Delta County Prosecutor's Office

Lauren M. Wickman
Prosecuting Attorney
Civil Counsel
Beth Wickwire
Chief Assistant Prosecutor
Deputy Civil Counsel
Lauren Mattson
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September 3, 2025

[redacted]

Re: FOIA Request #25-194

[redacted]

I acknowledge receipt of your Freedom of Information Act request dated August 13, 2025 received by the Delta County Prosecutor's Office on August 14, 2025 for the following documents:

> Pursuant to Michigan Freedom of Information Act, MCL 15.231 et seq., I request the following records:
>
> **All correspondence (including emails, letters, and text messages) sent to or from Prosecutor Lauren Wickman between January 1, 2024, and December 31, 2024, that meets at least one of the following criteria:**
>
> 1. Involves communications with law enforcement agencies;
> 2. Involves communications with defense attorneys or other attorneys of record in criminal matters;
> 3. Involves communications with County Commissioners or other elected officials regarding prosecutorial operations, policy, or case status;
> 4. Involves communication with members of the media.
>
> For email records, please include both the message content and any attachments. For text or instant messages, please include message content, date/time stamps, and sender/receipt identifiers.
>
> If it would expediate process, I will accept a list or log of responsive correspondence (including date, sender, recipient, and subject) prior to receiving the actual messages. This will allow me to narrow or refine the request if necessary.

Your request for the above referenced records is **GRANTED IN PART, DENIED IN PART**.

310 LUDINGTON STREET, SUITE 237 ESCANABA MI 49829
(906)789-5115

Your request for the above referenced records is **DENIED** to the extent that the content of the emails, letters, and/or text messages is exempt pursuant to MCL 15.243, to include, but not limited to the following:

Information is of a personal nature where public disclosure of the information would clearly constitute an unwarranted invasion of an individual's privacy, to include but not limited to: defendant names, victim or witness names, addresses, dates of births, telephone numbers, etc, pursuant to MCL 15.243(1)(a);

Materials or content subject to Attorney Work Product exception, pursuant MCL 15.243(1)(h), *Messenger v Ingham County Prosecutor*, 232 Mich App 633 (1998);

Materials or content subject to Attorney Client Privilege, pursuant to MCL 15.243(1)(g);

Investigating records compiled for law enforcement purposes to the extent that disclosure as a public record would either interfere with law enforcement proceedings, deprive a person of the right to a fair trial or impartial administrative adjudication, constitute an unwarranted invasion of personal privacy, Disclose the identity of a confidential source, or if the record is compiled by a law enforcement agency in the course of a criminal investigation, disclose confidential information furnished only by a confidential source, disclose law enforcement investigative techniques or procedures, endanger the life or physical safety of law enforcement personnel, or disclose the identity of a party who, as described in subdivision (cc), proceeds anonymously in a civil action in which the party alleges that the party was the victim of sexual misconduct pursuant to MCL 15.243(b)(i)-(vi)

A public record that if disclosed would prejudice a public body's ability to maintain the physical security of custodial or penal institutions occupied by persons arrested or convicted of a crime or admitted because of a mental disability, unless the public interest in disclosure under this act outweighs the public interest in nondisclosure, pursuant to MCL 15.243(c)

Records of information specifically described and exempted from disclosure by statute, pursuant to MCL 15.243(d)

Medical, counseling, or psychological facts or evaluations concerning an individual if the individual's identity would be revealed by a disclosure of those facts or evaluation, including protected health information, as defined in 45 CFR 160.103, pursuant to MCL 15.243(l)

Public records of a law enforcement agency, the release of which would do any of the following: (i) Identify or provide a means of identifying an informant. (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. (iii) Disclose the personal address or telephone number of active or retired law enforcement officers or agents or a special skill that they may have. (iv) Disclose the name, address, or telephone numbers of family

members, relatives, children, or parents of active or retired law enforcement officers or agents. (v) Disclose operational instructions for law enforcement officers or agents.(vi) Reveal the contents of staff manuals provided for law enforcement officers or agents. (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. (viii) Identify or provide a means of identifying a person as a law enforcement officer, agent, or informant. (ix) Disclose personnel records of law enforcement agencies. (x) Identify or provide a means of identifying residences that law enforcement agencies are requested to check in the absence of their owners or tenants. Pursuant to MCL 15.243(s)(i)-(x)

Records of a public body's security measures, including security plans, security codes and combinations, passwords, passes, keys, and security procedures, to the extent that the records relate to the ongoing security of the public body, pursuant to MCL 15.243(u).

Information or records that would disclose the Social Security number of an individual, pursuant to MCL 15.243(w).

Information that would identify or provide a means of identifying a person that may, as a result of disclosure of the information, become a victim of a cybersecurity incident or that would disclose a person's cybersecurity plans or cybersecurity-related practices, procedures, methods, results, organizational information system infrastructure, hardware, or software, pursuant to MCL 15.243(z)

Your request is **GRANTED,** subject to any statutory exemptions, as outlined above. However, given the breadth of your request and the number of records (*approximately 14,400 email conversations, approximately 50 text message conversations, review of approximately 1,700 case files for mail/letter correspondence*) which must be searched for and reviewed to respond to such a request, the public body has determined that failing to charge for the costs of the search, examination, review, and deletion and separation of exempt from nonexempt information would result in unreasonably high costs to the County beyond those typically incurred in responding to FOIA requests. Such costs are specifically outlined in the attached FOIA Fee Itemization but include the significant time and cost for searching for and locating the records.

Because the estimated fee in this case is great than fifty dollars ($50.00), the public body requires a deposit of fifty percent (50%) of the estimated fee to be paid before providing the responsive documents. The total estimate can be found on the attached fee itemization form. Half of the amount is the required deposit. The public body estimates it will take approximately 270 days from receipt of the deposit to provide you with the responsible, nonexempt public records.

If you disagree with this decision, you may submit an appeal to the chairperson of the Delta County Board of Commissioners, or seek judicial review in the Delta County Circuit Court. If you prevail in Circuit Court, you may be entitled to receive attorney fees, costs, and disbursements as well as actual or compensatory damages, and punitive damages of $1,000.00.

I have also included the website utilized to find Freedom of Information Act (FOIA) Written Policies, Guidelines, and Forms as well as the FOIA Appeal Form.

If you have any questions or concerns, please contact me.

Best Regards,

Lauren M. Wickman
Chief Prosecuting Attorney
Encl.

Emily Desalvo
FOIA Coordinator