ACLU OF ARIZONA v. NANOS, No. C20254935
PLAINTIFF'S PRE-HEARING BRIEF EXHIBITS

1. Index of Defendant's responsive records produced to Plaintiff
2. Select representative records productions:
    a. Spreadsheet of incidents of Border Patrol Contact for calendar year 2021-23, produced September 25, 2025
    b. Internal memorandum summarizing Border Patrol contact for 2021-24, produced September 25, 2025
    c. Incident Reports of Border Patrol Contact from 2021-23, produced September 30, 2025
3. Email from Records Supervisor to Plaintiff's Counsel, dated August 11, 2025
4. Email from Plaintiff's Counsel to Defendant's Counsel, dated September 9, 2025
5. Email from Defendant's Counsel to Plaintiff's Counsel, dated September 24, 2025
6. Email from Records Supervisor to Plaintiff's counsel, dated September 25, 2025 with attachments:
    a. Email from P. Aguilar to PCSD-PIO, dated March 28, 2025
    b. Email from P. Aguilar to Public Records Request, dated April 30, 2025
7. Defendant's answers to Plaintiff's first Nonuniform Interrogatories, dated November 26, 2025
8. Email from Defendant's Counsel to Plaintiff's Counsel, dated January 22, 2026
9. Email from Defendant's Counsel to Plaintiff's Counsel, dated January 29, 2026
10. Deposition Transcript of Desiree Romero, dated March 10, 2026
11. Deposition Transcript of Joshua Nicholas, dated March 10, 2026

Brief Exhibit 1

ACLU of Arizona v. Nanos, No. C20254935

Index of Defendant's Responsive Records Produced to Plaintiff

No.	Date Produced	Contents	File Name
1	7/29/2025	Compilation of internal PCSD emails referencing GO 2025-001 (Jan - Apr 2025)	Email Pull ACLU.pdf
2	8/7/2025	Incident report involving Border Patrol (2025)	250423166.pdf
3	8/7/2025	Incident report involving Border Patrol (2025)	250306211.pdf
4	9/25/2025	Spreadsheet of incidents of Border Patrol Contact for calendar year 2021	2021 INCIDENTS.pdf
5	9/25/2025	Spreadsheet of incidents of Border Patrol Contact for calendar year 2022	2022 INCIDENTS.pdf
6	9/25/2025	Spreadsheet of incidents of Border Patrol Contact for calendar year 2023	2023 INCIDENTS.pdf
7	9/25/2025	Spreadsheet of incidents of Border Patrol Contact for calendar year 2024	2024 INCIDENTS.pdf
8	9/25/2025	Internal memos summarizing Border Patrol contact for 2021 [month]	Border Patrol tracking recap 2021-01.pdf
9	9/25/2025	Internal memos summarizing Border Patrol contact for 2021 [month]	Border Patrol tracking recap 2021-02
10	9/25/2025	Internal memos summarizing Border Patrol contact for 2021 [month]	Border Patrol tracking recap 2021-03
11	9/25/2025	Internal memos summarizing Border Patrol contact for 2021 [month]	Border Patrol tracking recap 2021-04
12	9/25/2025	Internal memos summarizing Border Patrol contact for 2021 [month]	Border Patrol tracking recap 2021-05
13	9/25/2025	Internal memos summarizing Border Patrol contact for 2021 [month]	Border Patrol tracking recap 2021-06
14	9/25/2025	Internal memos summarizing Border Patrol contact for 2021 [month]	Border Patrol tracking recap 2021-07
15	9/25/2025	Internal memos summarizing Border Patrol contact for 2021 [month]	Border Patrol tracking recap 2021-08
16	9/25/2025	Internal memos summarizing Border Patrol contact for 2021 [month]	Border Patrol tracking recap 2021-09
17	9/25/2025	Internal memos summarizing Border Patrol contact for 2021 [month]	Border Patrol tracking recap 2021-10
18	9/25/2025	Internal memos summarizing Border Patrol contact for 2021 [month]	Border Patrol tracking recap 2021-11

No.	Date Produced	Contents	File Name
19	9/25/2025	Internal memos summarizing Border Patrol contact for 2021 [month]	Border Patrol tracking recap 2021-12
20	9/25/2025	Internal memos summarizing Border Patrol contact for 2022 (Feb/Mar/Aug/Sep)	2022 memos.pdf
21	9/25/2025	Internal memos summarizing Border Patrol contact for 2023 July	Border Patrol tracking recap 2023-7.pdf
22	9/25/2025	March 27, 2025 Email from Reporter to PCSD Records Unit	JOHN WASHINGTON_REQ.pdf
23	9/25/2025	April 30, 2025 Email from Reporter to PCSD Records Unit	john washington request_4-30-25.pdf
24	9/30/2025	Incident report involving Border Patrol (2021)	210205315.pdf
25	9/30/2025	Incident report involving Border Patrol (2021)	210207222.pdf
26	9/30/2025	Incident report involving Border Patrol (2021)	210307258.pdf
27	9/30/2025	Incident report involving Border Patrol (2021)	210428227.pdf
28	9/30/2025	Incident report involving Border Patrol (2021)	210821224.pdf
29	9/30/2025	Incident report involving Border Patrol (2021)	211127119.pdf
30	9/30/2025	Incident report involving Border Patrol (2021)	211203243.pdf
31	9/30/2025	Incident report involving Border Patrol (2022)	220203283.pdf
32	9/30/2025	Incident report involving Border Patrol (2022)	220507201.pdf
33	9/30/2025	Incident report involving Border Patrol (2022)	220901249.pdf
34	9/30/2025	Incident report involving Border Patrol (2022)	220906297.pdf
35	9/30/2025	Incident report involving Border Patrol (2022)	221022047.pdf
36	9/30/2025	Incident report involving Border Patrol (2022)	221203035.pdf
37	9/30/2025	Incident report involving Border Patrol (2023)	230315126.pdf

No.	Date Produced	Contents	File Name
38	9/30/2025	Incident report involving Border Patrol (2023)	230419367.pdf
39	9/30/2025	Incident report involving Border Patrol (2023)	230510337.pdf
40	9/30/2025	Incident report involving Border Patrol (2023)	231007129.pdf
41	10/7/2025	Incident report involving Border Patrol (2021)	210424029.pdf
42	10/7/2025	Incident report involving Border Patrol (2021)	210306328.pdf
43	10/7/2025	Incident report involving Border Patrol (2023)	230112329.pdf
44	10/7/2025	Incident report involving Border Patrol (2024)	240713291.pdf

- End of Index -

Brief Exhibit 2

INCIDENT	DATE	RESULTS	NATURE	HOW RECEIVED
	12/11/2020	xfrd to BP	Citizen Report suspicious person/vehicle/activity	911
210108093	01/08/2021 1240	BP advd	Citizen Report suspicious person/vehicle/activity	0 911
210108263	01/08/2021 2125	BP advd declined response	Deputy Request BP non-UDA assistance	0 Radio
	01/16/2021 1353	xfrd to BP	Citizen Report suspicious person/vehicle/activity	0 911
210205315	02/05/2021 2227	BP adv for 3	Deputy Request BP for possible UDA	3 radio/traffic stop
210207222	02/07/2021 1726	BP advd	Deputy Request BP for possible UDA	1 911
	02/13/2021 1945	xfrd to BP	Citizen Report suspicious person/vehicle/activity	0 911
210306328	3/6/2021	BP advd	Deputy Request BP for possible UDA	2 traffic stop
210307258	03/04/2021 2001	bp advd	Deputy Request BP for possible UDA	1 Radio 719
		xfrd to BP	Citizen Report suspicious person/vehicle/activity	911
210404028	4/4/2021	BP advd	Deputy Request BP non-UDA assistance	0 Radio/1037
210413218	04/13/2021 1653	BP advd, responded transported 3	Deputy Request BP for possible UDA	3 radio
210424029	04/24/21 0450	BP advd	Deputy Request BP for possible UDA	3 traffic stop
	4/26/2021 20:00	Xfr to BP	Citizen Report suspicious person/vehicle/activity	0 911
210428227	04/38/21 17:19	BP ADVISED	Deputy Request BP for possible UDA	6 Radio/traffic stop
	05/10/21 1045	xfrd to BP	Citizen Report suspicious person/vehicle/activity	911
	5/24/2021	xfrd to BP	Citizen Report suspicious person/vehicle/activity	911
210820162	08/20/21 1258	bp advd	Citizen Report suspicious person/vehicle/activity	911
210821224	08/21/21 2006	bp advd	Deputy Request BP for possible UDA	25 RADIO
	10/19/21 1753	xfrd to BP	Citizen Report suspicious person/vehicle/activity	911
	11/18/21 1842	xfrd to BP	Citizen Report suspicious person/vehicle/activity	911
211127119	11/27/2021	BP advd, responded transported 3	Deputy Request BP for possible UDA	4 traffic
211203243	12/03/2021 1730	bp advd	Deputy Request BP for possible UDA	3 Radio
	12/17/21 1347	xfrd to BP	Citizen Report suspicious person/vehicle/activity	911

INCIDENT	DATE	RESULTS	NATURE	HOW RECEIVED
220203283	02/03/22 2100	BP advd	Deputy Request BP for possible UDA	radio
	02/21/2022 2032	xfrd to BP	Citizen Report suspicious person/vehicle/activity	911
220228266	02/28/2022 1930	BP was advised	Deputy Request BP non-UDA assistance	Radio
	4/4/2022 1708	xfrd to BP	Citizen Report suspicious person/vehicle/activity	911
220507201	05/07/2022 1716	BP advd	Citizen Report suspicious person/vehicle/activity	911
	08/14/2022 1718	xfrd to BP	Citizen Report suspicious person/vehicle/activity	911
	08/25/2022 0630	xfrd to BP	Citizen Report suspicious person/vehicle/activity	911
	09/01/2022 1157	xfrd to BP	Citizen Report suspicious person/vehicle/activity	911
220901249	9/1/2022 1808	BP advd	Citizen Report suspicious person/vehicle/activity	911
220906297	09/06/2022 2142	BP advd	Deputy Request BP for possible UDA	radio/traffic stop
	10/20/2022 1134	xfrd to BP	Citizen Report suspicious person/vehicle/activity	911
221022047	10/22/2022 0816	xfrd to BORSTAR	Citizen Report suspicious person/vehicle/activity	911
	11/04/2022 1440	BP responding from mp 64 AZ85	Deputy Request BP non-UDA assistance	traffic stop
221203035	12/03/2022 0606	BP advd	Deputy Request BP for possible UDA	radio/traffic stop

INCIDENT	DATE	RESULTS	NATURE	HOW RECEIVED
230112329	01/12/2023 2345	bp advd	Deputy Request BP for possible UDA	traffic stop
	02/18/2023 1533	xfrd to border patrol	Citizen Report suspicious person/vehicle/activity	911
	02/27/2023 1446	xfrd to bp	Citizen Report suspicious person/vehicle/activity	911
230315126	03/15/2023 1340	call entered for patrol response and BP advd	Citizen Report suspicious person/vehicle/activity	911
230419367	4/19/2023	bp advd	Citizen Report suspicious person/vehicle/activity	Radio
230510337	05/10/23 2341	BP advd, sent agent	Deputy Request BP for possible UDA	traffic stop
	10/07/2023 1147	xfrd to BP	Citizen Report suspicious person/vehicle/activity	911
231007129	10/07/2023 1154	xfrd to BP	Citizen Report suspicious person/vehicle/activity	911
	10/14/2023 1220	xfrd to BORSTAR	Citizen Report suspicious person/vehicle/activity	911
	10/7/2023 1147	xfrd to BP	Citizen Report suspicious person/vehicle/activity	911
231007129	10/07/23 1154	xfrd to BP	Citizen Report suspicious person/vehicle/activity	911
	10/14/2023 1220	xfrd to BORSTAR	Citizen Report suspicious person/vehicle/activity	911
	11/26/2023 1812	xfrd to BP	Citizen Report suspicious person/vehicle/activity	911

INCIDENT	DATE	RESULTS	NATURE	HOW RECEIVED
240713291	07/13/2024 2225	BP advd, responded transported 2	Deputy Request BP for possible UDA	traffic stop

Pima County Sheriff's Department

Chris Nanos, Sheriff

MEMORANDUM

To: Sheriff C. Nanos

From: Cecilia Ochoa, Communications Section Manager via Chain of Command

Re: **Border Patrol Contact - January 2021**

Date: February 1, 2021

Communications commenced tracking Department requests for Border Patrol response effective March 1, 2018. The tracking of data included the following categories:

- **Nature** of the request
- **Results** of the request
- **How** the request was **received**
- Was the request **Stonegarden related?**
- **Badge number** of the involved communications staff
- **Date and time** of the call to (from) Border Patrol

For the month of January 2021, there were 30 documented occasions of contact with Border Patrol, either made through or initiated by the Pima County Sheriff's Department.

- The Department fielded 26 calls from 26 unique phone numbers involving lost persons. Those were from remote areas of Pima County and all were transferred to BORSTAR (Border Patrol Search, Trauma, and Rescue) per standard protocol.

- We received 3 citizen reports of suspected UDAs (undocumented aliens) or suspicious activity/vehicles involving suspected UDAs.

- Deputies made 1 request to Border Patrol for their assistance with issues other than UDAs. A sergeant requested BP respond to a report of found property (ammo box and tarp) in a remote area. BP declined response.

This data includes tracking efforts from both the Tucson and Ajo Communications Centers.

Please advise me if further information or clarification is required.

Pima County Sheriff's Department

Detail Incident Report for 210821224

Incident: 210821224
Nature: SUSP ACT
Location: Green Valley Beat 3

Offense Codes: 5604
Received By: Uriarte Garcia **How Received:** 911 **Agency:** PCSD
Responding Officers: 6701Aragon,M 6705Cardena,D 1390Garcia,C
Responsible Officers: 6701Aragon,M **Disposition:** Active 08/21/21
When Reported: 20:06:32 08/21/21 **Occurred Between:** 20:01:42 08/21/21 and 20:01:48 08/21/21

Assigned To: **Detail:** **Date Assigned:** **/**/**
Status: **Status Date:** **/**/** **Due Date:** **/**/**

NOTICE:
PRIVATE OR CONFIDENTIAL INFORMATION, SUCH AS DATE OF BIRTH, SOCIAL SECURITY NUMBER AND HOME ADDRESS, HAS BEEN REDACTED PURSUANT TO ARIZONA LAW.

NARRATIVE:
Initial Case Dictated by M. J. Aragon #6701 in Supp. 2

Radiolog:

Unit: 169 **Enroute:** **Arrived:** 20:10:50 08/21/21
Completed:

Unit: 522 **Enroute:** 20:07:16 08/21/21 **Arrived:** 20:49:39 08/21/21
Completed:21:12:14 08/21/21

Unit: 525 **Enroute:** 20:07:19 08/21/21 **Arrived:** 20:23:04 08/21/21
Completed:

SUPPLEMENTAL NARRATIVE:
Supplement typed by Forensic Technician Donovan Mathesen #8214
Wed Aug 25 11:57:31 MST 2021

Case # 2********24

On 8/24/21 I responded to **********
to assist in processing a recovered stolen vehicle.

Upon my arrival, I was advised by Dep. Barker that the car he was out with had been abandoned a few weeks prior at the above property, the owner of the property then attempted to claim the abandoned vehicle and it was returning as stolen. I was asked to assist in documenting the car and processing for possible evidence.

Type of vehicle: Nissan Altima
Vehicle VIN: [redacted]
Vehicle Plate: AZ temp [redacted]

Photographs taken by myself:
-overall exterior and interior of the car
-VIN
-Plate
-title found inside the car
-ignition

Evidence collected by myself:
DM3: toothbrush from back seat

Areas where I lifted latent prints:
-int driver door handle
-rearview mirror

Areas that I swabbed for DNA utilizing sterile swabs and water:
DM1: swabs steering wheel
DM2: swabs gear shifter

NFI

SUPPLEMENTAL NARRATIVE:
Initial Case Narrative by M. J. Aragon #6701 on 08/22/21 at 0713 hrs.
Total Dictation Time = 3:27 mins.

On 08/08/21 at 2006 hours, deputies responded to a suspicious activity in the area of

****

Communications stated that the reportee, [redacted] had stated that there were 25 to 45 males and females, all Hispanic, behind a shack northwest of the Dollar General Store. A female had gone up to the trailer and asked for water and had a different accent. The reportee was scared.

At that point, I radioed Communications to start the United States Border Patrol (USBP) in the area, due to this area is known for people who are not of the United States as a pick up area.

Deputy D. Cardenas #6705, Sergeant C. D. Garcia, Jr. #1390 and I stationed ourselves on Nogales Highway and Arivaca Road and waited approximately 15 minutes for USBP agents to arrive.

When agents arrived, we then entered the area where [redacted] had stated that the group was hiding at. Upon exiting our vehicles, we checked the surrounding area. At this time, we did not locate any males or females that appeared to be suspicious, nor did we have any tracks of large groups of people from footprints or anything. We canvassed the area for approximately 15 minutes. There was no contact with anybody suspicious.

I attempted to contact [redacted] as well as a phone call. She did not answer her phone call and did not answer her house at the trailer. While at the trailer, I observed nothing considered criminal nor suspicious and was unable to get her information. I ran her name from what I had on the Mobile Data Computer (MDC), which would return if there was a [redacted], but lived at a different address. At that time, I did not know who was living at the residence.

At this point, USBP stated that they were clearing as well as deputies and at that time, this concluded our involvement in this case.

NFI Transcribed by P. L. Willson #4737 Mon Jan 30 17:00:22 MST 2023

Pima County Sheriff's Department

Detail Incident Report for 211203243

Incident: 211203243
Nature: C81
Location: Ajo District Boundary

Offense Codes: 5303
Received By: 2778Monreal,S **How Received:** Telephone **Agency:** PCSD
Responding Officers: 8061Khamseh,S Oldford,LaurieS 8877Hardwic,D
Responsible Officers: 8061Khamseh,S **Disposition:** Active 12/03/21
When Reported: 17:12:18 12/03/21 **Occurred Between:** 17:11:31 12/03/21 and 17:11:31 12/03/21

Assigned To: **Detail:** **Date Assigned:** **/**/**
Status: **Status Date:** **/**/** **Due Date:** **/**/**

NOTICE:
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NARRATIVE:
Initial Case Dictated by S. Khamseh #8061 in Supp. 1

Radiolog:

Unit: 429 **Enroute:** 17:13:13 12/03/21 **Arrived:** 17:21:07 12/03/21
Completed:

Unit: 692 **Enroute:** 17:13:13 12/03/21 **Arrived:** 17:18:26 12/03/21
Completed:20:09:51 12/03/21

Unit: 739 **Enroute:** 17:13:13 12/03/21 **Arrived:**
Completed:

SUPPLEMENTAL NARRATIVE:
Initial Case Narrative by S. Khamseh #8061 on 12/03/21 at 1948 hrs.
Total Dictation Time = 3:53 mins.

At approximately 1700 hours on 12/03/21, I responded to the area of North Ajo Well Road and West Mead Road, in reference to a report of a suspicious person.

The reporting party was an anonymous female, indicating that there were three males who were sitting on the side of the road. They had duffel bags. This reporting party did not want to provide any additional information, nor wanted to identify herself.

Upon arrival, I came across three individuals who were walking on the side of the road. These individuals were wearing camouflage pants and were carrying camouflage bags.

When I made contact with the males, they could not speak English, and the only thing they could tell me in broken English was that they were immigrants. I did not ask for their IDs, nor did I ask for their citizenship or anything. I asked if they needed a water or if they were in need of medical attention, to which they indicated no.

I asked if I could check the males' bags, as I was just wanting to see if they had any weapons or if they were smuggling any narcotics to United States soil. They granted me consent. I searched their bags, to which they did not have any illegal items in their duffel bags.

At that time, Border Patrol was advised, and Border Patrol's estimate arrival time was somewhere between 10 to 15 minutes, since they were driving from their station from Why, Arizona. At that time, I determined that I could not hold the males any longer than that, since my contact with them was solely consensual contact, and these individuals did not commit any state-level or local criminal or civil violations.

At that time, I made a ready transmission and advised Ajo Communication of the location of these individuals. I also advised that all of the Pima County Sheriff's Department (PCSD) patrol units would return to service.

NOTE: The duration of time that my backup units and I made contact with these individuals was somewhere around three minutes.

The PCSD units cleared the scene and we all returned to service.

This concludes my involvement.

NFI Transcribed by #9576 on Thu May 11 06:32:48 MST 2023

Reviewed for quality control by #8714 on Thu May 11 09:19:44 MST 2023

Pima County Sheriff's Department

Detail Incident Report for 221203035

Incident: 221203035
Nature: MISC OFCR
Location: Green Valley Beat 2

Offense Codes: 6101
Received By: 9364Urquide,C **How Received:** On-Site **Agency:** PCSD
Responding Officers: 8117Creel,J Flores-Rodrigue 8586Rodrigu,P 6701Aragon,M
Responsible Officers: 8117Creel,J **Disposition:** Active 12/03/22
When Reported: 06:10:45 12/03/22 **Occurred Between:** 06:05:12 12/03/22 and 06:10:02 12/03/22

Assigned To: **Detail:** **Date Assigned:** **/**/**
Status: **Status Date:** **/**/** **Due Date:** **/**/**

NOTICE:
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NARRATIVE:
Initial Case Dictated by J. M. Creel #8117 in Supp. 3

Radiolog:

Unit: 439 **Enroute:** 06:06:17 12/03/22 **Arrived:**
Completed:

Unit: 543 **Enroute:** **Arrived:** 06:10:45 12/03/22
Completed:

Unit: 569 **Enroute:** 06:12:42 12/03/22 **Arrived:** 06:25:06 12/03/22
Completed:07:38:53 12/03/22

Unit: 679 **Enroute:** 06:09:45 12/03/22 **Arrived:**
Completed:07:08:22 12/03/22

VEHICLE INFORMATION:

Owner ID Number: [redacted] **Vehicle Number:** [redacted] **License Plate:** [redacted]

VIN: [redacted] **State:** AZ **Expires:** 04/30/24

Year: 2012 **/Make:** DODG **Model:** JOURNEY **Type:** SW **Color:** BLK/ **Doors:** 4

Value: 0 **Characteristics:**

SUPPLEMENTAL NARRATIVE:
Supplement Dictated by M. J. Aragon #6701 on 12/03/22 at 0757 hrs.
Total Dictation Time = 2:57 mins.

On 12/03/22 at 0610 hours, I just got off duty, but I was still in my patrol vehicle heading home on Wilmot Road and Andrada Road, at which point I heard my radio of Deputy J. M. Creel #8117 conducting a traffic stop on McGee Ranch Road and Garrison Hills Drive.

A short time later, Deputy Creel got on the radio and stated there was a bailout from this traffic stop and there were nine individuals that bailed out of the vehicle. At this point, I did not observe any other units assisting. I radioed Deputy Creel if he needed assistance which he stated he did.

Due to the distance where Deputy Creel was at and with nine individuals bailed out in the vicinity, I initiated my emergency lights and proceeded to assist him. I arrived on scene at approximately 10 to 15 minutes later. I was the second deputy to arrive as a backup unit. I observed a black sedan off the side of the road, on the east side hitting a guard fence.

The driver's side door was open. I assisted Deputy Creel in clearing the vehicle. I had my weapon drawn at which time there were no persons inside the vehicle. I placed my weapon back in my holster and stayed on scene security for about 10 minutes. Border Patrol was en route due to the possibility of the bailout being undocumented aliens. With Deputy Creel safe, the scene secured, and other deputies arriving on scene, I then cleared with no further follow-up.

This concludes my involvement in this case.

NFI Transcribed by #9309 on Sat Dec 03 08:14:43 MST 2022

SUPPLEMENTAL NARRATIVE:
Supplement Dictated by J. A. Flores-Rodriguez #8870 on 12/03/22 at 1539 hrs.
Total Dictation Time = 5:40 mins.

While on patrol in the Green Valley District on 12/03/22 at approximately 0610 hours, I responded to a call in reference to what started as a traffic stop by Deputy J. M. Creel #8117 who advised he was out with a vehicle that was not stopping at that time and appeared to be coming to a slow stop. Upon doing so, he advised via radio communication that multiple occupants in the vehicle who appeared to be undocumented aliens rushed out of the vehicle and left the vehicle which rolled into a barbed wire fence area. Upon hearing this information, I continued to show myself en route to the area of West Magee Ranch Road and Garrison Hills Drive in Green Valley, Arizona and advised Communications that I would be en route being that I was one of the closer units at this time. Given this information provided and the exigent nature of the incident, I activated my emergency equipment and continued with exigency to the location of incident.

Once again, I continued to note that the information provided by Deputy Creel was that the vehicle was on the side of the road now and was not blocking but all the occupants appeared to have left the vehicle. He had not yet cleared the vehicle due to the fact that he was by himself and was awaiting an additional unit. At that point, I shortly after made contact with Deputy Creel and was able to assist in assuring there were no other individuals in the vehicle and the vehicle was unoccupied. During this time, I also noted that this vehicle veered off to the side of the road into a barb wire fence area. The vehicle was still in park and still on as well as playing the radio during this time.

At this point, I noted the vehicle appeared to be a black 2012 Dodge Journey and due to the fact that it had been abandoned, it was a mandatory immobilization as well as I noted the fact that the vehicle's license plate was considered to be #[redacted]. Once again, due to the fact of it being under Border Patrol's jurisdiction, the vehicle would be immobilized and taken for storage. At that point, I noted Deputy Creel advised for a tow truck to be en route and once again continued to stand by as scene security as it was unknown where these individuals ran off into into the desert area and safety measures were to be taken at this point due to the fact that we were unaware if these individuals would come back or continue into the desert area and once again stood by and provided scene security until I released Deputy Creel. We cleared the area and I waited for the tow truck to arrive. Prior to the tow truck arriving, I was able to take photos of the vehicle as well as the license plate of the vehicle as well as the interior of the vehicle, noting the fact that the vehicle was still

left in drive and where the vehicle landed upon it being left to slowly roll into the desert area.

Once again, I continued to stand by as the tow truck driver attached the vehicle to the back of his tow truck and shortly after cleared the area with the vehicle and noted that during this time also, Deputy P. J. Rodriguez #8586 was on scene, I continued to fill out a tow sheet for the vehicle. After noting that the United States Border Patrol would be en route, an unknown time of arrival, I noted my assistance was no longer needed and Deputy Rodriguez would be standing by. I was able to clear the area and returned back to patrol.

This concludes my involvement in the incident.

NFI Transcribed by #8456 on Sun Dec 04 06:18:48 MST 2022

SUPPLEMENTAL NARRATIVE:
Initial Case Narrative by J. M. Creel #8117 on 12/05/22 at 0326 hrs.
Total Dictation Time = 7:03 mins.

On 12/03/22 at approximately 0605 hours, as I was westbound on West McGee Ranch Road from South Garrison Hills Drive, I observed a black colored sport utility vehicle (SUV) driving eastbound at what appeared to be a very low rate of speed. It appeared as I came around a curve in the roadway that the vehicle was moving from the westbound lanes heading eastbound. I observed a small cloud of dust indicating that the vehicle could have possibly left the roadway on that side of the roadway. As I observed this, I made a U-turn in the roadway now heading eastbound after the dark colored SUV.

After making the U-turn, I observed the vehicle to accelerate. As I continued to catch up to the vehicle, I activated my overhead emergency equipment. The vehicle continued to drive at which time I activated my sirens as well. The vehicle slowed further, continuing to roll down the roadway at a slow speed. It was at this point that it switched over to the south frequency and advised Communications of the traffic stop. As I did so, the back passenger's side door opened and then closed and then opened once more slightly. The vehicle once again slowed. As it did, I observed approximately seven to nine persons exit from the vehicle on both sides. The vehicle continued to roll at a slow speed as all occupants exited from the vehicle, to include the driver. I believe that all the persons in the vehicle were most likely undocumented given the area and the fact that the vehicle was registered to an address in Phoenix.

I continued to follow behind the vehicle as the vehicle left the roadway and slowly stopped. I stood by with the vehicle with my overhead emergency equipment activated as I waited for backup units to arrive. As Deputy M. J. Aragon #6701 and Deputy J. A. Flores-Rodriguez #8870 arrived on scene, I approached the vehicle and ensured there were no occupants inside.

I contacted Communications and requested that a tow truck start in order to mandatory immobilize the vehicle due to the fact that the vehicle was involved in human smuggling. I remained on scene until being relieved by Deputy P. J. Rodriguez #8586. At that point I departed from the area, therefore, concluding my involvement in this incident.

NFI Transcribed by #8504 on Mon Dec 05 04:32:22 MST 2022

Pima County Sheriff's Department

Detail Incident Report for 230315126

Incident: 230315126
Nature: TRESPASS
Location: Green Valley Beat 2

Offense Codes: 6004
Received By: 8335Riley,K **How Received:** 911 **Agency:** PCSD
Responding Officers: 6714Harris,W 1378Mesa,J 9388Rubin,M 5700Senne,T
Responsible Officers: 9388Rubin,M **Disposition:** Active 03/15/23
When Reported: 13:11:26 03/15/23 **Occurred Between:** 13:08:18 03/15/23 and 13:10:08 03/15/23

Assigned To: **Detail:** **Date Assigned:** **/**/**
Status: **Status Date:** **/**/** **Due Date:** **/**/**

NOTICE:
PRIVATE OR CONFIDENTIAL INFORMATION, SUCH AS DATE OF BIRTH, SOCIAL SECURITY NUMBER AND HOME ADDRESS, HAS BEEN REDACTED PURSUANT TO ARIZONA LAW.

NARRATIVE:
Initial Case Dictated by M. E. Rubin #9388 in Supp. 1

Radiolog:

Unit: 339 **Enroute:** 13:12:43 03/15/23 **Arrived:** 13:35:45 03/15/23
Completed:

Unit: 442 **Enroute:** 13:12:26 03/15/23 **Arrived:** 13:21:12 03/15/23
Completed:

Unit: 634 **Enroute:** 13:17:41 03/15/23 **Arrived:**
Completed:

Unit: F86 **Enroute:** 13:13:45 03/15/23 **Arrived:** 13:32:56 03/15/23
Completed: 15:26:52 03/15/23

REPORTEES:

Name: [redacted]

SUPPLEMENTAL NARRATIVE:
Initial Case Narrative by M. E. Rubin #9388 on 03/15/23 at 1526 hrs.
Total Dictation Time = 3:27 mins.

On 03/15/23, I responded to

****

at the Catepillar, Inc. in reference to a trespass call. While en route to the call, Communications advised that five males on foot were on the property where they were not supposed to be.

Upon arriving on scene, I made contact with site security, [redacted]

(DOB **********

[redacted] advised they found the five individuals walking on the property around 1300 hours when they made contact with them. They did not cause any issue and sat down. [redacted] then contacted the Pima County Sheriff's Department (PCSD) for us to come out. They also contacted the United States Border Patrol (USBP) who advised they were going to have an extended response upward of an hour and a half to two hours.

Upon arrival, the men were sitting on the ground. They stated they were in the United States for work. They did not have any identification on them. They all had backpacks with some extra clothing and water. When asked if they had any weapons or drugs, they all responded no.

