Delta County Prosecutor's Office

Lauren M. Wickman
Prosecuting Attorney
Civil Counsel
Beth Wickwire
Chief Assistant Prosecutor
Deputy Civil Counsel
Lauren Mattson
Assistant Prosecutor

September 3, 2025

[redacted]

Re: FOIA Request #25-195

[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 copies of:
>
> **All internal or external reports, evaluations, reviews, assessments, audits, performance appraisals, case statistics, summaries, or compilations of prosecutorial work prepared by, for, or on behalf of the Delta County Prosecutor or Prosecutor's Office during the period of January 1, 2023, through December 31, 2024.**
>
> This request includes but is not limited to:
>
> - Performance reviews, employee evaluations, or operational assessments;
> - Annual, mid-year, or year-end reports
> - Case summaries or statistical breakdowns by type, disposition, or outcome;
> - Reports provided to or prepared for County officials, oversight bodies, or the public;
> - Any compiled date, tables, charges, or narrative summaries reflecting prosecutorial work or office activity.
>
> Please include all responsive records regardless of whether they are labeled "draft," "final," "internal," or "confidential," or regardless of whether they were intended for internal or external distribution.

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 is **GRANTED** as to request for records of "[a]ll internal or external reports, evaluations, reviews, assessments, audits, performance appraisals, case statistics, summaries, or compilations of prosecutorial work prepared by, for, or on behalf of the Delta County Prosecutor or Prosecutor's Office," "[a]nnual, mid-year, or year-end reports," "[c]ase Case summaries or statistical breakdowns by type, disposition, or outcome," "[r]eports provided to or prepared for County officials, oversight bodies, or the public," and "[a]ny compiled data, tables, charges, or narrative summaries reflecting prosecutorial work or office activity" for "the period of January 1, 2023, through December 31, 2024". In granting your request, please find the following documents:

Budget Memo for Fiscal Year 2024-25 and the associated attachments

Draft Memo for Fiscal Year 2024-25

Budget Memo for Fiscal Year 2023-24, with associated External documents (to include excerpt from MDOC 2021 Statistical Report, excerpt from MDOC 2022 Statistical Report, Vacancy Announcement for Clare County, Job Description for Dickinson County, Job Description for Leelanau County, Job Description for Houghton County, Job Description for Mecosta County, Prosecuting Attorneys Coordinating Council Annual Prosecution Survey 2022)

Draft Memo for Fiscal Year 2023-24

Charges on Authorized Misdemeanor Case Report 01/01/2023 to 11/30/2023 previously generated through Adult Case Tracking (run date of 11/30/2023)

Charges on Authorized Felony Cases Report 01/01/2023 to 11/30/2023 previously generated through Adult Case Tracking (run date of [redacted])

Charges on Authorized Felony Cases Report 01/01/2023 to 12/31/2023 previously generated through Adult Case Tracking (run date of 11/30/2023)

Warrants Authorized by Agency 01/01/2023 to 11/30/2023 previously generated through Adult Case Tracking (run date of 11/30/2023)

Your request for "[r]eports provided to or prepared for County officials" outside to those provided above, are **DENIED** pursuant to Attorney-Client Privilege, pursuant to MCL 15.243(h), as the Delta County Prosecutor's Office represents Delta County as civil counsel and regularly provides reports or memos to County officials pursuant to the Attorney-Client relationship.

Your request for records of "[p]erformance reviews, employee evaluations, or operational assessments" is **DENIED** as a review of the records reveal they do not exist. The undersigned hereby certifies that, after a search for records and to the best of the undersigned's knowledge and belief, the public records requested, and described below, do not exist within the records of the public body under the name nor any other name reasonably known to the public body.

However, your request for "statistical breakdowns by type, disposition, or outcome" could be provided in the form of the underlying information that would allow for your own compiling of the "statistical breakdowns by type, disposition, or outcome." Given the breadth of your request and the number of records (*review of approximately 2,400 case files to locate charging documents and/or sentencing documents*) 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