



# City of Lansing

OFFICE OF THE CITY ATTORNEY

James D. Smiertka, City Attorney

June 26, 2017

Steve Harry  
Email: stevenrharry@gmail.com

RE: Freedom of Information Act (FOIA) Request  
#17-212 – Employee Information

Dear Mr. Harry:

Pursuant to your FOIA request, please be advised that your request is granted in part and denied in part. The portions of your request that were denied are exempt pursuant to the following:

**MCLA 15.243(1)(n):** Records of law enforcement communication codes, or plans for deployment of law enforcement personnel, that if disclosed would prejudice a public body's ability to protect the public safety unless the interest in disclosure under this act outweighs the public interest in nondisclosure in the particular instance.

**MCLA 15.243(1)(s)(i):** Identify or provide a means of identifying an informant.

**MCLA 15.243(1)(s)(ii):** Identify or provide a means of identifying a law enforcement undercover officer or agent or a plain clothes officer as a law enforcement officer or agent.

**MCLA 15.243(1)(s)(vii):** Endanger the life or safety of law enforcement officers or agents or their families, relatives, children, parents, or those who furnish information to law enforcement departments or agencies.

**MCLA 15.243(1)(s)(viii):** Identify or provide a means of identifying a person as a law enforcement officer, agent, or informant.

**MCLA 15.243(1)(s)(ix):** Disclose personnel records of law enforcement agencies.

Please be advised that the City has adopted Procedures and Guidelines and a Written Public Summary, both of which are available on the City's website at:

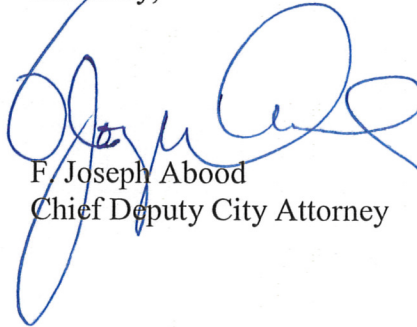
[https://www.lansingmi.gov/media/view/FOIA\\_OCA\\_Policies\\_and\\_Procedures](https://www.lansingmi.gov/media/view/FOIA_OCA_Policies_and_Procedures)

[https://www.lansingmi.gov/media/view/FOIA\\_OCA\\_Public\\_Summary](https://www.lansingmi.gov/media/view/FOIA_OCA_Public_Summary)

*Appeal of denial of records.* You are entitled under the Michigan Freedom of Information Act, MCL 15.240, to appeal this denial to the President of City Council or to commence an action in the Circuit Court within 180 days after the City's final determination to deny a request, to compel disclosure of the requested records if you believe they were wrongfully withheld from disclosure. If, after judicial review, the court determines that the City has not complied with MCL 15.235 in making this denial and orders disclosure of all or a portion of a public record, you have the right to receive attorneys' fees and damages as provided in MCL 15.240. If the court determines in an action commenced under this section that the public body has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the public body to pay a civil fine of \$1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00 to the person seeking the right to inspect or receive a copy of a public record.

If you have any further questions, please contact me at my office.

Sincerely,

A handwritten signature in blue ink, appearing to read 'F. Joseph Abood', is written over a printed name and title.

F. Joseph Abood  
Chief Deputy City Attorney

MAD/ej