



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

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**MIKE HILGERS**  
ATTORNEY GENERAL

**RYAN D. BAKER**  
ASSISTANT ATTORNEY GENERAL

April 2, 2025

Via email: [REDACTED]

Ian Head  
[REDACTED]

RE: *Public Records Matter Involving the Nebraska State Patrol*  
Our File No. 20251040

Dear Mr. Head:

This letter is in response to your petition received by this office on March 10, 2025, in which you sought our review of the denial by the Nebraska State Patrol ("NSP") of your February 19, 2025, public records request for certain law enforcement records. On March 25, 2024, we wrote to you indicating we were communicating with NSP counsel about your petition, and we anticipated providing you our final response no later than April 2. We have concluded our review. We considered your petition in accordance with the Nebraska Public Records Statutes ("NPRS"), Neb. Rev. Stat. §§ 84-712 through 84-712.09 (2024), and our conclusions are below.

Your request sought certain "records between January 1, 2023 and the date searches commence," including:

1. Any and all reports, intelligence products, or other analysis related to "anti-law enforcement sentiment" or similar concerns regarding negative public attitudes towards police or other law enforcement agencies and/or individuals.
2. Any and all communications within the NSP and/or with federal agencies containing one or more of the terms:
  - "drivers"
  - "indicators"

- “anti-authority”
  - “anti-government”
  - “AAAGVE”
  - “anti-law enforcement sentiment”
  - “anti” w/3 “law enforcement”
  - “anti-police” / “anti police”
  - “hate” w/3 “cops”
  - “anti” w/3 “LE”
  - “extremist movements”
  - “HVE”
3. Compilations of data, research, or intelligence gathering, including but not limited to media articles and social media sites, that include or refer to the above-terms;
  4. Any records showing which entities outside of the NSP have accessed, used, or requested to use any information/intelligence/data related to the above-referenced terms;
  5. Any records received by NSP from state, local, and other federal law enforcement agencies that includes the above-referenced terms;
  6. Any Interagency Agreement, Memorandum of Understanding, and/or other similar document, covering and/or related to the use of any NSP documents or products that include the above-referenced terms.

You requested the NSP to direct your public records request “to all appropriate individuals and offices within [NSP], beginning with the Nebraska Information Analysis Center (“NIAC”) and all appropriate offices and custodians within NIAC, including the Intelligence Unit.” (Footnote omitted.)

The NSP issued its response via email on February 21, 2025, denying your request in full. In pertinent part, the NSP stated:

The Nebraska State Patrol is denying your request for the information regarding the matter referenced above. This includes all information that is received by the NIAC. All information the NIAC handles is considered intelligence information. This denial is pursuant to Neb. Rev. Stat. § 84-712.05 subsection (5) because this information constitutes an investigative record.

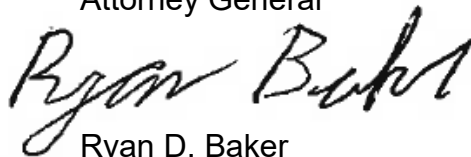
Your petition to our office, in addition to contesting the NSP’s withholding of records, asserts various defects in the NSP’s response under the NPRS.

As noted above, we discussed this matter with NSP counsel, Mark L. Boyer. Mr. Boyer informed us your request encompasses voluminous records, which will have to be manually searched to identify responsive records. Mr. Boyer represented to us that the NSP will conduct a preliminary search in order to prepare an estimate<sup>1</sup> to fulfill your request. According to Mr. Boyer, this estimate will be provided to you no later than close of business on April 4, 2025.

Accordingly, we will allow the NSP to proceed as outlined above. Since no further action by our office is warranted at this time, we will be closing this file. If you disagree with our handling of this matter, you are free to consider the other remedies available to you under the NPRS.

Sincerely,

MIKE HILGERS  
Attorney General

A handwritten signature in black ink, appearing to read "Ryan Baker", is written over the typed name of Ryan D. Baker.

Ryan D. Baker  
Assistant Attorney General

c: Mark L. Boyer (via email only)

55-078

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<sup>1</sup> Neb. Rev. Stat. § 84-712(3)(a) authorizes public bodies to charge a fee for providing copies of public records "which fee shall not exceed the actual added cost of making the copies available." As a nonresident of Nebraska, "the actual added cost used as the basis for the calculation of a fee for records may include a charge for the proportion of the existing salary or pay obligation to the public officers or employees, including a proportional charge for the services of an attorney to review the requested public records, for the time spent searching, identifying, physically redacting, copying, or reviewing such records." Neb. Rev. Stat. § 84-712(3)(d).