Delta County Prosecutor's Office

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

November 20, 2025

[redacted]
Re: FOIA Request #25-254

[redacted]

I acknowledge receipt of your Freedom of Information Act request dated October 31, 2025 received by the Delta County Prosecutor's Office on November 3, 2025. An extension was filed on November 6, 2025 by the Public Body. Your request is for the following documents:

FOIA REQUEST 25-254

> Under the Michigan Freedom of information Act (MCL 15.231 et seq.), I request copies of all records maintained by the Delta County Prosecutor's Office that identify, track, or summarize Brady or Giglio disclosures from January 1, 2022 to the present.
>
> This request includes:
>
> - Any indexes, spreadsheets, or logs used to record when Brady/Giglio materials were served to defense counsel;
> - Any letters, form templates, or checklists used by prosecutors to determine when disclosure is required;
> - Any reports or exports generated by the ProsecutorbyKarpel (PbK) case-management system referencing Brady, Giglio, "officer credibility," or similar fields.

In response to your request for all records that "identify, track, or summarize Brady or Giglio Disclosures from January 1, 2022 to the present" to include "[a]ny indexes, spreadsheets, or logs used to record when Brady/Giglio materials were served to defense counsel" is **DENIED** as the Prosecutor's Office does not have "[a]ny indexes, spreadsheets, or logs used to record when Brady/Giglio materials were served to defense counsel". As such, the records 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 do not exist within the records of the public body under the name nor any other name reasonably known to the public body.

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

Further, any information documenting when Brady or Giglio materials were disclosed to defense attorneys as required is in the form of Proofs of Service,. That information was previously provided to you in response to FOIA Request 25-244. As this information was previously provided, and you have not provided good cause on why a reproduction of that information is required, the request is **DENIED** pursuant to the precedent in *Densmore v Department of Corrections*, 203 Mich 363 (1994).

In response to your request for "[a]ny letters, form templates, or checklists used by prosecutors to determine when disclosure is required" is **GRANTED.** In response, please find the following records:

Brady/Giglio Compliance Form
Memo dated 02/15/2024

In response to your request for "[a]ny reports or exports generated by the ProsecutorbyKarpel (PbK) case-management system referencing Brady, Giglio, "officer credibility," or similar fields" 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 "[a]ny reports or exports generated by the ProsecutorbyKarpel (PbK) case-management system referencing Brady, Giglio, "officer credibility," or similar fields" 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, 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 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 the 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 to information that is of a personal nature such 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 will be 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 would also include redactions pursuant to MCL 15.243(1)(w), as the information or records would disclose the Social Security Number of an individual.

Please note this request is nearly identical to the request in FOIA Request 25-244, paragraph 3.

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

Emily Desalvo
FOIA Coordinator

Encl.