Delta County Prosecutor's Office

Lauren M. Wickman
Prosecuting Attorney
Civil Counsel
Lauren Mattson
Assistant Prosecutor

February 05, 2026

[redacted]

Re: FOIA Request #26-21

[redacted]

I acknowledge receipt of your Freedom of Information Act request dated January 30, 2026, and received by the Delta County Prosecutor's Office on February 2, 2026. The request we received is as follows:

> **Request for Aggregate Criminal Case Statistics**
>
> Pursuant to the Michigan Freedom of Information Act, MCL 15.231 et seq., I request disclosure of the following **existing aggregate statistical information:**
>
> **Request Record:**
> - Total number of criminal convictions secured by the Delta County Prosecutor's Office from the prosecutor's election date through December 31, 2025.
>
> This request seeks only aggregate numerical data. No individual case information is requested.

Your request is **GRANTED IN PART, DENIED IN PART.** In granting in part and denying your request a review of existing records within the possession of or maintained by the Delta County Prosecutor's Office reveals that no "aggregate statistical information" document currently exists detailing the "aggregate numerical total" of "criminal convictions secured by the Delta County Prosecutor's Office from the prosecutor's election [January 01, 2023][1] through December 2025." Specifically, the request would require the generation or creation of a new public record to fulfill the request. Such creation is not required under Michigan FOIA. MCL 15.233(5).

As such, the request for such a record that currently exists containing the "aggregate numerical total" of "criminal convictions secured by the Delta County Prosecutor's Office from the prosecutor's election [January 01, 2023] through December 2025" is **DENIED** as the record does not exist. The undersigned hereby certifies that, after a search

[1] Please note that Prosecutor Wickman was elected in November 2022 General Election, and was sworn in for her term starting on January 1, 2023.

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

for records and to the best of the undersigned's knowledge and belief, the public record requested, and described above, does 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 "aggregate numerical total" could be provided in the form of the underlying information that would allow for your own compiling of the "aggregate numerical total" you have requested. Given the breadth of your request and the number of records (*review of approximately 1,500 files per year (2023, 2024, 2025) submitted for review to locate dispositional 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[2] 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

Emily Desalvo
FOIA Coordinator

[2] Please note that this FOIA Fee Itemization is identical to the FOIA Fee Itemization related to FOIA Request 25-21. Should a deposit be received on either the Fee Itemization for FOIA Request 25-21 or FOIA Request 25-22, it would be considered applicable to both FOIA Request 25-21 and FOIA Request 25-22.