



STATE OF NEBRASKA  
**Office of the Attorney General**

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**DOUGLAS J. PETERSON**  
ATTORNEY GENERAL

**LESLIE DONLEY**  
ASSISTANT ATTORNEY GENERAL

October 4, 2022

M. Jones  
[REDACTED]

RE: *File No. 22-R-150; City of Omaha; M. Jones, Petitioner*

Dear Ms. Jones:

This letter is in response to your petition received by this office on September 19, 2022, in which you sought our review in obtaining certain records from the City of Omaha ("City"). We considered your petition under the provisions of the Nebraska Public Records Statutes, Neb. Rev. Stat. §§ 84-712 through 84-712.09 (2014, Cum. Supp. 2020, Supp. 2021), amended 2022 Neb. Laws LB 876 and LB 1246. Upon receipt of your petition, we forwarded it Deputy City Attorney Bernard J. in den Bosch and requested a response, which we received on September 26. Mr. in den Bosch's response included a copy of his September 22, 2022, letter to you and the records produced in response to your request.

Your petition pertains to an August 31, 2022, public records request sent by certified mail to the City Clerk. The records requested included the following:

- The full report from Oliver Enterprises, the consultant hired in 2019 by the Omaha Police Department after crashing 2 helicopters in a 4 month period, to evaluate the Aviation Unit.
- All related invoices/payments for Oliver Enterprises showing the expenses of the hiring of this consultant.

According to the documentation received, the City Clerk received your request on September 2, and provided a copy to Mr. in den Bosch and Deputy Chief Anna Colón. The City Clerk received an additional five public record requests from you on September 6, and forwarded those requests to Mr. in den Bosch and Deputy Chief Colón. Due to

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some miscommunication between the parties as to who was handling this particular request, the City inadvertently failed to respond. As noted above, Mr. in den Bosch fulfilled your request by letter dated September 22. We note further that Mr. in den Bosch states in his September 22 letter that, “[i]n the future, please do not hesitate to contact me by phone or mail if you have not received a timely response to a request made to the City. I will follow up and ensure that you get a response.” Mr. in den Bosch also encourages you to use the City’s Public Records Portal, which assigns the request to the appropriate individual and provides reminders to ensure a timely response. Due to the volume of requests handled by City officials, Mr. in den Bosch asserts that use of the portal might have prevented the situation presented here.

Since you have now received the records which formed the basis for your petition, no further investigation or analysis by this office is necessary. As a result, we are closing this file. We would ask you to consider Mr. in den Bosch’s suggestions that you contact him first if there is an issue with one of your requests, and to use the City’s Public Records Portal in the future to avoid any unnecessary delays and expense.

Sincerely,

DOUGLAS J. PETERSON  
Attorney General



Leslie Donley  
Assistant Attorney General

c: Bernard J. in den Bosch

49-3063-30