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 8, 2025

[redacted]

Re: FOIA Request #25-199

Mr. Parrotta,

I acknowledge receipt of your Freedom of Information Act request dated August 16, 2025 received by the Delta County Prosecutor's Office on August 18, 2025 for the following documents:

> Pursuant to Michigan Freedom of Information Act, MCL 15.231 et seq., I request copies of the following records:
>
> 1. Press & Media Communications
>
>   - All internal and external communications (including emails, memos, draft statements, and text message) created, received or exchanged by Prosecutor **Lauren M. Wickman**, Chief Assistant Prosecutor **Beth Wickwire**, or Assistant Prosecutor **Lauren Mattson** between January 1, 2025, and August 16, 2025, that reference or relate to:
>   - Media statements, press releases, or public communications by the Prosecutor's Office;
>   - Coverage by WZMQ/Channel 19;
>   - The case(s) involving **Colton Brunette**.
>
> 2. Case Files – Colton Brunette
>
>   - **Charging documents, trial preparation records, and plea agreements** associated with Colton Brunette, including but not limited to:
>   - The June 6, 2025 traffic stop in Escanaba;
>   - The February 2025 incident referenced by Prosecutor Wickman in her August 15, 2025 press release.
>
> 3. Policy/Guidance Records

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

- Any internal policy, directive, or guidance documents regarding communications with media outlets and the handling of "ongoing investigation" statements.

1. Press & Media Communications

    - All internal and external communications (including emails, memos, draft statements, and text message) created, received or exchanged by Prosecutor Lauren M. Wickman, Chief Assistant Prosecutor Beth Wickwire, or Assistant Prosecutor Lauren Mattson between January 1, 2025, and August 16, 2025, that reference or relate to:
        - Media statements, press releases, or public communications by the Prosecutor's Office;
        - Coverage by WZMQ/Channel 19;
        - The case(s) involving **Colton Brunette**.

Your request for all "media statements, press releases, or public communications by the Prosecutor's Office, between January 1, 2025, and August 16, 2025" "that reference or relate to: Media statements, press releases, or public communications by the Prosecutor's Office; Coverage by WZMQ/Channel 19; the case(s) involving Colton Brunette" is **GRANTED**. In granting your request, we are providing the following documents:

Press release dated 02/18/2025 regarding 02/16/2025 traffic stop

Press release dated 02/19/2025 regarding 02/15/2025 traffic stop

Facebook Post dated 02/19/2025

Press release dated 08/15/2025 regarding WZMQ/Channel 19 News

DRAFT of Press release dated 08/15/2025 regarding WZMQ/Channel 19 News

Your request for "[a]ll internal and external communications (including emails…and text message) created, received or exchanged by Prosecutor Lauren M. Wickman, Chief Assistant Prosecutor Beth Wickwire, or Assistant Prosecutor Lauren Mattson between January 1, 2025, and August 16, 2025, that reference or relate to: Media statements, press releases, or public communications by the Prosecutor's Office; Coverage by WZMQ/Channel 19; the case(s) involving Colton Brunette" is **GRANTED**, subject necessary redaction pursuant to any statutory exemptions that apply, 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)

However, given the breadth of your request and the number of records (*approximately 7-10 text message conversations and 500 email conversations to include numerous attachments that would also need to be reviewed for severing of exempt vs. non-exempt*) which must be searched 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 60 days from receipt of the deposit to provide you with the responsible, nonexempt public records.

Your request for "[a]ll internal and external communications (including…memos, draft statements…) created, received or exchanged by Prosecutor Lauren M. Wickman, Chief Assistant Prosecutor Beth Wickwire, or Assistant Prosecutor Lauren Mattson between January 1, 2025, and August 16, 2025, that reference or relate to: Media statements, press releases, or public communications by the Prosecutor's Office; Coverage by WZMQ/Channel 19; the case(s) involving Colton Brunette" is Case Files – Colton Brunette" is **DENIED** as a review of the records reveals 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.

2. Case Files – Colton Brunette

- **Charging documents, trial preparation records, and plea agreements** associated with Colton Brunette, including but not limited to:
  - The June 6, 2025 traffic stop in Escanaba;
  - The February 2025 incident referenced by Prosecutor Wickman in her August 15, 2025 press release.

