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

Shiawassee County Sheriff's Office

201 E. McArthur St., Corunna, MI 48817 Phone: (989) 743-3411

Request Form Note: Requestors are not required to use this form. The County may complete one for recordkeeping if not used.

FOIA Request for Public Records

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

Request No.:	Date Received:	Check if received via: Date <u>delivered</u> to junk/sp		Other Electronic Method	
(Please Print or Type)		Date <u>discovered</u> in junk/s			
Name			Phone		
Firm/Organization			Fax		
Street			Email		
City		State	Zip		
Request for: Cop	oy Certified copy Reco	rd inspection Sul	oscription to record iss	ued on regular basis	
	Will pick up Will make own copi ia provided by the County:		ddress above E	Email to address above	
Note: The County is not rechnological capability to	required to provide records in a digital o do so.	format or on digital media	if the County does no	t already have the	
Describe the public reco	ord(s) as specifically as possible. Y	ou may use this form or a	ttach additional sheets	:	
Consent to Non-Statutory Extension of County's Response Time I have requested a copy of records or a subscription to records or the opportunity to inspect records, pursuant to the Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq. I understand that the County must respond to this request within five (5) business days after receiving it, and that response may include taking a 10-business day extension. However, I hereby agree and stipulate to extend the County's response time for this request until: (month, day, year).					
Requestor's Signature				Date	

Records Located on Website

If the County directly or indirectly administers or maintains an official internet presence, any public records available to the general public on that internet site at the time the request is made are exempt from any labor charges to redact (separate exempt information from non-exempt information).

If the FOIA coordinator knows or has reason to know that all or a portion of the requested information is available on its website, the County must notify the Requestor in its written response that all or a portion of the requested information is available on its website. The written response, to the degree practicable in the specific instance, must include a specific webpage address where the requested information is available. On the detailed cost itemization form, the County must separate the requested public records that are available on its website from those that are not available on the website and must inform the requestor of the additional charge to receive copies of the public records that are available on its website.

If the County has included the website address for a record in its written response to the Requestor and the Requestor thereafter stipulates that the public record be provided to him or her in a paper format or other form, including digital media, the County must provide the public records in the specified format (if the County has the technological capability) but may use a fringe benefit multiplier greater than the 50%, not to exceed the actual costs of providing the information in the specified format.

Request for Copies/Duplication of Records on County Website

I hereby stipulate that, even if some or all of the records are located on the County website, I am requesting that the County make copies of those records on the website and deliver them to me in the format I have requested above. I understand that some FOIA fees may apply.

Requestor's Signature Date Overtime Labor Costs Overtime wages shall not be included in the calculation of labor costs unless overtime is specifically stipulated by the requestor and clearly noted on the detailed cost itemization form. **Consent to Overtime Labor Costs** I hereby agree and stipulate to the County using overtime wages in calculating the following labor costs as itemized in the following categories: Labor to copy/duplicate 2. Labor to locate Labor to redact 3b. Contract labor to redact 3a. Labor to copy/duplicate records already on County's website 6b. Requestor's Signature Date Request for 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,

(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.

Office Use: Ineligible for Discount Affidavit Received Eligible for Discount I am submitting an affidavit and requesting that I receive the discount for indigence for this FOIA request: Date: Requestor's Signature:

Request for 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 Developmental Disabilities Assistance and Bill of Rights Act of 2000 and the 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 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.

Office Use:	Documentation of State Designation Received	Eligible for Discount	Ineligible for Discount
directly on behalf of the organization or	for the nonprofit organization making this FOIA requents its clients and is made for a reason wholly consistent ntal Health Code, 1974 PA 258, MCL 330.1931:		nade Date:
Requestor's Signature:	20/5		

