



STATE OF NEBRASKA
Office of the Attorney General

2115 STATE CAPITOL BUILDING
LINCOLN, NE 68509-8920
(402) 471-2682
TDD (402) 471-2682
FAX (402) 471-3297 or (402) 471-4725

MIKE HILGERS
ATTORNEY GENERAL

BEN KINNISON
ASSISTANT ATTORNEY GENERAL

September 12, 2025

Via email at: [REDACTED]
Jacob Friend
[REDACTED]

RE: *Public Records Matter Involving The Lancaster County Sheriff's Office*
Our File No. 20251101

Dear Mr. Friend:

This letter is in response to your public records petition received by this office on August 22, 2025. You have asked us to review the denial by the Lancaster County Sheriff's Office (LCSO) of your August 21, 2025, public records request, in which you sought records related to a 2022 investigation. We have considered your petition and the information we received from the Lancaster County Attorney's Office in accordance with the Nebraska Public Record Statutes (NPRS), Neb. Rev. Stat. §§ 84-712 through 84-712.09 (2024). We have completed our review, and our conclusions are detailed below.

On August 21, 2025, you submitted a public records request to the LCSO seeking copies of all incident reports, written citations, and video footage related to "case number C2004929 June 28, 2022, involving Jacob Friend that took place at 10500 WAGON TRAIN RD WAGON TRAIN AREA 6." Additionally, you requested copies of documents developed after the event, including internal reports, emails, and all footage and documents connected to a warrant arrest. On August 22, 2025, Captain Michael D. Scriven denied your request under Neb. Rev. Stat. § 84-712.05(5) because all the LCSO's responsive records are connected to a law enforcement investigation.

On August 22, 2025, you filed a petition with our office. You asserted that the requested records should be accessible because they are over three years old. You further argued that the records cannot be considered investigatory under the NPRS since the investigation is no longer ongoing. You requested that our office review the LCSO's actions to determine if it complied with the NPRS.

Jacob Friend
September 12, 2025
Page 2

After receiving your petition, the undersigned contacted Deputy Lancaster County Attorney Jennifer Chrystal-Clark. She clarified that the requested case number, C2004929, does not correspond with an incident involving Jacob Friend on Wagon Train Road. Further, she stated that the case file connected to your June 28, 2022, incident now contains almost no responsive records. Records related to the investigation and subsequent warrant arrest were purged in accordance with the LCSO's record retention schedules.

We understand that on September 10, 2025, Ms. Chrystal-Clark provided you with a copy of the written citation and a return warrant document. Both documents were filed publicly with the Lancaster County District Court. She further explained that the documents provided constitute the only responsive records under the LCSO's supervision or control, and for which it has legal responsibility for care, keeping, or guardianship. It does not have custody of additional responsive records and thus "cannot produce such records in response to your request." See *Russell v. Clarke*, 15 Neb. App. 221, 232, 724 N.W.2d 840, 850 (2006) (affirming the denial of a writ of mandamus in part where "there were no public records maintained by [the public entity] other than those of which copies were provided...").

Since the LCSO has now provided you with all responsive records in its custody, no further action by this office is necessary at this time, and we are closing this file. If you disagree with our conclusion, you may wish to discuss this matter with a private attorney to determine what additional remedies, if any, are available to you under the NPRS.

Sincerely,

MIKE HILGERS
Attorney General



Ben Kinnison
Assistant Attorney General

c: Captain Michael D. Scriven
Jennifer Chrystal-Clark

37-026