

#2017-29

REC'D MAR 24 2017



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APPEAL OF GRAMA REQUEST DENIAL

To: Nova Dubovik
State Records Committee
340 S. Rio Grande
Salt Lake City, UT 84101-1106

March 24, 2017

Dear Ms. Dubovik,

This letter is an appeal to the State Records Committee of Davis County's denial of our GRAMA request dated Feb. 1, 2017 and denial of our appeal dated Feb. 28.

We requested: Investigative summaries, reports, recommendations and any other documents, photos or related materials in the Dec. 21, 2016 incident at the Davis County Jail involving

(Please note: I listed an incorrect date for the pertinent records in our request and appeal. The correct date is Dec. 21, 2016.)

Davis County attributed the denial, among other things, to a current-investigations exemption in 63G-2-305(10), plus concerns about jail security and inmate medical privacy.

The public has a right to more information, and in a timely fashion, about the circumstances surrounding death and the Davis County Sheriff's Office's handling of the incident.

Simply put: People are dying in the Davis County Jail -- death is only the latest of controversial fatalities there in recent years -- and the government has disclosed next to nothing about it. The jail did not announce death -- the Standard-Examiner

learned about it by an anonymous tip. When asked for details, the jail gave scant and misleading information.

We subsequently heard from other sources that questionable circumstances may have surrounded [redacted] injury and death. But to this date, nothing further has been disclosed by the county.

Did jail personnel act properly in the [redacted] matter? If not, are they still on the job, still supervising and caring for inmates? Were any county policies violated? Were any personnel suspended, fired, written up or otherwise counseled? These are only some of the questions the public deserves answers to, now, without delays during a lengthy investigation. With lives apparently at stake in the jail, the total information blackout being imposed by the county is unconscionable and runs contrary to the spirit and intent of GRAMA.

[redacted] apparently died of a traumatic transection of her spleen, an injury suffered at the jail. The public interest in knowing the circumstances of an inmate's violent death while in government custody is extreme.

These factors argue strongly against restriction of access to the requested information and in favor of disclosure.

GRAMA specifies: the governing authority "... may, upon consideration and weighing of the various interests and public policies pertinent to the classification and disclosure or nondisclosure, order the disclosure of information properly classified as private under Subsection 63G-2-302(2) or protected under Section 63G-2-305 if the interests favoring access are greater than or equal to the interests favoring restriction of access."

Sincerely,

Mark Shenefelt
Reporter
Standard-Examiner