We had Communications contact the USBP to receive an updated response time, to which they stated it would be extended upward of an hour and a half. We asked the men if they wanted a ride into town. They stated yes. We checked them for weapons and placed them into the back of our patrol vehicles. We then drove from

****

to the Taco Bell at

80 Duval Mine Road

in Green Valley.

While en route, Deputy J. R. Mesa #1378 received a call from USBP who advised that an agent would be meeting us at the Taco Bell to take the men into custody.

Upon arrival at the Taco Bell, the men were handed off to Border Patrol Agent J. Diaz #T578 at 1408 hours.

This concludes my involvement in this incident.

NFI Transcribed by #7474 on Wed Mar 15 16:55:51 MST 2023

Brief Exhibit 3

From: Desiree Romero
To: John Mitchell
Subject: RE: EMAILS Public Records Request Concerning General Order 2025-001
Date: Monday, August 11, 2025 11:13:27 AM

Good morning,

No worries just let me know if adjustments are needed.

Also the 2 incidents that were provided to you were brought to our attention based on specific information regarding the contacts that were provided by the requestor.

Unfortunately, we are unable to search broadly for all incidents where a Federal Agency may have responded without specific information regarding that specific stop or contact.

I believe at this time we have provided all information for your request, with the waiting factor of the Body Camera footage.

Please let me know of anything else I may assist with.

Have a great week.

Thank you,

Desiree Romero #7848
Information and Records Supervisor
Records Maintenance Unit
Pima County Sheriff's Department
Work: (520) 351-3865
Desiree.romero@sheriff.pima.gov

********** CONFIDENTIALITY WARNING ********

The information contained in this transmission is confidential. It may not be used for commercial purposes and may be legally privileged or protected work under applicable law. This information is intended only for the use of the recipient named above. If you have received this transmission in error, please call the sender to inform and destroy the information. You are notified that any disclosure, copying, distributing or the taking of any action in reliance on the content of this transmission is forbidden by the sender and may be illegal.

From: John Mitchell <JMitchell@acluaz.org>
Sent: Monday, August 11, 2025 9:45 AM
To: Desiree Romero <Desiree.Romero@sheriff.pima.gov>
Subject: RE: EMAILS Public Records Request Concerning General Order 2025-001

CAUTION: This message and sender come from outside Pima Sheriff. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

Good morning – received, thank you. I will bring the bodycam cost issue to our leadership and get back to you ASAP. Is PCSD's understanding that these are the only two incidents involving federal immigration authorities within the requested time period?

Received re: no training files and no IA files. Thank you,

John

From: Desiree Romero <Desiree.Romero@sheriff.pima.gov>
Sent: Thursday, August 7, 2025 7:57 AM
To: John Mitchell <JMitchell@acluaz.org>
Subject: RE: EMAILS Public Records Request Concerning General Order 2025-001

Good morning,

I have attached 2 incident reports for you that we were aware of for your request.

The Body Cameras are in process; however, with there being over 15 videos it will take some time for the process to be complete for all videos. At **minimum** for the Body Cameras we are looking at a fee of $690.00, but the final total will not be provided until the videos have completed processing.

Should the Body Cameras not be needed or you are needing a specific one please advise and we can certainly help you out in receiving only the ones that are needed.

Also on follow up there are no Training Files in reference to your request and no IA Files.

Thank you,

Desiree Romero #7848
Information and Records Supervisor
Records Maintenance Unit
Pima County Sheriff's Department
Work: (520) 351-3865
Desiree.romero@sheriff.pima.gov

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From: John Mitchell <JMitchell@acluaz.org>
Sent: Tuesday, July 29, 2025 3:37 PM

To: Desiree Romero <Desiree.Romero@sheriff.pima.gov>
Subject: RE: EMAILS Public Records Request Concerning General Order 2025-001

CAUTION: This message and sender come from outside Pima Sheriff. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

Good afternoon – received, thank you.

John

From: Desiree Romero <Desiree.Romero@sheriff.pima.gov>
Sent: Tuesday, July 29, 2025 11:23 AM
To: John Mitchell <JMitchell@acluaz.org>
Subject: EMAILS Public Records Request Concerning General Order 2025-001

Good morning,

Please be aware that a OneDrive share will be sent to your email momentarily for emails regarding Public Records Request Concerning General Order 2025-001 and its Implementation.

Thank you,

Desiree Romero #7848
Information and Records Supervisor
Records Maintenance Unit
Pima County Sheriff's Department
Work: (520) 351-3865
Desiree.romero@sheriff.pima.gov

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Brief Exhibit 4

From:	John Mitchell
To:	Sean Holquin; Harris Rubin
Subject:	Re: ACLUAZ v. Nanos - stipulation granted, meet and confer request
Date:	Tuesday, September 9, 2025 7:19:24 PM
Attachments:	Doc-Jul-8-2025-4-03-PM.pdf

Counsel - thanks for your time today. I am following up on the records requested after clarifying the timeline.

I wanted to point out the language in our initial request that the records supervisor may not have caught. Pg 1:

> This Request encompasses any of PCSD's previous policies, rules, regulations and/or procedures (prior to the implementation of GO 2025-001) that contain the same or similar language and purpose of GO 2025-001.

We specified this in order to include records that pre-dated GO 2025-001 because it's not readily apparent what changes that particular GO incorporated. As you noted, records from 1/1/21-2/27/25 wouldn't have fallen under compliance with that GO.

With that said, it sounds like you are able to search for responsive records prior to GO 2025-001. We'd like to try for that before requesting any further relief from the court. The specific records:

1. From the monthly memoranda published by AZ Luminaria (https://azluminaria.org/wp-content/uploads/2025/07/Doc-Jul-8-2025-4-03-PM.pdf) (copy attached) the incident reports and any supplemental documentation of 21 total incidents, below in chronological order:
    - Memo dated March 3, 2022, i.e. incidents that occurred in Feb 2022 (pg 3 of 18 in the attached PDF):
        - 1 citizen report of suspected UDAs (undocumented aliens) or suspicious activity/vehicles involving suspected UDAs.
        - Deputies made 1 request to Border Patrol for their assistance with UDAs, resulting in 1 being turned over.
        - Deputies made 1 request to Border Patrol for their assistance with issues other than UDAs. Deputy requested a Border Patrol assist for a report of a reckless driver on Sasabe Hwy.
    - Memo dated May 2, 2022 (pg 5):
        - 1 citizen report of suspected UDAs (undocumented aliens) or suspicious activity/vehicles involving suspected UDAs.
    - Memo dated June 1, 2022 (pg 6):
        - 1 citizen report of suspected UDAs (undocumented aliens) or suspicious

activity/vehicles involving suspected UDAs.

- Memo dated September 1, 2022 (pg 9):
  - 2 citizen reports of suspected UDAs (undocumented aliens) or suspicious activity/vehicles involving suspected UDAs.
- Memo dated October 3, 2022 (pg 10):
  - 2 citizen reports of suspected UDAs (undocumented aliens) or suspicious activity/vehicles involving suspected UDAs.
  - Deputies made 1 request to Border Patrol for their assistance with UDAs, resulting in 2 being turned over.
- Memo dated November 1, 2022 (pg 11):
  - 2 citizen reports of suspected UDAs (undocumented aliens) or suspicious activity/vehicles involving suspected UDAs.
- Memo dated December 1 2022 (pg 1):
  - Deputies made 1 request to Border Patrol for their assistance with UDAs, resulting in 1 being turned over.
  - Deputies made 1 request to Border Patrol for their assistance with issues other than UDAs. Deputy requested a Border Patrol assist on a vehicle search.
- Memo dated January 3, 2023 (pg 12):
  - Deputies made 1 request to Border Patrol for their assistance with UDAs, resulting in 0 being turned over.
- Memo dated February 1, 2023 (pg 13):
  - Deputies made 1 request to Border Patrol for their assistance with UDAs, resulting in 6 being turned over.
- Memo dated March 1, 2023 (pg 14):
  - 2 citizen reports of suspected UDAs (undocumented aliens) or suspicious activity/vehicles involving suspected UDAs.
- Memo dated April 1, 2023 (pg 15):
  - 1 citizen report of suspected UDAs (undocumented aliens) or suspicious activity/vehicles involving suspected UDAs.
- Memo dated May 1, 2023 (pg 16):
  - 1 citizen report of suspected UDAs (undocumented aliens) or suspicious activity/vehicles involving suspected UDAs.
- Memo dated June 1, 2023 (pg 17):
  - Deputies made 1 request to Border Patrol for their assistance with UDAs, resulting in 6 being turned over.

2. For the above 21 incidents, the data tracked by Communications (as specified in the memos):
   - Nature of the request

    - Results of the request
    - How the request was received
    - Was the request Stonegarden related?
    - Badge number of the involved communications staff
    - Date and time of the call to (from) Border Patrol
3. The memos indicate that tracking commenced March 1, 2018, and PCSD revised its rules in May 2025 to no longer track these communications. We ask:
    - Can you locate and release any memos from January 2021 to February 2022, or confirm none exist? (Our request specified records beginning 1/1/21 so in fairness we won't be requesting pre-2021 records).
    - Can you locate and release any memos from August 2023 to April 2025, or confirm none exist?
4. Directive(s) to the Communications Section to cease the memos in July 2023

As far as other records we did not receive:

5. The request by AZ Luminaria to which PCSD responded with the above monthly synopses. (This would be responsive to our request #11 but was not included in the Email Pull Ms. Romero sent).
6. Internal communications re: GO 2025-001 past April 4, 2025. (This would be responsive to our request #10).
    - The Email Pull that Ms. Romero sent goes up to April 4, 2025. Since PCSD replaced GO 2025-001 with GO 2025-019 on May 21, 2025, there must be records regarding the review of GO 2025-001 on or around the time it was replaced.

Please let me know if you think PCSD can produce the records before next hearing; a rolling basis is great. If you'd like to discuss an estimated timeframe, we can get an idea of what to inform the court on 9/22 in case a continuance is necessary.

Reach out anytime with questions/concerns. Thanks,

John

From: John Mitchell
Sent: Friday, September 5, 2025 2:09 PM
To: Sean Holguin <Sean.Holguin@sheriff.pima.gov>; Harris Rubin <harris.rubin@pcao.pima.gov>
Subject: RE: ACLUAZ v. Nanos - stipulation granted, meet and confer request

That works, I'll send an invite. Thanks

From: Sean Holguin <Sean.Holguin@sheriff.pima.gov>
Sent: Friday, September 5, 2025 1:33 PM
To: John Mitchell <JMitchell@acluaz.org>; Harris Rubin <harris.rubin@pcao.pima.gov>
Subject: RE: ACLUAZ v. Nanos - stipulation granted, meet and confer request

Good afternoon,

How does Tuesday, 9/9 at 2:00pm sound? 30 minutes should be good.

Thanks, you as well.

Sean Holguin

From: John Mitchell <JMitchell@acluaz.org>
Sent: Friday, September 5, 2025 10:38 AM
To: Sean Holguin <Sean.Holguin@sheriff.pima.gov>; Harris Rubin <harris.rubin@pcao.pima.gov>
Subject: ACLUAZ v. Nanos - stipulation granted, meet and confer request

You don't often get email from jmitchell@acluaz.org. Learn why this is important

CAUTION: This message and sender come from outside Pima Sheriff. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

Counsel,

The court granted our joint stipulation yesterday in full. Attached is a copy of the order.

With the Sheriff remaining, and our next hearing on 9/22, I'd like to discuss the outstanding records requested and our respective positions in advance of that date. Are you available sometime next week? Let me know if any of the following times work for you:

- Monday 9/8
  - 1-5pm
- Tuesday 9/9
  - 9-10:30am
  - 1:30-5pm
- Wednesday 9/10
  - 12:30-1:30pm

3:30-5pm

- Thursday 9/11
  - 10:30am-3pm

30 minutes should suffice unless you'd like to block off more time. Let me know your preference and I'll send a meeting invite.

Thanks and have a great weekend.

John

--

John M. Mitchell
Immigrants' Rights Attorney
he/él
American Civil Liberties Union of Arizona
P.O. Box 17148, Phoenix, AZ 85011
520.526.0468 | jmitchell@acluaz.org
acluaz.org

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Brief Exhibit 5

From: Sean Holguin
To: John Mitchell; Harris Rubin
Subject: RE: ACLUAZ v. Nanos - stipulation granted, meet and confer request
Date: Wednesday, September 24, 2025 3:10:38 PM

John,

I have been able to locate additional memos/synopses as follows:

January—December of 2022
January—February 2022
July 2023 (this is last Memo/Synopsis completed)

As you can see from the memos, not all of the data points that were supposed to be included (your #2 below) actually were. However, I was able to locate the raw data upon which the memos were based, which includes those points, in spreadsheets from another section of the Department. We have gathered those spreadsheets for the years 2021 through 2024. I discovered that even though the memos to the Sheriff ceased after July 2023 (that directive was given word-of-mouth and thus there is no record), the data continued to be tracked up to January 2025, when the policy changed. In those spreadsheets you can identify which calls resulted in incident/case numbers being generated and also a summary of the nature of that call. Rather than generate all of those case/incident reports now, to avoid unnecessary expense and effort, I suggest you identify which ones you want (many probably are not of interest to you).

Ms. Romero will be assembling the aforementioned records and sending them to you shortly. I will be available tomorrow and Friday if you have questions interpreting the spreadsheets or want to discuss any matter. However, I will be out of the office all next week.

Thanks,

Sean

From: John Mitchell <JMitchell@acluaz.org>
Sent: Wednesday, September 24, 2025 2:10 PM
To: Sean Holguin <Sean.Holguin@sheriff.pima.gov>; Harris Rubin <harris.rubin@pcao.pima.gov>
Subject: Re: ACLUAZ v. Nanos - stipulation granted, meet and confer request

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Sean - thank you for this update. Did you receive the memos/synopses yesterday on the incidents we identified? If so, do you have an estimated time by when plaintiff will receive them? Our review will inform the need for, and extent of, further discovery prior to our hearing.

John

From: Sean Holguin <Sean.Holguin@sheriff.pima.gov>
Sent: Monday, September 22, 2025 10:25 AM
To: John Mitchell <JMitchell@acluaz.org>; Harris Rubin <harris.rubin@pcao.pima.gov>
Subject: RE: ACLUAZ v. Nanos - stipulation granted, meet and confer request

Mr. Mitchell,

We have been working to try to locate records, but it has encompassed a couple different sections of the Department, that and my own time constraints has contributed to the delay. However, I should be receiving today the missing Memos/Synopses, requested in your email from 9/9/25. I have also located Mr. Washington's original request for the Memos. Although that appears to be what you were seeking in your request #11, I will note that his request was not related to GO 2025-001, and thus it was not retrieved in the results of the email search.

I am available any time this afternoon prior to the hearing to discuss these matters and how to proceed. My direct line is 520-351-4712 if you would like to discuss over the phone.

Sean

From: John Mitchell <JMitchell@acluaz.org>
Sent: Monday, September 22, 2025 8:52 AM
To: Sean Holguin <Sean.Holguin@sheriff.pima.gov>; Harris Rubin <harris.rubin@pcao.pima.gov>
Subject: Re: ACLUAZ v. Nanos - stipulation granted, meet and confer request

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Counsel,

We have not received any response or update from you since the meet and confer on 9/9 and Plaintiffs' detailed follow-up email below. We will therefore be filing the motion to compel production in advance of today's hearing.

Please contact me directly with any matter you wish to discuss prior to the hearing. Thank you,

John

From: John Mitchell <JMitchell@acluaz.org>

Sent: Tuesday, September 9, 2025 7:19 PM
To: Sean Holguin <Sean.Holguin@sheriff.pima.gov>; Harris Rubin <harris.rubin@pcao.pima.gov>
Subject: Re: ACLUAZ v. Nanos - stipulation granted, meet and confer request

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    - Results of the request
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    - Date and time of the call to (from) Border Patrol
3. The memos indicate that tracking commenced March 1, 2018, and PCSD revised its rules in May 2025 to no longer track these communications. We ask:
    - Can you locate and release any memos from January 2021 to February 2022, or confirm none exist? (Our request specified records beginning 1/1/21 so in fairness we won't be requesting pre-2021 records).
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4. Directive(s) to the Communications Section to cease the memos in July 2023

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5. The request by AZ Luminaria to which PCSD responded with the above monthly synopses. (This would be responsive to our request #11 but was not included in the Email Pull Ms. Romero sent).
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Please let me know if you think PCSD can produce the records before next hearing; a rolling basis is great. If you'd like to discuss an estimated timeframe, we can get an idea of what to inform the court on 9/22 in case a continuance is necessary.

Reach out anytime with questions/concerns. Thanks,

John

From: John Mitchell
Sent: Friday, September 5, 2025 2:09 PM
To: Sean Holguin <Sean.Holguin@sheriff.pima.gov>; Harris Rubin <harris.rubin@pcao.pima.gov>

Subject: RE: ACLUAZ v. Nanos - stipulation granted, meet and confer request

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Sent: Friday, September 5, 2025 1:33 PM
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Subject: RE: ACLUAZ v. Nanos - stipulation granted, meet and confer request

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Thanks, you as well.

Sean Holguin

From: John Mitchell <JMitchell@acluaz.org>
Sent: Friday, September 5, 2025 10:38 AM
To: Sean Holguin <Sean.Holguin@sheriff.pima.gov>; Harris Rubin <harris.rubin@pcao.pima.gov>
Subject: ACLUAZ v. Nanos - stipulation granted, meet and confer request

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Counsel,

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With the Sheriff remaining, and our next hearing on 9/22, I'd like to discuss the outstanding records requested and our respective positions in advance of that date. Are you available sometime next week? Let me know if any of the following times work for you:

- Monday 9/8
  - 1-5pm
- Tuesday 9/9
  - 9-10:30am
  - 1:30-5pm
- Wednesday 9/10
  - 12:30-1:30pm
  - 3:30-5pm
- Thursday 9/11
  - 10:30am-3pm

30 minutes should suffice unless you'd like to block off more time. Let me know your preference and I'll send a meeting invite.

Thanks and have a great weekend.

John

--
John M. Mitchell
Immigrants' Rights Attorney
he/él
American Civil Liberties Union of Arizona
P.O. Box 17148, Phoenix, AZ 85011
520.526.0468 | jmitchell@acluaz.org
acluaz.org
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Brief Exhibit 6

From:	Desiree Romero
To:	John Mitchell
Subject:	Original Request #11
Date:	Thursday, September 25, 2025 9:37:15 AM
Attachments:	image001.png JOHN WASHINGTON_REQ.pdf john washington request_4-30-25.pdf

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Good morning,

Attached are the 2 requests received, which correspond with #11 of your request.

Copies of any complaints and/or requests for records filed by members of the public regarding GO 2025-001.

Thank you,

Desiree Romero #7848
Information and Records Supervisor
Records Maintenance Unit
Pima County Sheriff's Department
Work: (520) 351-3865
Desiree.romero@sheriff.pima.gov

********** CONFIDENTIALITY WARNING ********

The information contained in this transmission is confidential. It may not be used for commercial purposes and may be legally privileged or protected work under applicable law. This information is intended only for the use of the recipient named above. If you have received this transmission in error, please call the sender to inform and destroy the information. You are notified that any disclosure, copying, distributing or the taking of any action in reliance on the content of this transmission is forbidden by the sender and may be illegal.

From:	Peter Aguilar
To:	PCSD-PIO
Cc:	Desiree Romero
Subject:	Public Records Request (media)
Date:	Friday, March 28, 2025 3:50:21 PM

Greetings,
Below is a media request I will be processing.
Please contact me with any questions or concerns.
Thank You
Pete Aguilar 8492

From: John Washington
Sent: Thursday, March 27, 2025 4:14 PM
To: Public Records Request
Subject: records request - AZ Luminaria

> **CAUTION:** This message and sender come from outside Pima Sheriff. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

Hello,

I'm John Washington, a reporter for Arizona Luminaria. I am making this request to the sheriff's department of Pima County.

According to Section G, in Chapter Ten of the department's Rules and Regulations on Arrest, Detention, and Transportation Procedures, "requests for assistance from Federal immigration authorities shall be made via the Department's Communications Section." In Subsections 1. and 2. it is stated that "Communications shall track department requests for Federal immigration authority assistance or response" and that "The Communications Section Manager shall complete a monthly synopsis of this data."

I hereby request under ARS 39-121 through 39-121.03, the Arizona Public Records Law, that the following records be made available to me:

-The monthly synopses created by the Communications Section Manager of all department requests for federal immigration authority assistance or response between Nov. 1 2023 and today, March 27, 2025. This request includes all relevant data, attachments, reports, or memos or communications related to or a part of the synopses.

This request is for the non-commercial purpose of gathering the news. Copies of the foregoing documents will not be used for a commercial purpose. I am requesting these records in searchable format within 21 days of filing this request.

The Arizona Legislature has revised the public records law to require that records be released "promptly." If you have any questions, please contact me immediately.

State law provides that if portions of a document are exempt from release, the remainder must be segregated and disclosed. If you deny all or any part of this request, please provide a written statement of exactly what is being denied and the specific reason.

Please contact me with any concerns or questions at this email or by phone at 330 635 3716.

Thank you.

/John Washington

330 635 3716

@jbwashing

From: Public Records Request
To: Peter Aguilar
Subject: FW: records request - AZ Luminaria
Date: Wednesday, April 30, 2025 1:57:34 PM

Hello,
Can you please process the below media request?
Dawn advised the routing for the information will go to Cecilia Ochoa Communications Manager.
Thank you,

Desiree Romero #7848
Record Technician II
Records Maintenance Unit
Pima County Sheriff's Department
Work: (520) 351-3865
Desiree.romero@sheriff.pima.gov

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From: John Washington
Sent: Wednesday, April 30, 2025 1:23 PM
To: Dawn Gardner ; Public Records Request
Subject: Re: records request - AZ Luminaria

> **CAUTION:** This message and sender come from outside Pima Sheriff. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

Hi Dawn,
Thanks for the email.
Just to be clear, the below categories were not tracked?

> **Was the request Stonegarden related?**
> **Badge number of the involved communications staff**
> **Date and time of the call to (from) Border Patrol.**

Because, according to every single memo I was given for my previous request it says "the tracking of data included the following categories" and then listed the above three categories.
Also, I did submit an additional request asking for synopsis from March 2018 through Jan. 2022. I presume that request will be processed as usual. Can you confirm?
Is there anything else you can tell me about the change in guidelines and why you are no longer tracking such data?
Thanks very much.
John
+1 330 635 3716
@jbwashing

On Wed, Apr 30, 2025 at 1:06 PM Dawn Gardner <Dawn.Gardner@sheriff.pima.gov> wrote:

Good afternoon,
I wanted to provide you with some updated information as it relates to this request and a previous request you submitted in March.
After confirming with our Communications Section Manager, all records have been provided to you reference your previous and current request. We have no additional documents to provide. These requests will be marked as completed.
The policy mentioned below is currently being updated as we no longer track this information.
For any future requests or questions, please submit directly to
PublicRecordsRequest@sheriff.pima.gov
Thank you,
Dawn Gardner
Information and Records Manager
Pima County Sheriff's Department
Dawn.gardner@sheriff.pima.gov

From: John Washington <jwashington@azluminaria.org>
Sent: Tuesday, April 29, 2025 1:46 PM
To: Public Records Request <PublicRecordsRequest@sheriff.pima.gov>
Subject: records request - AZ Luminaria

CAUTION: This message and sender come from outside Pima Sheriff. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

Hello,

I'm John Washington, a reporter for Arizona Luminaria. I am making this request to the sheriff's department of Pima County.

According to Section G, in Chapter Ten of the department's Rules and Regulations on Arrest, Detention, and Transportation Procedures, "requests for assistance from Federal immigration authorities shall be made via the Department's Communications Section." In Subsections 1. and 2. it is stated that "Communications shall track department requests for Federal immigration authority assistance or response" and that "The Communications Section Manager shall complete a monthly synopsis of this data."

I hereby request under ARS 39-121 through 39-121.03, the Arizona Public Records Law, that the following records be made available to me:

-The monthly synopses created by the Communications Section Manager of all department requests for federal immigration authority assistance or response between Nov. 1 2023 and today, March 27, 2025. This request includes all relevant data, attachments, reports, or memos or communications related to or a part of the synopses.

-I specifically want the following information from each synopsis:

Nature of the request
Results of the request
How was the request received
Was the request Stonegarden related?
Badge number of the involved communications staff
Date and time of the call to (from) Border Patrol.

This request is for the non-commercial purpose of gathering the news. Copies of the foregoing documents will not be used for a commercial purpose. I am requesting these records in searchable format within 21 days of filing this request.

The Arizona Legislature has revised the public records law to require that records be released “promptly.” If you have any questions, please contact me immediately.

State law provides that if portions of a document are exempt from release, the remainder must be segregated and disclosed. If you deny all or any part of this request, please provide a written statement of exactly what is being denied and the specific reason.
Please contact me with any concerns or questions at this email or by phone at 330 635 3716.
Thank you.
/John Washington
330 635 3716
@jbwashing

Brief Exhibit 7

LAURA CONOVER
PIMA COUNTY ATTORNEY
CIVIL DIVISION
Sean Holguin, SBN 014478
Harris Rubin SBN 036329
Deputy County Attorneys
32 North Stone Avenue, Suite 2100
Tucson, Arizona 85701
Telephone: 520-724-5700
sean.holguin@sheriff.pima.gov
harris.rubin@pcao.pima.gov
Attorneys for Pima County and the Pima County Sheriff

ARIZONA SUPERIOR COURT

PIMA COUNTY

AMERICAN CIVIL LIBERTIES UNION OF ARIZONA, Plaintiff, vs. CHRIS NANOS, in his official capacity as the duly elected Sheriff of Pima County, Defendant.	No. C20254935 **DEFENDANT NANOS'S ANSWER TO INTERROGATORIES** The Honorable Greg Sakall

Defendant Pima County Sheriff Chris Nanos, , by and through the Pima County Attorney, Laura Conover, and her deputies, Sean Holguin and Harris Rubin, respond to Plaintiff's First Set of Nonuniform Interrogatories as follows:

NONUNIFORM INTERROGATORY NO. 1:

Identify the person(s) responsible for searching for, collecting, redacting, producing, and responding to records responsive to Plaintiff's May 14, 2025 Public Records Request Concerning General Order 2025-001 and its Implementation (Compl., Ex. 1).

LAURA CONOVER
PIMA COUNTY ATTORNEY
CIVIL DIVISION

LAURA CONOVER
PIMA COUNTY ATTORNEY
CIVIL DIVISION

DEFENDANT'S ANSWER:

When a public records request is received, a Records Technician is assigned and will process the request in the order it is received. The technician determines whether the requested records can be collected within the Records Unit or need to be collected by other units within the Department. Once the records are collected, they are forwarded within the unit for authorization/approval for release and then sent to legal for redaction. Once authorized for release and redacted, the records are sent to the Records Unit for final processing and release to the requestor.

The Records technician originally assigned to Plaintiff's request was Peter Aguilar. The request was sent to Pima County Information Technology Department ("ITD"), and the Pima County Sheriff's Department Training, Communications, and Internal Affairs units to search for and produce responsive records. Upon information and belief, the following individuals are, to various degrees, involved in the search and production process for Pima County ITD:

Bryan Shelton

Michael Louthbridge

Mary McKenzie

Marianna Eubanks.

Lt. Robert Svec, Ms. Cecilia Ochoa, and Lt. Courtney Rodriguez oversee the process in the Training, Communications, and Internal Affairs units, respectively.

No responsive records were located in the Training and Internal Affairs units.

While awaiting results from the search process, Mr. Aguilar went on vacation. Ultimately, Records Unit Supervisor, Desiree Romero, assumed responsibility for completing Plaintiff's request.

/ / /

/ / /

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PIMA COUNTY ATTORNEY
CIVIL DIVISION

NONUNIFORM INTERROGATORY NO. 2:

Identify each and all of your policies related to public records requests from January 1, 2021 to the present, including any drafts, amendments, updates, and changes.

DEFENDANT'S ANSWER:

See Attachment 1.

NONUNIFORM INTERROGATORY NO. 3:

Identify each and all of your policies relating to communications relating to immigration with each Federal agency, including but not limited to ICE, from January 1, 2021 to the present, including any drafts, amendments, updates, and changes.

DEFENDANT'S ANSWER:

There are no written policies/procedures with respect to contacting federal immigration agencies if/when a deputy requests assistance. Communications staff will make a call directly to the federal agency. The PCSD contacts U.S. Border Patrol in such instances, ICE is not contacted. There are no policies, procedures, or SOPs in relation to ICE.

With respect to calls received from persons needing assistance, the following procedure applies:

<u>Search and/or Rescue</u>

Priority 3

Call Taker:

1. **Determine location. When receiving a 9-1-1 call from a person(s) reporting they are lost and/or in need of assistance, notify the closest resource available.**
    a. **If the caller is in an unpopulated, remote area, transfer the caller to BORSTAR. When transferring calls to BORSTAR, stay**

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CIVIL DIVISION

on the line and relay any location data you may have such as Wireless Phase1/Phase2, GPS Coordinates, longitude/latitude or any other landmark information supplied by the caller~~.~~ ~~Document the call information in the Borstar/Border Patrol Spreadsheet and~~ contact Search and Rescue personnel.

b. In the event the caller indicates they are in a populated area, or if requested by Border Patrol, enter a CAD call for a Deputy to respond.

2. For calls in a populated area, or if PCSD response is requested by Border Patrol:

a. Determine if the caller is the victim or is with the victim, ask how far they are from the trailhead, or how long (time) they walked from the trailhead (or where their vehicle is parked.) Get the name of the trail, or general area where caller/victim is. Ensure that you have the GPS coordinates, use Mapstar to determine if the coordinates are plotting in the general area named by the caller/victim.

i. Search and Rescue personnel are specially trained and equipped to locate lost and/or injured people and render immediate emergency aid. They will assess the situation and decide responsibility for the call whether it is Search and Rescue, EMX ground, EMS air or a combination. Rescue crew safety is vitally important. EMS ground crews, laden with truck-based equipment and personal protection gear, can be expected to go only so far before exposing themselves to

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CIVIL DIVISION

environmental risks. There are some general guidelines to exercise while deciding first responder and how best to assist the injured party:

ii. If the victim is <u>more than</u> ¼ mile or 15 minutes from where they parked their vehicle, immediately notify PCAD Search and Rescue and provide a follow up advisory to the jurisdictional fire department.

iii. If the victim is <u>less than</u> ¼ mile or 15 minutes from where they parked their vehicle, notify the jurisdictional fire department and advise the on-duty or on-call Search and Rescue Deputy or Sergeant

3. Get the caller's name and call back number. Tell the caller/victim to stay exactly where they are: moving will not only complicate the rescue, moving even a short distance may cause a loss of cell phone contact.

4. If the caller/victim is injured, get basic information about the nature of the injuries.

5. If the caller/victim is lost, ask about survival supplies, i.e. water, food, clothing, shelter.

6. If the caller is the victim, or with the victim

a. If feasible and an on-duty Search and Rescue Deputy is available, you may transfer the call to the S&R Deputy.

b. Otherwise, tell them a deputy will be calling them back within fifteen (15) minutes. Advise the caller/victim to stay off their phone to allow the deputy to contact them and to conserve battery.