Specifically, your request for "[c]harging documents, … and plea agreements associated with Colton Brunette" related to "[t]he June 6, 2025 traffic stop in Escanaba" is **GRANTED IN PART, DENIED IN PART**. In granting your request, the following documents have been provided:

Signed Complaint
Court generated plea sheet

Your request for the above referenced records is **DENIED** to the extent that the content of the responsive documents include 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)

Your request for "trial preparation records" related to "[t]he June 6, 2025 traffic stop in Escanaba" is **DENIED** as a review of the records reveals 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.

Your request for "[c]harging documents, … and plea agreements associated with Colton Brunette" related to "[t]he February 2025 incident referenced by Prosecutor Wickman in her August 15, 2025 press release" is **DENIED**. These records have already been provided to you in response to FOIA Request 25-171. Pursuant to *Densmore v Michigan Department of Corrections,* 203 Mich 363, 266 (1994) as your request does not specify why a second copy of the documents will not suffice for you needs. Absence such a showing, it would be a dissipation of public resources to make and process a second request.

Your request for "trial preparation records" related to "[t]he February 2025 incident referenced by Prosecutor Wickman in her August 15, 2025 press release" is **DENIED** as a review of the records reveals 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.

3. Policy/Guidance Records

- Any internal policy, directive, or guidance documents regarding communications with media outlets and the handling of "ongoing investigation" statements.

Your request for the above described records 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.

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

County: Keep original and provide copies of both sides of each sheet, along with Public Summary, to Requestor at no charge.

Delta County
310 Ludington St., Escanaba, MI 49829
Phone: 906-789-5100

Detailed Cost Itemization

Freedom of Information Act Request Detailed Cost Itemization

Date: 09/08/2025 Prepared for **Request No.:** 25-199 Date Request Received: 08/18/2025

The following costs are being charged / estimated in compliance with Section 4 of the Michigan Freedom of Information Act, MCL 15.234, according to the County's FOIA Policies and Guidelines. If the County is seeking a 50% deposit prior to providing the public records sought, the estimate is itemized on this form, lines 1-5 below.

If all or a portion of the requested information is available on the County's website, the County is required to tell you it is available on the website and, where practicable, include a specific webpage address where the information is available. In this case

- ☑ None
- ☐ Some
- ☐ All

of the requested material can be found at the following webpage(s):

_____,

_____,

_____,

If the webpage is all the information you need, it is provided without charge. If, however, you still wish to receive a copy of material from the webpage, please let us know. The FOIA charges will apply if the County is required to produce copies of material from the webpage.

☐ **Requestor has stipulated that some / all of the requested records that are <u>already available on the County's website</u> but requests they be provided in a paper or non-paper physical digital medium and acknowledges that providing the records in that format shall be subject to the County's normal charges outlined below.**

1. Labor Cost to Locate:

This is the cost of labor directly associated with the necessary searching for, locating, and examining public records in conjunction with receiving and fulfilling a granted written request. **This fee is being charged because failure to do so will result in unreasonably high costs to the County because of the nature of the request in this particular instance, specifically:** will require the location of the applicable emails (approximately 500 emails). 3 minutes estimated per email

The County will not charge more than the hourly wage of its lowest-paid employee capable of searching for, locating, and examining the public records in this particular instance, regardless of whether that person is available or who actually performs the labor.

These costs will be estimated and charged in **15-minute time increments**; all partial time increments must be rounded down. *If the number of minutes is less than 15, there is no charge.*

Hourly Wage Charged: $_____ **Charge per ¼ hour: $**_____

OR

Hourly Wage with Fringe Benefit Cost: $24.82
Multiply the hourly wage by the percentage multiplier: _____%
(*up to 50% of the hourly wage*) and add to the hourly wage for a total per hour rate. **Charge per ¼ hour: $**6.21

[For records already available on the County's website that Requestor has requested in a paper or non-paper digital medium, greater than the 50% limitation, not to exceed the actual costs may be used to calculate Fringe Benefit Costs to be added to the hourly wage].

☐ Overtime rate charged as stipulated by Requestor *(overtime is not used to calculate the fringe benefit cost)*

To figure the number of increments, take the *number of minutes:* 1500, *divide by 15 -minute increments, and round down. Enter below:*

Number of increments

x 100 =

1. Labor Cost

$621

2. Labor Cost for Copying / Duplication

This is the cost of labor directly associated with duplication of publication, including making paper copies, making digital copies, or transferring digital public records to be given to the requestor on non-paper physical media or through the Internet or other electronic means as stipulated by the requestor.

This shall not be more than the hourly wage of the County's lowest-paid employee capable of necessary duplication or publication in this particular instance, regardless of whether that person is available or who actually performs the labor.

