SECRETARY/TREASURER
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California Public Records Act (Gov. Code § 6250, et seq.); see Cal. Const. Art. I, § 3(b)
LAURA SAPONARA, COMMUNICATIONS DIRECTOR | ALAN SCHLOSSER, LEGAL DIRECTOR | MARGARET S. CRUSBY, ELIZABETH GILL, LINDA LY, JULIA HARUMI MASS, MICHAEL RISHER, JORY STEELE, STAFF ATTORNEYS
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- 7) Records relating to the testing and/or effectiveness of drones and/or other forms of aerial surveillance.
- 8) Records relating to proposed or actual policies, procedures, practices, and training related to the use of drones and/or aerial surveillance.

We ask that you release to us the documents requested above without delay, and in any event within the 10-day deadline mandated by the PRA. If portions of the documents are exempt from disclosure, please provide the non-exempt portions.² If the documents are available in electronic format please email them to me at llye@aclunc.org and to my assistant Nishtha Jolly at njolly@aclunc.org.

The ACLU is a non-profit organization dedicated to public service. We therefore request that you waive any fees that would be normally applicable to a Public Records Act request. In addition, if you have the records in electronic form you can simply email them to me without incurring any copying costs.³ However, should you be unable to do so, the ACLU will reimburse your agency for the direct costs of copying these records plus postage.⁴ Please copy and send them as soon as possible, and we will promptly pay the required costs. If copying will result in any delays in release of the information, please let us know the soonest time that we can come and examine the records.⁵

If you believe that the records are in fact exempt from disclosure, please provide a written response setting forth the legal authority on which you rely in failing to disclose each document. In addition, please provide us with any documents that support this position, again under the PRA. If we can provide any clarification that will help comply with this request please contact us. Thank you for your prompt attention to this matter.

Sincerely,



Linda Lye
Staff Attorney
ACLU of Northern California

² Gov't. Code § 6253(a).

³ Gov't. Code § 6253.9.

⁴ Gov't. Code § 6253(b).

⁵ Gov't. Code § 6253(a) (records must be made available when office is open).