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CIVIL DIVISION

i. If they do not receive a call from a Deputy in 15 minutes, they should call 911 again.

c. If the victim/reportee calls back because they have not yet heard from a Deputy, attempt to transfer the call to the S&R Deputy's phone.

7. Add a call for dispatch.

See also Attachment 2.

NONUNIFORM INTERROGATORY NO. 4:

Describe the process by which the 2021-24 monthly communications summaries you produced in this action were created, including the search for, identification of, collection of, and production of the documents.

DEFENDANT'S ANSWER:

The information obtained in the procedure described in Defendant's Answer to Nonuniform Interrogatory No. 3 is entered into spreadsheets (previously disclosed to counsel for Plaintiff). The relevant information from those spreadsheets is summarized into the monthly summaries, which were transmitted to the Sheriff.

NONUNIFORM INTERROGATORY NO. 5:

Identify all documents you withheld from production in response to Plaintiff's May 14, 2025 Public records Request Concerning General Order 2025-001 and its Implementation (Compl., Ex. 1), including your basis for withholding each of them.

DEFENDANT'S ANSWER:

No documents were intentionally withheld. Plaintiff's request was reasonably interpreted as encompassing records generated because of and from the effective date

of General Order 2025-001. All records within those parameters that could be located were produced.

Dated November 26, 2025.

LAURA CONOVER
PIMA COUNTY ATTORNEY

By: */s/ Sean Holguin*
Sean Holguin
Harris Rubin
Deputy County Attorneys

LAURA CONOVER
PIMA COUNTY ATTORNEY
CIVIL DIVISION

VERIFICATION

Dawn Gardner, states:

I am the Information and Records Manager with the Pima County Sheriff's Department ("PCSD"). Sheriff Chris Nanos is the Defendant in *American Civil Liberties Union of Arizona v. Chris Nanos,* Pima County Superior Court Case C20254935. I have read Defendant's Answers to Plaintiff's Interrogatories. To the best of my knowledge, information, and belief formed after reasonable inquiry, my answers to Interrogatories Nos. 1, 2, and 5 are complete and correct as of the time they were made.

I verify under penalty of perjury that the foregoing is true and correct.

Executed on November 24, 2025.

Dawn Gardner
PCSD Information and Records Manager

LAURA CONOVER
PIMA COUNTY ATTORNEY
CIVIL DIVISION

VERIFICATION

Cecilia Ochoa, states:

I am the 911 Dispatch Manager with the Pima County Sheriff's Department ("PCSD"). Sheriff Chris Nanos is the Defendant in *American Civil Liberties Union of Arizona v. Chris Nanos,* Pima County Superior Court Case C20254935. I have read Defendant's Answers to Plaintiff's Interrogatories. To the best of my knowledge, information, and belief formed after reasonable inquiry, my answers to Interrogatories Nos. 3 and 4 are complete and correct as of the time they were made.

I verify under penalty of perjury that the foregoing is true and correct.

Executed on November 25, 2025.

C Ochoa

Cecilia Ochoa
PCSD 911 Dispatch Manager

LAURA CONOVER
PIMA COUNTY ATTORNEY
CIVIL DIVISION

ATTACHMENT 1

PIMA COUNTY SHERIFF'S DEPARTMENT
COMMAND DIRECTIVE

No. 2023-007

SUBJECT: Public Records Requests

DIRECTED TO: All Personnel

AUTHORIZED BY: _____
Sheriff Chris Nanos

EFFECTIVE DATE: August 8, 2023

NUMBER OF PAGES: 8

This Command Directive rescinds Command Directive 2023-002. The purpose of this Command Directive is to remove lieutenants from the release of public records request routing process.

I. PUBLIC RECORDS REQUESTS

Under Arizona law, records kept by a government agency in the ordinary course of business are considered public records and are required to be made available for inspection upon request.

A. "Public Records" includes all records kept in the ordinary course of business and may include written documents as well as audio and video recordings, photographs, computer records, and similar material.

B. Arizona Public Records law favors the release of public records, but requires the interests of the public be balanced against both the privacy of those named in reports and the best interests of the State.

C. Information may be redacted from a public record prior to release if the information falls into one of the following categories:

1. **Confidential Information**
   Information considered confidential by law.

2. **Private Information**
   Information that a person has a privacy interest in protecting from public dissemination.

3. **Information not in the best interest of the State to release** Information that would cause specific, material harm to an investigation or to the agency's mission if released.

D. This directive relates to requests for records under the Public Records Act (A.R.S. § 39-121 et. seq.). It does not concern information requested pursuant to a lawfully issued subpoena, court order, or other legal process, or to records routinely released to other criminal justice agencies, including prosecutorial agencies.

E. Arizona law and department policy govern the release of information from the department.

II. RELEASE OF PUBLIC RECORDS

A. All public records requests shall be immediately forwarded to the Records Maintenance Unit for processing.

B. The Records Management Section Manager shall:

1. When appropriate, delegate requests to the Records Maintenance Unit Supervisor or staff for processing.

2. Maintain a tracking system for all public records requests. The system will track the progress of each request and must show time elapsed, and actions taken, from receipt to completion.

3. Determine the appropriate unit(s) or department member(s) to handle the request.

4. Forward the request for appropriate action; this may involve multiple members from different areas to include but not limited to the following:

a. **Sergeant** – Oversight and approval of requests

b. **Legal Advisor and delegated staff** – Appropriate redaction, legal oversight, and approval, when necessary

c. **Records Management Section Manager** – Oversight and awareness

d. **Records Maintenance Unit Supervisor** – Final review before dissemination

5. Monitor the progress of all requests, follow-up as necessary, through completion.

6. Facilitate distribution to the requesting party.

C. Department members shall complete requests as soon as practicable under the specific circumstances of the request and within a reasonable time frame. Reasonable efforts shall be made to respond promptly.

D. In the event a Public Records Request is not completed and prepared for release within ten (10) business days from the date logged, if necessary, Records Maintenance Unit shall notify:

1. Responsible Unit sergeant for follow up.

2. Records Maintenance Unit Supervisor

3. Records Management Section Manager

4. Support Services Division Commander, when necessary

E. The Records Management Section Manager shall:

1. Ensure the requesting party is contacted. Explain the delay and/or request clarification on the request.

2. Notate relevant comments on the tracking document; i.e. date requestor contacted and action(s) taken to resolve the issue.

3. Brief the Support Services Division Commander, when necessary.

4. Every ten (10) business days, repeat steps II.E.1 through II.E.3 until the request is fulfilled.

F. In the event a conflict of interest is identified, the Records Management Section Manager shall determine an alternate routing to avoid such conflicts for the department. (Example: A member who would normally be involved in the routing process per this directive and is also a subject [witness, victim, etc.] in the record requested.)

G. Public records shall only be released by members assigned to the department's Records Maintenance Unit.

H. The public, to include media and elected officials, may request to view department records by submitting a written request. Requests may be submitted in-person, via U.S. mail, or by public portal. Upon receipt and approval, documents can be made available for review during business hours, and may be redacted of personal identifying information. Under direct supervision, documents may be copied or photographed per A.R.S. § 39-121.01D

III. PUBLIC RECORDS REQUESTS FOR ELECTRONIC DATA

A. Requests pertaining to electronic data or media (emails, text messages, or phone records) shall be forwarded to the Records Maintenance Unit for processing.

B. The Records Management Section Manager shall:

1. Delegate request to Records Maintenance Unit Supervisor or staff.

2. Log the request in the tracking document.

3. Forward the request to the following:

a. **Pima County Information Technology Department Designee** – Complete the data compilation to fulfill the request

b. **Legal Advisor** – Appropriate redaction, legal oversight, and approval

c. **Records Management Section Manager** – Oversight and awareness

d. **Records Maintenance Unit Supervisor** – Final review before dissemination

4. Monitor the progress of the request, follow-up as necessary, through completion.

5. Facilitate distribution to the requesting party.

C. Pima County Information Technology designee shall consult with the Records Management Section Manager if clarification on scope of the request is necessary.

D. Should further clarification be necessary, the Support Services Division Commander shall be notified.

IV. REDACTION

A. Following is a guideline and minimum standard of information to be redacted prior to release. If a member believes additional information should be withheld because it falls within the general exceptions noted above, the member should review with the legal advisor. At minimum, the following information shall be removed from records prior to release:

1. All Records

a. Information sealed by the court

b. Social security numbers

c. Dates of birth

d. Residential addresses and phone numbers

e. Driver's license numbers

f. Identifying information of sex crime victims (names of adults in serious sex crimes and names of juvenile victims of any sex crime).

g. Identifying information of confidential informants (names and any other information which would identify the person).

h. Information that, if released, would present a danger to the public.

i. Identifying information of victims and witnesses (names, addresses, phone numbers, State or government issued identifications, personal email addresses, places of employment, and any other information which would identify the person). (See A.R.S. § 13-4434 and A.R.S. § 39-123.01)

j. Addresses of shelters

k. Identifying information of juvenile victims

l. Department members' home addresses (A.R.S. § 39-123)

m. Narrative portion of personnel evaluations

n. Medical records of any kind

o. Information considered confidential by law

p. Any other information of a private or confidential nature

2. Police Reports in Open Cases

a. Information which, if released, would interfere with the investigation. For example, information that is known only to the perpetrator, names of witnesses who are at risk of harm from a suspect at large, or information that might deter/prevent victims and/or witnesses from coming forward.

b. On all open felony cases, the member or section responsible for the release of the record shall communicate with the case detective prior to the release of any information. "Open" is intended to include all cases listed in the department's records management system Case Management module as "assigned" and which have not yet been adjudicated.

3. Internal Affairs Files

Internal Affairs files shall not be released until the investigation has been completed or discontinued. If a disciplinary action has been appealed, the investigation is not complete until the conclusion of the appeal.

V. REQUESTING PARTY

A. The person making the request is not required to explain the reason for the request, other than to attest to the fact that the request is not for a commercial purpose. In the absence of any additional information concerning the person or entity making the request, the guidelines stated above are to be followed.

B. Requestors should provide enough information (i.e., case number, date and time of occurrence, location of occurrence, involved parties, name and date of birth of the subject of the record, crime classification, type of call, etc.) for Records Management Section members to locate a record within the department's records management system.

C. If the individual indicates they are the victim, suspect, or arrestee/defendant (or legal representative of the victim, suspect, or arrestee/defendant), consider the following guidelines prior to release:

1. **Victim**
   Victims of a Part I crime – homicide, sexual assault, robbery, aggravated assault, burglary, larceny, auto theft, and arson (see A.R.S. § 39-127) – shall not be charged for copies of records nor shall their immediate family member(s) if the victim is incapacitated or killed.

2. **Suspect**
   If the requestor is a suspect in an open felony case, the assigned detective shall be notified. The detective will advise of any additional redactions prior to release of the report.

D. Except as previously noted, all persons requesting copies shall be charged a fee for material associated with creating copies, photographs, video, and audio recordings.

VI. SEALED RECORDS

A. When ordered by the courts, the Records Management Section Manager or Records Maintenance Supervisor shall seal police records.

B. Sealed records shall not be viewed without an appropriate court order allowing access.

VII. JUVENILE RECORDS

Juvenile records are not normally purged, as the records are maintained for law enforcement needs.

VIII. TRAFFIC COLLISION REPORTS

A non-redacted traffic collision report shall be released to persons authorized pursuant to A.R.S. § 28-667.

IX. DEPARTMENT MEMBER RECORDS

A. Department member records shall be made available to the public in accordance with this Command Directive and A.R.S. § 39-123.

B. The identity of any member subject to a criminal or administrative investigation should not be released without notification to the involved member, the Sheriff, and as allowed or required by law.

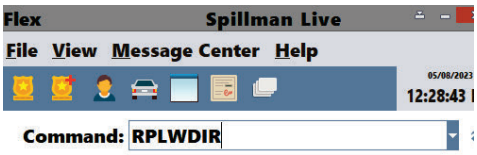
C. Prior to the release of information that involves requests for employment, background, Internal Affairs, or personal data for current or past employees, the Support Services Commander will work with the affected sections(s) for data compilation. The Administration Bureau Commander will then approve the release to the requesting party.

ELECTRONIC AUTHORIZATION REQUESTS FOR RECORDS

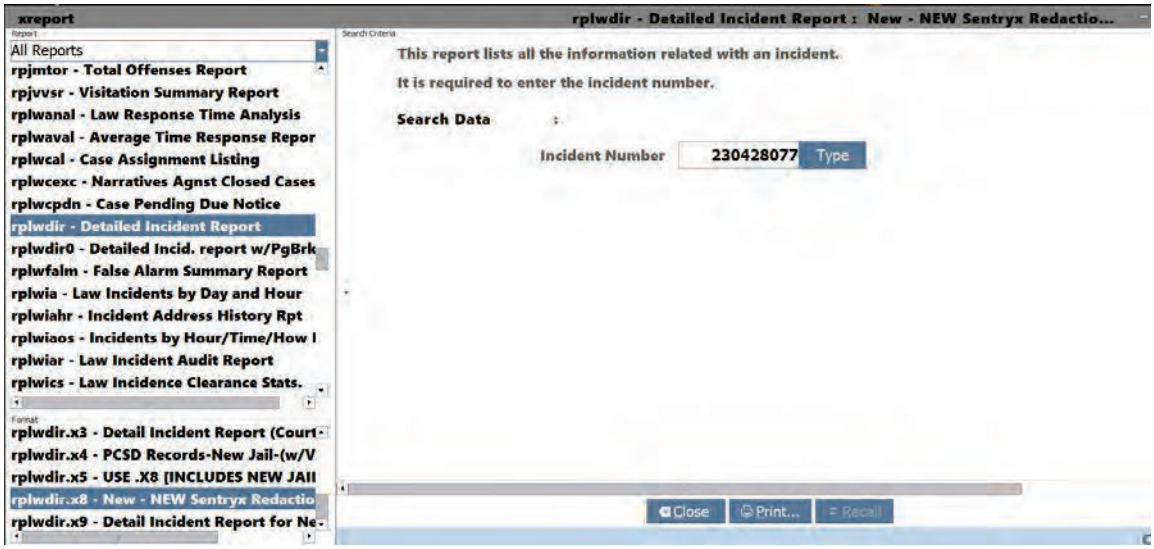
- CREATE A DSMAIN IF THERE IS NOT ONE ALREADY ASSIGNED

- OPEN RECORDS FOLDER ON P DRIVE
  - 2023 RMU REQUESTS
  - CLICK YOUR INDIVIDUAL FOLDER
  - ADD A NEW FOLDER BY RIGHT CLICKING IN A BLANK SPACE AND CLICK NEW
    - NAME FOLDER AS: CASE#_LASTNAMEFIRSTNAME (11111111_RomeroDesiree)

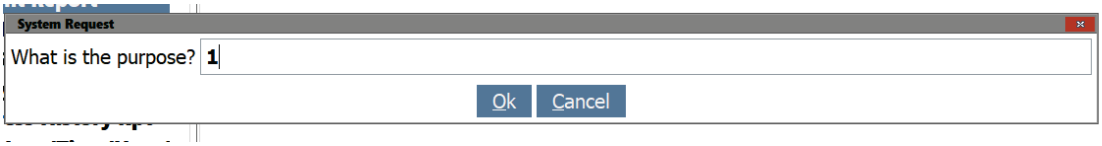
- PRINT REPORT TO DESKTOP



- ON YOUR SPILLMAN COMMAND LINE TYPE **RPLWDIR**
- PICK X8 AS BELOW AND TYPE IN CASE NUMBER YOU WANT TO PRINT

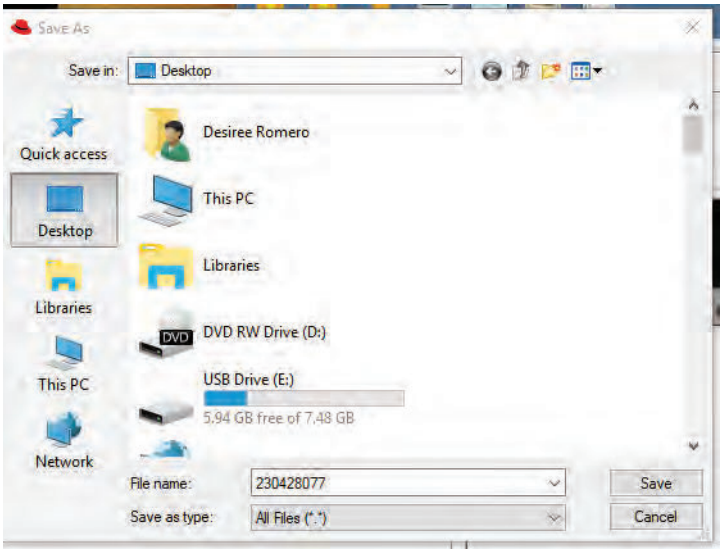


- CLICK ENTER AFTER ENTERING THE CASE#> 1 ENTER>1 ENTER> (**FOR THE BOXES AFTER YOU ENTER THE CASE#)**



- CLICK ADVANCE>SELECT PRINT TO LOCAL FILE> BROWSE>ENTER THE CASE NUMBER AS CASE#_LASTNAMEFIRSTNAME_RPT (MAKE SURE DESKTOP IS SELECTED)>SAVE

ELECTRONIC AUTHORIZATION REQUESTS FOR RECORDS



- SELECT PRINT AND THE REPORT SHOULD NOW BE PRINTED ON YOUR DESKTOP
  - DRAG RPT INTO THE FOLDER YOU JUST CREATED FOR THE REQUESTOR
  - THEN SCAN THE REQUESTOR'S REQUEST (WEBMAIL, MAIL, OR COUNTER REQUEST) TO YOUR DESKTOP AND NAME AS: CASE#_LASTNAMEFIRSTINITIAL_REQ
  - DRAG IT INTO THE FOLDER AS WELL

- OPEN YOUR OUTLOOK TO NEW EMAIL
  - ADDRESS TO THE FIRST PERSON ON YOUR AUTHORIZATION SHEET SGT
  - SUBJECT LINE: E AUTH REQUEST CASE#
  - CLICK IN THE BODY OF YOUR EMAIL AND CLICK YOUR **SIGNATURE** TAB AND SELECT THE AUTHORIZATION SIGNATURE
  - FILL OUT AUTHORIZATION FORM AS NORMAL MAKING SURE YOU ADD ALL INFORMATION

INCIDENT NUMBER:	REQUESTOR NAME/ COMPANY
The original request can be located on the P:\Records\1 RMU Requests\DESIREE ROMERO 7848 for your review	

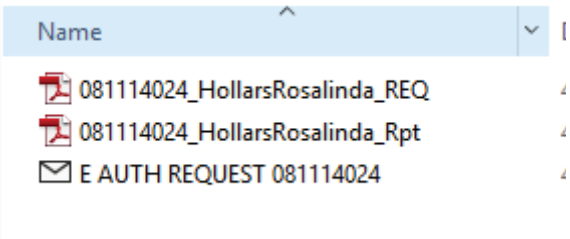
DSMAIN:

INITIAL	DATE	APPROVED TO ALL REQUESTORS Y/N	TO	UNIT/ DIVISION	SUSPENSE DATE
			SGT.		
			PRRLegal@sheriff.pima.gov	REDACTIONS	
			DAWN GARDNER #7487 PROGRAM MANAGER	RMU	
			DESIREE ROMERO #7848 RECORDS SUPERVISOR	RMU	
			----------	RMU	
REMARKS:					

REQUESTED ITEMS: Clearly MARK all requested items.						
REPORT		**PHOTOS**		**AUDIOS**		**VIDEO (NOT BWC)**
ACR		Axon	DIMS	Axon	DIMS	
FILES						
BWC BY DEPUTY NAME & BADGE #						
TOTAL PROCESSING/ REVIEW TIME & COST				**HOURS:**	**MIN:**	**$:**

ELECTRONIC AUTHORIZATION REQUESTS FOR RECORDS

- PRINT A COPY OF YOUR SENT AUTH EMAIL TO KEEP WITH YOUR REQUEST
- PLACE A COPY OF YOUR SENT EMAIL IN THE REQUESTOR'S FOLDER AS WELL



- PUT YOUR FINISHED REQUEST IN YOUR PENDING REQUESTS BINDER (OR YOUR DESIGNATED AREA FOR YOUR PENDING AUTHORIZATIONS)

WHEN AUTHORIZED REPORTS COME BACK FOLLOW BELOW:

- PRINT EMAIL OF SIGNATURES/ATTACH SLIP
- OPEN THE ASSIGNED DSMAIN AND UPDATE THE INFORMATION
  - Type ZAUTH (fill in the blanks)
  - ATTACH REPORT INTO FILES **IF** APPROVED FOR ALL REQUESTORS AND ADVISE IN DSMAIN BY INSERTING
    REDACTED COPY IN FILES
    UNDERNEATH YOUR NOTATION OF THE AUTHORIZATION
- NOTATE IF AN INVOICE/EMAIL OF COMPLETION WAS SENT TO THE REQUESTOR/PHONE CALL/OR MAILED.

ELECTRONIC AUTHORIZATION REQUESTS FOR RECORDS

File Edit Search Tools Help

```
Release Format : X8
Edited[Y/N]    :  Y
Edited BY      :LEGAL
Authorized BY  :
Entered BY     : DR7848
Notes: RELEASE AUTHORIZATION REQUESTED FROM R.A.T., FOR RPT, ON 06/09/2021

Fri Jun 11 12:59:40 MST 2021 - RELEASE AUTHORIZED BY SGT PRETTI, ON 06/09/2021,
TO ALL REQUESTORS, RMU #7848

*REDACTED COPY IN FILES*

Fri Jun 11 13:04:36 MST 2021 - REQUESTOR NOTIFIED BY PHONE. IN BIN FOR P/U.
DR7848

Fri Jun 11 14:43:56 MST 2021 - RELEASED AT COUNTER. DR7848
```

- CUT REPORT FROM APPROVED FOLDER AND PASTE TO DESKTOP
  - OPEN FOLDER FOR READY FOR PICKUP_REQUESTOR NOTIFIED
  - DRAG AND DROP REPORT INTO THAT FOLDER IF FOR REQUESTOR
  - DELETE REPORT FROM DESKTOP WHEN FINISHED

IF MULTIPLE REPORTS FOR ONE REQUESTOR MAKE A FOLDER OF THEIR NAME IN READY FOR PICKUP_REQUESTOR NOTIFIED FOLDER AND FILE THAT FOLDER UNDER APPROPRIATE ALPHABET FOR LAST NAME

- YOU WILL THEN FOLLOW THE INSTRUCTIONS ON HOW TO SEND EITHER A CLOVER INVOICE/COMPLETED REQUEST EMAIL/OR MAIL THE REPORT TO THE REQUESTOR.

PUBLIC RECORDS REQUESTS

Pursuant to ARS 39-121 and Pima County Administrative Procedure 4-4 the Records Maintenance Section shall adhere to state, department and county policies when releasing reports to criminal justice, other government agencies, media outlets, and the public and provide guidance for public records requests. Public records include all books, papers, maps, photos, and documentary materials that:

- Are produced or kept by a public officer in pursuance of a duty; or
- Document the activities of a public body; or
- May disseminate information to the public; or
- Serve as a memorial or evidence of official transactions of the government.

Public records are to be made available for inspection at all times during office hours unless:

- Release of information in the record is prohibited by Arizona law or court order.
- The record contains personal identifying information or other information that would infringe on individual privacy rights, such as medical information, or that could lead to identity theft.
- The record contains information that is otherwise confidential.
- Release of information would not be in the best interest of the Department because the release would cause a clearly articulated, specific and not speculative harm to the County's operations.

Records should be redacted to remove the aforementioned information prior to the authorized release of the requested material, as opposed to refusing the request in its entirety.

Any person may request to examine or be furnished copies of any public record during regular office hours, pursuant to the following:

- Requests for public records should be made in writing
- Requests are for non-commercial purposes.
- Records will be provided in the format in which it is kept. RMU is not required to create a new record to meet a request, nor is it required to obtain new data, perform research, create new report formats, or answer questions posed in the request.
- RMU is not required to provide copies of information that is publicly accessible on the Department or Pima County websites.

External Requests

A. Requestors shall complete a request form with as much information as possible. This includes the requestor's name, address, phone number and involvement to the incident, at a minimum.

B. Reports may be requested over the phone and employees shall document the same information. Employees handling phone requests should notify the requestor that picture identification is required when picking up the report.

C. Requestors shall provide picture identification when receiving documentation, the type of which shall be noted in the upper right hand corner of the Public Request Form. In the event the requestor does not have picture identification, every effort shall be made to verify the identification of the person requesting the report.

D. Picture identification is not necessary for reports that are releasable to the public. Examples include collision reports and most reports with a UCR code in the 5000 series.

E. Unless the identity of the requestor can be verified, release of information over the phone shall be limited to case report numbers, location of incident, time and dates. This policy also applies to fax requests.

F. The requestor is not required to explain the reason for the request, however, RMU employees should ask the requestor for a reason and document the reason on request paperwork. If a reason is not provided, “unknown” or “requestor refused” should be indicated.

G. RMU employees should verify that requests are not for commercial purposes. If the requestor indicates that the request is for commercial purposes, additional production fees may apply and the RMU Supervisor should be notified.

H. If the requestor is the victim in the case being requested, then the requestor’s identity should be verified. Pursuant to ARS 39-127, the report shall be provided free of charge. The report may be released to an immediate family member free of charge, if the victim is killed or otherwise incapacitated.

I. If the requestor is the arrestee/defendant or defendant’s attorney, refer to the RRG to determine who has authority to release the record. The defendant or attorney may also be referred to the County Attorney’s Office if the case is pending litigation.

J. Guardians of minors not in the custody of parents must provide proof of guardianship prior to receiving reports. Acceptable proof may be:
   i. Court orders appointing guardianship. The orders must be signed by a judge and show effective date.
   ii. Letter from Department of Child Safety (DCS) granting temporary custody.
   iii. Other document from an agency with authority to appoint guardianship.

K. If the requestor has no involvement with the case, redaction policies and the RRG shall be followed prior to release of any documents.

L. Unless otherwise authorized by the RMU Supervisor, release of verbal information in person or over the phone is prohibited. This includes names associated with incidents, information subject to redaction and any other private or confidential information. General information such as the nature of an incident, time and location of an incident and case number may be released in person or over the phone.

M. Information shall not be released to other law enforcement agencies over the phone unless the identity of the requestor can be verified. This may be either through personal knowledge of the requestor or by calling the law enforcement agency to verify employment by name and badge number. Identity may also be verified via fax on agency letterhead indicating name, badge number, agency, contact information and ORI of the requesting agency.

Internal Requests

A. Department members requesting information in person shall complete a request form.

B. Department members requesting information by phone shall identify themselves by name, badge number or EIN and a call back number.

FREEDOM OF INFORMATION ACT (FOIA) MEDIA REQUESTS

A. Release of information to the media is coordinated by the Public Information Officer(s) (PIO) with the assistance of the RMU Supervisor. Media FOIA requests require input from other sections, may involve lawsuits and/or include a criminal or civil subpoena. All FOIA requests are routed through the PIO's and forwarded to the RMU Supervisor for review. The RMU Supervisor will route to the appropriate Unit/Section for authorization.

*Commander
*Sgt.
*Legal
*Captain of Support Services
*Commander of Records
*RMU Supervisor

B. When the records return to RMU, staff will forward to the appropriate Unit Supervisor or Manager for review prior to release.
C. The request will be notated on the Records Media Spreadsheet, and in DSMAIN.
D. A fee sheet will be created and sent to the requestor advising of any applicable fees.
E. When the request is released in Records, release information will be notated in the Records Media Spreadsheet to show completion.

PUBLIC RECORDS REQUESTS

Pursuant to ARS 39-121 and Pima County Administrative Procedure 4-4 the Records Maintenance Section shall adhere to state, department and county policies when releasing records to criminal justice, other government agencies, media outlets, and the public and provide guidance for public records requests. Public records include all books, papers, maps, photos, and documentary materials that:

- Are produced or kept by a public officer in pursuance of a duty; or
- Document the activities of a public body; or
- May disseminate information to the public; or
- Serve as a memorial or evidence of official transactions of the government.

Public records are to be made available for inspection at all times during office hours unless:

- Release of information in the record is prohibited by Arizona law or court order.
- The record contains personal identifying information or other information that would infringe on individual privacy rights, such as medical information, or that could lead to identity theft.
- The record contains information that is otherwise confidential.
- Release of information would not be in the best interest of the Department because the release would cause a clearly articulated, specific and not speculative harm to the County's operations.

Records should be redacted to remove the aforementioned information prior to the authorized release of the requested material, as opposed to refusing the request in its entirety.

Any person may request to examine or be furnished copies of any public record during regular office hours, pursuant to the following:

- Requests for public records should be made in writing
- Requests are for non-commercial purposes.
- Records will be provided in the format in which it is kept. RMU is not required to create a new record to meet a request, nor is it required to obtain new data, perform research, create new report formats, or answer questions posed in the request.
- RMU is not required to provide copies of information that is publicly accessible on the Department or Pima County websites.

External Requests

A. Requestors shall complete a request form with as much information as possible. This includes the requestor's name, address, phone number and involvement to the incident, at a minimum.

B. Records may be requested over the phone and employees shall document the same information. Employees handling phone requests should notify the requestor that picture identification is required when picking up the record(s).

C. Requestors shall provide picture identification when receiving documentation, the type of which shall be noted in the upper right hand corner of the Public Request Form. In the event the requestor does not have picture identification, every effort shall be made to verify the identification of the person requesting the record(s).

D. Picture identification is not necessary for records that are releasable to the public. Examples include collision incidences and most records with a UCR code in the 5000 series.

E. Unless the identity of the requestor can be verified, release of information over the phone shall be limited to case report numbers, location of incident, time and dates. This policy also applies to fax requests.

F. The requestor is not required to explain the reason for the request, however, RMU employees should ask the requestor for a reason and document the reason on request paperwork. If a reason is not provided, "unknown" or "requestor refused" should be indicated.

G. RMU employees should verify that requests are not for commercial purposes. If the requestor indicates that the request is for commercial purposes, additional production fees may apply and the RMU Supervisor should be notified.

H. If the requestor is the victim in the case being requested, then the requestor's identity should be verified. Pursuant to ARS 39-127 & ARS 39-129, the report and video shall be provided free of charge. The report and video may be released to an immediate family member free of charge, if the victim is killed or otherwise incapacitated.

I. If the requestor is the arrestee/defendant or defendant's attorney, refer to the RRG to determine who has authority to release the record. The defendant or attorney may also be referred to the County Attorney's Office if the case is pending litigation.

J. Guardians of minors not in the custody of parents must provide proof of guardianship prior to receiving records. Acceptable proof may be:
   i. Court orders appointing guardianship. The orders must be signed by a judge and show effective date.
   ii. Letter from Department of Child Safety (DCS) granting temporary custody.
   iii. Other document from an agency with authority to appoint guardianship.