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

Shiawassee County Sheriff's Office

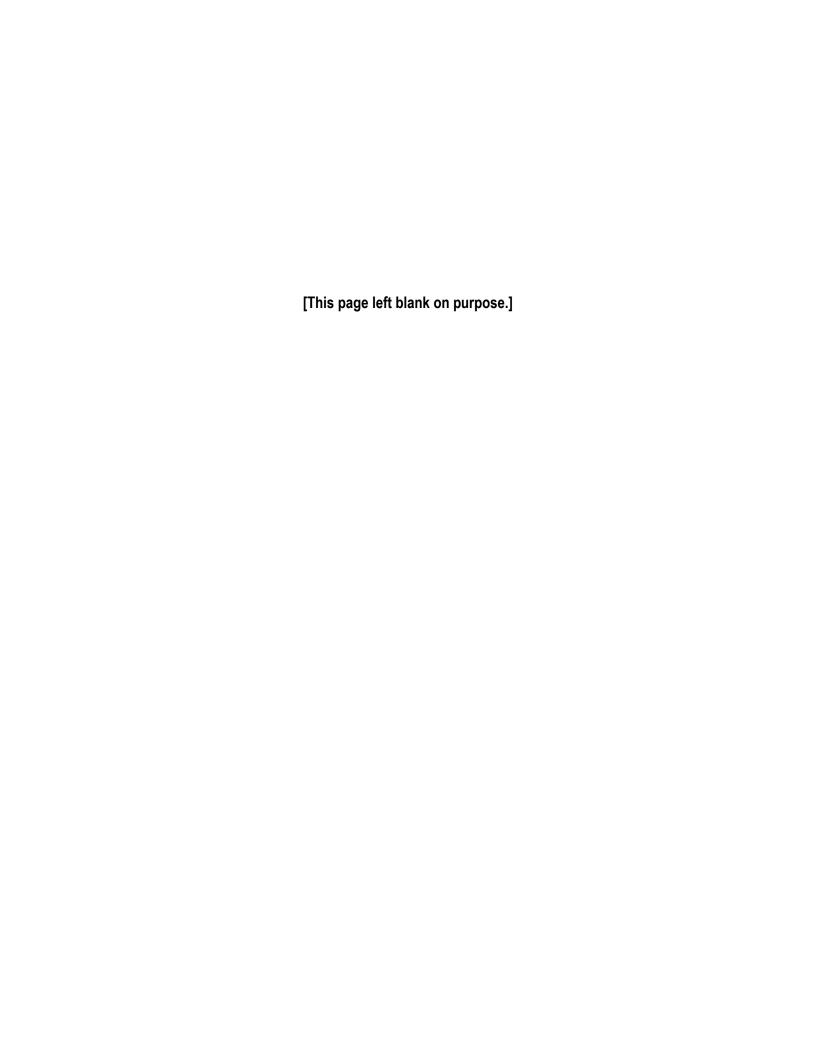
201 E. McArthur St., Corunna, MI 48817

Phone: (989) 743-3411

Notice to Extend Response Time for FOIA Request

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

Date of This Notice:	Check if received via: Email Fax Other Electronic Method Date delivered to junk/spam folder:
(Please Print or Type)	Date <u>discovered</u> in junk/spam folder:
Name	Phone
Firm/Organization	Fax
Street	Email
City	State Zip
Request for: Copy Certified copy Rec Delivery Method: Will pick up Will make own co Deliver on digital media provided by the County:	opies onsite Mail to address above Email to address above
Record(s) You Requested: (Listed here or see attached con	by of original request)
Only one extension may be taken per FOIA request. If you ha	for no more than 10 business days, until (month, day, year). ave any questions regarding this extension, contact
Estimated Time Frame to Provide Records: The time frame estimate is nonbinding upon the County, but time frame does not relieve a public body from any of the other.	(days or date) the County is providing the estimate in good faith. Providing an estimated
The County needs to search for, collect, or appropriately records pursuant to your request. Specifically, the County mu	ly examine or review a voluminous amount of separate and distinct public ust:
2. The County needs to collect the requested public recollocated apart from the County office. Specifically, the County	rds from numerous field offices, facilities, or other establishments that are must coordinate documents from the following locations:
3. Other (describe):	
Signature of FOIA Coordinator:	Date:



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

Shiawassee County Sheriff's Office 201 E. McArthur St., Corunna, MI 48817

Phone: (989) 743-3411

Notice of Denial of FOIA Request Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq.

