license." MCL 15.232(j). In this instance, the information sought meets the definition of "software" as disclosure would violation a software license. Moreover, the documents requested are exempt from disclosure as the materials requested are copyrighted, as such exempt under MCL 15.243(1)(d) and Federal Copyright law, 17 USC 101, *et seq*.

FOIA REQUEST 25-244

Pursuant to the **Michigan Freedom of Information Act (MCL 15.231 et seq.)**, I respectfully request access to and copies of public records maintained by the Delta County Prosecutor's Office that reflect statistical or administrative information about law enforcement credibility issues, Brady/Giglio disclosures, and officer-related case tracking.

Specifically, I request:

1. **Annual summaries, reports, or internal data compilations** (2020- present) showing the number of criminal cases in which the Prosecutor's Office identified, evaluated, or disclosed officer misconduct, credibility issues, or Brady/Giglio material to the defense or the court.

2. **Logs, spreadsheets, or tracking records** showing instances where police reports or warrant requests were returned for correction, clarification, or re-submission due to inaccurate or incomplete information (2020- present).

3. **Any case-tracking spreadsheets, reports, or database exports (from the ProsecutorbyKarpel system)** containing fields or tags for "Brady," "Giglio," "impeachment," "credibility," or "law enforcement subject."

    - If available, please include metadata or field definitions showing the number of cases with these flags per calendar year.

4. **Written criteria, decision matrices, or checklists** used to determine whether officer misconduct is "material" under Brady or Giglio, including any scoring rubrics or internal review standards.

5. **Any statistical reports or dashboards generated by the ProsecutorbyKarpel (PbK) system** that summarize case dispositions, declinations, or Brady/Giglio entries for the period 2020 through June 2025.

Your request for "(1) Annual summaries, reports, or internal data compilations (2020- present) showing the number of criminal cases in which the Prosecutor's Office identified, evaluated, or disclosed officer misconduct, credibility issues, or Brady/Giglio material to the defense or the court" is **GRANTED IN PART, DENIED IN PART**.

In **denying** your request, a review of the records maintained by the Delta County Prosecutor's Office reveals that no "annual summary, report, or internal data compilations" exist for the criteria provided. 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.

In **granting** your request, please find the Proof of Service documentations that is currently maintained by the Delta County Prosecutor's Office. Please find the following documents enclosed:

Proof of Service dated May 19, 2025
Proof of Service dated September 19, 2025
Proof of Service dated September 5, 2024
Proof of Service dated March 24, 2025
Proof of Service dated December 19, 2024
Proof of Service dated September 5, 2024
Proof of Service dated January 9, 2025
Proof of Service dated May 13, 2024
Proof of Service dated January 23, 2025
Proof of Service dated January 9, 2024

Please note, the provided records will be required to have exempt information be separated from non-exempted information, and will be redacted pursuant to MCL 15.243(1)(a), as the information is of a personal nature that public disclosure of which would constitute a clearly unwarranted invasion of the individual's privacy. This information includes, but is not limited to: names, other identifying information of the victim, dates of births, addresses, phone numbers, criminal identification numbers, etc. Moreover, certain portions of the above-described records are exempt from disclosure pursuant to MCL 15.234(1)(s)(ix), MCL 15.243(1)(b)(iii), and MCL 15.243(1)(d) exempted pursuant to MCL 423.507.

Your request for "(2) Logs, spreadsheets, or tracking records showing instances where police reports or warrant requests were returned for correction, clarification, or re-submission due to inaccurate or incomplete information (2020- present)" is **GRANTED IN PART, DENIED IN PART.**

Your request is **DENIED** as to "Logs, spreadsheets, or tracking records showing instances where police reports or warrant requests were returned for correction, clarification, or re-submission due to inaccurate or incomplete information" as a review of records reveals they do not exist in the form of a "logs, spreadsheets, or tracking records". 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 is **DENIED** as to any underlying records that could be used to create or formulate such a spreadsheet, log, or list when *an officer* is the named suspect, as a review of records reveals they do not exist in the form of a "internal spreadsheet, log, or list". 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 is **GRANTED** as to any underlying records that could be used to create or formulate such a spreadsheet, log, or list, when *an officer is NOT* the named suspect. Instances in which a police report or warrant request that are returned for correction, clarification or re-submission due to inaccurate or incomplete information can occur for at a variety of degrees and for a variety of reasons. As such, given the breadth of your request and the number of records 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.