K. If the requestor has no involvement with the case, redaction policies and the RRG shall be followed prior to release of any documents.

L. Unless otherwise authorized by the RMU Supervisor, release of verbal information in person or over the phone is prohibited. This includes names associated with incidents, information subject to redaction and any other private or confidential information. General information such as the nature of an incident, time and location of an incident and case number may be released in person or over the phone.

M. Information shall not be released to other law enforcement agencies over the phone unless the identity of the requestor can be verified. This may be either through personal knowledge of the requestor or by calling the law enforcement agency to verify employment by name and badge number. Identity may also be verified via fax on agency letterhead indicating name, badge number, agency, contact information and ORI of the requesting agency.

Internal Requests

A. Department members requesting information in person shall complete a request form.

B. Department members requesting information by phone shall identify themselves by name, badge number or EIN and a call back number.

FREEDOM OF INFORMATION ACT (FOIA) MEDIA REQUESTS

A. Release of information to the media is coordinated by the Public Information Officer(s) (PIO) with the assistance of the RMU Supervisor. Media FOIA requests require input from other sections, may involve lawsuits and/or include a criminal or civil subpoena. All FOIA requests are routed through the PIO's and forwarded
to the RMU Supervisor for review. The RMU Supervisor will route to the appropriate Unit/Section for authorization.

*Sgt.
*Legal/PRR Legal
*Section Manager of Records
*RMU Supervisor

B. When the records return to RMU, staff will forward to the appropriate Unit Supervisor or Section Manager for review prior to release.
C. The request will be notated on the Records Media Spreadsheet, and in DSMAIN.
D. A fee sheet will be created and sent to the requestor advising of any applicable fees.
E. When the request is released in Records, release information will be notated in the Records Media Spreadsheet to show completion.

D. Transfer to Archives: Documents to be transferred to archives must be properly packaged and the Records Transfer List must be completed. Steps to transfer boxes to Archives are outlined in the RMU Training Guide.

PUBLIC RECORDS REQUESTS

Pursuant to ARS 39-121 and Pima County Administrative Procedure 4-4 the Records Maintenance Section shall adhere to state, department and county policies when releasing records to criminal justice, other government agencies, media outlets, and the public and provide guidance for public records requests. Public records include all books, papers, maps, photos, and documentary materials that:

- Are produced or kept by a public officer in pursuance of a duty; or
- Document the activities of a public body; or
- May disseminate information to the public; or
- Serve as a memorial or evidence of official transactions of the government.
- Requests for public records should be made in writing
- Requests are for non-commercial purposes.
- Records will be provided in the format in which it is kept. RMU is not required to create a new record to meet a request, nor is it required to obtain new data, perform research, create new report formats, or answer questions posed in the request.
- RMU is not required to provide copies of information that is publicly accessible on the Department or Pima County websites.

Pursuant to ARS 39-121, Public records may be requested for inspection or to receive copies during regular office hours.

- Release of information in the record is prohibited by Arizona law or court order.
- The record contains personal identifying information or other information that would infringe on individual privacy rights, such as medical information, or that could lead to identity theft.
- The record contains information that is otherwise confidential.
- Release of information would not be in the best interest of the Department because the release would cause a clearly articulated, specific and not speculative harm to the County's operations.

To ensure compliance with ARS 39-121, all PII or confidential information shall be redacted from any of the aforementioned information prior to any authorized release.

External Requests

A. Requestors shall complete a request form with as much information as possible. This includes the requestor's name, address, phone number, email address (if wanting payment invoice) and involvement to the incident, at a minimum.

B. Records may be requested over the phone on a case-by-case scenario and employees shall document the same information. Employees handling phone requests should notify the requestor that picture identification is required when picking up the record(s).

C. Requestors shall provide picture identification when receiving documentation, the type of which shall be noted on the Public Request Form. In the event the requestor does not have picture identification, every effort shall be made to verify the identification of the person requesting the record(s).

D. Unless the identity of the requestor can be verified, release of information over the phone shall be limited to case report numbers, location of incident, time and dates. This policy also applies to emailed or faxed requests.

E. The requestor is not required to explain the reason for the request, however, RMU employees should ask the requestor for a reason and document the reason. If a reason is not provided, "unknown" or "requestor refused" should be indicated.

F. RMU employees should verify that requests are not for commercial purposes. As of 09/2025, SB1382 – Requirement that anyone requesting a public record to either affirm the request is not for a commercial purpose, or if it is for a commercial purpose that they will provide a statement that explains the intended use 39-121.03A. If the requestor indicates that the request is for commercial purposes additional production fees may apply and the RMU supervisor should be notified.

G. If the requestor is the victim in the case being requested, then the requestor's identity should be verified. Pursuant to ARS 39-127 & ARS 39-129, the report and all corresponding item(s) being requested shall be provided free of charge. The item(s) may be released to an immediate family member free of charge, if the victim is killed or otherwise incapacitated.

H. If the requestor is the arrestee/defendant of defendant's attorney, refer to the RRG to determine who has authority to release the record. The defendant or attorney may also be referred to the County Attorney's Office if the case is pending litigation.

I. If the requestor has no involvement with the case, redaction policies and the RRG shall be followed prior to release of any documents.

J. Information shall not be released to other law enforcement agencies over the phone unless the identity of the requestor can be verified. This may be either through personal knowledge of the requestor or by calling the law enforcement agency to verify employment by name and badge number. Identity may also be verified via email or fax on agency letterhead indicating name, badge number, agency, contact information or ORI of the requesting agency.

Internal Requests

A. Department members requesting information in person shall complete a request form PCSD 301.

B. Department members requesting information by phone shall identify themselves by name, badge number or EIN and a call back number.

RELEASE OF FREE RECORDS TO VICTIMS

Per ARS 39-127, ARS 39-129, ARS 13-4405 & SB-1148

Directs that records shall be made available, free of charge, to victims of Part 1 crimes. In the event that the victim is killed or incapacitated, an immediate family member may also receive a copy of the record, free of charge. The Records Release Guide must be followed. PCSD has included Part 2 victim(s) to get the report only at no charge.

Part 1 Crimes – Victim N/C all records	Part 2 Crimes – Victim N/C report only
01 Homicide	09 Other Assaults
02 Any Sexual Assault	11 Fraud
03 Robbery	12 Embezzlement

04 Aggravated Assault	14 Criminal Damage
05 Burglary	17 Sex Offenses
06 Larceny	20 Offenses Against Family
07 Motor Vehicle Theft	24 Disorderly Conduct
08 Arson	26 Other Offenses

Verification of the victim's identity (or family member) shall be made with picture identification. One copy of the item(s) requested shall be provided at no charge. Should the victim request multiple copies, reproduction fees will apply.

PIMA COUNTY SHERIFF'S DEPARTMENT
COMMAND DIRECTIVE

No. 2023-002

SUBJECT: Public Records Requests

DIRECTED TO: All Personnel

AUTHORIZED BY: _____
Sheriff Chris Nanos

EFFECTIVE DATE: January 18, 2023

NUMBER OF PAGES: 8

This Command Directive rescinds Command Directive 2018-002. The purpose of this Command Directive is to update the release of public records policy and remove the workflow chart for routing public records request.

I. PUBLIC RECORDS REQUESTS

Under Arizona law, records kept by a government agency in the ordinary course of business are considered public records and are required to be made available for inspection upon request.

A. "Public Records" includes all records kept in the ordinary course of business and may include written documents as well as audio and video recordings, photographs, computer records, and similar material.

B. Arizona Public Records law favors the release of public records, but requires the interests of the public be balanced against both the privacy of those named in reports and the best interests of the State.

C. Information may be redacted from a public record prior to release if the information falls into one of the following categories:

1. **Confidential Information**
   Information considered confidential by law.

2. **Private Information**
   Information that a person has a privacy interest in protecting from public dissemination.

3. **Information not in the best interest of the State to release** Information that would cause specific, material harm to an investigation or to the agency's mission if released.

D. This directive relates to requests for records under the Public Records Act (A.R.S. § 39-121 et. seq.). It does not concern information requested pursuant to a lawfully issued subpoena, court order, or other legal process, or to records routinely released to other criminal justice agencies, including prosecutorial agencies.

E. Arizona law and department policy govern the release of information from the department.

II. RELEASE OF PUBLIC RECORDS

A. All public records requests shall be immediately forwarded to the Records Maintenance Unit for processing.

B. The Records Management Section Manager shall:

1. When appropriate, delegate requests to the Records Maintenance Unit Supervisor or staff for processing.

2. Maintain a tracking system for all public records requests. The system will track the progress of each request and must show time elapsed, and actions taken, from receipt to completion.

3. Determine the appropriate unit(s) or department member(s) to handle the request.

4. Forward the request for appropriate action; this may involve multiple members from different areas to include but not limited to the following:

a. **Lieutenant and Sergeant** – Oversight and approval of requests

b. **Legal Advisor and delegated staff** – Appropriate redaction, legal oversight, and approval, when necessary

c. **Records Management Section Manager** – Oversight and awareness

d. **Records Maintenance Unit Supervisor** – Final review before dissemination

5. Monitor the progress of all requests, follow-up as necessary, through completion.

6. Facilitate distribution to the requesting party.

C. Department members shall complete requests as soon as practicable under the specific circumstances of the request and within a reasonable time frame. Reasonable efforts shall be made to respond promptly.

D. In the event a Public Records Request is not completed and prepared for release within ten (10) business days from the date logged, if necessary, Records Maintenance Unit shall notify:

1. Responsible Unit lieutenant and sergeant for follow up.

2. Records Maintenance Unit Supervisor

3. Records Management Section Manager

4. Support Services Division Commander, when necessary

E. The Records Management Section Manager shall:

1. Ensure the requesting party is contacted. Explain the delay and/or request clarification on the request.

2. Notate relevant comments on the tracking document; i.e. date requestor contacted and action(s) taken to resolve the issue.

3. Brief the Support Services Division Commander, when necessary.

4. Every ten (10) business days, repeat steps II.E.1 through II.E.3 until the request is fulfilled.

F. In the event a conflict of interest is identified, the Records Management Section Manager shall determine an alternate routing to avoid such conflicts for the department. (Example: A member who would normally be involved in the routing process per this directive and is also a subject [witness, victim, etc.] in the record requested.)

G. Public records shall only be released by members assigned to the department's Records Maintenance Unit.

H. The public, to include media and elected officials, may request to view department records by submitting a written request. Requests may be submitted in-person, via U.S. mail, or by public portal. Upon receipt and approval, documents can be made available for review during business hours, and may be redacted of personal identifying information. Under direct supervision, documents may be copied or photographed per A.R.S. § 39-121.01D

III. PUBLIC RECORDS REQUESTS FOR ELECTRONIC DATA

A. Requests pertaining to electronic data or media (emails, text messages, or phone records) shall be forwarded to the Records Maintenance Unit for processing.

B. The Records Management Section Manager shall:

1. Delegate request to Records Maintenance Unit Supervisor or staff.

2. Log the request in the tracking document.

3. Forward the request to the following:

a. **Pima County Information Technology Department Designee** – Complete the data compilation to fulfill the request

b. **Legal Advisor** – Appropriate redaction, legal oversight, and approval

c. **Records Management Section Manager** – Oversight and awareness

d. **Records Maintenance Unit Supervisor** – Final review before dissemination

4. Monitor the progress of the request, follow-up as necessary, through completion.

5. Facilitate distribution to the requesting party.

C. Pima County Information Technology designee shall consult with the Records Management Section Manager if clarification on scope of the request is necessary.

D. Should further clarification be necessary, the Support Services Division Commander shall be notified.

IV. REDACTION

A. Following is a guideline and minimum standard of information to be redacted prior to release. If a member believes additional information should be withheld because it falls within the general exceptions noted above, the member should review with the legal advisor. At minimum, the following information shall be removed from records prior to release:

1. All Records

a. Information sealed by the court

b. Social security numbers

c. Dates of birth

d. Residential addresses and phone numbers

e. Driver's license numbers

f. Identifying information of sex crime victims (names of adults in serious sex crimes and names of juvenile victims of any sex crime).

g. Identifying information of confidential informants (names and any other information which would identify the person).

h. Information that, if released, would present a danger to the public.

i. Identifying information of victims and witnesses (names, addresses, phone numbers, State or government issued identifications, personal email addresses, places of employment, and any other information which would identify the person). (See A.R.S. § 13-4434 and A.R.S. § 39-123.01)

j. Addresses of shelters

k. Identifying information of juvenile victims

l. Department members' home addresses (A.R.S. § 39-123)

m. Narrative portion of personnel evaluations

n. Medical records of any kind

o. Information considered confidential by law

p. Any other information of a private or confidential nature

2. Police Reports in Open Cases

a. Information which, if released, would interfere with the investigation. For example, information that is known only to the perpetrator, names of witnesses who are at risk of harm from a suspect at large, or information that might deter/prevent victims and/or witnesses from coming forward.

b. On all open felony cases, the member or section responsible for the release of the record shall communicate with the case detective prior to the release of any information. "Open" is intended to include all cases listed in the department's records management system Case Management module as "assigned" and which have not yet been adjudicated.

3. Internal Affairs Files

Internal Affairs files shall not be released until the investigation has been completed or discontinued. If a disciplinary action has been appealed, the investigation is not complete until the conclusion of the appeal.

V. REQUESTING PARTY

A. The person making the request is not required to explain the reason for the request, other than to attest to the fact that the request is not for a commercial purpose. In the absence of any additional information concerning the person or entity making the request, the guidelines stated above are to be followed.

B. Requestors should provide enough information (i.e., case number, date and time of occurrence, location of occurrence, involved parties, name and date of birth of the subject of the record, crime classification, type of call, etc.) for Records Management Section members to locate a record within the department's records management system.

C. If the individual indicates they are the victim, suspect, or arrestee / defendant (or legal representative of the victim, suspect, or arrestee / defendant), consider the following guidelines prior to release:

1. **Victim**
   Victims of a Part I crime – homicide, sexual assault, robbery, aggravated assault, burglary, larceny, auto theft, and arson (see A.R.S. § 39-127) – shall not be charged for copies of records nor shall their immediate family member(s) if the victim is incapacitated or killed.

2. **Suspect**
   If the requestor is a suspect in an open felony case, the assigned detective shall be notified. The detective will advise of any additional redactions prior to release of the report.

D. Except as previously noted, all persons requesting copies shall be charged a fee for material associated with creating copies, photographs, video, and audio recordings.

VI. SEALED RECORDS

A. When ordered by the courts, the Records Management Section Manager or Records Maintenance Supervisor shall seal police records.

B. Sealed records shall not be viewed without an appropriate court order allowing access.

VII. JUVENILE RECORDS

Juvenile records are not normally purged, as the records are maintained for law enforcement needs.

VIII. TRAFFIC COLLISION REPORTS

A non-redacted traffic collision report shall be released to persons authorized pursuant to A.R.S. § 28-667.

IX. DEPARTMENT MEMBER RECORDS

A. Department member records shall be made available to the public in accordance with this Command Directive and A.R.S. § 39-123.

B. The identity of any member subject to a criminal or administrative investigation should not be released without notification to the involved member, the Sheriff, and as allowed or required by law.

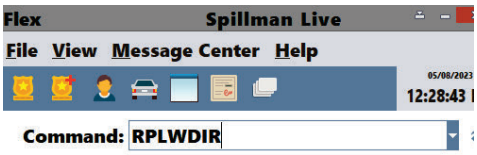
C. Prior to the release of information that involves requests for employment, background, Internal Affairs, or personal data for current or past employees, the Support Services Commander will work with the affected sections(s) for data compilation. The Administration Bureau Commander will then approve the release to the requesting party.

ELECTRONIC AUTHORIZATION REQUESTS FOR REPORTS ONLY

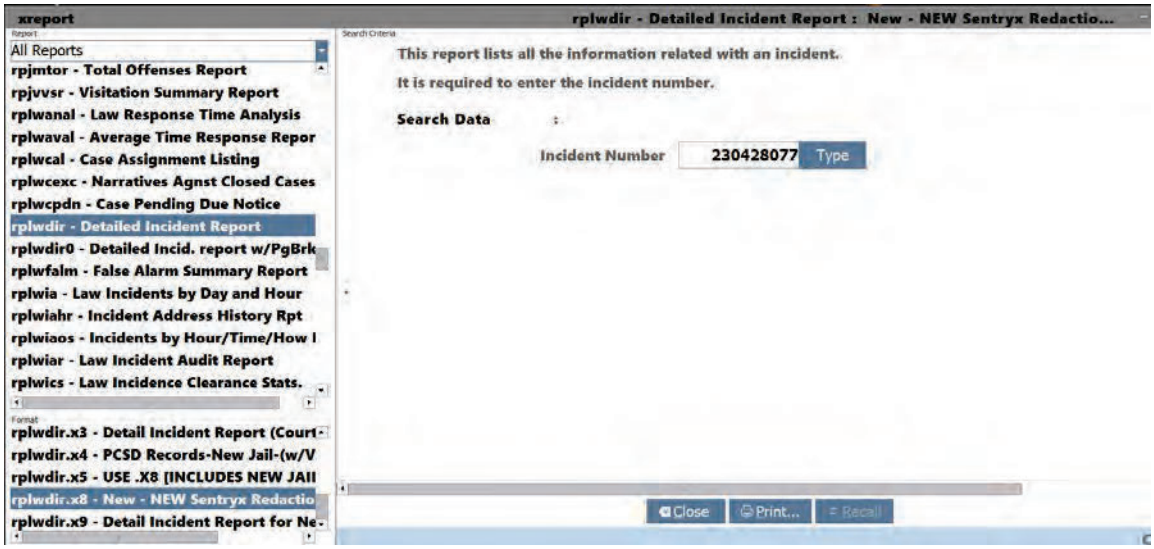
- CREATE A DSMAIN IF THERE IS NOT ONE ALREADY ASSIGNED

- OPEN RECORDS FOLDER ON P DRIVE
  - 2023 RMU REQUESTS
  - CLICK YOUR INDIVIDUAL FOLDER
  - ADD A NEW FOLDER BY RIGHT CLICKING IN A BLANK SPACE AND CLICK NEW
    - NAME FOLDER AS: CASE#_LASTNAMEFIRSTNAME (11111111_RomeroDesiree)

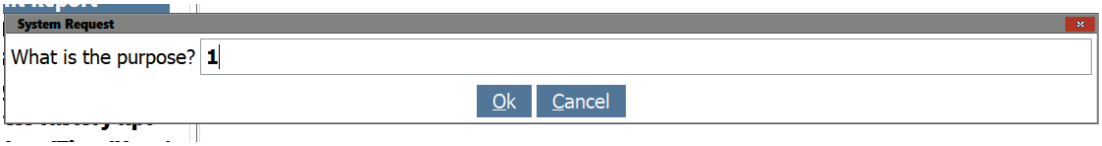
- PRINT REPORT TO DESKTOP



- ON YOUR SPILLMAN COMMAND LINE TYPE **RPLWDIR**
- PICK X8 AS BELOW AND TYPE IN CASE NUMBER YOU WANT TO PRINT

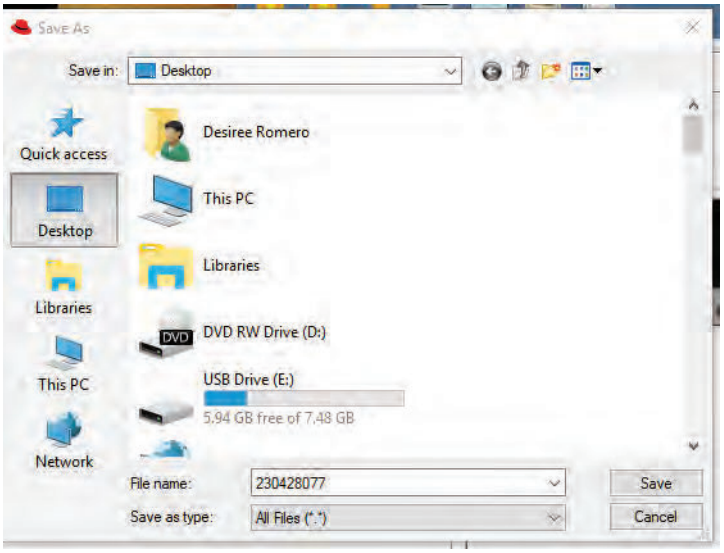


- CLICK ENTER AFTER ENTERING THE CASE#> 1 ENTER>1 ENTER> (**FOR THE BOXES AFTER YOU ENTER THE CASE#)**



- CLICK ADVANCE>SELECT PRINT TO LOCAL FILE> BROWSE>ENTER THE CASE NUMBER AS CASE#_LASTNAMEFIRSTNAME_RPT (MAKE SURE DESKTOP IS SELECTED)>SAVE

ELECTRONIC AUTHORIZATION REQUESTS FOR REPORTS ONLY



- SELECT PRINT AND THE REPORT SHOULD NOW BE PRINTED ON YOUR DESKTOP
  - DRAG RPT INTO THE FOLDER YOU JUST CREATED FOR THE REQUESTOR
  - THEN SCAN THE REQUESTOR'S REQUEST (WEBMAIL, MAIL, OR COUNTER REQUEST) TO YOUR DESKTOP AND NAME AS: CASE#_LASTNAMEFIRSTINITIAL_REQ
  - DRAG IT INTO THE FOLDER AS WELL

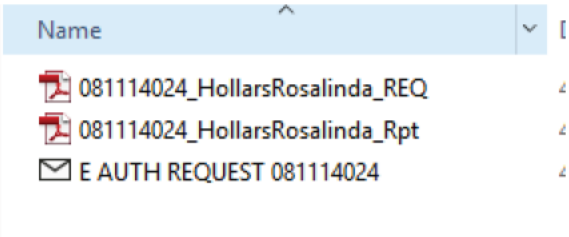
- OPEN YOUR OUTLOOK TO NEW EMAIL
  - ADDRESS TO THE FIRST PERSON ON YOUR AUTHORIZATION SHEET, LT OR SGT
  - SUBJECT LINE: E AUTH REQUEST CASE#
  - CLICK IN THE BODY OF YOUR EMAIL AND CLICK YOUR **SIGNATURE** TAB AND SELECT THE AUTHORIZATION SIGNATURE
  - FILL OUT AUTHORIZATION FORM AS NORMAL MAKING SURE YOU ADD ALL INFORMATION
- DSMAIN: How Received:

INITIAL	DATE	APPROVED TO ALL REQUESTORS Y/N	***If requested item(s) are not releasable at this time please explain in the remarks***	TO	UNIT/ DIVISION	SUSPENSE DATE
				LT. PAYNE	ECONOMIC CRIMES	
				SGT. MURPHY	CPU	
				SEAN HOLGUIN / PATRICIA CYGAN	LEGAL DEPT	
				DAWN GARDNER #7487 PROGRAM MANAGER	RMU	
				AMBER M. HALKOWITZ #7581	RMU	

ELECTRONIC AUTHORIZATION REQUESTS FOR REPORTS ONLY

	RECORDS SUPERVISOR	
INCIDENT NUMBER:	D. ROMERO #7848	RMU
	REQUESTOR:	ITEM(S) REQUESTED:
REMARKS:		
IF APPLICABLE ADD PHOTO LIST BELOW:		

- PRINT A COPY OF YOUR SENT AUTH EMAIL TO KEEP WITH YOUR REQUEST
- PLACE A COPY OF YOUR SENT EMAIL IN THE REQUESTOR'S FOLDER AS WELL



- PUT YOUR FINISHED REQUEST IN YOUR PENDING REQUESTS BINDER (OR YOUR DESIGNATED AREA FOR YOUR PENDING AUTHORIZATIONS)

WHEN AUTHORIZED REPORTS COME BACK FOLLOW BELOW:

- PRINT EMAIL OF SIGNATURES/ATTACH SLIP
- OPEN THE ASSIGNED DSMAIN AND UPDATE THE INFORMATION
  - Type ZAUTH (fill in the blanks)
  - ATTACH REPORT INTO FILES **IF** APPROVED FOR ALL REQUESTORS AND ADVISE IN DSMAIN BY INSERTING
    REDACTED COPY IN FILES
    UNDERNEATH YOUR NOTATION OF THE AUTHORIZATION
- NOTATE IF AN INVOICE/EMAIL OF COMPLETION WAS SENT TO THE REQUESTOR/PHONE CALL/OR MAILED.

ELECTRONIC AUTHORIZATION REQUESTS FOR REPORTS ONLY

File Edit Search Tools Help

```
Release Format : X8
Edited[Y/N]    :  Y
Edited BY      :LEGAL
Authorized BY  :
Entered BY     : DR7848
Notes: RELEASE AUTHORIZATION REQUESTED FROM R.A.T., FOR RPT, ON 06/09/2021

Fri Jun 11 12:59:40 MST 2021 - RELEASE AUTHORIZED BY SGT PRETTI, ON 06/09/2021,
TO ALL REQUESTORS, RMU #7848

*REDACTED COPY IN FILES*

Fri Jun 11 13:04:36 MST 2021 - REQUESTOR NOTIFIED BY PHONE. IN BIN FOR P/U.
DR7848

Fri Jun 11 14:43:56 MST 2021 - RELEASED AT COUNTER. DR7848
```

- CUT REPORT FROM APPROVED FOLDER AND PASTE TO DESKTOP
  - OPEN FOLDER FOR READY FOR PICKUP_REQUESTOR NOTIFIED
  - DRAG AND DROP REPORT INTO THAT FOLDER IF FOR REQUESTOR
  - DELETE REPORT FROM DESKTOP WHEN FINISHED

IF MULTIPLE REPORTS FOR ONE REQUESTOR MAKE A FOLDER OF THEIR NAME IN READY FOR PICKUP_REQUESTOR NOTIFIED FOLDER AND FILE THAT FOLDER UNDER APPROPRIATE ALPHABET FOR LAST NAME

- YOU WILL THEN FOLLOW THE INSTRUCTIONS ON HOW TO SEND EITHER A CLOVER INVOICE/COMPLETED REQUEST EMAIL/OR MAIL THE REPORT TO THE REQUESTOR.

PUBLIC RECORDS REQUESTS

Pursuant to ARS 39-121 and Pima County Administrative Procedure 4-4 the Records Maintenance Section shall adhere to state, department and county policies when releasing reports to criminal justice, other government agencies, media outlets, and the public and provide guidance for public records requests. Public records include all books, papers, maps, photos, and documentary materials that:

- Are produced or kept by a public officer in pursuance of a duty; or
- Document the activities of a public body; or
- May disseminate information to the public; or
- Serve as a memorial or evidence of official transactions of the government.

Public records are to be made available for inspection at all times during office hours unless:

- Release of information in the record is prohibited by Arizona law or court order.
- The record contains personal identifying information or other information that would infringe on individual privacy rights, such as medical information, or that could lead to identity theft.
- The record contains information that is otherwise confidential.
- Release of information would not be in the best interest of the Department because the release would cause a clearly articulated, specific and not speculative harm to the County's operations.

Records should be redacted to remove the aforementioned information prior to the authorized release of the requested material, as opposed to refusing the request in its entirety.

Any person may request to examine or be furnished copies of any public record during regular office hours, pursuant to the following:

- Requests for public records should be made in writing
- Requests are for non-commercial purposes.
- Records will be provided in the format in which it is kept. RMU is not required to create a new record to meet a request, nor is it required to obtain new data, perform research, create new report formats, or answer questions posed in the request.
- RMU is not required to provide copies of information that is publicly accessible on the Department or Pima County websites.

External Requests

A. Requestors shall complete a request form with as much information as possible. This includes the requestor's name, address, phone number and involvement to the incident, at a minimum.

B. Reports may be requested over the phone and employees shall document the same information. Employees handling phone requests should notify the requestor that picture identification is required when picking up the report.

C. Requestors shall provide picture identification when receiving documentation, the type of which shall be noted in the upper right hand corner of the Public Request Form. In the event the requestor does not have picture identification, every effort shall be made to verify the identification of the person requesting the report.

D. Picture identification is not necessary for reports that are releasable to the public. Examples include collision reports and most reports with a UCR code in the 5000 series.

E. Unless the identity of the requestor can be verified, release of information over the phone shall be limited to case report numbers, location of incident, time and dates. This policy also applies to fax requests.

F. The requestor is not required to explain the reason for the request, however, RMU employees should ask the requestor for a reason and document the reason on request paperwork. If a reason is not provided, “unknown” or “requestor refused” should be indicated.

G. RMU employees should verify that requests are not for commercial purposes. If the requestor indicates that the request is for commercial purposes, additional production fees may apply and the RMU Supervisor should be notified.

H. If the requestor is the victim in the case being requested, then the requestor’s identity should be verified. Pursuant to ARS 39-127, the report shall be provided free of charge. The report may be released to an immediate family member free of charge, if the victim is killed or otherwise incapacitated.

I. If the requestor is the arrestee/defendant or defendant’s attorney, refer to the RRG to determine who has authority to release the record. The defendant or attorney may also be referred to the County Attorney’s Office if the case is pending litigation.

J. Guardians of minors not in the custody of parents must provide proof of guardianship prior to receiving reports. Acceptable proof may be:
   i. Court orders appointing guardianship. The orders must be signed by a judge and show effective date.
   ii. Letter from Department of Child Safety (DCS) granting temporary custody.
   iii. Other document from an agency with authority to appoint guardianship.

K. If the requestor has no involvement with the case, redaction policies and the RRG shall be followed prior to release of any documents.

PIMA COUNTY SHERIFF'S DEPARTMENT
COMMAND DIRECTIVE

No. 2018-002

SUBJECT: Public Records Requests

DIRECTED TO: All Personnel

AUTHORIZED BY: Byron Gwaltney
Chief Byron Gwaltney

EFFECTIVE DATE: May 25, 2018

NUMBER OF PAGES: 9

The purpose of this Command Directive is to establish a reference and procedure for the release of Department reports and records for Public Records Requests in accordance with applicable law (A.R.S. Title 39, Chapter 1).

I. PUBLIC RECORDS REQUESTS

Under Arizona law, records kept by a government agency in the ordinary course of business are considered public records and are required to be made available for inspection upon request.

A. "Public Records" includes all records kept in the ordinary course of business and may include written documents as well as audio and video recordings, photographs, computer records, and similar material.

B. Arizona Public Records law favors the release of public records, but requires the interests of the public be balanced against both the privacy of those named in reports and the best interests of the State.

C. Information may be redacted from a public record prior to release if the information falls into one of the following categories:

1. **Confidential Information**
Information considered confidential by law.

2. **Private Information**
Information that a person has a privacy interest in protecting from public dissemination.

3. **Information not in the best interest of the State to release**
Information that would cause specific, material harm to an investigation or to the agency's mission if released.

D. This directive relates to requests for records under the Public Records Act (A.R.S. § 39-121 et. seq.). It does not concern information requested pursuant to a lawfully issued subpoena, court order, or other legal process, or to records routinely released to other criminal justice agencies, including prosecutorial agencies.

E. Arizona law and Department policy govern the release of information from the Department.

II. RELEASE OF PUBLIC RECORDS

A. All public records requests shall be immediately forwarded to the Records Maintenance Unit for processing.

B. The Records Management Section Commander shall:

1. Maintain a tracking system for all public records requests. The system will track the progress of each request and must show time elapsed, and actions taken, from receipt to completion.