These costs will be estimated and charged in **15-minute time increments as set by the County Board of Commissioners** *(for example: 15-minutes or more)*; all partial time increments must be rounded down. *If the number of minutes is less than one increment, there is no charge.*

Hourly Wage Charged: $_____ **Charge per ¼ hour: $**_____

OR

Hourly Wage with Fringe Benefit Cost: $_____
Multiply the hourly wage by the percentage multiplier: _____%
(*up to 50% of the hourly wage*) and add to the hourly wage for a total per hour rate.

Charge per ¼ hour: $_____

[For records already available on the County's website that Requestor has requested in a paper or non-paper digital medium, greater than the 50% limitation, not to exceed the actual costs may be used to calculate Fringe Benefit Costs to be added to the hourly wage].

☐ Overtime rate charged as stipulated by Requestor *(overtime is not used to calculate the fringe benefit cost)*

To figure the number of increments, take the *number of minutes:* ____, *divide by 15 -minute increments, and round down. Enter below:*

Number of increments

x _____ =

2. Labor Cost

$_____

3a. Employee Labor Cost for Separating Exempt from Non-Exempt (Redacting):

(Fill this out if using a County employee. If contracted, use No. 3b instead).

The County will not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the record in question and still has the redacted version in its possession.

This fee is being charged because failure to do so will result in unreasonably high costs to the County that are excessive and beyond the normal or usual amount for those services compared to the County's usual FOIA requests, because of the nature of the request in this particular instance, specifically: personal information to include defendant names and other personal identifying information as an unwarranted invasion of the person's privacy MCL 15.243(1). Attorney Work product. MCL 15.243(1)(h)

Estimated 4 minutes per email due to large number of attachments associated with emails

This is the cost of labor of a **County employee**, including necessary review, directly associated with separating and deleting exempt from nonexempt information. This shall not be more than the hourly wage of the **County's lowest-paid employee** capable of separating and deleting exempt from nonexempt information in this particular instance, regardless of whether that person is available or who actually performs the labor.

These costs will be estimated and charged **15-minute time increments**; all partial time increments must be rounded down. *If the number of minutes is less than 15, there is no charge.*

Hourly Wage Charged: $_____ **Charge per ¼ hour: $**_____

OR

Hourly Wage with Fringe Benefit Cost: $62.71
Multiply the hourly wage by the percentage multiplier: ____%
(*up to 50% of the hourly wage*) and add to the hourly wage for a total per hour rate. **Charge per ¼ hour: $**15.68

[For records already available on the County's website that Requestor has requested in a paper or non-paper digital medium, greater than the 50% limitation, not to exceed the actual costs may be used to calculate Fringe Benefit Costs to be added to the hourly wage].

☐ Overtime rate charged as stipulated by Requestor *(overtime is not used to calculate the fringe benefit cost)*

To figure the number of increments, take the *number of minutes:* 2000 ____, *divide by 15 -minute increments, and round down. Enter below:*

Number of increments

x 133.33 =

3a. Labor Cost

$2090.67

3b. Contracted Labor Cost for Separating Exempt from Non-Exempt (Redacting):

(Fill this out if using a contractor, such as the attorney. If using in-house employee, use No. 3a instead.)

The County will not charge for labor directly associated with redaction if it knows or has reason to know that it previously redacted the record in question and still has the redacted version in its possession.

This fee is being charged because failure to do so will result in unreasonably high costs to the County that are excessive and beyond the normal or usual amount for those services compared to the County's usual FOIA requests, because of the nature of the request in this particular instance, specifically: _____

_____

_____

As this County does not employ a person capable of separating exempt from non-exempt information in this particular instance, as determined by the FOIA Coordinator, this is the cost of labor of a **contractor** (i.e.: outside attorney), including necessary review, directly associated with separating and deleting exempt information from nonexempt information. This shall not exceed an amount equal to 6 times the state minimum hourly wage rate of _____ (*currently $8.15*).

Name of contracted person or firm: _____

These costs will be estimated and charged in **15-minute time increments** ***(must be 15-minutes or more)***; all partial time increments must be rounded down. *If the number of minutes is less than 15, there is no charge.*

Hourly Cost Charged: $_____ **Charge per increment: $**_____

To figure the number of increments, take the *number of minutes:* ____, *divide by 15 -minute increments, and round down to:* ___ *increments. Enter below:*

Number of increments

x _____ =

3b. Labor Cost

$_____

4. Copying / Duplication Cost:

Copying costs may be charged if a copy of a public record is requested, or for the necessary copying of a record for inspection (*for example, to allow for blacking out exempt information, to protect old or delicate original records, or because the original record is a digital file or database not available for public inspection*).