	Date Received:		via: Email Fax			
		Date <u>delivered</u> to junk/spam folder:				
(Please Print or Type)		Date discovered in junk/spam folder:				
Name		Phone				
Firm/Organization			Fax			
Street			Email			
City		State	Zip			
Request for:	Copy Certified copy Re	ecord inspection	Subscription to record	d issued on regular basis		
	Will pick up Will make own omedia provided by the County:					
Record(s) You Requ	uested: (Listed here or see attached co	ppy of original request)				
	Part of your request for records has behind the behind the contact					
4		ason for Denial:				
· ·	Disclosure: This item is exempt from d			,		
known to the County	Not Exist: This item does not exist A certificate that the public record d description that will enable us to locate	oes not exist under the	e name given is attache	ed. If you believe this record		
	portion of the requested record had to _ (insert number), because:	•	,	•		
A brief description of	the information that had to be separate	d or deleted:				
	Notice of Deguarto	r'a Dight to Sook Judi	inial Paviou			
Commissioners or to c withheld from disclosur orders disclosure of all	r Section 10 of the Michigan Freedom commence an action in the Circuit Court to e. If, after judicial review, the Court determ or a portion of a public record, you have the ditional information on your rights.)	compel disclosure of the ines that the County has	15.240, to appeal this do e requested records if you not complied with MCL 15	believe they were wrongfully .235 in making this denial and		
Signature of FOIA Co	ordinator:			Date:		
/F	14 LOOAT DO 14 0045)					

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

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Shiawassee County Sheriff's Office

201 E. McArthur St., Corunna, MI 48817

Phone: (989) 743-3411

Denial Appeal Form

Date:

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.: Date of This Notice: _	Date Received:	Check if received via: Date delivered to junk				
(Please Print or Type)	Date <u>delivered</u> to junk/spam folder: Date <u>discovered</u> in junk/spam folder:					
Name			Phone			
Firm/Organization			Fax			
Street			Email			
City		State	Zip			
Delivery Method:	Copy Certified copy Recor Will pick up Will make own copi nedia provided by the County:	es onsite Mail to	address abo	ve	ssued on regular basis Email to address above	
Record(s) You Reques	sted: (Listed here or see attached copy of orig	inal request)				
Reason(s) for Appeal: The appeal must identify the reason(s) for the denial. You may use this form or attach additional sheets:						
Requestor's Signature):				Date:	
The County must provid	Coulle a response within 10 business days after re	nty Response: ceiving this appeal, includ	ing a determina	ation or ta	iking one 10-day extension.	
County Extension: We are extending the date to respond to your FOIA fee 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 question	ns 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:						
Commissioners or to co withheld from disclosure orders disclosure of all of	Notice of Requestor's Section 10 of the Michigan Freedom of Informence an action in the Circuit Court to cone. If, after judicial review, the Court determines or a portion of a public record, you have the riditional information on your rights.)	formation Act, MCL 15.2 mpel disclosure of the recent that the County has not come.	240, to appeal quested record complied with N	ls if you b MCL 15.23	pelieve they were wrongfully 35 in making this denial and	

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.

Shiawassee County Sheriff's Office 201 E. McArthur St., Corunna, MI 48817

Fee Appeal Form

Phone: (989) 743-3411

FOIA Appeal Form—To Appeal an Excess Fee Michigan Freedom of Information Act, Public Act 442 of 1976, MCL 15.231, et seq.