2. Determine the appropriate unit(s) or Department member(s) to handle the request.

3. Forward the request for appropriate action; this may involve multiple members from different areas.

4. Additionally, forward a copy to the following:

a. **Legal Advisor** – Appropriate redaction, legal oversight, and approval

b. **Support Services Division Commander** – Awareness and approval

5. Monitor the progress of all requests, follow-up as necessary, through completion.

6. Facilitate distribution to the requesting party.

C. Department members shall complete requests as soon as practicable under the specific circumstances of the request and within a reasonable time frame. Reasonable efforts shall be made to respond promptly.

D. In the event a Public Records Request is not completed and prepared for release within ten (10) business days from the date logged, the Records Maintenance Unit shall notify:

1. Records Maintenance Unit Supervisor

2. Records Management Section Commander

3. Support Services Division Commander

E. The Records Management Section Commander shall:

1. Contact the requesting party and explain the delay and/or clarify the scope and content of the request.

2. Notate relevant comments on the tracking document; i.e. date requestor contacted and action(s) taken to resolve the issue.

3. Brief the Support Services Division Commander.

4. Every ten (10) business days, repeat steps II.E.1 through II.E.3 until the request is fulfilled.

F. In the event a conflict of interest is identified, the Support Services Division Commander shall determine an alternate routing to avoid such conflicts for the Department. (Example: A member who would normally be involved in the routing process per this directive and is also a subject [witness, victim, etc.] in the record requested.)

G. Public records shall only be released by members assigned to the Department's Records Maintenance Unit.

H. The public, to include media and elected officials, may request access to unrestricted Department records by submitting a written and signed request for each specifically identified record. A separate request is required for each record. Requests may be submitted in-person, via U.S. mail, and email to the Records Maintenance Unit.

III. PUBLIC RECORDS REQUESTS FOR ELECTRONIC DATA

A. Requests pertaining to electronic data or media (emails, text messages, or phone records) shall be forwarded to the Records Maintenance Unit for processing.

B. The Records Management Section Commander shall:

1. Log the request in the tracking document.

2. Forward the request as noted below:

a. **Information Systems Section Manager** – complete the data compilation to fulfill the request

b. **Legal Advisor** – Appropriate redaction, legal oversight, and approval

c. **Support Services Division Commander** – Awareness and approval

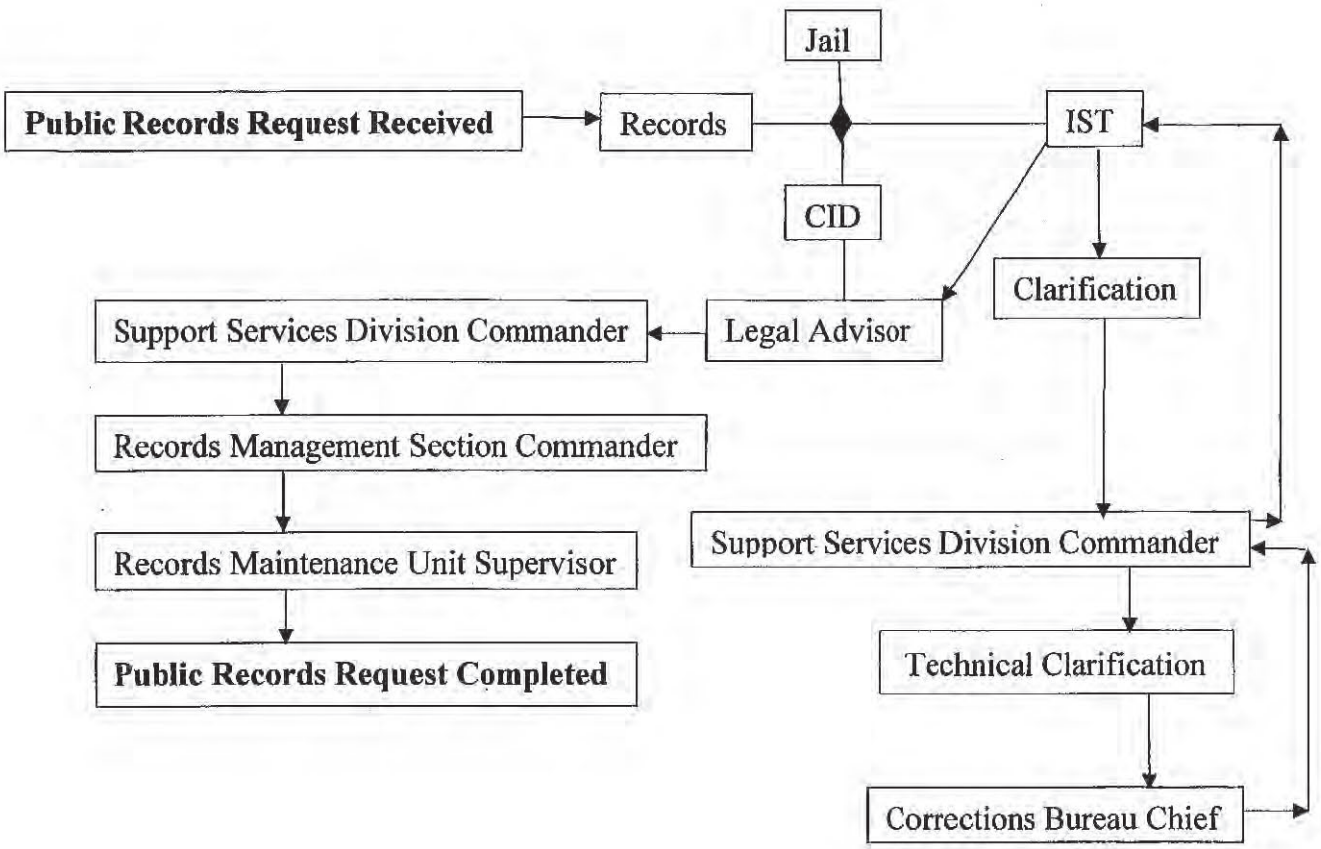
3. Monitor the progress of the request, follow-up as necessary, through completion.

4. Facilitate distribution to the requesting party.

C. The Information Systems Section Manager shall consult with the Support Services Division Commander if clarification on scope of the request is necessary.

D. Should further clarification be necessary, the Support Services Division Commander shall confer with the Corrections Bureau Chief.

E. Workflow depiction and standard routing for a public records request:



IV. REDACTION

A. Following is a guideline and minimum standard of information to be redacted prior to release. If a member believes additional information should be withheld because it falls within the general exceptions noted above, the member should review with the legal advisor. At minimum, the following information shall be removed from records prior to release:

1. All Records

   a. Information sealed by the court

   b. Social security numbers

   c. Dates of birth

   d. Residential addresses and phone numbers

   e. Driver's license numbers

   f. Identifying information of sex crime victims (names of adults in serious sex crimes and names of juvenile victims of any sex crime).

   g. Identifying information of confidential informants (names and any other information which would identify the person).

   h. Information that, if released, would present a danger to the public.

   i. Identifying information of victims and witnesses (names, addresses, phone numbers, State or government issued identifications, personal email addresses, places of employment, and any other information which would identify the person). (See A.R.S. § 13-4434 and A.R.S. § 39-123.01)

   j. Addresses of shelters

   k. Identifying information of juvenile victims

   l. Department members' home addresses (A.R.S. § 39-123)

m. Narrative portion of personnel evaluations

n. Medical records of any kind

o. Information considered confidential by law

p. Any other information of a private or confidential nature

2. Police Reports in Open Cases

a. Information which, if released, would interfere with the investigation. For example, information that is known only to the perpetrator, names of witnesses who are at risk of harm from a suspect at large, or information that might deter/prevent victims and/or witnesses from coming forward.

b. On all open felony cases, the member or section responsible for the release of the record shall communicate with the case detective prior to the release of any information. "Open" is intended to include all cases listed in the Department's records management system Case Management module as "assigned" and which have not yet been adjudicated.

3. Office of Professional Standards Files

Office of Professional Standards files shall not be released until the investigation has been completed or discontinued. If a disciplinary action has been appealed, the investigation is not complete until the conclusion of the appeal.

V. REQUESTING PARTY

A. The person making the request is not required to explain the reason for the request, other than to attest to the fact that the request is not for a commercial purpose. In the absence of any additional information concerning the person or entity making the request, the guidelines stated above are to be followed.

B. Requestors should provide enough information (i.e., case number, date and time of occurrence, location of occurrence, involved parties, name and date of birth of the subject of the record, crime classification, type of call, etc.) for Records Management Section members to locate a record within the Department's records management system.

C. If the individual indicates they are the victim, suspect, or arrestee / defendant (or legal representative of the victim, suspect, or arrestee / defendant), consider the following guidelines prior to release:

1. **Victim**
Victims of a Part I crime – homicide, sexual assault, robbery, aggravated assault, burglary, larceny, auto theft, and arson (see A.R.S. § 39-127) – shall not be charged for copies of records nor shall their immediate family member(s) if the victim is incapacitated or killed.

2. **Suspect**
If the requestor is a suspect in an open felony case, the assigned detective shall be notified. The detective will advise of any additional redactions prior to release of the report.

D. Except as previously noted, all persons requesting copies shall be charged a fee for material associated with creating copies, photographs, video, and audio recordings.

VI. SEALED RECORDS

A. When ordered by the courts, the Records Management Section Commander shall seal police records.

B. Sealed records shall not be viewed without an appropriate court order allowing access.

VII. JUVENILE RECORDS

Juvenile records are not normally purged, as the records are maintained for law enforcement needs.

VIII. TRAFFIC COLLISION REPORTS

A non-redacted traffic collision report shall be released to persons authorized pursuant to A.R.S. § 28-667.

IX. DEPARTMENT MEMBER RECORDS

A. Department member records shall be made available to the public in accordance with this Command Directive and A.R.S. § 39-123.

B. The identity of any member subject to a criminal or administrative investigation should not be released without notification to the involved member, the Sheriff, and as allowed or required by law.

ATTACHMENT 2

Lost Person Response

As of April 2025

Incoming 911 call

PCSD jurisdiction

Check calls table for possible dupe

Dupe?

- Notate updates in original call

New?

Rural

- Communications will generate a PCSD "Lost Person" call number
- Communications will notify BORSTAR for immediate response, provide PCSD call number, and request disposition of search results
- Communications will note the BORSTAR transfer of call for immediate response in the CAD call

Metro

- Dispatch the call to Patrol for immediate response
- Patrol will determine if any additional resources are needed, such as Air Unit and Search and Rescue

Other jurisdiction

Another jurisdiction with full emergency response capabilities?

Transfer the call

Another jurisdiction, without full emergency response capabilities?

- Communications will transfer the call to BORSTAR for immediate response and notify the applicable jurisdiction
- Communications will generate a call number for "Lost Person" documenting, within CAD, both the BORSTAR transfer of call, and advisory to appropriate response agency.

Is it 2100-0600?

YES

- Email PESAR 10-100 (or designee)
- Assign call to self, clear with 5101 P

NO

- Notify PESAR 10-100 (or designee) by 10-21 or radio if one on
- Assign call to PESAR

- Communications will note the advisory to PESAR supervisor (or designee) in the PCSD CAD call
- PESAR supervisor will contact BORSTAR and/or LE component as needed for follow-up

Brief Exhibit 8

From: Sean Holguin
To: John Mitchell; Harris Rubin; McCormick, Patrick Emerson
Subject: Re: ACLUAZ v. Nanos - outstanding requests following 1/22 M&C
Date: Wednesday, January 28, 2026 10:27:26 AM

John,

Due to other commitments, I was unable to research the matters in your 1/23/26 email until this morning.

Regarding #s 1 and 2, it would be unduly burdensome for our client to manually read through the hundreds of case reports entailed in your request to determine if the specific facts you are looking for are included. Further, I do not believe the law requires them to do so. However, as you have been previously informed, the PCSD will produce all case reports containing the terms "Border Patrol" or "BP" and "immigration & Customs Enforcement" for the requested time frames. Searching for "ICE" will not work because hen that was attempted previously the results included any report which contained the word "ice." I have requested the Records Unit to compile a list of the responsive reports and provide a cost estimate for you. I may be able to get that to you later this morning, but I have another commitment outside of the office all afternoon and then again all morning tomorrow, so it may not be until tomorrow afternoon.

Regarding #3, based on your original request, a search was conducted for these communications up through 5/31/25 (your request w received on or about 5/14/25). Responsive records located were in the form of emails, which were provided to you. I have requested that an additional emails search for the period 5/31/25 through 7/21/25, be conducted. Email searches are conducted by Pima County IT division. I will advise you when we receive the results of the search.

Regarding #4, I can provide you with a list of all records that have been provided to date. Again, I will try to get this done before I have to leave the office later this morning, but it might not be until tomorrow afternoon. I can tell you that based on a discussion with the Records Unit Supervisor, it appears the only record that may not have been provided was the January 2025 Borer Patrol call list, which I emailed to you during our last meeting.

Let me know if this is acceptable.

Thanks,

Sean

From: John Mitchell <JMitchell@acluaz.org>
Sent: Tuesday, January 27, 2026 5:23 PM
To: Sean Holguin <Sean.Holguin@sheriff.pima.gov>; Harris Rubin <harris.rubin@pcao.pima.gov>; McCormick, Patrick Emerson <patrick.e.mccormick@wbd-us.com>
Subject: RE: ACLUAZ v. Nanos - outstanding requests following 1/22 M&C

CAUTION: This message and sender come from outside Pima Sheriff. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

Sean and Harry – having not heard back from you on these four categories of records, we otherwise intend to request relief from the court as we'd indicated by next status report. Please let us know ASAP tomorrow if your client takes a position. The joint status report is due this Friday. Thanks,

John

From: John Mitchell
Sent: Friday, January 23, 2026 5:31 PM
To: Sean Holguin <sean.holguin@sheriff.pima.gov>; Harris Rubin <harris.rubin@pcao.pima.gov>; McCormick, Patrick Emerson <patrick.e.mccormick@wbd-us.com>
Subject: ACLUAZ v. Nanos - outstanding requests following 1/22 M&C

Sean and Harry,

Thanks for your time meeting with us again this week. As discussed, below are the records Plaintiff believes responsive and not yet produced:

1. Incident reports that include "Border Patrol" or "BP" within July 1, 2023 through May 19, 2025. This date range begins when, according to your email dated September 24, 2025, the memos to the Sheriff ceased by word-of-mouth directive. This date range ends at the issuance of GO 2025-019, which as you confirmed, eliminated the recordkeeping requirement within PCSD policy.
    1. Plaintiff requests that Defendant review the corpus of incident reports, and produce those for which Border Patrol was called to investigate, or in fact did investigate, an immigration violation (civil or criminal).
    2. If Defendant believes review is unduly burdensome, please instead produce the corpus of incident reports.
2. The incident reports that include "Immigration & Customs Enforcement" or "ICE" within

January 1, 2021 through May 19, 2025. This is the date range in our original Public Records Request. This date range ends at the issuance of GO 2025-019, which superseded GO 2025-001, requiring PCSD to track "[r]equests for assistance from Federal immigration authorities," not only from Border Patrol.

1. Plaintiff requests that Defendant review the corpus of incident reports, and produce those for which ICE was called to investigate, or in fact did investigate, an immigration violation (civil or criminal).

2. If Defendant believes review is unduly burdensome, please instead produce a breakdown of incident reports. These reports should be in a table format (ideally in an .xls or .csv file), showing for each search result, at least the following: date, time, category of report, officer, and location. Please also include any other data in each entry that you believe would assist us in determining which, if any, reports are responsive to our original records request.

3. Internal communications referencing GO 2025-001 from April 4, 2025 up to July 21, 2025 (the date our lawsuit was filed). We've asked for this a few times—see attached emails from me dated 9/9/25, 9/25/25, and mentioned in our Meet & Confer 10/23/25. This is now the fourth time we have had to request these records, and we have received no explanation as to why this has not yet been produced or responded to.

4. A log of the records that you believe Defendant has produced to Plaintiff in this matter. As Patrick mentioned on our call yesterday, there have been multiple instances in our meet and confers when you referenced a document that we have not received.

Understanding that we're past 5pm on Friday, we'll ask that you inform us by the end of next Tuesday, 1/27/26, whether Defendant will produce or decline each of the above four categories. We will draft the initial draft of the joint status report (due 1/30), and will need to include whether there exists a dispute between the parties on remaining records.

Thanks and have a great weekend.

John

--
John M. Mitchell
Immigrants' Rights Attorney
he/él
American Civil Liberties Union of Arizona
P.O. Box 17148, Phoenix, AZ 85011
520.526.0468 | jmitchell@acluaz.org
acluaz.org
This message may contain information that is confidential or legally privileged. If you are not the intended recipient, please

immediately advise the sender by reply email that this message has been inadvertently transmitted to you and delete this email from your system.

Brief Exhibit 9

From:	Sean Holguin
To:	John Mitchell; Harris Rubin; McCormick, Patrick Emerson
Subject:	Re: ACLUAZ v. Nanos - outstanding requests following 1/22 M&C
Date:	Thursday, January 29, 2026 4:02:33 PM
Attachments:	ACLU disclosure log.docx

John,

Thank for catching that—it should be 2/13 instead of 2/23.

Regarding paragraph 2 in the proposed status report, we have not taken the position that the PCSD will not provide, or that your client is not owed, any of the additional 4 categories of documents listed in your January 23, 2026, email. We have never taken the position that any records will not be produced. In fact, as promised during out last meeting, the Records Unit has completed additional searches for PCSD incident reports within the specified time ranges and containing the specified terms. The results of those searches are as follows:

1,119 reports that contain the term "Border Patrol."
1,039 reports that contain the term "BP."
59 reports that contain the term "ICE" (we were able to devise a search for this term).
49 reports that contain the term "Immigration and Customs Enforcement."

It is fairly likely that some of these reports are duplicative, e.g., reports may contain both "Border Patrol' and "BP."

The PCSD is willing and able to produce copies of these reports for you. However, cost may be an issue. Each report will cost a minimum of $5.00 ($5.00 for the first 20 pages and $0.25 per page after the first 20. Please advise if you wish to obtain any or all of these. We can also provide you with summarized lists of the reports indicating the nature of the call/case so that you may choose specific reports over others.

With respect to your request for additional communications regarding the implementation of G.O 2025-001 during the time frame 5/31/25 - 7/21/25, we have submitted a request to County IT to conduct the search and ill advise you once we have the results.

Finally, you requested a log of all records produced to date. I have attached that to this email. Please advise how you would like to proceed.

Thanks,

Sean

From: John Mitchell <JMitchell@acluaz.org>
Sent: Wednesday, January 28, 2026 4:52 PM
To: Sean Holguin <Sean.Holguin@sheriff.pima.gov>; Harris Rubin <harris.rubin@pcao.pima.gov>; McCormick, Patrick Emerson <patrick.e.mccormick@wbd-us.com>
Subject: RE: ACLUAZ v. Nanos - outstanding requests following 1/22 M&C

CAUTION: This message and sender come from outside Pima Sheriff. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

Thanks Sean. Attaching a draft joint status report and proposed order for your review. Let me know if we may add your signature or if you have edits.

For the dates we request the court avoid: did you mean to type 2/12 or 2/13 (rather than 2/23) below? I'll make sure the status report reflects the correct conflicting dates before filing.

John

From: Sean Holguin <Sean.Holguin@sheriff.pima.gov>
Sent: Wednesday, January 28, 2026 11:14 AM
To: John Mitchell <JMitchell@acluaz.org>; Harris Rubin <harris.rubin@pcao.pima.gov>; McCormick, Patrick Emerson <patrick.e.mccormick@wbd-us.com>
Subject: Re: ACLUAZ v. Nanos - outstanding requests following 1/22 M&C

John,

Thanks for your understanding. Looks like the week of Feb. 9 , except for the afternoon of 2/23, will work. Also, the week of Feb. 16, except for the afternoon of 2/17, is open.

Also, I just received some feedback from Records on the case reports, but I'm not going to be able to do much with it before I have to leave for my afternoon appointment. Also, I will be occupied out of the office tomorrow morning, so look for something tomorrow afternoon.

Sean

From: John Mitchell <JMitchell@acluaz.org>
Sent: Wednesday, January 28, 2026 10:56 AM
To: Sean Holguin <Sean.Holguin@sheriff.pima.gov>; Harris Rubin <harris.rubin@pcao.pima.gov>; McCormick, Patrick Emerson <patrick.e.mccormick@wbd-us.com>
Subject: RE: ACLUAZ v. Nanos - outstanding requests following 1/22 M&C

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Thanks Sean. A busy stretch for us both, so I appreciate the follow-up. Since our joint status report is due Friday, I'll circulate a draft shortly for your review. It will reflect that we're in agreement on some of the remaining records categories and at an impasse on some others. Would proposing the week of Feb 9 or 16 for a status hearing work for you and Harry? (I'll note Mon 2/16 is a federal holiday).

On #1 and 2, I understand your position on the burden to review and cull the larger lists of incident reports. For the moment, we can accept the entire report lists and will await an estimate of that volume from the Records Department. We will bring this before the court to determine the responsibility of reviewing the lists.

#3 and 4 sound good. We'll look out for both. Thanks,

John

From: Sean Holguin <Sean.Holguin@sheriff.pima.gov>
Sent: Wednesday, January 28, 2026 10:27 AM
To: John Mitchell <JMitchell@acluaz.org>; Harris Rubin <harris.rubin@pcao.pima.gov>; McCormick, Patrick Emerson <patrick.e.mccormick@wbd-us.com>
Subject: Re: ACLUAZ v. Nanos - outstanding requests following 1/22 M&C

John,

Due to other commitments, I was unable to research the matters in your 1/23/26 email until this morning.

Regarding #s 1 and 2, it would be unduly burdensome for our client to manually read through the hundreds of case reports entailed in your request to determine if the specific facts you are looking for are included. Further, I do not believe the law requires them to do so. However, as you have been previously informed, the PCSD will produce all case reports containing the terms "Border Patrol" or "BP" and "immigration & Customs Enforcement" for the requested time frames. Searching for "ICE" will not work because hen that was attempted previously the results included any report which contained the word "ice." I have requested the Records Unit to compile a list of the responsive reports and provide a cost estimate for you. I may be able to get that to you later this morning, but I have another commitment outside of the office all afternoon and then again all morning tomorrow, so it may not be until tomorrow afternoon.

Regarding #3, based on your original request, a search was conducted for these communications up through 5/31/25 (your request w received on or about 5/14/25). Responsive records located were in the form of emails, which were provided to you. I have requested that an additional emails search for the period 5/31/25 through 7/21/25, be conducted. Email searches are conducted by Pima County IT division. I will advise you when we receive the results of the search.

Regarding #4, I can provide you with a list of all records that have been provided to date. Again, I will try to get this done before I have to leave the office later this morning, but it might not be until tomorrow afternoon. I can tell you that based on a discussion with the Records Unit Supervisor, it appears the only record that may not have been provided was the January 2025 Borer Patrol call list, which I emailed to you during our last meeting.

Let me know if this is acceptable.

Thanks,

Sean

From: John Mitchell <JMitchell@acluaz.org>
Sent: Tuesday, January 27, 2026 5:23 PM

To: Sean Holguin <Sean.Holguin@sheriff.pima.gov>; Harris Rubin <harris.rubin@pcao.pima.gov>; McCormick, Patrick Emerson <patrick.e.mccormick@wbd-us.com>
Subject: RE: ACLUAZ v. Nanos - outstanding requests following 1/22 M&C

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Sean and Harry – having not heard back from you on these four categories of records, we otherwise intend to request relief from the court as we'd indicated by next status report. Please let us know ASAP tomorrow if your client takes a position. The joint status report is due this Friday. Thanks,

John

From: John Mitchell
Sent: Friday, January 23, 2026 5:31 PM
To: Sean Holguin <sean.holguin@sheriff.pima.gov>; Harris Rubin <harris.rubin@pcao.pima.gov>; McCormick, Patrick Emerson <patrick.e.mccormick@wbd-us.com>
Subject: ACLUAZ v. Nanos - outstanding requests following 1/22 M&C

Sean and Harry,

Thanks for your time meeting with us again this week. As discussed, below are the records Plaintiff believes responsive and not yet produced:

1. Incident reports that include "Border Patrol" or "BP" within July 1, 2023 through May 19, 2025. This date range begins when, according to your email dated September 24, 2025, the memos to the Sheriff ceased by word-of-mouth directive. This date range ends at the issuance of GO 2025-019, which as you confirmed, eliminated the recordkeeping requirement within PCSD policy.

    1. Plaintiff requests that Defendant review the corpus of incident reports, and produce those for which Border Patrol was called to investigate, or in fact did investigate, an immigration violation (civil or criminal).

    2. If Defendant believes review is unduly burdensome, please instead produce the corpus of incident reports.

2. The incident reports that include “Immigration & Customs Enforcement” or “ICE” within January 1, 2021 through May 19, 2025. This is the date range in our original Public Records Request. This date range ends at the issuance of GO 2025-019, which superseded GO 2025-001, requiring PCSD to track “[r]equests for assistance from Federal immigration authorities,” not only from Border Patrol.

    1. Plaintiff requests that Defendant review the corpus of incident reports, and produce those for which ICE was called to investigate, or in fact did investigate, an immigration violation (civil or criminal).

    2. If Defendant believes review is unduly burdensome, please instead produce a breakdown of incident reports. These reports should be in a table format (ideally in an .xls or .csv file), showing for each search result, at least the following: date, time, category of report, officer, and location. Please also include any other data in each entry that you believe would assist us in determining which, if any, reports are responsive to our original records request.

3. Internal communications referencing GO 2025-001 from April 4, 2025 up to July 21, 2025 (the date our lawsuit was filed). We’ve asked for this a few times—see attached emails from me dated 9/9/25, 9/25/25, and mentioned in our Meet & Confer 10/23/25. This is now the fourth time we have had to request these records, and we have received no explanation as to why this has not yet been produced or responded to.

4. A log of the records that you believe Defendant has produced to Plaintiff in this matter. As Patrick mentioned on our call yesterday, there have been multiple instances in our meet and confers when you referenced a document that we have not received.

Understanding that we’re past 5pm on Friday, we’ll ask that you inform us by the end of next Tuesday, 1/27/26, whether Defendant will produce or decline each of the above four categories. We will draft the initial draft of the joint status report (due 1/30), and will need to include whether there exists a dispute between the parties on remaining records.

Thanks and have a great weekend.

John

--

John M. Mitchell

Immigrants' Rights Attorney

he/él

American Civil Liberties Union of Arizona

P.O. Box 17148, Phoenix, AZ 85011

520.526.0468 | jmitchell@acluaz.org

acluaz.org

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Brief Exhibit 10

In the Matter of:

AMERICAN CIVIL LIBERTIES UNION OF ARIZONA vs NANOS

Transcript of:

DESIREE ROMERO

March 10, 2026

Colville & Dippel LLC
1309 E Broadway Blvd
Tucson, AZ 85719
O 520.884.9041
F 520.623.1681
ArizonaDepos.com

SUPERIOR COURT FOR THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF PIMA

AMERICAN CIVIL LIBERTIES UNION OF ARIZONA, Plaintiff, v. CHRIS NANOS, in his official capacity as the duly elected Sheriff of Pima County, Defendant.	)	Case No. C20254935

DEPOSITION OF

DESIREE ROMERO

March 10, 2026
10:02 a.m.

One South Church Avenue, Suite 2000
Tucson, Arizona

REPORTED BY: RICHAEL M. SILVIA, RMR, CRR, CRCR
Arizona CR No. 51017
New Mexico CR No. 554

COLVILLE & DIPPEL, LLC
1309 East Broadway Boulevard
Tucson, Arizona 85719-5824
ArizonaDepos.com
Arizona RRF No. R1129

The deposition of DESIREE ROMERO, noticed by Plaintiff, was taken on March 10, 2026, from 10:02 a.m. to 11:57 a.m., at Womble Bond Dickinson, One South Church Avenue, Suite 2000, Tucson, Arizona, before Richael M. Silvia, Registered Merit Reporter, Certified Realtime Reporter, Colorado Realtime Certified Reporter and Arizona Certified Reporter No. 51017.

APPEARANCES OF COUNSEL

For the Plaintiff:

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF ARIZONA
BY: JOHN M. MITCHELL, ESQ.
P.O. Box 17148
Phoenix, Arizona 85011
(602) 650-1854
jmitchell@acluaz.org

~and~

WOMBLE BOND DICKINSON (US) LLP
BY: PATRICK EMERSON MCCORMICK, ESQ.
One South Church Avenue
Suite 2000
Tucson, Arizona 85701
(520) 629-4455
patrick.e.mccormick@wbd-us.com

For the Defendant:

PIMA COUNTY ATTORNEY'S OFFICE
BY: SEAN HOLGUIN, DEPUTY COUNTY
ATTORNEY - CIVIL DIVISION
BY: HARRIS RUBEN, DEPUTY COUNTY
ATTORNEY - CIVIL DIVISION
32 North Stone Avenue
Tucson, Arizona 85701
(520) 351-4712
sean.holguin@pcao.pima.gov
harris.ruben@pcao.pima.gov

Also Present: None.

I N D E X

PAGE

EXAMINATION OF DESIREE ROMERO:
March 10, 2026

By Mr. Mitchell: 5
By Mr. Holguin: 50
By Mr. Emerson McCormick: --
By Mr. Ruben: --

DEPOSITION EXHIBITS		INITIAL REFERENCE
Exhibit 1	Notice of Deposition of 30(b)(6) Defendant Chris Nanos (Amended Date/Time), 02/26/2026	7
Exhibit 2	Verified Complaint for Special Action and Injunctive Relief, 07/21/2025	27
Exhibit 3	E-mail from Peter Aguilar to PCSD-PIO, cc Desiree Romer, Subject: Public Records Request (media), 03/28/2025	32
Exhibit 4	E-mail from Public Records Request to Peter Aguilar, Subject: FW: Records request - AZ Luminaria, 04/30/2025	34
Exhibit 5	E-mail from Desiree Romero to John Mitchell, Subject: Original Request #11, 09/25/2025	48

(Attached to original and copy transcripts.)

PREVIOUSLY MARKED DEPOSITION EXHIBITS: INITIAL REFERENCE
(None.)

INFORMATION REQUESTED:
(None.)

QUESTIONS INSTRUCTED NOT TO ANSWER:
(None.)

The following proceedings were taken pursuant to the Arizona Rules of Civil Procedure.

DESIREE ROMERO,

having been first duly sworn to state the whole truth, testified as follows:

MR. MITCHELL: Before we're on the record, I'm so sorry. One other matter I forget. We'll go off the record for a second.

(Recess taken from 10:03 a.m. to 10:06 a.m.)

EXAMINATION

BY MR. MITCHELL:

Q. So your full name, please.

A. Desiree Romero.

Q. And have you testified in a deposition before?

A. No.

Q. Okay. So you understand you're under oath to answer truthfully?

A. Yes.

Q. So please ask me to repeat or clarify a question if necessary.

A. Okay.

Q. And if you think of any response you've given that was not accurate or incomplete, just bring it to my attention. We'll provide you with an opportunity to

make any necessary additions or corrections.

