

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 11/2/2019 and given the reference number P000177-110219 for tracking purposes.

Records Requested: I want a list of all current and past employees, civilian (if applicable) and sworn for the the Omaha Police Department that has ever been or is currently meeting the standards that would be defined in Giglio v. United States, 405 U.S. 150, 153 (U.S. 1972). Again I would like all employees that have ever been placed on the Giglio list and WHY they were put on that list. This should include dates as to when they were officially placed on the list and if they are a current employee or no longer working for the city.

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

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On 11/2/2019 6:59:47 AM, Giglio v. United States, 405 U.S. 150, 153 (U.S. 1972), Colene Hinchey wrote:

Request was created by customer

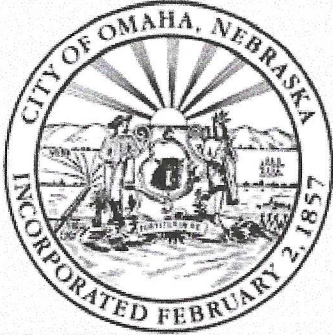
P000177-110219 - Police Records Request

Message History (4)

✉ On 11/8/2019 11:26:55 AM, OMAHANE Support wrote:

Subject: [Records Center] Police Records Request :: P000177-110219

Body:



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

RE: PUBLIC RECORDS REQUEST of November 02, 2019, Reference # P000177-110219

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 11/8/2019 11:26:54 AM, OMAHANE Support wrote:

Subject: [Records Center] Police Records Request :: P000177-110219

Body:

Colene Hinchey

Re: Request for Public Records – OPD

Dear Ms. Hinchey:

I am responding to your request on behalf of the Omaha Police Department. In your request dated November 2, 2019, you seek a list of all current and past employees, civilian or sworn, that have or currently meet the standards of *Giglio v. United States*. Further, you requested information as to why they were on the list, date placed on the list, and employment status with the City. 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.

There is a spreadsheet maintained by the Omaha Police Department Internal Affairs Unit that identifies the officers/employees who have been determined to be Brady/Giglio which has a short description of the basis for the finding relative to that

Officer/employee. There are also disciplinary letters, disciplinary summaries or employee records that provide a further description of the conduct that led to the reason for their inclusion in the spreadsheet.

In regard to the request, the spreadsheet and the identified back up documentation concerning the individual designations are records developed as part of a law enforcement agency's investigation and constitute part of the investigation or which include personal information regarding personnel. They are withheld pursuant to Neb. Rev. Stat. § 84-712.05(5) and § 84-712.05(7) (Reissue 2014).


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.

If you have any questions about the legal basis for this response, please contact me at 402.444.5022.

Sincerely,

\BJB\

Bernard J. in den Bosch
Deputy City Attorney

 On 11/2/2019 6:59:48 AM, OMAHANE Support wrote: