



MORTON COUNTY

STATE OF NORTH DAKOTA

OFFICE OF THE STATE'S ATTORNEY

Allen Kopy, State's Attorney

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TO: Curtis Waltman

E-MAIL:

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Re: Your request for records

DATE: 3.11.2022

Requested Records¹:

Arrest reports for anyone taken into custody on February 22nd or February 23rd of 2017 in the area along the Cannonball River that was the site of the anti-Dakota Access pipeline protests. On the dates just mentioned an eviction of demonstrators took place. I would also like any Special Event Threat Assessment Reports, situational awareness reports, compilations of equipment or munitions to be used, any after action reports, any incident reports, and any post-operational briefings or memoranda to personnel concerning the eviction. I would also like any reports on the cleaning up of the protester camp, which came to be known as Oceti Sakowin. These would be reports dealing with what role the department would play in the clean up, and what methods were used.

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- Attached are the records you requested.
 - The records you requested cannot be provided because no such records exist.
 - The requested records are not records of this agency.
 - To the extent requested/other records may exist, the records are/would be confidential or exempt in entirety, under Public Health and Security Plans Exception, N.D.C.C. § 44-04-25.²
 - To the extent requested/other records may exist, the records are/would be confidential or exempt in entirety, under Criminal Intelligence Information and Criminal Investigative Information, N.D.C.C. § 44-04-18.7.³
 - To the extent requested/other records may exist, the records are/would be confidential or exempt in entirety, under Records of Juvenile Court Supervisors and Probation Officers and Law Enforcement and Correctional Employees, N.D.C.C. § 44-04-18.3.⁴

The estimated cost for the requested records is \$_____, calculated as follows:

¹ A public entity does not have to convert its records to another format, create or compile records that do not exist, or obtain records originating from another public entity that it does not have in its possession. A public entity has no obligation to respond to questions about its duties and functions or to explain the content of its records.

² Portions of the records, information, surveys, communications, and consultations used to procedure the plans relating to protection of the public or public officials against threats of violence.

³ Information with respect to an identifiable person or group of persons compiled by a criminal justice agency in the course of conducting a criminal investigation of a specific act or omission or collected by a criminal justice agency in an effort to anticipate, prevent, or monitor possible criminal activity.

⁴ Any telephone number, home address, work schedules, and information containing personal records.

_____ pages @ 25¢ per page \$ _____
 _____ other copies @ \$ _____ each \$ _____
 _____ hours for locating the records @ \$25/hr each [after the first \$ _____
 hour] \$ _____
 _____ hours for redacting the records @ \$25/hr each [after the first
 hour]

Estimated costs are payable *in advance*. We do not waive estimated costs. When we receive a cashier's check/money order to " _____," we will begin work on your request.

- If we do not receive payment/hear from you within ten (10) days from today's date, we will assume you have withdrawn your request.
- Your request did not provide sufficient information for us to identify specific records. We cannot comply with your request without clarification.
- Your request did not reasonably identify a record/records.