A. Okay.

Q. Sound good?

For breaks, we'll -- I'll flag when we're about halfway through. And if you need to take a break at any other time, we'll take one at the next opportunity. All we ask is if there's a question to you that we've posed, that you answer before we break.

A. Okay.

Q. Does that work?

A. Yes.

Q. Okay. As a reminder, testimony must consist of verbal answers. Because we have a reporter, gestures, nods or nonword sounds are difficult to record so --

A. Yes.

Q. Okay. Wonderful.

Our reporter will generate a transcript and can only record one person at a time, so if you could please wait for me to ask the question before you begin your response, and likewise, I'll wait for you to finish your answers before my next question.

A. Okay.

Q. At some point, your counsel may make objections to my questions. Once counsel has finished

with the objection, please proceed to give your answer unless you've been instructed not to do so and you intend to follow that instruction.

A. Okay.

Q. Is there any reason you believe you cannot testify fully and truthfully today?

A. No.

Q. So our purpose today is to understand how the Pima County Sheriff's records unit operates and what steps it took to create the records we received thus far.

A. Okay.

Q. Any other questions --

A. No.

Q. -- before we go?

Okay. So we'll start with Exhibit 1 here, which is the notice of deposition. I'll hand a copy to the reporter.

(Deposition Exhibit 1 was marked.)

Q. (BY MR. MITCHELL) So, Ms. Romero, have you seen this notice before?

A. Yes.

Q. And have you reviewed the topics --

A. Yes.

Q. -- listed in this notice?

A. Yes.

Q. So the Pima County Sheriff's Department has designated you today as the witness to testify on the topics contained in this deposition. Are you prepared to testify on these topics?

A. Yes.

Q. Did you look at any documents to prepare for today?

A. Yes.

Q. And could you say which documents you reviewed?

A. So the answers to the interrog- -- I don't know how to pronounce this -- interrogatories?

Q. Uh-hum.

A. I went ahead and went back and looked at those again and what our responses were and kind of just went briefly over how many incidents were pulled from our records to show the specific time frames and search criterias [sic] that were requested and briefly the memos that were provided by communications.

Q. And to your knowledge, have those items all been produced in this lawsuit?

A. Yes.

Q. Are there any items you reviewed that have not been produced, to your knowledge?

A. Not that I recall.

Q. And apart from legal counsel, did you speak to anyone about this deposition?

A. No.

Q. Did you review anything provided to you by anyone else --

A. No.

Q. -- in preparation -- excuse me. Okay.

And approximately how much time did you spend preparing to give testimony today?

A. Let's see. When did we receive this? I want to say since -- I think it was on Thursday or Wednesday last week. I don't recall the date.

Q. No problem. But if you had to estimate a number of hours roughly?

A. Probably a good maybe eight-hours-type thing.

Q. Okay. Thank you.

So if -- if during this deposition you think of any materials that might help you provide accurate or complete testimony, just please advise. You can let us know now or whenever it comes up. Does that sound good?

A. Yeah.

Q. Thank you.

So what is your job title?

A. I am an information and records supervisor.
Q. And who's your employer?
A. Pima County.
Q. Are you employed in the sheriff's department?
A. Yes.
Q. And about for how long have you worked for the sheriff's department?
A. I want to say this year in September will mark 13 years.
Q. And how long have you held your current job title?
A. Current job title has been roughly maybe ten months.
Q. All right. And what was your title before your current one?
A. I was a Records Technician 1.
Q. And approximately for how long did you hold that title?
A. That one, about two years.
Q. Do you remember your title before then?
A. Yes. I was a records technician.
Q. And about for how long?
A. Possibly seven or eight years.
Q. Any titles before that?
A. Yes. I was also in the transcription unit

for three years.

Q. How about before that?

A. Wendy's.

Q. All right. So does -- does the sheriff's department have a records unit?

A. Yes.

Q. And is that where you are housed within the sheriff's department?

A. Yes.

Q. So what is the records unit's purpose, as you understand it?

A. So we help provide records to public and FOIA requests, fulfill them to the best of our ability. Those records can be for reports, supplemental documentation, photos, videos, body camera, pretty much anything that can be used in reference to an incident.

We also get requests for personnel files, training materials, a lot, material management information, e-mail pulls that we can do. So we take those requests, and we process them to the units that they are designated to go to. If they don't have a specific unit, we go ahead and designate it to the best of our ability where we see fit.

Q. And do you know the size of the records unit staff?

A. I think right now we are at 12 or 13 employees.

Q. And are those full-time employees?

A. Yes.

Q. Okay. Any part-time or contractors?

A. No.

Q. And among that staff, what is the hierarchy, for example, supervisors versus technicians?

A. So the supervisor pretty much oversees any difficulties that come within the unit, whether it be difficult requests that the technicians just aren't prepared to go ahead and take on.

And then we have our Records 1, which is kind of our lead where our technicians will go to them to kind of resolve any issues, and if they can't, they will then come to the supervisor.

Records technicians are pretty much the whole of the unit to -- where they're the ones that process initially the requests, do what they've got to do to fulfill them, and if they come to any problems, then it goes to our Records Technician 1 and, if not, then the supervisor.

Q. And are you the sole supervisor?

A. So I do have a manager above me who is within our unit as well, and she's kind of just my person I

delegate to if I have any issues come up. But other than that, I am the sole supervisor for the records unit.

Q. Okay. And who does the manager report to?

A. She reports to the captain of our section.

Q. And who is the captain?

A. Currently right now, it's Robert Koumal.

Q. So what is the typical workload for a technician in a given week?

A. So each technician is given specific tasks that they work on. We usually rotate those out probably every six months or so, depending on if we have new employees coming in that need different training.

Typically all technicians have to pull correspondence daily. That number changes depending on how much of a workload we get within correspondence alone. They also have to input in a certain amount of crash reports that we receive daily.

And then from there, they just kind of work on their assigned tasks throughout the day as well as working with phones and the counter that they're assigned to, at most an hour a day.

Q. And is there a typical number of records requests that are assigned to a given technician?

A. Not necessarily. At most, they're all at least three a day. Again, depending on the workload of how many correspondence we're getting in, it can change. So if we get, say, 20 requests a day -- I mean, they stick with their three, but if we get bombarded with, you know, 50 to a hundred requests, then they'll get moved up to 7 or as many they can do within a day.

Q. Okay. And that's quite a big range?

A. Yeah.

Q. Would you -- what would you say in a typical week is the number of requests that come in?

A. So we have different ways that we get requests. We can get our online portal, public requests through there. We also get requests at the counter and requests through the mail.

So our public web mail is our biggest load, and typically a week, I would say we get around roughly -- maybe under 300 a week.

The counter varies. Right now it's kind of slower since we're more online, and so I would say counter-wise we probably get less than 200.

And then the mail correspondence we get in, that's more attorneys and law firms and stuff that send us through the mail. We probably get those maybe about

a hundred a week.

Q. So in that number, is that --

THE DEPONENT: Bless you.

MR. MITCHELL: Bless you.

Q. (BY MR. MITCHELL) Is that counting requests for evidence by the Pima County Attorney's Office?

A. That is kind of separated just because they're more of like -- we consider them a law enforcement agency, so we get those out quicker. Those are put into a task that's assigned to a specific technician.

Q. Okay. So it sounds like the records unit --

A. Yes.

Q. -- still processes those?

A. Yes.

Q. Okay. And if requests are received by other government agencies, are those prioritized as well?

A. Yes.

Q. And what would you say the other government agencies sending requests --

A. So we get a lot of requests from background investigators that we consider to work on behalf of law enforcement agencies, so those get put into priority as well.

We have requests from, like, Department of

Child Safety that we go ahead and push forward. Any requests from, like, any other district courts, we get requests from them all the time. Prosecutors.

I'm trying to think of all the ones that we get. Yeah, pretty much it's all other law enforcement agencies, FBI. Yeah, general -- attorney generals from not just Pima County but just from all over Arizona, and I think, like, California is a frequent one of ours too for whatever reason. Department of Public Safety, the list can go on and on, really.

A. Sure.

Q. Okay. And do you prioritize public records requests by subject matter as well?

A. Not necessarily. It's more of -- we try to do our best to get public people that have, you know, any court dates or anything coming up. They'll let us know, hey, I have a court date. We'll try to get those as expedited as quickly as possible just so they can meet that court date.

If anyone is like a media outlet. We do have, like, a specific technician that does those as well, so that way it's kind of separated from the public records requests, and we kind of just make it a media request just so that way we can get them what they need for any newscast and deadlines they have.

And then any other ones, if they're kind of high priority, we see that they're asking for a lot of information and it's not going specifically to an incident, usually myself or my records technician Juan will take that on.

Q. And so that last category of lengthier requests --

A. Um-hum.

Q. -- would that be what the ACLU of Arizona's request fell into?

A. Yeah.

Q. So if a records request is unclear to the assigned technicians, is there a protocol for what they should do next?

A. So typically they would go to either their Records Technician 1, slash, lead, and they'll kind of try to see where they could delegate any specifics -- part of the request to a specific unit.

If they can't conclude on that, then they'll go ahead and go to the supervisor and see if they can figure out where it needs to go or who will be able to have the information for us to send for processing.

Q. Okay. Do records technicians reach out to the requester if --

A. Oh, sorry.

Q. -- if there's something unclear about the request?

A. Majority of the time, they will. If it's more of a -- they just -- they're not sure because they've never had to deal with that specific topic before, they'll try to at least do it first with the Records Technician 1 and the supervisor.

If something comes back and, say, we send it out to a unit thinking that they're the ones that process it and then they advise us, no, it wouldn't be us, then that would probably prompt us to go ahead and reach out to the requester to say, hey, we don't know what it is that this is pertaining to, so can you kind of clarify, so that way we can get it to the appropriate unit.

Q. And is that by policy, or is that more just an understood practice within the unit?

A. Yeah, just more of a practice within the unit.

Q. And do records requests get routed to other departments within the sheriff's department?

A. Yes.

Q. How do you determine which departments?

A. So we get a list of all the sergeants that are over specific units we deal with a lot. So we have

domestic violence, special victims, mental health, all those ones, and then we have our personnel unit, finance, communications. They all have their own either sergeants or supervisors that we delegate those routing slips to. And then they filter it out to whoever on their end needs to go ahead and process the documents needed.

Q. And does -- is -- excuse me.

Do requests get routed to the legal department?

A. Yes.

Q. Is that in every case?

A. For the most part. We have kind of a -- two part of the legal unit, so we have the legal unit to where it's Sean Holguin, and it's more of our personnel records, e-mail pulls, training records, more of stuff that's in just the department in general.

But if it's more to a specific case, it goes to our PRR Legal unit for redactions.

Q. So in a case that a request goes to other departments, how much additional time does that typically take?

A. It depends. So if it's again more specific to an incident, it gets routed to the sergeant of the unit that it needs to go, however long it takes for

them to do the approval of that -- of what is being requested, they then send it over to our PRR Legal, which, depending on their workload, it could be a day, it could be a week. It just depends on how much is within those documents.

So if we have a five-page report, typically they will get it done rather quickly. However, if it's like a 500-page report, it's going to take them a little bit longer.

Q. So is there a process that occurs within the records unit when you receive a demand letter?

A. So typically with those -- I don't recall if we ever actually get those within our unit. I think it usually gets routed to someone else, and then they send it to us, and then depending on what's within the letter is going to determine where it needs to go on our side.

Q. Is there a process you follow -- the records unit follows when receiving notice of a lawsuit?

A. Pretty much the same process. Majority of the time, I believe, if we ever get those, we get them from Sean Holguin, and he'll just ask us if there's any documents that we can provide to assist with whatever is in that document.

Q. Okay. And have you received any training

regarding Arizona public records laws?

A. I want to say very briefly back when I first was a records technician.

Q. Do you remember the topics covered in that training?

A. So I know they mostly focus more towards the records management part of it, retention schedules and things like that. We do learn briefly about the FOIA statute within itself and the -- what it entails and what we abide by, and then I want to say it was more just towards what we can and cannot release when it comes to personal information and private information.

Q. And does the records unit have a target window of time to fulfill a request?

A. So we try to do it as quickly and efficiently as possible. When it comes to us having to process a request that doesn't need any authorization approval from a specific CID unit and it's just releasable to the public but just needs redactions, the technicians can usually knock those out pretty quickly within a day or two of being assigned the request.

If it has to go through authorization, we do indicate to requesters that it could take a minimum of 10 to 15 business days, depending on what our workload is looking at during that time frame.

When it's bigger requests, we kind of just let them know we'll try to get it done as quickly as possible, but there's not really an estimated time frame just because it gets sent out to other units and we can't speak on behalf of them.

Q. And when the workload --

A. Uh-hum.

Q. -- is such that an immediate response isn't possible, is the communication back to the requester by policy or is it just as -- as capacity allows?

A. Mostly as capacity allows. We do try to remind the technicians to be in contact with the requester so that way everyone is just not hanging around trying to guess what's going on with their request. We initially want them to at least respond showing that the request was received and that it is assigned.

And then we always let requesters know if they have any questions, they can always reach out to us and check status, but it's not -- I don't want to say recommendation. A -- what's the word I'm looking for? It's not mandatory for them to have to do it.

Q. So just to clarify, do you have a policy that requires the records unit to fulfill a records request within a certain amount of time?

A. Not a specific amount of time.

Q. Is there anything within the policy on fulfilling records requests about the amount of time or -- to your knowledge?

A. To my knowledge, no. I know the only thing that we have -- it's more specified towards the task itself. So if someone's working, say, on a law enforcement background check, that one has a specific time frame of, like, a three-day turnaround from the date that we receive it.

But in reference to public record requests, we just stick -- try to stick to the statute as much as possible about making it prompt. But, again, when it goes out to different departments, we can't really give an estimated time frame of how long they're going to process that.

Q. So you mentioned prompt, is that a -- a policy requirement?

A. No.

Q. Okay. Is that a -- where is that language from?

A. It's more kind of leaning towards the statute for the FOIA requests. So we always, you know, have people letting us know towards the FOIA requests they got to -- we've got to do it, you know, kind of

quickly and as quickly as possible, and we kind of just say -- it's a prompt. We gave you a response within what we feel is an exceptional amount of time, and then we provide the documents as we receive them.

Q. Okay. And for a request that you're not able to fulfill within one to two days, say, you mentioned responding with part of the records. Is that by policy?

A. We can go ahead -- it's not really by policy. It's more of just what we've come up with within our unit that if we have something -- for example, I'll utilize -- like, if we have a report but then they're also asking for photos, the report is going to get done a lot quicker than the photos are just because the photos have to be looked at individually and redacted.

So we can release the report first and let them know, and still processing is your other pending items, such as photos or whatever is -- they are requesting.

But when it comes to other matters, again, we can go ahead and release them as they come in, but a lot of times requesters want it all at one time.

Q. And if a request asks for a -- asks for -- asks for the documents that are ready earlier, does the records unit provide those?

A. Yes.
Q. And is that by policy or --
A. No. Just more of a -- an ask of the requester.
Q. Does the records unit monitor the time it takes to respond to a request?
A. Not necessarily. So when we first initially get a request, say, within the web -- web mail part of it that we do, the technician that works on that, they'll send a responding request saying, it's been received, at minimum. It can take 10 to 15 business days for processing but that we will be in contact with them.
Same should go for any other requests that we get and whether it be at the counter or through the mail.
And then we do status checks, or again when the requester calls in just checking status, we go ahead and let them know, you know, we've sent it up. It's with this unit still for processing, and -- or if they're like, hey, I got this part of your request, do you want me to go ahead and send it out to you now, or do you want to wait until all your other items are completed?
Q. Okay. Does the records unit track the number

of days to complete a response?

A. So it depends if it is a request that doesn't need to go through authorization. Typically with our authorization process, our technician should be checking statuses after a week that they've sent it to the unit that needs to process it or approve it.

And then we do have a system where our PRR Legal that does the redactions on the reports will indicate we've received it, we're working on it, and again, it'll also be noted if it's been sent over to my manager for her approval and then to me.

Q. Okay. And if a records request comes in via e-mail, are you required to respond in a different amount of time than, for example, the web form requests?

A. No. We typically try to respond to it as soon as the technician is either assigned to it or when it's received via web mail.

Q. Okay.

A. If it's received via mail, it takes a little bit longer just because it goes into a different queue than the ones that are on the web mail.

Q. Have you encountered record requests that will sit for, say, a month without response?

A. Not to my knowledge. We usually try -- if

it's been in -- in there and wasn't responded to, it's probably because it was sitting in queue just because we've had other requests that we had to fulfill prior to getting to that one.

Q. Okay. And do you set alerts within the records unit for responding to requests that haven't been addressed yet?

A. No. The only time that we would have that is if the Records Technician 1 -- they'll kind of keep track of our queue for the correspondence, and if they see it's starting to build up, that's when we will send an e-mail out to staff advising that they need to switch. Instead of pulling three correspondence, they now have to pull X amount of correspondence.

And then by that time -- we keep doing that until we've gotten either the date of those requests or at least the day prior to the last request that was received.

Q. So at this point, we'll -- I'll hand Exhibit 2 to the reporter.

MR. HOLGUIN: Is this the verified complaint?

MR. MITCHELL: Yes. It's the verified complaint.

(Deposition Exhibit 2 was marked.)

Q. (BY MR. MITCHELL) So, Ms. Romero, do you

recognize this document?

A. I don't think I ever received this one, but I do believe I was in contact with Sean in reference to it.

Q. Okay. Could I turn your attention to Exhibit 3. It's -- it's a little over halfway through this document, and it's titled: "Demand Letter." Do you recognize this?

A. I want to say I did receive this general order.

Q. So does the piece of the letter saying, "34 days have elapsed with no response," does that -- does that sound accurate to you, if you recall?

A. Not that I recall.

Q. And if you recall, who was assigned the records request from the ACLU of Arizona?

A. From what I remember with this one, it was assigned to Peter Aguilar because at the time we did not have a Records Technician 1 to kind of designate it to.

Q. And Mr. Aguilar, is he a technician?

A. Yes.

Q. Do you recall first responding to this request directly to the requester?

A. I do not remember if I did, and I cannot

recall if he did either.

Q. Okay. And were you overseeing Mr. Aguilar as the records supervisor at the time?

A. No.

Q. Do you recall who was?

A. I was. The records supervisor?

Q. Yes.

A. Yes, I was records supervisor.

Q. Okay. And you have been since May of last year?

A. Yes --

Q. Okay.

A. -- roughly. I can't remember when I actually got promoted to it.

Q. When do you first recall being informed about the records request from the ACLU of Arizona?

A. So I know that -- I believe Peter had gone on vacation, and I think Sean reached out to me advising if he had -- if we had received anything back in reference to it, and that's when it came to my attention of the process for it.

Q. Okay. And Sean is Mr. Holguin?

A. Yes.

Q. Okay. And do you remember about when that was that Mr. Holguin first contacted you?

A. I do not recall the specific dates.

Q. Okay. Do you remember about which month?

A. So if I recall right, I believe we got yours in May, and I want to say probably within the next month we probably -- I was notified about it and asked about it.

Q. And when you were asked, was that to respond to the records request or to review the steps for Mr. Aguilar to take?

A. More of the review to see where it was in processing.

Q. Do you recall about where it was in processing?

A. Um, I want to say I remember looking into it, and there was still some waiting time on the other units that it was sent to. So I know it was sent to, I believe, our internal affairs unit and possibly our training unit, and I think I had sent over the e-mail pull, part of it, because the technicians have to send those to me because I'm the only one that can send it to the -- our IT department to pull.

So I know I was waiting on that as well, but all the other stuff that was in the request, I cannot remember where it was at in standing.

Q. Okay. So is it fair to say some information

was available to provide when you received this request and some other information you were waiting on?

A. So from when I first looked into it after getting the notification from Sean, stuff, I think, was still pending from other units to be processed and given to us for look-over.

Q. And you mentioned priorities among records requests that the units received. Do you recall the request from the ACLU of Arizona receiving a priority level?

A. Not to my knowledge. I know that once I got word from Sean on it I went ahead and pulled it from Peter and started kind of checking the status on everything and kind of put it more under my wing to finish the request.

Q. So do you recall this request asking for communications between sheriff's deputies and federal immigration officials?

A. Yes.

Q. And was this the first records request you recall receiving about those communications?

A. Specifically with that type of verbiage, yes, because typically we get more requests that are specific to an incident that occurred.

Q. Okay. Do you recall receiving requests from

reporters about such communications?

A. Yes.

Q. And from whom -- about when, if you recall, were those?

A. I know we've gotten some that were from the beginning of 2025. I can't recall specifically when because I wasn't a supervisor at that time, but I recall the requester because they are a frequent requester of ours. So I was assisting one of our technicians with processing the request.

Q. Okay. Do you recall which requester you mentioned, the frequent requester?

A. It was John Washington.

Q. Okay. So John Washington is a reporter?

A. I believe so, or a journalist or -- I believe.

Q. Okay.

MR. MITCHELL: So I'm going to hand the reporter -- Exhibit 3, I believe --

THE REPORTER: Yes.

Q. (BY MR. MITCHELL) -- for marking?

(Deposition Exhibit 3 was marked.)

Q. (BY MR. MITCHELL) So, Ms. Romero, do you recognize this exhibit?

A. Yes.

Q. And is this the same John Washington that you believe is a frequent requester?

A. Yes.

Q. Okay. So -- and this is -- does this appear to be a request from Mr. Washington?

A. Yes.

Q. Do you recall overseeing this request?

A. I remember -- the only part I think I had in this one -- I'm trying to remember this one because we had gotten one right before this, I believe, in reference to him too. So I don't want to get them mixed up.

Q. Well, we can set that aside for a second.

A. Okay.

Q. But do you -- do you recall responding to this request?

A. I don't know if I ever responded initially because I probably forwarded it to -- well, actually, no. It looks like it went straight to PIO. I usually respond if it's more of asking questions of what -- if the technician needs more clarification on anything.

Q. Okay. Do you recall whether this request from Mr. Washington was fulfilled by the records unit?

A. To my knowledge, I want to say yes.

Q. Okay. But it sounds like you were not

personally --

A. Yeah, I was --

Q. -- assigned to this?

A. Correct.

Q. And you mentioned PIO. I apologize. What does that stand for?

A. Public information officer. So any media request that we get, we also send them an advisory as well of those requests.

Q. And I think it may be helpful. Why don't we -- I'll pass to the reporter Exhibit 4 for identification.

(Deposition Exhibit 4 was marked.)

Q. (BY MR. MITCHELL) Do you -- do you recognize this document?

A. Yes.

Q. And this appears -- does this appear to be from the same requester as the previous exhibit?

A. Yes.

Q. And this is from late April. Does that look right?

A. Um-hum. Yes.

Q. So do you recall between this request in late April and the earlier request in March whether the records unit fulfilled either of these requests?

A. I don't think it had necessarily been fulfilled because I think it was connecting to a previous request that this requester had submitted.

Q. So, as I read, if I can draw your attention to the bold portion about three-quarters of the way down the page, do you recognize this language?

A. I do.

Q. And where do you believe this language is from?

A. That is probably from the requester themselves.

Q. Were these -- these questions contained in any records, to your knowledge, that the sheriff's department keeps?

A. Not that I am aware just because I was -- never worked, I believe, in records when this whole Stonegarden stuff was going on, so I wouldn't even know who would actually process that information. I didn't come across it until I became a supervisor and learned of this request and how it was fulfilled on a secondary request that was submitted before by this requester.

Q. Okay. All right. If I draw your attention right below the bolded portion --

A. Uh-hum.

Q. -- it appears to read, "According to every

single memo I was given for my previous requests."

Do you recall if Mr. Washington received any documents between the late March request and this follow-up e-mail?

A. I don't know of all of the records he was given as, again, I wasn't in the supervisor spot at that time when this request was originally done, so I didn't become known of it until after, starting to kind of reprocess this part for him.

Q. So it sounds like he may have received some documents, but you do not recall fulfilling the request?

A. Correct.

Q. Okay. Who was the records supervisor at the -- in March 2025?

A. It would have been Amber Goldsworthy, and it's a hit or miss of when the dates are because I think I started like end of March or beginning of April. I can't remember the time frame of that.

Q. Okay. So turning back to the ACLU of Arizona's requests, if I recall correctly, you said Mr. Aguilar was assigned?

A. Yes.

Q. And there were requests Mr. Aguilar made to other departments?

A. Yes.

Q. And you were a records supervisor at this time, correct?

A. Yes. Correct.

Q. And do you recall how long from when the sheriff's department first received this request Mr. Aguilar had sent out those requests to other units?

A. I'm not sure specifically, but I want to say it did take him about two weeks or so.

Q. And do you recall the time frame that Mr. Aguilar had requested records from?

A. So usually when they are assigned the correspondence, typically that same day is when they should make notification if it needs to go to any other units for processing.

Q. Do you recall any confusion arising from the window of time that the ACLU of Arizona request -- asked for records?

A. Not to my knowledge, no.

Q. Okay. When you had first been made aware of the ACLU of Arizona's request, do you recall reading the request language?

A. When I first saw it, I remember just briefly skimming through it, and I believe I advised Peter that the communications part, because it's in reference to

more of e-mails, would go to me for processing through to IT. But other than that, I didn't look at any other language in reference to the request.

Q. Okay. And do you recall -- well, so to confirm, you did -- you did -- you do recall receiving or reading this --

A. Uh-hum.

Q. -- demand letter as well from the requester?

A. Yes.

Q. Okay. And once receiving the demand letter, what do you recall doing in response?

A. I think this is when I had pulled it from Peter because I believe he was on vacation at the time. And then I just kind of went ahead, read through his notations and seeing where he sent it to and also conversed with Sean Holguin of where in the process the request was.

Q. So to state the obvious, this request turned into a lawsuit. Do you recall being informed about the -- the lawsuit that the ACLU of Arizona filed regarding this request?

A. Yes.

Q. And about when was that?

A. Oh, I honestly cannot remember specifically.

Q. If you were just to look at the first page of

Exhibit 2 here, this has a file date of July 21, 2025. Does that sound accurate?

A. It could be, yes.

Q. Okay. And so once the lawsuit was filed, what do you recall the next steps that -- that you took in response?

A. I believe with that I did converse with Sean Holguin to kind of get a scenario because I do know it was also in conjunction with communication, so I didn't know what documents they were going to be providing. But I kind of went more off of their documents and what was in the letter itself and tried doing what I could do on the records end to fulfill anything on that part of the request.

Q. Do you recall responding to the ACLU of Arizona at any time before this lawsuit was filed?

A. I remember brief communications. I believe it was with you, Mr. Mitchell, just kind of advising that we were working on it and what I at the time may have had. But other than that, I don't recall anything further.

MR. MITCHELL: So we'll go off the record.

(Recess taken from 11:02 a.m. to 11:14 a.m.)

Q. (BY MR. MITCHELL) So, Ms. Romero, we'll turn now to the policies that -- that apply to the records

unit --

A. Okay.

Q. -- as we understand them and to get your understanding.

A. Okay.

Q. So as the records supervisor, are you familiar with all the sheriff's department rules and regulations?

A. For the most part, yes.

Q. How about the ones that apply to the records department?

A. Yes.

Q. And does the records unit keep some record of the rules and regulations that apply to it?

A. Mostly we keep it on our portal that we have on our desktops.

Q. Is -- and is that separate from the rules and regulations posted publicly?

A. Yes.

Q. Okay. And who's responsible for maintaining that?

A. So mostly it would be myself and my records manager, which is Dawn Gardener.

Q. And is there a process for updating that?

A. Typically the majority of the time when we

have to update is after an audit is done and we need to update anything within. Other than that, it kind of gets updated as new things progress. Other than that, if nothing needs changing, we don't update it.

Q. So if I could turn our attention to Exhibit 2, that's the big packet here. And just about halfway through, if you see Exhibit A, the following pages in the bottom right-hand corner should read 10-26. Are we there?

A. (The deponent nodded head.)

Q. Do you recognize this piece of the exhibit?

A. Yes.

Q. And what do you recognize it as?

A. More of a general order for the department.

Q. So when you say "more of a general order," is that distinct from the policies that the department follows?

A. More in reference to the records department, yes. This is more towards the commission stuff.

Q. So if you could turn to page -- two pages after the bottom right-hand reads "10-28." And letter G reads that request for assistance from federal immigration authorities shall be made via the department's communication section.

A. Uh-hum.

Q. Is that a -- is that piece of the general order a policy to be followed?

A. To my knowledge, I would assume so, but it's not towards the records unit.

Q. Okay. So the communications section is separate from the records unit?

A. Yes.

Q. So in reference to number 1 when it says, "Communications shall track department requests for federal immigration authority assistance or response," and then Bullet 2, "The communications section manager shall complete a monthly synopsis," those are outside the records unit?

A. Correct.

Q. Are you familiar with the records that are produced in response to these numbers?

A. That would only be whatever we receive from communications to provide.

Q. And do you recall ever seeing records that correspond with these?

A. Once we started getting more information from communications in reference to it, yes.

Q. And what do you recall were the records that were produced?

A. So it was documentation showing incidents to

where Border Patrol was called by COMM for either assistance or for -- to transfer a call over.

Q. Sorry. One moment here.

(Pause in the proceedings.)

Q. (BY MR. MITCHELL) So for the records, in response to these numbers, what is the process for the records unit to receive them?

A. So dependent on what's being requested from a request, if it is more specific to an incident, a lot of times our communication with the communication unit is going to be in reference to any 911 audios, CAD calls, whatever they can produce on their end in reference to an incident.

When it comes to certain topics at hand that they need information in relation to fulfill a request, we try to give them as much detail as possible for them to run on their end to produce the documents.

Q. And I'm sorry. You mentioned CAD calls. Is that an acronym?

A. Yeah. It's --

THE DEPONENT: Do you recall what that's called?

A. It's like a transcription of the information the dispatcher receives.

Q. (BY MR. MITCHELL) Okay. Is --

A. I just can't remember what it's called.

Q. Is it computer-automated dispatch? Does that sound right?

A. Possibly.

MR. HOLGUIN: Maybe computer assisted. I don't know. I don't want to guess.

A. We just go by CAD.

Q. (BY MR. MITCHELL) Fair enough. So unless a records request specifically requests these communications, the records unit doesn't house them in any way?

A. Correct.

Q. Okay. And, likewise, is there any audit function that the records unit performs around what -- what records might exist?

A. We stick more towards just our internal system that we utilize. Anything else, we don't typically hold within our unit. So like anything, like, say COMM related would be with them.

Q. Okay. And does the records unit maintain disciplinary records of deputies?

A. No. We request those from our personnel unit.

Q. Okay. And do those records, to your knowledge, list specific policy violations in the -- in

the records?

A. I would assume so. Those would probably be more towards internal affairs too depending on what type of disciplinary it is.

Q. Okay. So in this same -- on this same page, number 3 saying, "Unless absolutely necessary, requests for federal immigration authorities shall not be made by personal or department-issued cell phones," it sounds like the records unit does not track any violations, if they exist, of -- of a policy like that?