Request No.:			Check if received via				ectronic Method
Date of This Notice:	Date <u>delivered</u> to jun						
(Please Print or Type)			Date <u>discovered</u> in ju	unk/spam ioid	er		_
Name				Phone			
Firm/Organization				Fax			
Street				Email			
City			State	Zip			
Request for: Copy Delivery Method: Will pi Deliver on digital media pro	ick up Will ma	ake own copies ons	ite Mail to addres	cription to reco	rd issued o Email to	on regular bas address abo	sis ve
Record(s) You Requested: (L	isted here or see at	tached copy of origi	inal request)				
The appeal must specifically id	lentify how the requi		n(s) for Appeal: ne amount permitted. Yo	ou may use this	s form or at	ttach addition	al sheets:
Requestor's Signature:						Date:	
The County must provide a res	sponse within 10 bus		nty Response: ceiving this appeal, inclu	ıding a determi	nation or ta	aking one 10-	-day extension.
County Extension: We are e (month, day, year). Only one e Unusual circumstances warran	xtension may be tak	en per FOIA appea	l. 				
If you have any questions rega	ording this extension						
County Determination:	Fee Waived	Fee Reduced	Fee Upheld				
Written basis for County deterr	mination:						
You are entitled under Section amount permitted under the C Circuit Court for a fee reductio	10a of the Michiga ounty's written Proc	n Freedom of Inforredures and Guideli	nes to the County Boar	a, to appeal a d of Commissi	oners or to	commence	an action in the

Commissioners. If a civil action is commenced in court, the County is not obligated to compete processing the request until the Court resolves the fee dispute. If the Court determines that the County required a fee that exceeded the permitted amount, the Court shall reduce the fee to a

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

FREEDOM OF INFORMATION ACT (EXCERPT) Act 442 of 1976

15.240a.added Fee in excess of amount permitted under procedures and guidelines or MCL 15.234.

Sec. 10a.

- (1) If a public body requires a fee that exceeds the amount permitted under its publicly available procedures and guidelines or section 4, the requesting person may do any of the following:
- (a) If the public body provides for fee appeals to the head of the public body in its publicly available procedures and guidelines, submit to the head of the public body a written appeal for a fee reduction that specifically states the word "appeal" and identifies how the required fee exceeds the amount permitted under the public body's available procedures and guidelines or section 4.
- (b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, in the court of claims, for a fee reduction. The action must be filed within 45 days after receiving the notice of the required fee or a determination of an appeal to the head of a public body. If a civil action is commenced against the public body under this subdivision, the public body is not obligated to complete the processing of the written request for the public record at issue until the court resolves the fee dispute. An action shall not be filed under this subdivision unless 1 of the following applies:
- (i) The public body does not provide for appeals under subdivision (a).
- (ii) The head of the public body failed to respond to a written appeal as required under subsection (2).
- (iii) The head of the public body issued a determination to a written appeal as required under subsection (2).
- (2) Within 10 business days after receiving a written appeal under subsection (1)(a), the head of a public body shall do 1 of the following:
- (a) Waive the fee.
- (b) Reduce the fee and issue a written determination to the requesting person indicating the specific basis under section 4 that supports the remaining fee. The determination shall include a certification from the head of the public body that the statements in the determination are accurate and that the reduced fee amount complies with its publicly available procedures and guidelines and section 4.
- (c) Uphold the fee and issue a written determination to the requesting person indicating the specific basis under section 4 that supports the required fee. The determination shall include a certification from the head of the public body that the statements in the determination are accurate and that the fee amount complies with the public body's publicly available procedures and guidelines and section 4.
- (d) Issue a notice extending for not more than 10 business days the period during which the head of the public body must respond to the written appeal. The notice of extension shall include a detailed reason or reasons why the extension is necessary. 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).
- (4) In an action commenced under subsection (1)(b), a court that determines the public body required a fee that exceeds the amount permitted under its publicly available procedures and guidelines or section 4 shall reduce the fee to a permissible amount. 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. The court shall determine the matter de novo, and the burden is on the public body to establish that the required fee complies with its publicly available procedures and guidelines and section 4. 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 the requesting person prevails in an action commenced under this section by receiving a reduction of 50% or more of the total fee, 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 charging an excessive fee, the court shall order the public body to pay a civil fine of \$500.00, which shall be deposited in the general fund of the state treasury. The court may also award, in addition to any actual or compensatory damages, punitive damages in the amount of \$500.00 to the person seeking the fee reduction. The fine and any 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.
- (8) As used in this section, "fee" means the total fee or any component of the total fee calculated under section 4, including any deposit.

History: Add. 2014, Act 563, Eff. July 1, 2015