

NOTICE TO REQUESTER

(Use multiple forms if necessary)

TO: Daniel M. Gluck
ACLU of Hawaii, P.O. Box 3410, Honolulu, HI 96801
Phone: (808) 522-5908; email: dgluck@acluhawaii.org

FROM: Honolulu Police Department
801 S. Beretania Street, Honolulu, Hawaii 96813
Major Thomas Nitta, Records and Identification Division
Phone: (808) 723-3185; email: tnitta@honolulu.gov
(Agency/name & telephone number of contact person at agency)

DATE REQUEST RECEIVED: June 5, 2013
DATE OF THIS NOTICE: June 19, 2013

GOVERNMENT RECORDS YOU REQUESTED (attach copy of request or provide brief description below):

1. From June 1, 2012, to the present, any and all records relating to any arrest, citation, ticket, and/or written notice issued by the Honolulu Police Department to any individual(s) for violation(s) or alleged violation(s) of the provisions of Hawaii Revised Statutes ("HRS") §711-1105 (Obstructing). This request is limited to the geographic area of Kalakaua Avenue between Ala Moana Boulevard and Monsarrat Avenue.

NOTICE IS PROVIDED TO YOU THAT YOUR REQUEST:

- Will be granted in its entirety.
- As to CITATIONS: Cannot be granted because
- Agency does not maintain the records. Agency believed to maintain records: District Court of the First Circuit.
- NOTE: In the normal course of business, HPD does not keep copies of citations issued. All citations are turned over to the courts and prosecutors. However, if a police report was generated documenting the issuance of a citation, we have provided that police report which references the citation.**
- Agency needs a further description or clarification of the records requested. Please contact the agency and provide the following information: _____
- Request requires agency to create a summary or compilation from records not readily retrievable.
- Is denied in its entirety Will be granted only as to certain parts based upon the following exemption provided in HRS § 92F-13 and/or § 92F-22 and other laws cited below (portions of records that agency will not disclose should be described in general terms).

<u>RECORDS OR INFORMATION WITHHELD</u>	<u>APPLICABLE STATUTES</u>	<u>AGENCY JUSTIFICATION</u>
3 police reports re: warnings issued to 3 juveniles for Obstructing (all 3 occurred on the same date in the same incident).	92F-13(4)	Juvenile records/reports are confidential pursuant to statute

REQUESTER'S RESPONSIBILITIES:

You are required to (1) pay any lawful fees assessed; (2) make any necessary arrangements with the agency to inspect, copy or receive copies as instructed below; and (3) provide the agency any additional information requested. If you do not comply with the requirements set forth in this notice within 20 business days after the postmark date of this notice or the date the agency makes the records available, you will be presumed to have abandoned your request and the agency shall have no further duty to process your request. Once the agency begins to process your request, you may be liable for any fees incurred. If you wish to cancel or modify your request, you must advise the agency upon receipt of this notice.

METHOD & TIMING OF DISCLOSURE:

Records available for public access in their entirety must be disclosed within a reasonable time, not to exceed 10 business days, or after receipt of any prepayment required. Records not available in their entirety must be disclosed within 5 business days of this notice or after receipt of any prepayment required. If incremental disclosure is authorized by HAR § 2-71-15, the first increment must be disclosed within 5 business days of this notice or after receipt of any prepayment required.

Method of Disclosure:

- Inspection at the following location: _____.
- As requested, a copy of the record(s) will be provided in the following manner:
 - Available for pick-up at the following location: _____.
 - Will be mailed to you.
 - Will be transmitted to you by other means requested: _____.

Timing of Disclosure: All records, or first increment where applicable, will be made available or provided to you:

- On _____.
- After prepayment of fees and costs of **\$ 34.00** (see breakdown below).
 Payment may be made by cash or: personal check other business check.
Please make all checks payable to “City and County of Honolulu”

ESTIMATED FEES & COSTS:

The agency is authorized to charge you certain fees and costs to process your request (even if no record is subsequently found to exist), but must waive the first \$30 in fees assessed for general requesters and the first \$60 in fees when the agency finds that the request made is in the public interest. See HAR §§ 2-71-19, -31 and -32. The agency may require prepayment of 50% of the total estimated fees and 100% of the total estimated costs prior to processing your request. The following is the estimate of the fees and costs that the agency will charge you, with the applicable waiver amount deducted:

Fees: Search	Estimate of time to be spent: <u>30 mins</u> (\$2.50 for each 15-minute period)	\$ <u>5.00</u>
Review & segregation	Estimate of time to be spent: <u>3 hours</u> (\$5.00 for each 15-minute period)	\$ <u>60.00</u>
Fees waived	<input type="checkbox"/> general (\$30) <input checked="" type="checkbox"/> public interest (\$60)	<\$ <u>60.00</u> >
Total Estimated Fees:		\$ <u>5.00</u>
Costs: Copying	Estimate of # of pages to be copied: <u>116</u> (@ \$ <u>0.25</u> per page.)	\$ <u>29.00</u>
Total Estimated Costs:		\$ <u>34.00</u>

For questions about this notice, please contact the person named above. Questions regarding compliance with the UIPA may be directed to the Office of Information Practices at 808-586-1400 or oiip@hawaii.gov.

NOTE: As discussed previously, two reports mention videos taken at the scene. The videos have not been provided in this request as they require redaction with special equipment. Please let us know if your agency would like to request the videos so we can assess the cost and time frame before we begin working on the videos. Thank you.