



**City of Omaha**  
**Jean Stothert, Mayor**



**Todd R. Schmaderer**  
**Chief of Police**

Omaha Police Department  
"To Serve and Protect"  
505 South 15th Street  
Omaha, Nebraska 68102-2769  
(402) 444-5600  
(402) 444-5898  
[police.cityofomaha.org](http://police.cityofomaha.org)

August 12, 2020

Dear Ms. Lipton,

I am responding to your request on behalf of the Omaha Police Department. Your request is made pursuant to the provisions of the Nebraska Public Records Act.

In your request dated July 30, 2020, you sought a copy of:

#### **POLICY**

All policies, statutes, and guidance used to govern the use of unmarked vehicles or any other vehicle used or in the possession of this agency that is not clearly and obviously marked as a law enforcement vehicle.

Please include all policies regarding access to such vehicles, use of the vehicles, internal reporting requirements when such vehicles are used, and external reporting requirements.

#### **FORMS and GUIDANCE**

A blank version of all forms and logs used by this agency in relation unmarked vehicles, including all those used to track use, damage, and the inventory of vehicles.

#### **DATA**

All available data, reports, audits, and other aggregated information regarding this agency's inventory and use of unmarked vehicles for the period from January 1, 2015 through July 31, 2020.

#### **OTHER**

In the initial acknowledgement letter from your agency, if you could please include an indication of whether your agency does use unmarked vehicles in some form, that would be appreciated.

This is the response required by NEB. REV. STAT. § 84-712(4).

The Omaha Police Department utilizes unmarked vehicles in a number of capacities, mainly by upper command and for units that have non-uniformed officers. For example, we have pool cars assigned to our Criminal Investigations Bureau, Executive Services Bureau, Police Services Bureau and Professional Oversight Bureau. Unmarked vehicles may be used by our Uniform Patrol Bureau for traffic enforcement and surveillance when a marked vehicle would be unfeasible for observation; however overall uniformed officers utilize marked vehicles.

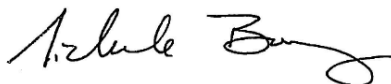
Our Fleet and Facilities manager has provided a spreadsheet with the number of unmarked vehicles in our fleet by bureau from 2015 – 2020. Our Research and Planning Unit has identified a number of policies and forms related to unmarked vehicles that would be considered public record. Any policies related to the use of unmarked vehicles for surveillance or other tactical purposes and therefore will not be released. 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.

The above mentioned documents have been uploaded into the Muckrock system.

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 402.444.5861.

Sincerely,

A handwritten signature in black ink, appearing to read "Michele Bang". The signature is fluid and cursive, with the first name "Michele" written in a larger, more prominent script than the last name "Bang".

Deputy Chief Michele Bang  
Police Services Bureau