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January 25, 2017

Mr. Steven R. Harry
3125 Tecumseh River Rd.
Lansing, MI. 48906

Re: FOIA Appeal dated December 14, 2016

Dear Mr. Harry:

This is in response to your appeal of the Ingham County Sheriff's response to your December 7, 2016 FOIA request to the Sheriff's Office, which appeal was received and considered by the Ingham County Board of Commissioners at its January 24, 2017 meeting.

Your FOIA request asked for the following information:

Ingham County Sheriff's Office General Order No. 240, which addresses the operation of department vehicles.

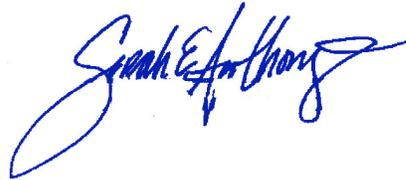
You appealed from the Sheriff's denial of your request. Upon review of your appeal letter, it is the determination of the Ingham County Board of Commissioners that the denial of your request should be upheld.

Your appeal is denied, on the grounds that the Sheriff's Office General Order No. 240, which addresses the operation of department vehicles, is exempt from disclosure under FOIA, as records or information that would (a) disclose operational instructions to law enforcement officers or agents, and (b) reveal the contents of staff manuals provided for law enforcement officers or agents. MCL 15.243(1)(s)(v) and (vi). These exemptions apply when the public interest in disclosure is outweighed by the public interest in non-disclosure.

The balance of the competing public interests in this matter weighs against disclosure of the requested records. The Sheriff's Office policy on the operation of department vehicles is a staff manual, and contains instructions to law enforcement officers regarding vehicle pursuits, vehicle stops, and other information that, if publicly known, could be used by criminal suspects to avoid apprehension. Their knowledge of the inner workings of the policy could be used against the Sheriff and his deputies, contrary to the public interest in maintaining public safety.

If you do not agree with this response, you have the right to seek judicial review by commencing an action within 180 days in Circuit Court. If after judicial review, the Circuit Court determines that the County has not complied with the Act and orders disclosure of all or a portion of a public record, you have the right to receive actual or compensatory damages, punitive damages, and an award of costs and attorneys' fees.

Sincerely,

A handwritten signature in blue ink, appearing to read "Sarah E. Anthony". The signature is fluid and cursive, with a large loop at the end.

Sarah Anthony, Chairperson
County Board of Commissioners

cc: Becky Bennett, FOIA Coordinator