No more than the actual cost of a sheet of paper, up to maximum 10 cents per sheet for:

- **Letter** (8 ½ x 11-inch, single and double-sided): _____ **cents per sheet**
- **Legal** (8 ½ x 14-inch, single and double-sided): _____ **cents per sheet**

No more than the actual cost of a sheet of paper for other paper sizes:

- **Other paper sizes** (single and double-sided): _____ **cents / dollars per sheet**

Actual and most reasonably economical cost of non-paper physical digital media:

- ***Circle applicable:*** Disc / Tape / Drive / Other Digital Medium **Cost per Item:** _____

The cost of paper copies **must** be calculated as a total cost per sheet of paper. The fee **cannot exceed** 10 cents per sheet of paper for copies of public records made on 8-1/2- by 11-inch paper or 8-1/2- by 14-inch paper. The County **must** utilize the most economical means available for making copies of public records, including using double-sided printing, if cost saving and available.

Number of Sheets:

x _____ =

x _____ =

x _____ =

No. of Items:

x _____ =

Costs:

$_____

$_____

$_____

$_____

4. Total Copy Cost

$_____

5. Mailing Cost:

The County will charge the actual cost of mailing, if any, for sending records in a reasonably economical and justifiable manner. Delivery confirmation is not required.

- The County ***may*** charge for the least expensive form of postal delivery confirmation.
- The County ***cannot*** charge more for expedited shipping or insurance unless specifically requested by the requestor.*

Actual Cost of Envelope or Packaging: $_____

Actual Cost of Postage: $_____ per stamp

$_____ per pound

$_____ per package

Actual Cost (least expensive) Postal Delivery Confirmation: $_____

***Expedited Shipping or Insurance as Requested: $**_____

☐ * Requestor has requested expedited shipping or insurance

Number of Envelopes or Packages:	Costs:
x _____ =	$_____
x _____ =	$_____
x _____ =	$_____
x _____ =	$_____
x _____ =	$_____
x _____ =	$_____
	5. Total Mailing Cost
	$_____

Subtotal Fees Before Waivers, Discounts or Deposits:

Estimated Time Frame to Provide Records:

60 _____ *(days or date)*

The time frame estimate is nonbinding upon the County, but the County is providing the estimate in good faith. Providing an estimated time frame does not relieve the County from any of the other requirements of this act.

☑ Cost estimate
☐ Bill

1. Labor Cost to Locate:	$621.00
2. Labor Cost for Copying:	$0
3a. Labor Cost to Redact:	$2090.67
3b. Contract Labor Cost to Redact:	$0
4. Copying/Duplication Cost:	$0
5. Mailing Cost:	$0
Subtotal Fees:	$2711.67

Waiver: Public Interest

A search for a public record may be conducted or copies of public records may be furnished without charge or at a reduced charge if the County determines that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public.

☐ **All fees are waived** OR ☐ **All fees are reduced by:** _____%

Subtotal Fees After Waiver: $_____

Discount: Indigence A public record search **must** be made and a copy of a public record **must** be furnished **without charge for the first $20.00 of the fee** for each request by an individual who is entitled to information under this act and who: **1)** Submits an affidavit stating that the individual is indigent and receiving specific public assistance, **OR** **2)** If not receiving public assistance, stating facts showing inability to pay the cost because of indigence. If a requestor is ineligible for the discount, the public body shall inform the requestor specifically of the reason for ineligibility in the public body's written response. An individual is ineligible for this fee reduction if **ANY** of the following apply: (i) The individual has previously received discounted copies of public records from the same public body twice during that calendar year, **OR** (ii) The individual requests the information in conjunction with outside parties who are offering or providing payment or other remuneration to the individual to make the request. A public body may require a statement by the requestor in the affidavit that the request is not being made in conjunction with outside parties in exchange for payment or other remuneration. ☐ **Eligible for Indigence Discount**	**Subtotal Fees After Discount (subtract $20):**	$_____
Discount: Nonprofit Organization A public record search **must** be made and a copy of a public record **must** be furnished **without charge for the first $20.00 of the fee** for each request by a nonprofit organization formally designated by the state to carry out activities under subtitle C of the federal Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the federal Protection and Advocacy for Individuals with Mental Illness Act, if the request meets **ALL** of the following requirements: (i) Is made directly on behalf of the organization or its clients. (ii) Is made for a reason wholly consistent with the mission and provisions of those laws under section 931 of the Michigan Mental Health Code, 1974 PA 258, MCL 330.1931. (iii) Is accompanied by documentation of its designation by the state, if requested by the County. ☐ **Eligible for Nonprofit Discount**	**Subtotal Fees After Discount (subtract $20):**	$_____
Deposit: Good Faith The County may require a good-faith deposit before providing the public records to the Requestor **if the entire fee estimate or charge authorized under this section exceeds $50.00**, based on a good-faith calculation of the total fee. The deposit cannot exceed 1/2 of the total estimated fee. **Percent of Deposit:** 50 %	**Date Paid:** _____	**Deposit Amount Required:** $1355.83