A. Correct.

Q. Okay. And if a policy violation did occur, it would be documented -- sorry -- in a separate unit?

A. Yeah. So depending on what type of disciplinary -- disciplinary it is and how long ago it occurred, either it's going to be in the person's personnel file or it's going to be within the internal affairs unit where they will go ahead and process it and give us the documentation needed.

Q. Okay. So if it were requested --

A. Uh-hum.

Q. -- the records unit would go to which department?

A. So we would route it depending -- so it would either go personnel unit or the internal affairs unit.

Q. Okay. And do you recall ever searching for -- for violations of this provision?

A. Myself, no.

Q. So can you explain the distinction between a general order and a department policy?

A. So the general order usually leans towards more the commission staff. Very rarely does it affect the records unit. The only time I think I have seen it affect us is when a -- like a senate bill has been proposed to where it will get put into that general order -- we kind of call it announcements that they send to us.

Other than that, the policies and procedures for the sheriff's department, we don't really get notifications, again, unless it reflects within the records unit.

Q. Okay. And for a policy change to occur, does that happen only through general orders or are there other mechanisms?

A. That, I don't know.

Q. So do you -- have you ever received verbal directives, rather than written ones, that -- that deviate from written policy?

A. Only when it pertains to a specific incident. Other than that, if we do receive it, it will be from

our captain.

Q. Okay. And do such verbal directives get memorialized?

A. I want to say yes, and if it does, it will probably become more of a thing that will be put into, like, our notes for our records unit to kind of follow.

Q. Okay. So as you -- as the records unit is responsible for requesting and providing records such as this, these monthly summaries, do you recall any -- do you recall when -- do you recall if the -- if the records unit has any -- received monthly synopses up to a certain point in time?

A. In reference to the communications?

Q. Yes.

A. No, not that I recall. We kind of keep ourselves separate from the other units.

Q. Sure. All right. So in response to the ACLU of Arizona's records request, do you recall around what time frame these monthly synopses were -- were produced?

A. I want to say that was probably coming from the July part of the request. I remember it wasn't, like, immediately from the initial request produced.

Q. Okay.

A. I didn't even know what those were until I

actually looked at one.

Q. So as -- as the records supervisor, are you familiar with the process that occurs when a -- a 911 call is received?

A. Not really, no.

Q. Okay. And, likewise, are you familiar with the records that are maintained for those calls that come in?

A. No. Aside from, like, 911 audios, I don't really know what else they keep.

MR. MITCHELL: Okay. All right. We can go off the record.

(Recess taken from 11:33 a.m. to 11:41 a.m.)

Q. (BY MR. MITCHELL) So, Ms. Romero, I'll hand to our reporter an exhibit to be marked as number 5.

(Deposition Exhibit 5 was marked.)

Q. (BY MR. MITCHELL) Do you recognize this document?

A. Yes.

Q. And how do you recognize it?

A. Just from reading through what I've read through so far.

Q. So it appears to be an e-mail from yourself to John Mitchell. Do you recall sending this e-mail to ACLU of Arizona?

A. Very briefly. I don't remember what entailed within the attachments of it.

Q. Okay. Under the attachments line, it reads, "John Washington, REQ, and John Washington request 4-30-25." Does that look right?

A. Yes.

Q. Okay. And referring back to -- I'm sorry -- the exhibits --

THE REPORTER: 3 and 4.

Q. (BY MR. MITCHELL) -- 3 and 4, do these appear to be the request that you had attached, if you recall?

A. I believe so. The request part, I'm not a hundred percent certain which one that would have been, but the 4-30 I believe reflects on this one.

Q. And in Exhibit 5, the single page here, which reads, "Attached are the two requests received, which correspond with number 11 of your request," is that language -- do you recognize that language?

A. I do, yes.

Q. And what is that from?

A. The -- are you talking about the attached part or the copies of any complaints?

Q. The copies of any complaints.

A. Okay. That is from the request received from

the ACLU requests.

Q. Okay. And so when do you recall sending those to the ACLU of Arizona?

A. That probably wouldn't have been until maybe July of 2025 or 2026 -- no. We're not in July of 2026 -- 2025.

Q. Okay. The date I see on the top here is September 25, 2025. Does that appear accurate?

A. Possibly.

Q. Okay.

A. Yeah.

Q. So it seems possible that these requests sent as attachments --

A. Uh-hum.

Q. -- were produced in September?

A. September, correct.

MR. MITCHELL: That is all the questions we have for Ms. Romero, so over to Mr. Holguin.

EXAMINATION

BY MR. HOLGUIN:

Q. Okay. You were describing basically the duties or the function of the records unit earlier, and from what I remember, you pretty much focused on responding to public requests.

Are there any other -- what other duties or

what other functions are performed by the folks in the records unit?

A. So we process any public records requests, any law enforcement requests, and law enforcement, we kind of house that with a lot of other agencies. We just refer to them as law enforcement because they pretty much get the same formatting of documents.

But that could be, again, Department of Child Safety, county attorneys, internal requests in general from the sheriff's department that they may need.

Q. Let me stop you there.

So -- but what I'm getting at -- and I don't know the answers -- other than releasing or providing records, are there other -- I mean, do you -- do you -- what am I trying to say?

Do you have other -- do the records unit perform other functions as far as creating records, inputting data, managing records other than in the context of providing them to other people, be it within the department or outside?

A. Yeah, so we also file any documents pertaining to specific incidences, whether that be Arizona crash reports, fingerprint, paperwork from the courts. We do stats for school purposes, people that are doing just statistical things in general. We do

the NIBRS UCR functions within our unit. A lot. I'm trying to think of everything we do.

Q. Let me -- let me -- rather than make you do all that, can you give us a rough estimate of, you know, percentagewise how much of the unit's work is dedicated to producing records upon request as opposed to these -- these other responsibilities that you've just described?

A. It depends on how many requests are received on both ends. So public records requests, you know, again, we receive on average daily. We could receive more than 30 on average. And other requests that we are also fulfilling, we can reach up to well over a hundred a day.

So depending on our workload, it could change to where it's more 80 percent fulfilling all those other tasks and the other 20 percent doing correspondence. Or it could flip-flop, and it's also dependent on technicians itself.

Q. Okay. So hard to tell?

A. Yeah, really hard to tell.

Q. All right. And now in addition to requests from the public, law enforcement agencies, interdepartment requests, et cetera, do you also -- are you also required to produce documents in response to

subpoenas?

A. Yes.

Q. And do you have -- can you give us an estimate based on your knowledge of how many subpoenas you receive in a -- in, say, a week, a day, whatever you can come up with?

A. So I know mostly on monthly average we are always receiving subpoenas more towards the beginning of the month. And I want to say on average weekly we can usually hit maybe four or five.

Q. Okay.

A. Yeah.

Q. You talk about prioritizing the public requests, and you gave us some examples. So assuming that a request does not fall into one of those priority categories -- law enforcement, background, government -- how do you -- how do you decide which one -- which one gets handled first? Is there a --

A. Sorry.

Q. Is there a standard rule or is it first come, first serve or do you --

A. We kind of go by first come, first serve. We do put them in queue in the order in which we receive the request, whether that be from counter mail or the web mail. And we always put them in the same -- well,

not the same, but in an order from the time we receive it.

So typically with our web mail, we check it twice daily, first in the morning and then later on in the afternoon. Same with the e-mail correspondence, first in the morning, then later in the afternoon. And those get put into queue.

If they are received at the counter, it's up to the technician at that time to process that request when they receive it at the counter.

Q. You also mentioned when you have to -- when a request comes in for documents that are maintained by other sections of the department, that you somehow notify those other -- those other sections, units, whatever you want to call them and then they quote, process the documents, unquote.

What do you mean by "process"?

A. So they pull whatever documentation it's going to be in relation to what's being requested, whether it be one page or -- we've seen it to where it's been a whole commission staff personnel file, many, many pages.

They go ahead, produce those documents, and then they route it dependent on who it needs to go to next, which, again, depending on what the file is,

either it goes to Sean Holguin or it goes to our PRR Legal for redactions.

Q. So is it fair to say that when you refer to processing documents by those other sections, that's simply then making copies, pulling their -- pulling the records that are housed in their units?

A. Correct.

Q. Okay. And you also refer to kind of certain records that have to go through an authorization process. I'm trying to think of the most concise way of getting to that answer here.

Well, could you tell us what types of records do not have to go through the authorization process?

A. Yeah. So any civil contacts that are made with the deputies and any public people, anything that doesn't involve arrests, fatalities. Unfortunately, sexual assault crimes would go through a different process. Anything that doesn't really entail a high criminal offense will typically be something that we can just produce and pull in the records unit.

Q. Okay. And for anything that does involve a higher criminal offense, what is that authorization process? I think you've kind of referred to it a little bit about supervisors and CID units, but could you kind of elaborate a little bit more specifically

about what that -- what that entails?

A. Yes. So, again, depending on what the CID unit that it's assigned to -- so we'll use homicide for example. It's a death case. Anything that is being requested within that request for that specific homicide case gets routed to homicide for the sergeant to approve all of the items that are being requested, whether it be the report, the 911 call, photos, anything like that.

Then we determine -- prior to sending a routing slip, if it, say, has a 911 call, we route it to the sergeant of homicide. Then it gets routed to the communications section for them to produce the audio. Then it goes to the PRR Legal to do redactions, then to records manager, records supervisor and then the processing technician.

Q. And for a request such as the one that was received by the ACLU that's at the issue -- the issue of this lawsuit, of this case, that really didn't involve -- it doesn't at least on its face appear to involve any particular crimes. Is that one that required authorization?

A. Yes, to the extent that it had to be pulled from another unit besides records. So for like the internal discipline, any disciplinary paperwork would

have to be sent and routed to either personnel or internal affairs depending on where it fits within that criteria.

Q. Now, with respect to the request received from the ACLU, do you recall whether there was any -- I hesitate to use the word "confusion," but whether -- let's just use confusion, whether there was any confusion regarding the particular date range that -- that records were searched for? If that makes sense. If not, let me know.

A. From when I first initially pulled it from Peter, I wasn't sure of exactly what was being produced on what he had sent out and general order, that was the first time I really ever heard about it within the unit because, again, it doesn't really reflect records that often. So I didn't know date ranges of what was being requested besides it being the general order of -- I think it was like 025, so I thought it was just for 2025 in general.

But other than that, I mean, date ranges, I wasn't really sure what was going on with it until speaking further and what was being processed on other units ends.

Q. So at some point, subsequent to receiving that original request, was it determined that the ACLU

was actually asking for records from sometime in, I believe, 2021?

A. After getting the responses back from communications and seeing that it went more to the extent of being more than just 2025, that's when I realized there was more dates involved.

Q. And then after realizing that, did you request that additional records to cover that expanded date range be -- be produced?

A. Yes, and I think we did receive also confirmation from the requester that they wanted it from specific time frames.

MR. HOLGUIN: Okay.

MR. RUBEN: I don't think there's anything to add for me.

MR. HOLGUIN: That's all we have.

MR. EMERSON MCCORMICK: I don't have any follow-up.

MR. MITCHELL: All right. We'll go off the record.

THE REPORTER: Do you want to do read and sign or waive?

MR. HOLGUIN: We'll waive.

(The proceedings concluded at 11:57 a.m.)

CERTIFICATE OF REPORTERS

STATE OF ARIZONA)
) ss.
CITY AND COUNTY OF PIMA)

I, RICHAEL M. SILVIA, Registered Merit Reporter, Certified Realtime Reporter, and Certified Reporter in the State of Arizona, do hereby certify that the foregoing deposition was taken before me in the County of Pima, State of Arizona; that an oath or affirmation was duly administered by me to the witness, DESIREE ROMERO, pursuant to A.R.S. 41-324(B); that the questions propounded to the witness and the answers of the witness thereto were taken down by me in shorthand and thereafter reduced to typewriting; that the transcript is a full, true and accurate record of the proceeding, all done to the best of my skill and ability; that the preparation, production and distribution of the transcript and copies of the transcript comply with the Arizona Revised Statutes and in ACJA 7-206(F)(3); ACJA 7-206 J(1)(g)(1) and (2); and ACJA 7-206 J(3)(b).

The witness herein, DESIREE ROMERO, waived review and signature.

I FURTHER CERTIFY that I am in no way related to any of the parties nor am I in any way interested in the outcome hereof.

IN WITNESS WHEREOF, I have set my hand in my office in the County of Pima, State of Arizona, this 12th day of March 2026.

Richael Silva

Richael M. Silvia, RMR, CRR, CRCR
Arizona CR No. 51017

I Certify that Colville & Dippel, LLC, has complied with the ethical obligations set forth in ACJA 7-206(J)(1)(g)(1) through (6).

Brent T. Denkinger

COLVILLE & DIPPEL, LLC, RRF No. 1129

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Brief Exhibit 11

In the Matter of:

AMERICAN CIVIL LIBERTIES UNION OF ARIZONA vs NANOS

Transcript of:

JOSHUA NICHOLAS

March 10, 2026

Colville & Dippel LLC
1309 E Broadway Blvd
Tucson, AZ 85719
O 520.884.9041
F 520.623.1681
ArizonaDepos.com

SUPERIOR COURT FOR THE STATE OF ARIZONA

IN AND FOR THE COUNTY OF PIMA

AMERICAN CIVIL LIBERTIES UNION OF ARIZONA, Plaintiff, v. CHRIS NANOS, in his official capacity as the duly elected Sheriff of Pima County, Defendant.	)	Case No. C20254935

DEPOSITION OF

JOSHUA NICHOLAS

March 10, 2026
12:08 p.m.

One South Church Avenue, Suite 2000
Tucson, Arizona

REPORTED BY: RICHAEL M. SILVIA, RMR, CRR, CRCR
Arizona CR No. 51017
New Mexico CR No. 554

COLVILLE & DIPPEL, LLC
1309 East Broadway Boulevard
Tucson, Arizona 85719-5824
ArizonaDepos.com
Arizona RRF No. R1129

The deposition of JOSHUA NICHOLAS, noticed by Plaintiff, was taken on March 10, 2026, from 12:08 p.m. to 1:34 p.m., at Womble Bond Dickinson, One South Church Avenue, Suite 2000, Tucson, Arizona, before Richael M. Silvia, Registered Merit Reporter, Certified Realtime Reporter, Colorado Realtime Certified Reporter and Arizona Certified Reporter No. 51017.

APPEARANCES OF COUNSEL

For the Plaintiff:

AMERICAN CIVIL LIBERTIES UNION
FOUNDATION OF ARIZONA
BY: JOHN M. MITCHELL, ESQ.
P.O. Box 17148
Phoenix, Arizona 85011
(602) 650-1854
jmitchell@acluaz.org

~and~

WOMBLE BOND DICKINSON (US) LLP
BY: PATRICK EMERSON MCCORMICK, ESQ.
One South Church Avenue
Suite 2000
Tucson, Arizona 85701
(520) 629-4455
patrick.e.mccormick@wbd-us.com

For the Defendant:

PIMA COUNTY ATTORNEY'S OFFICE
BY: SEAN HOLGUIN, DEPUTY COUNTY
ATTORNEY - CIVIL DIVISION
32 North Stone Avenue
Tucson, Arizona 85701
(520) 351-4712
sean.holguin@pcao.pima.gov

Also Present: None.

I N D E X

PAGE

EXAMINATION OF JOSHUA NICHOLAS:
March 10, 2026

By Mr. Mitchell: 5, 51
By Mr. Holguin: 42, 56
By Mr. Emerson McCormick: --

DEPOSITION EXHIBITS INITIAL REFERENCE
(None.)

PREVIOUSLY MARKED DEPOSITION EXHIBITS: INITIAL REFERENCE

Exhibit 1 Notice of Deposition of 30(b)(6) Defendant Chris Nanos (Amended Date/Time), 02/26/2026 7

Exhibit 2 Verified Complaint for Special Action and Injunctive Relief, 07/21/2025 21

INFORMATION REQUESTED:
(None.)

QUESTIONS INSTRUCTED NOT TO ANSWER:
(None.)

The following proceedings were taken pursuant to the Arizona Rules of Civil Procedure.

JOSHUA NICHOLAS,

having been first duly sworn to state the whole truth, testified as follows:

EXAMINATION

BY MR. MITCHELL:

Q. Sir, thank you for coming today.

Could you state your full name, please.

A. Joshua Nicholas.

Q. And, Mr. Nicholas, have you testified in a deposition before?

A. No.

Q. You understand you're under oath to answer fully and truthfully?

A. Yes.

Q. So we'll -- just a couple of ground rules to start. Please ask me to repeat or clarify a question if needed.

If you can think of any response you gave that wasn't accurate or complete, just bring it to our attention. We'll provide you with an opportunity to make additions or corrections as needed.

A. (The deponent nodded head.)

Q. Breaks, we -- if you need a break at any time

that one isn't suggested, just let us know. We'll take one at the next opportunity. All we ask is if there's an outstanding question to you, that you answer it before we break.

A. (The deponent nodded head.)

Q. As you know, we have a reporter here generating a transcript, so please answer verbally, rather than gestures or nods or sounds that aren't words.

A. Okay.

Q. Our reporter can only record one person at a time, so please wait for me to ask the question or from other counsel before responding, and likewise, we will wait for you to finish responding before asking the next question.

Does that sound good?

A. Sounds good.

Q. At some point, your counsel may make objections to my questions, so once he has finished an objection, please proceed to answer unless you've been instructed specifically not to do so and you intend to follow that instruction.

Does that sound good?

A. Yes.

Q. And is there any reason you believe you

cannot testify fully and truthfully today?

A. No.

Q. So our purpose today is to understand the operations of the Pima County Sheriff's Department communications section as it relates to this lawsuit. Do you have any questions or requests before we begin?

A. No.

Q. So we'll start with Exhibit 1, and this is the notice of deposition that the reporter has placed in front of you. Have you seen this notice before?

A. Yes, I believe so. I looked at this the other day.

Q. Okay. And have you reviewed the topics listed in the notice?

A. Yeah, a little bit.

Q. Okay. The sheriff's department has designated you as the witness to testify on its behalf on the topics contained in the deposition notice. Are you prepared to testify on those?

A. Yes.

Q. Did you look at any documents to prepare for today, aside from the notice?

A. Yes.

Q. And what -- which documents did you review?

A. Well, I was involved in the initial giving

out of these documents when they were requested. I'm not quite sure exactly when. Sometime in, I think, January of 2025, we were starting this process. I'd been involved in it -- I'm kind of the records keeper for a lot of the data that comes out of communications, so any time we get requests, I'm involved in that. So I was involved in the initial stuff.

So I rereviewed the reports that we had sent out at that time, and I spoke with my boss, Cecilia Ochoa, a couple of times over this last week. And I spoke to my -- to Sean here a little bit yesterday just to kind of get an idea of what this was.

Q. Sure. So in the documents you had reviewed in preparation, to your knowledge, have those items all been produced in this lawsuit?

A. Yes.

Q. Any items, to your knowledge, that haven't been produced?

A. No.

Q. You mentioned speaking to your counsel as well as Ms. Ochoa, your --

A. Uh-hum. My immediate supervisor.

Q. Okay.

A. She's the manager of all of communications. I'm just a supervisor there.

Q. And you -- can you describe the conversation you had with Ms. Ochoa about the deposition?

A. She was contacted by Sean, I believe, two days ago just saying that this was happening, and I happened to be there at that time. It was either going to be me or the other person who had my job before, and she -- voluntold me to come into the office and explain that this was happening and what it was regarding to.

I was already somewhat familiar with this. Like I said, I had been involved in the initial gathering of this data back when it was initially requested, and -- and she just said, you know, be here, go talk to Sean, and he'll give you an explanation of how this works. She didn't really know either. I don't think she's ever had to do one.

Q. Sure. So anything else you had reviewed in preparation for the deposition, to your knowledge?

A. No.

Q. And if you could, approximate how much time you spent preparing to give testimony today?

A. I think we talked for about a couple hours, maybe two hours yesterday and then maybe another hour or two on top of that.

Q. Okay. So, finally, if during the deposition you think of any materials that might help you provide

accurate and complete testimony, just please advise.

A. Okay.

Q. And you can let us know now or when that comes up, if it comes up.

A. Okay.

Q. So what is your job title?

A. I am a 911 Dispatch Supervisor 1, and I am in -- currently in a specialty role as administrative supervisor.

Q. And for how long have you been in your current role?

A. I have been a supervisor at communications for just over five years, and I have been in the administrative role for probably two and a half years-ish.

Q. And you mentioned that's a specialty role. What's the significance of that?

A. Normally, when you're a supervisor, you are a supervisor to the floor where we answer 911 calls and dispatch deputies and other miscellaneous units.

I am not on the floor anymore. I am in kind of the back offices. I handle, like, the hiring processes, scheduling of the staff for their shifts, miscellaneous data collection that we deal with in the center and just kind of any other random

non-floor-related jobs.

Q. Okay. And how long -- sorry.

Your current employer is --

A. The sheriff's.

Q. -- for the record?

A. Yes. The sheriff's department.

Q. The Pima County Sheriff's Department?

A. Yes. Sorry.

Q. And how long in total have you worked for the sheriff's department?

A. 11 years and a couple of months. September 2014 is when I started.

Q. So before your current title, what was your title before then?

A. Back then it was called just 911 dispatcher.

Q. And for how long were you in that role?

A. 5 1/2-ish years.

Q. Were you in any roles in the sheriff's department prior to that?

A. No. This was my first job with the sheriff's department.

Q. So 911 dispatcher prior to your current role?

A. Yes.

Q. So you mentioned being involved in the production of records --

A. Yes.

Q. -- related to this lawsuit?

All right. And when do you recall beginning to take part in that process?

A. I believe it was a little over a year ago. Sometime around January 2025, we -- or it might have been a little bit before that. I can't quite remember. But I was -- I think it was somewhere around the beginning of 2025.

Q. Okay. And what -- what do you recall being involved in around that time?

A. So my boss doesn't necessarily know where all of the data is, so she asks me to produce some things sometimes, and I believe she asked me to -- if we still had these files.

Q. And which files, if you recall, were you -- was your boss referencing?

A. The requests for Border Patrol or BORSTAR.

Q. And what did you -- what were you able to find, if you recall, as responsive to those requests?

A. I knew that we had had a -- we maintained an Excel sheet of all the requests that we get from the public or from someone calling in. I knew that we still had the spreadsheets.

I was at that time also in the process of

kind of cleaning out our large, like, bloated system of files, and that was one of the things that I was trying to start the process of phasing out, but I knew we still had them. I generally -- if I feel like something might be used, I don't always necessarily delete it, and I still -- I knew we still had that.

I knew we still had some older summary reports of that same data. I had not done those during the time that I had been in this position, but I knew we still had some older ones from before my time. And I just found everything that I could find and pass that along.

I had still been maintaining that Excel sheet month to month.

Q. Okay. And when -- are you still maintaining that month-to-month sheet --

A. No.

Q. -- currently?

A. No. We stopped somewhere around in the January-ish area of 2025.

Q. 2025?

A. Yeah.

Q. Okay. And do you recall why you had stopped?

A. Yeah. So just to take it a little bit prior to that, I took this job over, I think, 2023, mid-2023

1 from my predecessor, Amanda. She trained me on those
2 summary reports, which are the -- basically, just the,
3 like, consolidation of that same data to make it look
4 pretty for someone to look at. She trained me how to
5 do that.
6 She said that no one had asked for them in a
7 while but just, you know, you might need to make these
8 at some point.
9 I opted to not make them until somebody asked
10 for them.
11 So what was the original question there?
12 Q. Why you had stopped creating the reports.
13 A. Right. So after that, time had gone by. I
14 kept keeping it -- you know, keeping the data clean.
15 I'd go in there and, like -- my -- kind of my main role
16 is to just make sure the data makes sense, that there's
17 no, like, duplicate entries and stuff. It's all been
18 entered by the staff on the floor, so there's
19 tendencies for mistakes to be made, and I go back in
20 and do a little research and make sure everything looks
21 accurate.
22 By the time 2025 rolled around, I was kind of
23 deep into the purging and getting rid of just old
24 archived files that we had on our folder and stuff.
25 Our IT was trying to move away from, like, a central

network of information and more towards, like, a share drive system, and part of that was, you need to get rid of a lot of this data. It's taking up a bunch of space.

So I was purging stuff. This just seemed like -- when January rolled around, this seemed like information that nobody had asked for in the entire time that I have been here, and it sounded like it hadn't been asked in the entire time of my predecessor. So it just kind of prompted a why are we still gathering this. It felt unnecessary.

So I asked my boss, and she did whatever she did. My understanding is she went up her chain of command and asked about it, and I believe that set in motion what eventually led to the -- the policy changes, but at that point, we didn't really feel that we needed to keep it anymore, so we just stopped.

Q. Okay. So it sounds like you're familiar with the monthly summary reports --

A. Yes.

Q. -- that were produced?

A. I understand what they are.

Q. And do you recall reviewing the substance of those summaries?

A. A little bit. They're -- they don't -- they

don't have any new information with them. They are just a way to make it easier for a person to look at that's not an Excel sheet. They don't possess anything different.

Q. Okay. So to clarify, these are simply consolidated summaries of reports that already exist elsewhere?

A. Yeah. The Excel sheet is the data. The summary report piece of information is just a way to make it look pretty --

Q. Okay.

A. -- make it a little more digestible.

Q. And you mentioned when you took the job over from your predecessor -- I'm sorry. You mentioned her name was Amanda?

A. Amanda Rosano, yeah.

Q. Sorry. The last name?

A. Rosano, R-o-s-a-n-o.

Q. And to your recollection, Ms. Rosano was creating these monthly summaries?

A. Yes.

Q. Okay. And you had mentioned that Ms. Rosano instructed you how to make the summaries; is that right?

A. Yeah, that or told me when the time came if

someone asks for this, to go get her and she would show me how to make them.

Q. And did that ever occur? Did she --

A. No.

Q. -- eventually show you?

A. Nope, she didn't.

Q. And did she indicate to you how long the process would take to create a monthly summary report?

A. No. But maybe I want to clarify that a little bit. No, but I think she -- it didn't seem like it was a very difficult task that if we needed to do a bunch of them retroactively, we could probably knock it out in a short period of time.

Q. And so do you recall creating any of these summary reports once you had assumed your current role?

A. No, I never made any of them.

Q. Okay. Are you familiar with any monthly summaries existing from mid-2023 forward?

A. No.

Q. So when you had -- when you had mentioned phasing out these monthly summary reports that your direct report had gone up the chain to do, when -- approximately when was that?

A. So just to clarify there, the summary reports is the -- making the data pretty. I had never done

1 that. The stopping of the actual gathering of the
2 data, somewhere around January 2025 is when that
3 process started.
4 Q. Okay. And were you involved in that
5 gathering of the data that would result in the Excel
6 spreadsheet?
7 A. Yes and no. I don't really work on the floor
8 anymore. Anybody who's answering 911 calls has the
9 capacity to answer a call that would qualify to move on
10 to that spreadsheet.
11 So in some small instances, I go out on the
12 floor to help when our staffing is low or something
13 like that, so there may have been times where I
14 contributed to that spreadsheet. But, generally, no.
15 I am just the, like, organizer and the maintainer of
16 that data.
17 Q. Okay. And you mentioned that it was because
18 of the lack of request for the spreadsheets that
19 your -- that your boss had determined to -- to cease
20 creating them?
21 A. Yes. The sheriff's department has a tendency
22 to kind of have like -- communications, especially.
23 Like, sometimes we get asked to do something, and we
24 just keep doing it until someone tells us to not do it.
25 So I was trying to just -- you know, that's

kind of my job is to clean stuff up, and so I was trying to make sure that we didn't need to do that anymore.

Q. Okay. And to your knowledge, was there any directive from -- from above your -- your direct boss to cease these -- collection of this data?

A. Prior to me suggesting it?

Q. Yes.

A. No. My understanding -- I was told later on that this was something that started around 2020, and nobody had said anything after that point.

Q. So could you walk us through the creation of the Excel spreadsheet --

A. Sure.

Q. -- not just the monthly summary reports, but what's involved from gathering incidents from the -- the floor, as you put it --

A. Okay.

Q. -- into the Excel spreadsheet? What does that look like?

A. So it has pretty much been in place since I have been a supervisor, which was right around that 2021 time. Basically, what happens is if somebody answers a call or takes a 911 call -- an example here would be somebody calling from a rural desert area and

are asking for help.

If we identify that call to be somebody who is going to need some sort of search-and-rescue assistance from that area, we use -- take advantage of the BORSTAR services that are in that area. They are Border Patrol's, like, search and rescue team.

We take their information. We have a bit of a process where we try to hang on the line with the BORSTAR people because they are all capable of speaking Spanish. We try to get a name of this person. Our 911 system is capable of sometimes getting their location. It's a little iffy sometimes with these callers because of where they are, their locations. But we get their -- we try to -- we get their phone number from our system. We loosely get their location. We try to get their name if we can, and we have a time stamp essentially of when this call has come in.

We take that information. We put it into the spreadsheet on a monthly basis. The caller or dispatcher is putting it in immediately, and then we have, like, just tabs for each month.

And then that information is turned into a call for our search and rescue team to look at because my understanding is that we act as basically a net for any of these calls that aren't going to be helped

otherwise, if there's some logistical or resource reason why.

So our search and rescue people follow up with our call that we put in, usually a couple hours later, and that's as far as I know what happens to it. And then I'm assuming they see if something was done or not, and then it just sits in that spreadsheet.

Q. So you mentioned calls to BORSTAR. Are there other incidents contained in those spreadsheets, to your knowledge?

A. Yeah. There should be some other types of calls. It would be -- it's supposed to be any request made. Like, if somebody is calling us and we're asking Border Patrol to do something.

Q. Okay.

A. And that's generally -- the public is asking us to do something that Border Patrol needs to do.

Q. And so if I could direct your attention to Exhibit 2. It's the larger packet here.

A. Okay.

Q. And we'll go to -- it's titled Exhibit A, just about halfway through the large packet.

A. Okay.

Q. Yes. So do you recognize this piece of the document?

A. Somewhat, yeah.

Q. Okay. If I could have you turn two pages, and on the bottom right hand, it should say, page 10-28. Section G says, "Requests for assistance from federal immigration authorities shall be made via the department's communication section."

A. Yes.

Q. So is that, to your knowledge, the information that communications attempts to capture --

A. No.

Q. -- in the -- no, it's not?

A. No.

Q. Okay. What -- what is that referring to then?

A. So the Excel sheet is generally when we are getting a call from the public, so a person crossing the desert or someone saying that they saw a bunch of people and they happen to live in that area. Nine times out of ten, if not more, it's someone crossing, someone crossing the desert asking us for help. That's coming from an outside source.

This would be if a deputy was out in the field for some capacity and asking us to call Border Patrol for them. That is not something -- it may have been logged at some point in that Excel sheet, but that

was not the primary purpose of this.

Q. So the primary purpose of the spreadsheet, in your understanding, was to record requests from the public for border-related issues?

A. Yes.

Q. Okay. And under number 1 when it says, "Communications shall track department requests for federal immigration authority assistance or response," where, if anywhere, is that captured?

