

Writer's Direct Dial No. (901) 524-5154
E-mail address: dgoodman@bpjlaw.com

LAW OFFICES
Burch, Porter & Johnson, PLLC
130 North Court Avenue
Memphis, TN 38103
Phone: 901.524.5000
Fax: 901.524.5024
bpjlaw.com

May 18, 2021

MuckRock News
Attn: Mr. Dave Maass & Ms. Olivia Ali
411A Highland Avenue
Department MR 103477
Somerville, Massachusetts 02144-2516

RE: April 21 Tennessee Public Records Act ("TPRA") Request

Dear Mr. Maass & Ms. Ali:

This law firm serves as counsel to the Town of Collierville ("Town"). The Town is in receipt of MuckRock News' April 21 request (see enclosed) for copies of certain records pursuant to the TPRA. This shall serve as the Town's response to the subject request.

As an initial matter, requests for copies of public records pursuant to the TPRA must be submitted on the appropriate TPRA form. Tenn. Code Ann. § 10-7-503(a)(7)(A)(ii). Muck Rock News has failed to do this.

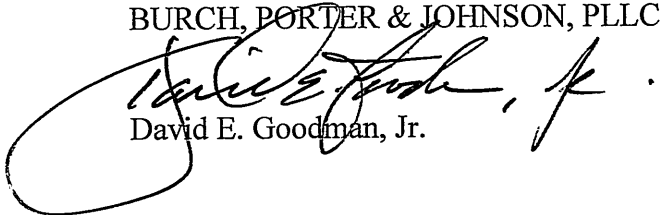
Likewise, the TPRA "only provides a statutory right of inspection of public records to Tennessee citizens." Op. Tenn. Att'y Gen. No. 16-47, 2016 WL 8224372 (2016). As an entity, Muck Rock News cannot be a Tennessee citizen for TPRA purposes. And the Town has been provided no proof that any individual requestor is a Tennessee citizen.

More importantly, however, Public Chapter 201, recently enacted into law by the Tennessee Legislature, provides that automatic license plate reader system data and information is "confidential and shall not be open for inspection by members of the public."

For all of these reasons, the Town will not be able to produce any records that might otherwise be encompassed by the subject TPRA request.

Sincerely,

BURCH, PORTER & JOHNSON, PLLC


David E. Goodman, Jr.

Enclosure

cc: Chief Dale Lane
Nathan A. Bicks, Esq.

MUCKROCK NEWS
DEPT MR 103477
411A HIGHLAND AVE
SOMERVILLE, MA 02144-2516

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*****AUTO**MIXED AADC 023
COLLIERVILLE POLICE DEPARTMENT
TPRA OFFICE
156 N ROWLETT ST
COLLIERVILLE, TN 38017-2678



April 21, 2021

This is a follow up to a previous request:

To Whom It May Concern:

I wanted to follow up on the following Tennessee Public Records Act request, copied below, and originally submitted on Oct. 13, 2020. Please let me know when I can expect to receive a response.

Thanks for your help, and let me know if further clarification is needed.

View request history, upload responsive documents, and report problems here:
<https://www.muckrock.com/respond/1072454/>

If prompted for a passcode, please enter:
VWWFPCUN

Filed via MuckRock.com
E-mail (Preferred): 103477-51861823@requests.muckrock.com

For mailed responses, please address (see note):
MuckRock News
DEPT MR 103477
411A Highland Ave
Somerville, MA 02144-2516

PLEASE NOTE: This request is not filed by a MuckRock staff member, but is being sent through MuckRock by the above in order to better track, share, and manage public records requests. Also note that improperly addressed (i.e., with the requester's name rather than "MuckRock News" and the department number) requests might be returned as undeliverable.

On Oct. 13, 2020:

908115-000203



MuckRock News
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Filed via
E-mail

Subject: Tennessee Public Records Act Request: FLOCK (Collierville Police Department)
To Whom It May Concern:

Pursuant to the Tennessee Public Records Act, I hereby request the following records:

- The number of license plates scanned with Flock Safety automated license plate readers over the last 30 days
- The names of the hot lists/watch lists used with Flock Safety automated license plate readers
- The names of all the agencies with which data is shared with through the Flock Safety automated license plate reader system
- The names of all the agencies from which data is received through the Flock Safety automated license plate reader system
- All agreements with local homeowner associations or private business or individuals for access to Flock Safety systems
- All contracts, MOUs, or other agreements with Flock Safety
- All procurement documents related to Flock Safety

In advance of filing this public records request, we consulted with Flock Safety. The company explained that should your administrator have trouble locating these records, you should reach out to them for support.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes.

In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request filled electronically, by e-mail attachment if available or CD-ROM if not.

Thank you in advance for your anticipated cooperation in this matter.

I look forward to receiving your response to this request within 7 business days, as the statute requires.

Sincerely,

Dave Maass
Olivia Ali
Electronic Frontier Foundation

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