Deposit: Increased Deposit Due to Previous FOIA Fees Not Paid In Full

After the County has granted and fulfilled a written request from an individual under this Act, if the County has not been paid in full the total amount of fees for the copies of public records that the County made available to the individual as a result of that written request, **the County may require an increased estimated fee deposit of up to 100% of the estimated fee before it begins a full public record search for any subsequent written request from that individual** if **ALL** of the following apply:

(a) The final fee for the prior written request was not more than 105% of the estimated fee.
(b) The public records made available contained the information being sought in the prior written request and are still in the County's possession.
(c) The public records were made available to the individual, subject to payment, within the best effort estimated time frame given for the previous request.
(d) Ninety (90) days have passed since the County notified the individual in writing that the public records were available for pickup or mailing.
(e) The individual is unable to show proof of prior payment to the County.
(f) The County calculates a detailed itemization, as required under MCL 15.234, that is the basis for the current written request's increased estimated fee deposit.

The County **can no longer require an increased estimated fee deposit** from an individual if **ANY** of the following apply:

(a) The individual is able to show proof of prior payment in full to the County, **OR**
(b) The County is subsequently paid in full for the applicable prior written request, **OR**
(c) Three hundred sixty-five (365) days have passed since the individual made the written request for which full payment was not remitted to the County.

Date Paid:

_____

Percent Deposit Required:

_____%

Deposit Required:

$_____

14. Late Response Labor Costs Reduction

If the County does not respond to a written request in a timely manner as required under MCL 15.235(2), the County **must** do the following:

(a) **Reduce the charges for labor costs** otherwise permitted by 5% for each day the County exceeds the time permitted for a response to the request, **with a maximum 50% reduction**.

Number of Days Over Required Response Time:

_____

Multiply by 5%

= Total Percent Reduction:

_____

Total Labor Costs

$_____

Minus Reduction

$_____

= Reduced Total Labor Costs

$_____

15. Balance Due (Deduct amount on Line 14 from amount on Line 13c)

Date Paid_____

Total Balance Due:

$_____

The Public Summary of the County's FOIA Procedures and Guidelines is available free of charge from:

Website: deltacountymi.org **Email: foia@deltacountymi.org**
Phone: 906-789-5100 **Address: 310 Ludington St., Escanaba, MI 49829**

Request Will Be Processed, But Balance Must Be Paid Before Copies May Be Picked Up, Delivered or Mailed

(Form created by MTA, MAMA and CS&T, PC, May 2015)

County: Keep original and provide copy of both sides, along with Public Summary, to requestor at no charge.

Delta County
310 Ludington Street, Escanaba, MI 49829
Phone: 906-789-5100

Denial Form

Notice of Denial of FOIA Request

Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, *et seq.*

Request No.: 25-199 Date Received: 09/18/2025
Date of This Notice: 09/08/2025
(Please Print or Type)

Check if received via: ☐ Email ☑ Fax ☐ Other Electronic Method
Date delivered to junk/spam folder: _____
Date discovered in junk/spam folder: _____

Name [redacted]	Phone
Firm/Organization	Fax
[redacted]	Email parrjj03@gmail.com
City Asheville	State NC [redacted]

Request for: ☑ Copy ☐ Certified copy ☐ Record inspection ☐ Subscription to record issued on regular basis

Delivery Method: ☐ Will pick up ☐ Will make own copies onsite ☐ Mail to address above ☑ Email to address above
☐ Deliver on digital media provided by the County: _____

Record(s) You Requested: *(Listed here or see attached copy of original request)* See attached copy of original request.

