



COUNTY ADMINISTRATOR'S OFFICE

PIMA COUNTY GOVERNMENTAL CENTER
130 W. CONGRESS, FLOOR 10, TUCSON, AZ 85701-1317
(520) 724-8661 FAX (520) 724-8171

C.H. HUCKELBERRY
County Administrator

April 18, 2018

Sam Kaplan, DHS Chief Privacy Officer/Chief FOIA Officer
Department of Homeland Security
245 Murray Lane SW
Washington, DC 20528

Re: **US Border Patrol Public Records Request Related to Daily Activity Reports Arrests and Citation Information Related to the Operation Stonegarden Grant**

Dear Mr. Kaplan:

In an effort to understand the fiscal implications of the Operation Stonegarden (OPSG) grant on local criminal justice system expenditures, Pima County has requested the Daily Activity Reports (DAR) as well as any addendums to the reports that reflect arrests and/or citations. The purpose of this information is to allow Pima County to perform a cost benefit analysis associated with OPSG and its fiscal impact on the County.

We appreciate the federal funding of law enforcement overtime; however, we must also balance this benefit with the cost of these additional service impacts on the County's criminal justice system, including prosecution, defense and adjudication. To date, these factors have never been linked or analyzed. The information requested would allow us to perform a factual and unbiased analysis of the County's fiscal impact when receiving OPSG funding.

In addition, we believe this information would be useful to the federal government in determining the overall cost benefit of the program, particularly as it relates to evaluating the overall public safety benefit of OPSG.

As mentioned in your November 9, 2017 FEMA and CBP Oversight of Operation Stonegarden Program Needs Improvement Audit Report:

"FEMA and CBP did not meet their oversight responsibilities to monitor Stonegarden grantees, issue guidance and approve costs, and demonstrate program performance."

Sam Kaplan, DHS Chief Privacy Officer/Chief FOIA Officer

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"FEMA and CBP have not collected reliable program data nor have they developed appropriate performance measures."

Our initial request was met with rejection and consultation with government attorneys. We have recently received the enclosed April 11, 2018 communication that would indicate our request is taking considerable time to be answered. We would appreciate your efforts to obtain the information we have requested in a manner that is not three to six months into the future. In reviewing this request through the FOIA online, it appears this request will be answered on or after May 9, 2018.

A sound factual analysis of the costs and public safety benefits of OPSG funding would be of significant benefit to local governments when deciding on grant acceptance.

More important to this request is developing an appropriate process to obtain future information real time with the least inconvenience to those involved. I would hope such can be worked out with appropriate Federal Officials.

Sincerely,



C.H. Huckelberry
County Administrator

CHH/mp

Enclosures

c: The Honorable Chairman and Members, Pima County Board of Supervisors
Wendy Petersen, Assistant County Administrator for Justice and Law Enforcement

Terrance Cheung
Pima County Government - Administration
130 W. Congress Street, 10th Floor
Tucson, AZ 85701

April 11, 2018

Dear Terrance Cheung:

This automated notice acknowledges receipt of your Freedom of Information Act (FOIA) request to U.S. Customs and Border Protection (CBP) received on 03/21/2018. Please use the following unique FOIA tracking number CBP-2018-041064 to track the status of your request. If you have not already done so, you must create a FOIAonline account at <https://foiaonline.regulations.gov>. This is the only method available to check the status of your pending FOIA request.

Provisions of the Act allow us to recover part of the cost of complying with your request. We shall charge you for records in accordance with the DHS FOIA regulations outlined on the DHS website, <https://www.federalregister.gov/documents/2016/11/22/2016-28095/freedom-of-information-act-regulations>. By submitting your request, you have agreed to pay up to \$25.00 in applicable processing fees, if any fees associated with your request exceed this amount, CBP shall contact you; however, the first 100 pages are free.

Due to the increasing number of FOIA requests received by this office, we may encounter some delay in processing your request. Consistent with 6 C.F.R. Part 5 §5.5(a) of the DHS FOIA regulations, CBP processes FOIA requests according to their order of receipt. Although CBP's goal is to respond within 20 business days of receipt of your request, FOIA does permit a 10-day extension of this time period in certain circumstances pursuant to 6 C.F.R. Part 5 §5.5(c).

CBP's FOIA Division is working hard to reduce the amount of time necessary to respond to FOIA requests. Currently, the average time to process a FOIA request related to "travel/border incidents" is a minimum of 3-6 months. We truly appreciate your continued patience.

For additional information please consult CBP FOIA website please click on [FOIA Act Resources](#) or visit <http://www.cbp.gov/site-policy-notices/foia>.

Sincerely,

U.S. Customs and Border Protection

Request Details
Tracking Number : CBP-2018-041064



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Request Information

Full Name : Under Agency Review
Organization : Under Agency Review
Date Submitted : 03/21/2018
Estimated Date of Completion : May 9, 2018
Final Disposition : Undetermined

Description :

The description of this request is under Agency review.

Released Records

No records have been released.

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