A. It can happen a couple different ways. Sometimes it's just tracked by the fact that they are asking for it over the radio, and that's probably the -- the loosest net, if you will. It's documented in time because it was logged.

If it's in the middle of a call and they ask us -- if it's related to some call -- it may be a car accident or something, right, and Border Patrol is out there or we need Border Patrol to come out because we responded to something out there; maybe they have someone in custody -- we would notate in that call that Border Patrol was requested or we might put under their radio history that they asked us to call Border Patrol.

Q. Okay. And does that body of requests -- is that searchable in any manner by communications?

A. Not like this. It exists inside of those

calls. I imagine there are some very -- it's outside of my scope how that stuff is searched. You would have to look inside of the text of each call and the radio history of each call and just hope to find it.

Q. So going back to the incidents included in the Excel spreadsheet --

A. Uh-hum.

Q. -- you mentioned most of those are requests for BORSTAR, and there are a few others?

A. Yes.

Q. For those others, do you recall any of those incidents containing a deputy requesting assistance from Border Patrol?

A. It's -- it's plausible. I -- I don't want to say that there aren't any. I'd have to sit here and look at the spreadsheet again, and I could probably point them out.

But there are probably some, like, unique circumstances if the way the information found its way to communication section was through the phone, like through the public and maybe not the deputy. Maybe we were already out at a call and somebody else called about something border related, and we just didn't put those two pieces of information together immediately, and then we responded here, and then we added it to the

1 spreadsheet. May be something unique, or it was a
2 large amount of people or something, and we needed a
3 bunch of Border Patrol resources or something, you
4 know, outside of the normal kind of routine procedures.
5 I would imagine those might be in there.
6 But, generally, it's for calls that we're
7 getting, not from law enforcement.
8 Q. Okay. And to your knowledge, did -- well,
9 the term "federal immigration authorities," do you
10 interpret that just to be Border Patrol or other --
11 other law enforcement?
12 A. I interpret it to be other law enforcement,
13 but Border Patrol is the only agency that I have ever
14 spoken to, and I -- to my knowledge, I do not believe
15 there is any other requests or interaction with any
16 other federal agencies inside of that spreadsheet other
17 than Border Patrol and BORSTAR, which I'm counting as
18 Border Patrol.
19 Q. Sure. And were you, in your current role,
20 tasked with interpreting this requirement just to apply
21 to Border Patrol, or did that precede you?
22 A. I don't know that anybody specifically made
23 that interpretation. I think it's just always been
24 that way. I imagine if there was some other
25 circumstance where we needed some other agency, it

might find its way in there, but it just has never happened, so I don't know that anybody has had to make that -- that decision. But if it did, I would be the person that had to do that.

Q. Okay. So when the communication section had tapered off creating these spreadsheets -- if I recall correctly, you said this was an idea you had that you got approval to -- to implement?

A. I presented it to my boss who, at that time, agreed with it, and -- and then it moved away from -- moved up the ladder that way.

Q. Okay. And do you recall any -- when you had gotten approval for that, do you recall any documentation approving that or was that just a verbal directive?

A. That would have just been a verbal directive at that time. I am aware of rules that changed down the road. I want to say in like May, but we had long since stopped prior to that.

Q. Okay. And is that -- is that a common practice to -- to verbally approve a change in procedure before memorializing it in policy?

A. Yes and no. So communications -- communications, such as itself, has its own set of rules and procedures, and then the sheriff's department

1 has its own set of rules and procedures. They don't
2 always interact and touch, but sometimes they do.
3 This was kind of one of those where my boss
4 was able to make that executive decision. Had it
5 turned out otherwise, we would have had to just go back
6 and do a bunch of digging and find all this information
7 again.
8 But, you know, they don't -- all the
9 spreadsheet is is the, you know, tracking of calls that
10 exist. So those calls still existed and could be found
11 if they needed to be at those points in time. Granted
12 it would be a lot of work, but we just kind of figured
13 we weren't going to need to do that.
14 But, yeah, inside of communications, myself,
15 other supervisors, and my boss, we can change stuff
16 usually as -- you know, as quickly as we need to.
17 Q. Okay. Without necessarily a written change
18 in policy?
19 A. Yes and no. Sometimes we -- I mean, we
20 write -- our policies are written down too, but yes,
21 we -- we can change without necessarily writing
22 something down.
23 Q. All right. So when a -- if I could direct
24 you to that same document, Exhibit 4. It looks like
25 maybe a dozen --

THE REPORTER: 4?

MR. MITCHELL: Oh, I'm sorry. Yeah. Can't remember the number.

A. Okay.

Q. (BY MR. MITCHELL) So do you recognize this document?

A. I can recognize what it is, but it's not really -- I can recognize it as rules that apply to the field.

Q. Okay.

A. Or generally interactions that the field is having for the most part.

Q. All right. Do you recognize it as an updated version of what we had just looked at as Exhibit A?

A. Okay. Yeah. It looks like it's newer. The date is newer.

Q. And do you notice any requirement for the communications section to track communications with federal immigration authorities in that -- in this newer version?

A. No. No.

Q. So is it fair to say that this newer version is reflective of the -- the deletion of requiring that communications be tracked?

A. Yes. I'm not -- only in that regard. I

don't -- in that specific aspect of it in communications, I can say that it looks updated. The other stuff, I -- I cannot speak to, but yes, it looks like --

Q. Sure. I'm sorry.

And as of today, there's no requirement to -- to track these communications as the records -- or excuse me -- the communications section had done in the past?

A. Correct.

Q. And --

A. Our process -- just to clarify, our process has not changed in how we handle those calls. We're just not putting it in a spreadsheet anymore.

Q. So you mentioned the possibility of going back into the calls that were made to -- to arrive at the -- what were the spreadsheets --

A. Yes.

Q. -- in the past. Can you walk us through what that would entail?

A. It would -- it'd be a lot of man-hours. Our audio recordings is probably the place that we would have to start. They -- we only retain them for six months, so that would be as far back as we could conceivably go.

We would have to sit there and manually listen to calls that we could see that were transferred out to certain phone numbers. We have the ability to see when a certain phone number calls us or when we call a certain phone number, so there's only one way to contact, you know, Border Patrol or BORSTAR. So we can look at those numbers, and we could sit there and listen to every single call and then find the time stamps and, you know, back -- back it out that way and find all of that data again.

Anything past six months, I don't know that I'd be able to find all of the data anymore. I might still have the time stamps of the times we called the particular phone numbers, but I wouldn't have any audio to back it up, so I couldn't really tell you what happened on those calls.

Q. And what about looking for incidents where sheriff's deputies contact Border Patrol? Is that possible from the data you have?

A. I don't think so. A lot of department -- I mean, everybody's issued their own cell phone at this point, and a lot of deputies are competent enough to not have us do a lot of their phone call work for them anymore. So if a deputy is calling Border Patrol and they don't explicitly say it over the radio, I would

have no way to know that they did that.

And then even if they told us over the radio, you would still have to look at the radio history of every single call, and I'm not -- I'm not really sure how you would do that.

Q. Well, if I could turn your attention to page 10-27.

A. Yeah. Exhibit 4 still?

Q. Yes.

A. Okay.

Q. The bottom is saying, "Unless absolutely necessary, requests for federal immigration authorities shall not be made by personal or department-issued cell phones." Does that imply that requests would be captured in another record?

A. I mean, that does imply that they shouldn't be doing that. I don't know if that means that it's not happening.

Q. Fair enough. Well, could I ask --

A. If somebody tells -- if somebody calls us and asks us to call Border Patrol, there will be a time stamp of us calling that number. That won't always correspond to an audio file, depending on how far back you would be looking at that information.

Q. And is there any record created when the

sheriff's department contacts Border Patrol separate from the -- the radio log?

A. Not to my knowledge, unless Border Patrol is generating something when they talk to us. And I don't even know that it would always be in the radio log. Some people might just patch them through.

Q. So in your interpretation of this policy, the spreadsheets that you had created were never intended to capture instances where sheriff's deputies contact Border Patrol; it was more public -- public callers?

A. Yes.

Q. -- requesting a border -- border-related issues; is that right?

A. Yeah. So there was communications section's involvement in this process. We're not -- we're part of the sheriff's department, but we are separate from the deputies. We kind of run our own ship over there.

Q. So when the requirement to track monthly communications was removed from the policy, do you recall any documentation around the creation of that new policy?

A. I believe it was handed down to us. That was a policy outside of the communication section at that point in May, so that policy was handed down to us, and I believe at that time we backspaced out our old policy

that we had inside of our communications guidelines, and then -- but at that point, it was mostly just a formality because we had functionally stopped already.

Q. So when a new policy is updated, for example, to remove the requirement of monthly tracking, what documentation, to your knowledge, exists around -- around that process?

A. It -- I discovered that there wasn't really any. My understanding is records -- the way records maintains their policy is -- is much more organized than ours is. I just backspaced it out, and the documents sometimes have a time stamp on that, and sometimes they don't when you modify a Word document or something.

But we didn't have a good way of looking at what things we had gotten rid of, only when we had modified stuff, and that is something we're looking to adjust.

Q. Okay. So to your knowledge, is there any documentation that might exist around when you had first suggested memorializing the phaseout in policy to when it actually -- to when the policy actually changed?

A. No. The only person that would have ever done that is me, and I didn't do it. I just said it.

Q. Does the communication section have any visibility into whether a -- if, for example, a policy violation occurred, if somebody -- if a deputy had used their cell phone to contact Border Patrol, does the communication section have any way of determining whether that happened?

A. No. We only know what the deputies tell us.

Q. If I could turn your attention in that same exhibit to what's listed as Exhibit 5. It's a news article towards the back.

A. Did I go too far?

Q. Yes.

A. This Luminaria?

Q. Yes. On the second page of that, there's, towards the bottom, a quote from Sheriff Nanos saying, in part, "we recognized the old policy was really a standard operating procedure for our communication section and should never have been in our rules and regulations that dictates actual policy."

Does that appear to refer to the updated policy that -- for the communications section?

A. Yeah, it sounds like he's saying it didn't need to be in our policies, which, yeah, that's how I would read that.

Q. So to your knowledge, did that update of the

policy have any connection to -- to the lawsuit that's -- that brings us here today?

A. No. I just didn't want to do it anymore.

Q. Understood. So you had mentioned some stray instances of deputies calling Border Patrol for -- outside of the more common instance of a missing person?

A. Yeah.

Q. And to your knowledge, are those -- how often do those occur, if you know?

A. I don't really know. I'd have to sit there and look at the spreadsheet. I'd imagine it's under 5 percent of the total amount of calls, if -- you know, probably in the 1 to 2 percent. That may change a little bit depending on the time of year.

Q. All right. We'll briefly talk about record creation through the 911 process.

A. Okay.

Q. That -- that may be the last topic.

So can you walk us through what happens when somebody in Pima County calls 911?

A. As far as record generation goes or just in --

Q. Well, do -- can I ask, is there a centralized dispatch organization that includes the sheriff's

department, or does the sheriff's department do their own dispatch?

A. We do our own dispatch.

Q. Okay.

A. And we dispatch for a couple other smaller places too.

Q. Okay. And how are officers alerted to be dispatched?

A. So when you work in our floor, you either work as a dispatcher or you work as a call-taker, and that is just dependent on your assignment for that day. Everybody is generally qualified to do both.

We have a system -- computer system -- dispatch system called Spillman, which the department members, the deputies are required to log in to, which gives us tracking data on them and shows us, you know, their logs and whatnot.

We key up over the radio when we talk to them, and we may tell them to go somewhere, or we may tell them of a call. There's obviously a lot more to it than that, but we tell them, you know, what to do, where to go, keep track of everybody.

And while that's happening, the people in the room that are as call-takers are answering 911 calls, they are generating calls, and those calls are being

generated in that CAD system. So then they pop up for the dispatchers to then assign to deputies based on rules.

Q. And you mentioned the CAD system. Is that an acronym?

A. Yeah, computer-aided dispatch.

MR. HOLGUIN: Close.

A. Or it might be -- it might be assisted --

MR. HOLGUIN: That's what I thought.

A. -- to be fair. I should know.

Q. (BY MR. MITCHELL) Okay. But -- and can you describe to us what those CAD records look like?

A. They look -- what do they look like?

Q. What is contained in them?

A. Anytime a deputy tells us something, we have a shorthand that logs that command or -- or requests -- it's not always a command. Sometimes they're just telling us they are somewhere.

Anytime they change a location, the times that we dispatch them to calls, the time that they arrive at calls, any other miscellaneous information that they tell us about a call -- sorry -- we have the discretion to add that to the call. Not every piece of information that is spoken over the radio is logged in Spillman. That's -- part of our job is to determine

what's important and what's not important.

And then that stuff is all time-stamped as you are putting it in, and Spillman is basically just a mass of files that have all of those time stamps that -- some are searchable.

Q. And within those records, is there -- would contacting another agency be something contained in those records?

A. Yes.

Q. Okay.

A. Sometimes.

Q. Okay. So what determines whether or not that's included?

A. Well, usually if it's work on our part. So if somebody wants a tow truck, we have to call the tow truck company and give them the information of the car, et cetera, you know, miscellaneous information, and we time-stamp that so we know how long it takes the tow truck to get to the place. So that would be one where we have work to do there.

We have -- we have a special code that we can type, REQ, for requesting and then a COM when we finish it. Basically, when we're busy, we can put that down, and we know, hey, this is something we need to finish.

If a deputy just asks for a phone number and

I just toss it into a call for him to see, I wouldn't necessarily log that I got him that phone number. So he may make a phone call or something for that. I didn't really have to do anything.

If -- let's say a deputy was on the interstate and he saw a car accident and he told me to tell DPS of that car accident, because that's not our jurisdiction, I would just call DPS and tell them. I would not log that the deputy told me to call DPS to tell them. That wasn't really work on my part. I'm just passing information along.

So in the case of Border Patrol, if somebody called us and said there was this thing going on, but we're not responding, I might just tell Border Patrol that. I wouldn't log that necessarily.

Q. Okay.

A. But if we were at a car accident and we detained a bunch of people that we thought might be -- that might need to have Border Patrol's involvement, then I would probably log that as an REQ because that's going to be more work on getting descriptions or, you know, sending people out to a specific location.

Q. And to your knowledge, is there a shorthand that refers to Border Patrol in those CAD records?

A. BP. I don't know if it's always typed that

way. It's probably BP or Border Patrol. I don't really think we use "customs" or "federal" or anything like that in our shorthand.

Q. And are those -- are those CAD records kept irrespective of the outcome of an incident?

A. I'm not sure what you're asking.

Q. Whether there's an arrest or citation, for example?

A. Yeah, the CAD call -- the call is the call regardless. From my understanding -- this is out of my scope a little bit -- those calls get used all the time post-arrest, post-citation in the moment. The evidence is added to them all the time. They're kind of like just alive on Spillman.

Q. Okay. If we could just go to this larger packet, what's been called Exhibit 1, maybe about a third of the way.

A. Okay.

Q. And in the bottom right-hand corner to page 4 of 5, looking at number 7 requesting any and all traffic logs, including radio traffic logs between PCSD and federal immigration authorities, is that a piece of data that, in your experience, is captured by the communication section?

A. What do you understand traffic log to be?

Q. Well, a radio traffic that was between a deputy of Pima County and another entity?

A. Okay. That's what I understand it to be as well.

I'm sure those happen, but they do not happen on the channels that we monitor. There's a lot of channels in our radio system, and deputies sometimes are operating on those outside of communication's section. We only operate on the main channels.

So there are, I imagine, circumstances where if we were handling some large scene or something, Border Patrol might come and help us, not necessarily for Border Patrol purposes but just because they're a car and people might help. But, generally speaking, they are not on our frequencies, so those would be very, very few and far between. It would be a special exception.

Now, I know that Border Patrol works with the sheriff's department, but that's outside of my -- I'm sure there's traffic logs that exist, but we only record the main channels. So I don't know what is happening on those other channels.

MR. MITCHELL: Let's go off the record if we could.

(Recess taken from 1:06 p.m. to 1:12 p.m.)

MR. MITCHELL: Over to Mr. Holguin for questions.

EXAMINATION

BY MR. HOLGUIN:

Q. Okay. Josh, real quick, I just want to clarify. I think we might have our dates mixed up a little bit.

I believe earlier you told Mr. Mitchell that, to your recollection, you were involved in the process regarding gathering these records and responding to this -- the records request that's -- that's at issue here in around January 19 -- 1925 -- 2025. Could it be that your dates are off a little bit with that?

A. Yeah. I -- I remember us stopping the collection of the data in January. I don't remember when the official request was made for that data. So I could be off there. I thought it happened in the first half of that year, but I'm -- I'm not really sure.

Q. Could it be that maybe the actual gathering of these spreadsheets of the summaries occurred maybe later in the summer of 2025? Could that --

A. Yeah, if that's when it came in.

Q. Okay.

A. I'm not -- I can't recall, but if that's when it came in, then that's what we did.

Q. Okay. Now, when -- what I think is a simple question, before I get into something that might be a little more convoluted.

All of our records and most of our conversations has revolved around Border Patrol. We also -- you know, another federal agency that's involved in immigration matters is -- is Immigration and Customs Enforcement or ICE.

During your time with the sheriff's department, can you recall instances where the department has contacted ICE for any type of assistance?

A. No. I have never spoken to ICE the entire time I've been here, and I do not recall ever giving that deputy -- giving that number out to anybody.

Q. And in the time that you've spent as a supervisor, you stated that you supervise your dispatchers and your call-takers on the floor?

A. Yes.

Q. Have you ever come across any of them having any contact or requesting any type of a response from -- from ICE?

A. Not to my knowledge. It could happen while I'm there as a supervisor. But to my knowledge, no one has ever asked about that. I don't even know the

number, and I know most of the common numbers that we call.

Q. Okay. All right.

I believe -- and correct me if I'm wrong because I think this is kind of a topic you've come back to in response to a couple of Mr. Mitchell's questions, and I think for the most part I understand your answer and response, but I just want to make sure we're really super clear on this.

When a deputy would make a request, as opposed to a member of the public, a deputy requests COMM, communication center, to contact ICE, I believe you said that that would be -- well, there was a couple of different ways. I believe you said that would be -- that would be recorded, a record made, not necessarily audio recorded but recorded in the sense of a record made either on those Excel spreadsheets -- is that correct? That's one way?

A. Yeah.

Q. -- or you refer to, if not on the Excel spreadsheet, that it would be notated possibly in the radio history.

Now, the radio history that you referred to in that context, is that the same as the CAD history or the radio logs? I mean, what are we talking about in

terms of those -- those three descriptions? Are those distinct, or are we talking about the same thing?

A. So there's -- there's kind of three places that recording happens. You have the individual deputy who has its -- his own set of unique radio history. At times, that is connected to a call. At times, it is not if they're not on call. They can do stuff not related to calls, right. So that radio history is sometimes connected, and sometimes it's not connected.

You have the call history itself, which is usually a mishmash of a bunch of different deputies' radio logs as one unit organized.

And then you have the call text, which is basically the text box where we put all the information in. Sometimes it's recorded in one place depending on what our rules are. Sometimes it's recorded in another place depending what our rules are.

Q. Okay. So what would be entailed if we wanted to search for a deputy's request for -- let's call Border Patrol. That could be located in either of those places. Would you be able to locate it, and if so, what would you have to do?

A. So first thing -- granted, I'm -- I haven't thought about this a lot, so there might be some other answers. But the first thing I would do is look at

every single REQ request for whatever time period that we're looking at.

I don't think a lot of them are going to show up there, but some of them could. Then I would look at the information -- the description field, which is basically the text log of every single radio history and just, I guess, if it's possible, see if "BP" or "Border Patrol" or "border" is in any of those or "ICE," I guess. And then I would have a log and a time stamp that I could go find that call.

And then the third thing I think is if you look at the call text of every single call that had the word "border" pop up or "BP" or "Border Patrol," that may give you an idea of where a call is.

I do not know of any ways to do that automatically. They may or may not exist in our system, but that would have to be how you'd find all of that stuff, and then it's just -- you'd have to sit there and look up each call and figure out if it may have been anything -- it might have just been a car accident that Border Patrol on-sited while they were driving by, so that would be a no, and then -- you know.

Q. Can you give us an estimate, based on your knowledge, your best guess, at how many of those -- how

many radio calls or REQs would there be in a week, a day?

A. I don't know. We REQ for every single ambulance, for every single tow truck, for every single time we request the city to go out and do anything or any other law enforcement agency in our area.

We REQ for -- if we call the railroads for something. If we -- if we're calling another agency to do some kind of work or a tow -- and not just law enforcement agency, but like tow trucks or hospitals or, you know, anything kind of work, it gets an REQ and hopefully gets a COMM as completed.

So there's probably, I have to think, a thousand of those a week-ish.

Q. So to your knowledge, is there any way of doing, I guess we'll call it a text search, so you can plug in the words "BP" into some system where those are housed and have it --

A. Maybe.

Q. -- locate? I mean...

A. I've never had to do that. Usually the criteria that we are searching is some sort of specific key log entry that we have, not necessarily a text search. I don't know if that's possible or not. There are report people that are better at Spillman than I

am. I am mostly just an end user in that regard.

Q. Okay.

A. I do not know if that's possible. But I would think even if it's possible, you would still have to sit and look at every single call and then go back into Spillman and pull up each call and then analyze that call.

Q. Okay. And in terms of the audio, you referred to -- some of these calls obviously would be retained in audio format?

A. Yes.

Q. And you said that the current retention period for audio recording is six months?

A. I believe it is six months, yes.

Q. And, likewise, in order to -- to find audio calls, outside of the data collected in the spreadsheet, that had Border Patrol involvement would entail listening to all of those recordings?

A. Correct. If I wasn't starting with the time stamp of the text file, I would have to just listen. I would have no way to start -- start that. Audio is usually the last thing we look at. We look at all of the text logs and time stamps first, and then that gives us a place to look at in the audio file because the audio is just -- it's just nonsense, and there's so

much of it going into four different frequencies all the time. So we would never be able to find anything until we have the time stamp.

I suppose technically we could listen to every single minute of all of the audio, and we would eventually find it, but please don't ask me to do that.

Q. Just for the heck of it, let's just say on a daily basis. Do you have -- can you, based on your experience, give us a rough estimate of how many -- how many calls come in that would be audio recorded?

A. Well, every single thing that's on the radio is audio recorded, so it's 24 hours a day times four frequencies every single day. It's just constant -- it's a constant stream of recorded audio. Inside of that call text -- or inside of that four 24-hour streams of audio is all of the calls. So, you know, 300 on a slow day. 7 to 800 on a busy day, but it's, you know, 24 -- 24 times 4 every day.

Q. That's a lot. Okay.

A. And then if they're related to a call, you have to pull the audio for the phone call itself as well, which -- hard to say how many hours of -- of that is every day because that varies depending on how long the calls are.

Q. That's -- that's what I think I was referring

to. That's what -- that's what I understood. Maybe I was wrong --

A. So we record everything. We record every single phone call that comes into the system or any outgoing phone calls that we make in-house, so not a department cell phone, but if -- if we make it, it's recorded.

And then on top of that, we're recording all of the radio -- radio transmissions that are occurring during that 24-hour period. So we look at all of that. I don't know how long the phone call hours are. It's probably more than -- a lot more than that.

Q. But you would need some basis for identifying a particular phone call or at least a particular time frame maybe in order to start -- I mean, if you wanted to make it a little easier --

A. Yes.

Q. -- by saying, I want all this -- I need to listen to this small subset of phone calls, you would start with a time, a date? How is -- how is that looking?

A. Yeah. We go on goose chases from time to time. They generally are like maybe -- you know, it might only take a couple hours to look at one day's worth of calls for one person if they knew what they

were looking for.

If they didn't know what they were looking for, it might take a little bit more than that. If you started scaling that out to, like, it happened this month or this week, there's really no effective way to look at a call log and determine what -- unless we have the phone number. You know, we can -- we can narrow it down with phone numbers if we know what we're calling and who we're calling, but we wouldn't necessarily know the incoming phone numbers unless that was already provided beforehand.

MR. HOLGUIN: Okay. I think that's all I have.

FURTHER EXAMINATION

BY MR. MITCHELL:

Q. A quick -- just a quick follow-up on Mr. Holguin's question.

So Mr. Holguin had clarified the timeline of when the communication section was producing records responsive to our requests.

A. Yes.

Q. Do you recall about how long it took to compile and send the -- the memos that the communication section had made?

A. You're referring to when the spreadsheets

were requested essentially?

Q. Yes.

A. I actually don't think I was there that day, but it wouldn't have taken more than a day, a workday to produce that stuff. They just needed to know where to find the archive files that I probably dumped in a folder somewhere.

Q. And when Mr. Holguin asked about contacting ICE or the lack thereof, it sounds like CBP is the -- excuse me -- Border Patrol is the main agency contacted for border-related issues; is that fair?

A. Yes.

Q. Okay. And in instances where it's not a search and rescue -- but I believe you said there's some other outlier matter?

A. Sure.

Q. What are -- can you describe what those other outlier matters might be?

A. Sure. I mean, Border Patrol could find a car accident in the Arivaca area, which -- there are very rural areas here that we do not patrol very regularly that Border Patrol -- we just -- we know Border Patrol is more likely to be in, so we might just fish and see if they are there and if they can maybe get there before us.

Sometimes Border Patrol has issues at the checkpoint where they might have, like, a person that, you know, blasts through the checkpoint or something, and those don't always necessarily come from Border Patrol. Sometimes people call those in because they see it happen because everybody likes to call 911, and so we'll get it from the public and from Border Patrol at the same time, and that may find its way onto the spreadsheet.

It's generally car accidents. I mean, we might ask them -- sometimes they just show up on stuff. Like, you know, there was a HAZMAT thing that happened here a couple years ago on I-10. It was kind of a big deal, a shutdown. We had to evacuate a bunch of people. Border Patrol was just kind of here, and they helped us with that. So if we had made a request of Border Patrol units to come help with bodies, that might have been something that made it to the spreadsheet.

Yeah, that's kind of what I can think of right now. Sometimes they might help with traffic if we're on a really bad car accident where we're super short-staffed or something, not necessarily in, like, Border Patrol capacity, I guess.

Q. And do you recall getting any -- do you

recall seeing any incidents of sheriff's deputies calling Border Patrol regarding the potential immigration status of an individual?

A. I'm sure I have done some. I -- I'm sure I have called Border Patrol for that at some point in time, and I'm sure those happened from time to time. I could not tell you how frequent those are other than to say that they are very infrequent, but I'm sure that they're not at zero.

Q. And so why -- why, in your experience as a dispatcher, would it be more appropriate to call Border Patrol than ICE in that instance?

A. I have no idea. No one has ever directed us to contact ICE, so we've never had a reason to do that. I mean, apart from the sentiment that probably myself and many others here that we don't even want to talk to them anyway, no one has ever directed us otherwise.

Border Patrol has just been -- like, you said primary, but I would -- I would say the only point of contact for us with federal agents. Especially in the dispatch center, we don't talk to anybody other than Border Patrol.

So I don't -- I think if you -- if you've determined anything here, it's that when someone tells us to do something, we tend to do it forever, even when

people -- even when people don't need it anymore, and the Border Patrol thing is the same thing. We've never been directed otherwise. So I think we would just keep doing it until there was some other reason.

We make no -- I don't even know -- I don't -- as a supervisor, I don't even really understand the difference or why I would want to call one versus the other.

MR. MITCHELL: Okay. That's it for my questions then.

MR. EMERSON MCCORMICK: I just want to say one thing on the record.

There were a few times today where a witness wasn't -- didn't have full knowledge of something. Specifically, I'm thinking of Topics 8 and 9 as far as how certain policies or procedures are fully formulated and enacted and then also the searching of certain systems. So to that extent, we're reserving our right to compel an additional witness for those.

But as far as today, we don't have any further questions.

MR. HOLGUIN: Well, let me ask -- let me ask Mr. Nicholas to see. I don't know if he can shed any light on that. It may or may not satisfy the specificity you want but...

FURTHER EXAMINATION

BY MR. HOLGUIN:

Q. Are you familiar with the process that the sheriff's department goes through when a policy -- and by "policy," I'm referring to the ones -- the exhibits you've been shown, the general orders, the rules and regs. Are you aware of -- if you're not, say no, but are you aware of the procedure, the process for actually making those official rule changes?

A. I'm aware that it moves up the chain of command to the sheriff and the sheriff makes a decision, and then that decision is passed down, and then that policy is rewritten at that point. I know that's how it works in the sheriff's department as a whole.

In communications, if it's something that just affects us, we just rewrite that policy.

So those are kind of two separate entities, but I have -- I write policy for our section, but this is the first time I've ever been involved with policy going up the chain and then back down. I understand when it goes back down records takes it, modifies it, and it's usually new policy. That's about the extent I have of it.

MR. EMERSON MCCORMICK: Thank you.

Nothing further for us. I think we can -- did you want to waive again or read and sign?

MR. HOLGUIN: Yeah, we'll waive on it again.

THE REPORTER: And would you like a copy of the transcripts for both?

MR. HOLGUIN: Yes, I suppose we would need copies of each one.

THE REPORTER: They have ordered it expedited, which is a two-day expedite. Do you want an expedite or a ten-day turnaround?

MR. HOLGUIN: Ten days is probably -- take us up to our pretrial. Yeah, I suppose we're going to need to expedite. Hopefully, I won't be getting any flak for that, any additional expense.

MR. MITCHELL: It's all expensive.

MR. HOLGUIN: Yeah. Yeah, I guess we better expedite as well.

(The proceedings concluded at 1:34 p.m.)

CERTIFICATE OF REPORTERS

STATE OF ARIZONA)
) ss.
CITY AND COUNTY OF PIMA)

I, RICHAEL M. SILVIA, Registered Merit Reporter, Certified Realtime Reporter, and Certified Reporter in the State of Arizona, do hereby certify that the foregoing deposition was taken before me in the County of Pima, State of Arizona; that an oath or affirmation was duly administered by me to the witness, JOSHUA NICHOLAS, pursuant to A.R.S. 41-324(B); that the questions propounded to the witness and the answers of the witness thereto were taken down by me in shorthand and thereafter reduced to typewriting; that the transcript is a full, true and accurate record of the proceeding, all done to the best of my skill and ability; that the preparation, production and distribution of the transcript and copies of the transcript comply with the Arizona Revised Statutes and in ACJA 7-206(F)(3); ACJA 7-206 J(1)(g)(1) and (2); and ACJA 7-206 J(3)(b).

The witness herein, JOSHUA NICHOLAS, waived review and signature.

I FURTHER CERTIFY that I am in no way related to any of the parties nor am I in any way interested in the outcome hereof.

IN WITNESS WHEREOF, I have set my hand in my office in the County of Pima, State of Arizona, this 12th day of March 2026.

Richael Silva

Richael M. Silvia, RMR, CRR, CRCR
Arizona CR No. 51017

I Certify that Colville & Dippel, LLC, has complied with the ethical obligations set forth in ACJA 7-206(J)(1)(g)(1) through (6).

Brent T. Denkinger

COLVILLE & DIPPEL, LLC, RRF No. 1129

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