☐ **All** **OR** ☑ **Part** of your request for records has been denied. Please refer to this form for an explanation. If you have any questions regarding this denial, contact Emily Desalvo at 906-789-5100

Reason for Denial:

☐ **1. Exempt from Disclosure:** This item is exempt from disclosure under FOIA Section 13, Subsection _____ *(insert number)*, because: _____

☑ **2. Record Does Not Exist:** This item does not exist under the name provided in your request or by another name reasonably known to the County A certificate that the public record does not exist under the name given is attached. If you believe this recorddoes exist, provide a description that will enable us to locate the record: _____

☑ 3. **Redaction:** A portion of the requested record had to be separated or deleted (redacted) as it is exempt under FOIA Section 13, Subsection see attachme *(insert number)*, because: see attachment

A brief description of the information that had to be separated or deleted: see attachment, but to include but not limited to names, phone numbers, addresses, vicitm/witness names, victim/witness phone numbers, victim/witness addresses, Dates of Birth, SSN, criminal identification numbers

Notice of Requestor's Right to Seek Judicial Review

You are entitled under Section 10 of the Michigan Freedom of Information Act, MCL 15.240, to appeal this denial to the County Board of Commissioners or to commence an action in the Circuit Court 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 County has not complied with MCL 15.235 in making this denial and orders disclosure of allor a portion of a public record, you have the right to receive attorneys' fees and damages as provided in MCL 15.240.
(See back of this form for additional information on your rights.)

Signature of FOIA Coordinator: [signature]

Date: 9-8-2025

FREEDOM OF INFORMATION ACT (EXCERPT)
Act 442 of 1976

15.240.amended Options by requesting person; appeal; actions by public body; receipt of written appeal; judicial review; civil action; venue; de novo proceeding; burden of proof; private view of public record; contempt; assignment of action or appeal for hearing, trial, or argument; attorneys' fees, costs, and disbursements; assessment of award; damages.

Sec. 10.

(1) If a public body makes a final determination to deny all or a portion of a request, the requesting person may do 1 of the following at his or her option:

(a) Submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.

(b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, the court of claims, to compel the public body's disclosure of the public records within 180 days after a public body's final determination to deny a request.

(2) Within 10 business days after receiving a written appeal pursuant to subsection (1)(a), the head of a public body shall do 1 of the following:

(a) Reverse the disclosure denial.

(b) Issue a written notice to the requesting person upholding the disclosure denial.

(c) Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.

(d) Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the head of the public body shall respond to the written appeal. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.

(3) A board or commission that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a). If the head of the public body fails to respond to a written appeal pursuant to subsection (2), or if the head of the public body upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action under subsection (1)(b).

(4) In an action commenced under subsection (1)(b), a court that determines a public record is not exempt from disclosure shall order the public body to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located has venue over the action. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. The court, on its own motion, may view the public record in controversy in private before reaching a decision. Failure to comply with an order of the court may be punished as contempt of court.

(5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(6) If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced under this section, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or public body prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).

(7) 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. The damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

History: 1976, Act 442, Eff. Apr. 13, 1977 ;-- Am. 1978, Act 329, Imd. Eff. July 11, 1978 ;-- Am. 1996, Act 553, Eff. Mar. 31, 1997 ;-- Am. 2014, Act 563, Eff. July 1, 2015

County: Keep original and provide copy of both sides, along with Public Summary, to requestor at no charge.

Delta County
310 Ludington Street, Escanaba, MI 49829

Phone: 906-789-5100

Denial Appeal Form

FOIA Appeal Form—To Appeal a Denial of Records

Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, *et seq.*

Request No.: 25-199 Date Received: _____
Date of This Notice: _____
(Please Print or Type)

Check if received via: ☐ Email ☐ Fax ☐ Other Electronic Method
Date delivered to junk/spam folder: _____
Date discovered in junk/spam folder: _____

Name		Phone
Firm/Organization		Fax
Street		Email
City	State	Zip

Request for: ☐ Copy ☐ Certified copy ☐ Record inspection ☐ Subscription to record issued on regular basis
Delivery Method: ☐ Will pick up ☐ Will make own copies onsite ☐ Mail to address above ☐ Email to address above
☐ Deliver on digital media provided by the County: _____

Record(s) You Requested: *(Listed here or see attached copy of original request)* _____

Reason(s) for Appeal:

The appeal must identify the reason(s) for reversing the denial. You may use this form or attach additional sheets:

_____

Requestor's Signature: _____ **Date:** _____

County Response:

The County must provide a response within 10 business days after receiving this appeal, including a determination or taking one 10-business day extension.

