

Dear Giglio v. United States, 405 U.S. 150, 153 (U.S. 1972), Colene Hinchey:

Thank you for your interest in public records of the City of Omaha. Your request has been received and is being processed. Your request was received in this office on 11/24/2019 and given the reference number R000485-112419 for tracking purposes.

Records Requested: I would like copies of all reports related to Officer Mike Curds recent discipline to include but not limited to found property incident report, property report, information reports and the chain of custody, internal investigation report, all supplemental reports, all internal affair notes to include all entries into the Omaha Police Department Internal Affairs data base ,such as IAPro, all notes associated with the investigation and any disposition from the case.

Your request will be forwarded to the relevant department(s) to locate the information you seek and to determine the volume and any costs associated with satisfying your request.

You can monitor the progress of your request at the link below.

City of Omaha

✉ On 11/24/2019 1:37:09 PM, Giglio v. United States, 405 U.S. 150, 153 (U.S. 1972), Colene Hinchey wrote:

Request was created by customer

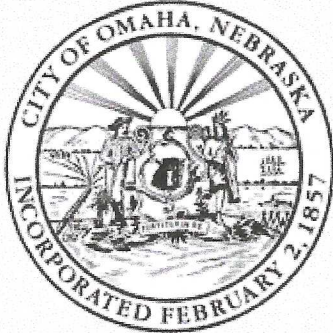
R000485-112419 - Public Records Request

Message History (4)

✉ On 11/27/2019 7:49:54 AM, OMAHANE Support wrote:

Subject: [Records Center] Public Records Request :: R000485-112419

Body:



Dear Giglio v. United States, 405 U.S. 150, 153 (U.S. 1972), Colene Hinchey,

RE: PUBLIC RECORDS REQUEST of November 24, 2019, Reference # R000485-112419

The X has reviewed your request and has determined that the records requested are exempt from disclosure under Public Records Act for the following reasons:

[FOIA_EXEMPTIONS]

If you have any questions or need additional information, please feel free to contact my office at .

Sincerely,

Bernard in den Bosch
City Attorney's Office

To view the full details of this request please log into the [Public Records Center](#)

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✉ On 11/27/2019 7:49:53 AM, OMAHANE Support wrote:

Subject: [Records Center] Public Records Request :: R000485-112419

Body:

I am responding to your request on behalf of the City of Omaha Human Resources Department. In your request dated November 24, 2019, you seek copies of all reports relating to Officer Mike Curd's recent discipline and then you itemize a number of reports, Omaha Police Department information and other investigation information. Your request is made pursuant to the provision of the Nebraska Public Records Act.

This is the response required by Neb. Rev. Stat. § 84-712(4).

The Nebraska public records statutes allow persons the right to examine public records in the possession of public agencies during normal agency business hours, to make memoranda and abstracts from those public records, and to obtain copies of public records in certain circumstances. Those statutes do not require a public agency to review documents and create abstracts or other lists, to answer questions, or to create documents that do not otherwise exist. *See* Neb. Rev. Stat. § 84-712. Although the Nebraska public records statutes provide for access to public documents, such access is not absolute. The statutes also provide for exceptions to disclosure by express and special provisions; there are 21 categories of documents that may be kept confidential from the public at the discretion of the agency involved. *See* Neb. Rev. Stat. § 84-712.05.

Initially, I would point out that the Human Resources Department does not have access to any of the items that you have requested. However, I will respond to your inquiry as if it directed to the City of Omaha. Any discipline issued to a member of the Omaha Police Department, including Mike Curd, is not subject to disclosure and will not be provided. Such information is withheld pursuant to Neb. Rev. Stat. § 84-712.05(5) and § 84-712.05(7) (Reissue 2014). As a result, we also believe that all the underlying investigation done on any case which resulted in discipline is also not subject to disclosure as it is part of the investigation done by the Omaha Police Department. That information is withheld pursuant to Neb. Rev. Stat. § 84-712.05(5) (Reissue 2014). If you have a report number, you can get access to those reports which are available to the public through the Omaha Police Department web page.

Section 84-712.03 of the Nebraska Revised Statutes may grant you the right to administrative or judicial review of this response. Please consult the statute for further information. Chief of Police Todd Schmaderer is the public employee responsible for the decision to deny a portion of your request.

✉ On 11/24/2019 1:37:11 PM, OMAHANE Support wrote: