



Cobb County Sheriff's Office

Public Safety Building

185 Roswell Street/Marietta, Georgia 30090-9650

Telephone: (770) 499-4640 / Fax: (770) 499-4757

NEIL WARREN / Sheriff

SONYA ALLEN / Chief Deputy

November 21, 2019

Attn: Kosha S. Tucker, Staff Attorney
American Civil Liberties Union Foundation of Georgia
P.O. Box 77208
Atlanta, GA 30357
Via email to: ktucker@acluga.org

Dear Ms. Tucker,

I write in regard to your open records request received on November 19, 2019. I will at this time respond to your request in outline form as it was sent to me.

In regards to numbers 1, 2, 3, 4, and 5 our agency can provide a cd of all Cobb County Adult Detention Center policies and procedures minus chapter four. This chapter is exempt pursuant to O.C.G.A. § 50-18-72(a) (25) (A). The cost of the cd is \$5.00.

In reference to numbers 6, 7, 11, and 12 please identify specific documents that you are seeking. The Georgia Open Records Act covers the production of documents, not generating responses to questions, as would be done in discovery interrogatories.

Number eight can be provided at the rate of \$48.10 per hour x 8 hours (minus the first quarter hour). It is anticipated that the cost of this process will be approximately \$372.78.

Regarding number 9, our agency needs further clarification. Our agency has no document entitled jail inspection reports.

Excluding any active investigations, number 10 can be provided at the rate of \$27.25 per hour x 40 hours (minus the first quarter hour). It is anticipated that the cost of this process will be approximately \$1,083.19.

Regarding number 13 please provide further clarification. Under the Open Records Act, a public entity is not required to determine whether they have documents "related to" a topic, as such a determination would involve subjective assessment. If you identify particular documents (e.g., email correspondence), and particular search terms (e.g., "lockdown"), the Sheriff's Office will conduct a search and/or provide the appropriate cost estimate.

"To Protect and Serve"

In reference to number 14, there are two sets of files. Our Internal Affairs and Criminal Investigation Division both have cases. The costs to produce the Internal Affairs file for Bradley Emory will be approximately \$123.91. This is broken down by the following:

- Time to provide documents .5 hours x \$20.95 (minus first quarter hour) = \$5.23
- IT search time 2 hours x \$48.10 (minus first quarter hour) = \$84.18
- 95 Pages @ .10 = \$9.50
- 6 discs @ \$5.00/disc = \$25.00

The estimated costs to produce the Internal Affairs file for Jessie Myles will be approximately \$138.30. This is broken down by the following:

- Time to provide documents 1.5 hours x \$20.95 (minus first quarter hour) = \$26.20
- IT search time 2 hours x \$48.10 (minus first quarter hour) = \$84.18
- Approximately 30 pages @ .10 = \$3.00
- 5 discs @ \$5.00/disc = \$25.00

The Internal Affairs case files for Kevil Wingo and Reginald Wilson are exempt from disclosure at this time pursuant to O.C.G.A. § 50-18-72(a) (8). The incident report(s) will be subject to release ten days after the internal investigation concludes.

The Criminal Investigation file for Bradley Emory will cost approximately \$191.87. This is broken down by the following:

- Time to provide documents 2 hours x \$27.25 hour (minus first quarter hour) = \$47.69
- IT search time 2 hours x \$48.10 (minus first quarter hour) = \$84.18
- 12 discs @ \$5.00/disc = \$60.00

The Criminal Investigation file for Reginald Wilson will cost approximately \$133.24. This is broken down by the following:

- Time to provide documents 1.5 hours x \$27.25 (minus first quarter hour) = \$34.06
- IT search time 2 hours x \$48.10 (minus first quarter hour) = \$84.18
- 3 discs @ \$5.00/disc = \$15.00

The Criminal Investigation file for Jessie Myles will cost approximately \$153.24. This is broken down as follows:

- Time to provide documents 1.5 hours x \$27.25 (minus first quarter hour) = \$34.06
- IT search time 2 hours x \$48.10 (minus first quarter hour) = \$84.18
- 7 discs @ \$5.00/disc = \$35.00

The Criminal Investigation file for Kevil Wingo is exempt from disclosure at this time pursuant to O.C.G.A. § 50-18-72(a) (4).

Number 15 is exempt from disclosure at this time pursuant to O.C.G.A. § 50-18-72 (a) (8). However, we will provide the initial incident report at no charge.

Number 16 can be provided electronically at no charge.

Number 17 can be provided at the rate of \$18.96 per hour x 1 hour (minus first quarter hour). It is anticipated that the cost of this process will be approximately \$14.22.

Our agency is not the custodian of number 18. Please redirect your request to Cobb Douglas Mental Health.

The total cost associated with responding to your request without clarifications will be approximately \$2,215.75, but the exact cost is unknown until search, retrieval, review and redaction takes place. Because the estimated cost exceeds \$500.00, we will require prepayment per O.C.G.A. § 50-18-71 (d).

As soon as we receive your agreement to pay the estimated costs along with prepayment, we will immediately begin compilation of the responsive documents, after which we will specifically identify any applicable exemptions within three business days, in accordance with O.C.G.A. § 50-18-71 (d). We estimate the compilation will take 10 days.

Very Respectfully,



Robin E. Clements

Custodian of Records

Cobb County Sheriff's Office