County Extension: We are extending the date to respond to your FOIA denial appeal for no more than 10 business days, until_____ (*month, day, year*). Only one extension may be taken per FOIA appeal.
Unusual circumstances warranting extension: _____

If you have any questions regarding this extension, contact: _____

County Determination:

☐ Denial Reversed ☐ Denial Upheld ☐ Denial Reversed in Part and Upheld in Part
The following previously denied records will be released: _____

Notice of Requestor's Right to Seek Judicial Review

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(*See back of this form for additional information on your rights.*)

Signature of FOIA Coordinator: **Date:**

FREEDOM OF INFORMATION ACT (EXCERPT)
Act 442 of 1976

15.240.amended Options by requesting person; appeal; actions by public body; receipt of written appeal; judicial review; civil action; venue; de novo proceeding; burden of proof; private view of public record; contempt; assignment of action or appeal for hearing, trial, or argument; attorneys' fees, costs, and disbursements; assessment of award; damages.

Sec. 10.

(1) If a public body makes a final determination to deny all or a portion of a request, the requesting person may do 1 of the following at his or her option:

(a) Submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.

(b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, the court of claims, to compel the public body's disclosure of the public records within 180 days after a public body's final determination to deny a request.

(2) Within 10 business days after receiving a written appeal pursuant to subsection (1)(a), the head of a public body shall do 1 of the following:

(a) Reverse the disclosure denial.

(b) Issue a written notice to the requesting person upholding the disclosure denial.

(c) Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.

(d) Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the head of the public body shall respond to the written appeal. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.

(3) A board or commission that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a). If the head of the public body fails to respond to a written appeal pursuant to subsection (2), or if the head of the public body upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action under subsection (1)(b).

(4) In an action commenced under subsection (1)(b), a court that determines a public record is not exempt from disclosure shall order the public body to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located has venue over the action. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. The court, on its own motion, may view the public record in controversy in private before reaching a decision. Failure to comply with an order of the court may be punished as contempt of court.

(5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(6) If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced under this section, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or public body prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).

(7) 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. The damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

History: 1976, Act 442, Eff. Apr. 13, 1977 ;-- Am. 1978, Act 329, Imd. Eff. July 11, 1978 ;-- Am. 1996, Act 553, Eff. Mar. 31, 1997 ;-- Am. 2014, Act 563, Eff. July 1, 2015.

Freedom of Information Act (FOIA) Written Policies, Guidelines, and Forms

To review all policies, guidelines, and forms related to FOIA, please visit Delta County's website at: www.deltacountymi.gov/foia

Upon request, a mailed copy of the polices, guidelines, and/or forms will be provided. Please contact the Delta County Administration Office at 906-789-5100 or by mail at:

Delta County Administration Office
310 Ludington Street, Suite 222
Escanaba, Michigan, 49829

Attachment to Freedom of Information Act Request Notice of Denial of FOIA Request related to FOIA Request 25-199

Reason for Denial:

3. **Redaction:** A portion of the requested record had to be separated or deleted (redacted) as it is exempt under FOIA Section 13, Subsections:

   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)

County: Keep original and provide copy of both sides, along with Public Summary, to Requestor at no charge.

Delta County
310 Ludington St., Escanaba, MI 49829
Phone: 906-789-5100

Notice to Extend Response Time for FOIA Request

Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, *et seq.*

Request No.: 25-199 **Date Received:** 8/18/25
Date of This Notice: 8-19-25
Check if received via: ☐ Email ☒ Fax ☐ Other Electronic Method
Date delivered to junk/spam folder: _____
Date discovered in junk/spam folder: _____

(Please Print or Type)

Name [redacted]	Phone 719-313-0395
Firm/Organization	Fax
Street [redacted]	Email [redacted]gmail.com
City Asheville	State NC Zip [redacted]

Request for: ☒ Copy ☐ Certified copy ☐ Record inspection ☐ Subscription to record issued on regular basis
Delivery Method: ☐ Will pick up ☐ Will make own copies onsite ☐ Mail to address above ☒ Email to address above
☐ Deliver on digital media provided by the County: _____

Record(s) You Requested: (Listed here or see attached copy of original request) **copy of original attached.**

We are extending the date to respond to your FOIA request for no more than 10 business days, until 9/8/25 (*month, day, year*).
Only one extension may be taken per FOIA request. If you have any questions regarding this extension, contact Emily DeSalvo at 906-789-5100

Estimated Time Frame to Provide Records: 09/08/2025 (*days or date*)
The time frame estimate is nonbinding upon the County, but the County is providing the estimate in good faith. Providing an estimated time frame does not relieve a public body from any of the other requirements of this act.