> To locate responsive records, a review of digital files for the years 2020, 2021, 2022, 2023, and partially, 2024 would have to be conducted. There is no way to search or locate these documents, within the criteria requested through a search, as many of the records were not transferred properly from the old system to the new case tracking system. Moreover, the broadness of the terms referenced, including records returned for correction/clarification/re-submission due to inaccurate or incomplete information can include a wide variety of situations in which the referrals were denied.
>
> It is estimated that a review of approximately 1000 per year, for each of the 6 years would be required. This would include cases in which charges were initially denied for one of the listed reasons, but subsequently authorized with the inclusion of additional information. This review would take approximately 10 minutes per file. Subsequent to the location of the file, there would be the requirement to separate exempt information from non-exempt information. This process would take approximately 5 minutes per file.
>
> 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 180 days from receipt of the deposit to provide you with the responsible, nonexempt public records.

Please note, the provided records will be required to have exempt information be separated from non-exempted information, and will be redacted pursuant to MCL 15.243(1)(a), as the information is of a personal nature that public disclosure of which would constitute a clearly unwarranted invasion of the individual's privacy. This information includes, but is not limited to: names, other identifying information of the victim, dates of births, addresses, phone numbers, criminal identification numbers, etc. Further, the provided records have been redacted pursuant to MCL 15.243(1)(b)(iii), as the investigation records compiled for law enforcement purposes, and would constitute an unwarranted invasion of personal privacy.

Your request for "(3) Any case-tracking spreadsheets, reports, or database exports (from the ProsecutorbyKarpel system) containing fields or tags for "Brady," "Giglio," "impeachment," "credibility," or "law enforcement subject." If available, please include metadata or field definitions showing the number of cases with these flags per calendar year" is **GRANTED IN PART, DENIED IN PART**.

Your request is **DENIED**, a review of the records maintained by the Delta County Prosecutor's Office reveals that no "case-tracking spreadsheets, reports, or database exports containing fields of tags for 'Brady', 'Giglio', impeachment', credibility, or 'law enforcement subject'" 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 is **GRANTED** as the underlying information that would allow for the compilation of the statistics requested. However, given the breadth of your request and the number of records 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.

The broadness of the terms referenced, and the inclusion of years in which Karpel was not be utilized would require the review of a substantial number of cases. Specifically, the terms of "impeachment" or "credibility" is not specific to law enforcement officials, so could apply to victims or other witnesses. Moreover, the phrasing of a filed or tag related to "law enforcement subject" does not indicate

in what capacity the "law enforcement subject" is included, and therefore could apply to all cases, as law enforcement officers are included in 99.9% of cases submitted to the office.

In order to locate the responsive documents, a review of case files in designated time frame will be required. The number of cases that will be responsive is unknown. However, a review of approximately 1000 cases per year will be required to locate the responsive records. This process will take approximately 10 minutes per case, per year. The separation of exempt from non-exempt materials will take approximately 5 minutes per case.

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 180 days from receipt of the deposit to provide you with the responsible, nonexempt public records.

Please note, the provided records will be required to have exempt information be separated from non-exempted information, and will be redacted pursuant to MCL 15.243(1)(a), as the information is of a personal nature that public disclosure of which would constitute a clearly unwarranted invasion of the individual's privacy. This information includes, but is not limited to: names, other identifying information of the victim, dates of births, addresses, phone numbers, criminal identification numbers, etc. Further, the provided records have been redacted pursuant to MCL 15.243(1)(b)(iii), as the investigation records compiled for law enforcement purposes, and would constitute an unwarranted invasion of person privacy. In addition, the provided records also include redactions pursuant to MCL 15.243(1)(w), as the information or records would disclose the Social Security Number of an individual.

Your request for "(4) Written criteria, decision matrices, or checklists used to determine whether officer misconduct is "material" under Brady or Giglio, including any scoring rubrics or internal review standards" is **GRANTED.** In granting your request, please find the following documents enclosed:

Brady & Giglio At a Glance Quick Reference Guide dated 08/22/2023
Brady & Giglio Disclosure Requirements Quick Reference Guide dated 08/22/2023
Brady & Giglio Examples of Required Disclosure (Annotated) dated 08/22/2023
Brady & Giglio Manual dated May 2021
Brady & Giglio Timing of Disclosure dated 08/22/2023
Michigan Prosecutors' Justice Initiative Best Practice Recommendations, approved 2023
Brady & Giglio At a Glance dated 04/01/2025
Brady & Giglio Disclosure Requirements dated 04/01/2025
Brady & Giglio Examples of Required Disclosures (Annotated) dated 04/01/2025

Brady & Giglio Examples of Required Disclosures (Unannotated) dated 04/01/2025
Brady & Giglio Timing of Disclosures dated 04/01/2025
Brady & Giglio Violation dated 04/01/2025
Brady & Giglio Violation created by Prosecuting Attorney Association of Michigan dated 04/01/2025

Your request for "(5) Any statistical reports or dashboards generated by the ProsecutorbyKarpel (PbK) system that summarize case dispositions, declinations, or Brady/Giglio entries for the period 2020 through June 2025" is **GRANTED IN PART, DENIED IN PART**.

Your request is **DENIED** as a review of the records maintained by the Delta County Prosecutor's Office reveals that no "statistical reports or dashboards generated by the ProsectuorbyKarpel system that summarize case disposition, declinations, or Brady/Giglio entries for the period of 2020 through June 2025" 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 is **GRANTED** as the underlying information that would allow for the compilation of the statistics requested. However, given the breadth of your request and the number of records 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.

In order to locate the responsive documents, a review of case files in designated time frame will be required. The number of cases that will be responsive is unknown. However, a review of approximately 200 cases per year will be required to locate the responsive records. This process will take approximately 10 minutes per case, per year. The separation of exempt from non-exempt materials will take approximately 5 minutes per case.

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 90 days from receipt of the deposit to provide you with the responsible, nonexempt public records.

Please note, the provided records will be required to have exempt information be separated from non-exempted information, and will be redacted pursuant to MCL 15.243(1)(a), as the information is of a personal nature that public disclosure of which would constitute a clearly unwarranted invasion of the individual's privacy. This information includes, but is not limited to: names, other identifying information of the victim, dates of births, addresses, phone numbers, criminal identification numbers, etc. Further, the provided records have been redacted pursuant to MCL 15.243(1)(b)(iii), as the investigation records compiled for law enforcement purposes, and would constitute an unwarranted invasion of person privacy. In addition, the provided records also include redactions pursuant to MCL 15.243(1)(w), as the information or records would disclose the Social Security Number of an individual.

FOIA REQUEST 25-245

Pursuant to the **Michigan Freedom of Information Act (MCL 15.231 et seq.)**, I respectfully access to and copies of all public records maintained by the Delta County Prosecutor's Office that concern **public or interagency communications** referring to officer misconduct, credibility concerns, or Brady/Giglio disclosures.
Specifically, I request the following:

1. **Press releases, public statements, or prepared remarks** issued by the Delta County Prosecutor's Office between **January 1, 2018, and the present** referencing:
    - Law enforcement officer misconduct, decertification, or dishonesty;
    - *Brady v. Maryland* or *Giglio v. United States* disclosure practices;
    - Use-of-force investigations or credibility-related determinations.

2. **Email communications, talking points, or draft responses** prepared for media inquiries relating to any of the above subject, including communications with:
    - Local or state media organizations,
    - The Delta County Board of Commissioners,
    - The County Administrator,
    - Public relations consultants or County communications staff

3. **Correspondence or memoranda** exchanged with the **Michigan Attorney General's Office, Prosecuting Attorneys Association of Michigan (PAAM),** or **MCOLES** concerning officer misconduct, credibility determinations, or prosecutorial disclosure obligations.

4. **Citizen complaints, letters, or attorney correspondence** submitted to the Prosecutor's Office alleging failure to disclose Brady or Giglio material, or other prosecutorial misconduct related to officer credibility.