

Our reply of October 5, 2026, 2:24 pm, on the thread of request AHP-2026-09-29-A, to the Police Records Clerk, copying Deputy Chief Scott McGraw and a second member of the City's staff, after the City's response of 1:52 pm the same day (granted in part; \$35.00 fee before release). The City's message and our request as sent were quoted under it and are published separately; the Records Clerk's first name is replaced by his role.

Thank you [the Records Clerk] - I appreciate the quick response. Before I send the \$35.00 payment, three points I'd like to raise to ensure we're working from the same understanding:

1. On September 29 I sent two requests to this address a few minutes apart: this one, for documents (agreements, purchase records, approvals, policy, data-sharing agreements, camera inventory, retention records and audits), and a second, with the subject line "FOIA Request: Flock Safety / ALPR program records: system exports", for the exports from the Department's Flock Safety account (search audit, network audit, sharing configuration, change logs, alert summary, user list). The notice and the fee form refer to "Flock Documents" only. Can you confirm that the second request is being processed separately and that its response or extension notice is due October 7, 2026?

2. The Notice of Response checks three boxes: a redaction of "Account and document numbers" under Section 13(1)(a); the box stating that the documents requested are not public records as defined in the Act; and "Documentation does not exist." The form does not say which of the seven numbered items in my request each box applies to. Could you tell me, for each box, which item or items it refers to? For any item that does not exist, the certificate described in MCL 15.235(5)(b) would be appreciated. This will let me pay for what exists and understand what is being withheld.

3. On the fee, two points I would ask you to look at before I pay. I raise them as a request for reconsideration, not as an appeal under MCL 15.240a, a right I reserve.

First, the fee form states that the fee is charged "specifically the factor(s) listed below", but none of the five factors is marked. Section 4(3) of the Act allows a charge for search, examination and redaction labor only if "the public body specifically identifies the nature of these unreasonably high costs". A fee of \$35.00 for 45 minutes of work does not appear to meet that condition on its face; if the City is relying on one of the factors, please identify it.

Second, the search and examination labor is charged at the Deputy Chief's rate of \$67.42 an hour. Section 4(1)(a) provides that the public body "shall not charge more than the hourly wage of its lowest-paid employee capable of searching for, locating, and examining the public records in the particular instance regardless of whether that person is available or who actually performs the labor". If a records clerk is capable of locating the contracts, policy and approvals, that rate governs.

My request also asked for a public-interest fee waiver or reduction under MCL 15.234(2) (the records will be published for the public's benefit on michiganplatereaders.org). The response does not address it, and I would appreciate a decision on that request as well.

If the fee is recalculated without the labor lines, nothing remains due and I would ask that the records be emailed as your letter describes. If the City stands on the fee as issued, I will pay it under reservation of the points above.

Thank you for your time.

Chance Ackley-Smith