Reason for Extension:

☒ **1.** The County needs to search for, collect, or appropriately examine or review a voluminous amount of separate and distinct public records pursuant to your request. Specifically, the County must:

☐ **2.** The County needs to collect the requested public records from numerous field offices, facilities, or other establishments that are located apart from the County office. Specifically, the County must coordinate documents from the following locations:

☐ **3.** Other (describe): _____

Signature of FOIA Coordinator: [signature] **Date:** 8-19-2025

(Form created by MTA, MAMA and CS&T, PC, May 2015)

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Fax received from 12065080848

From : TelNet Worldwide <noreply@notify.telnetfax.com>
Sat, Aug 16, 2025 10:56 AM
1 attachment
Sender : noreply@notify.telnetfax.com
Subject : Fax received from 12065080848
To : adminfax@deltacountymi.gov

External images are not displayed. Display images below

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

Logo

YOU HAVE RECEIVED A FAX!

You've received a fax!

To	+1 906-789-5197
Sender CSID	17194101487
Pages received	3
Receive time	8.16.2025 10:55:58 AM -04:00

View additional details inside the Fax portal

Login to secure portal

Logo

Contact Us

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inbound_202508160255580_5198b36190d5746410718565daa10000.pdf
87 KB

Freedom of Information Act Request
Date: August 16th, 2025

FOIA Coordinator
Delta County Prosecutor's Office
310 Ludington Street
Escanaba, MI 49829
Fax: (906) 789-5197

Re: FOIA Request – Records Underlying Press Release by Prosecutor Wickman

Dear FOIA Coordinator:

Pursuant to the Michigan Freedom of Information Act (MCL 15.231 et seq.), I am requesting copies of the following records:

---

1. Press & Media Communications

- All internal and external communications (including emails, memos, draft statements, and text messages) created, received, or exchanged by Prosecutor **Lauren M. Wickman**, Chief Assistant Prosecutor **Beth Wickwire**, or Assistant Prosecutor **Lauren Mattson** between January 1, 2025 and August 16, 2025, that reference or relate to:
    - Media statements, press releases, or public communications issued by the Prosecutor's Office;
    - Coverage by WZMQ / Channel 19 News;
    - The case(s) involving **Colton Brunette**.

---

2. Case Files – Colton Brunette

- **Charging documents, trial preparation records, and plea agreements** associated with Colton Brunette, including but not limited to:
    - The June 6, 2025 traffic stop in Escanaba;

- The February 2025 incident referenced by Prosecutor Wickman in her August 15, 2025 press release.

---

3. Policy / Guidance Records

- Any internal policy, directive, or guidance documents regarding communications with media outlets and the handling of "ongoing investigation" statements.

Format & Fees

I request that responsive records be provided electronically (PDF or native email format where available). Please provide an itemized fee estimate in advance if costs will exceed $20.

Public Interest Statement

These records are sought to evaluate the consistency and transparency of the Delta County Prosecutor's Office in its public communications and charging decisions.

Prosecutor Wickman's August 15, 2025 press release referenced **specific charges and incidents involving Colton Brunette**, even though the Prosecutor's Office has denied access to similar records in other cases. This creates clear contradictions between FOIA denials and selective public disclosures.

Examples include:

- **FOIA #25-186**: Denied charging decision records, claiming they "do not exist," yet Wickman publicly describes charging decisions in the Brunette matter.

- **FOIA #25-188**: Denied trial preparation records as "duplicative" of prior requests, yet Wickman discusses ongoing case strategy publicly in the press release.

- **FOIA #25-183**: Withheld communications and case notes while asserting broad exemptions, but simultaneously issues discretionary media statements about active cases.

These denials asserted broad "nonexistence" or "duplication" claims that are contradicted by Wickman's selective public disclosures.

The Prosecutor's Office cannot claim exemption or nonexistence under FOIA while simultaneously issuing **press statements that prove the records do exist and are being used internally.** Disclosing some details to the public while denying access under FOIA raises serious concerns of **inconsistent and politically motivated application of exemptions.**

Accordingly, disclosure here is necessary to determine whether the Prosecutor's Office is applying FOIA exemptions in good faith, or using selective discretionary release to advance its own narratives while denying legitimate public oversight.

Sincerely,

Joseph John Parrotta
[redacted]
Ph: 719-313-3095