

ISLAND COUNTY PROSECUTING ATTORNEY

GREGORY M. BANKS

Eric M. Ohme, *Chief Criminal Deputy*
Pete Smiley, *Chief Civil Deputy*

Deputy Prosecutors
Michael W. Safstrom
David E. Carman
Robert J. Johnson
Joseph B. McPherson
Savanna L. Duncan
Amy L. Mirabile

Kristin LeClercq, *Office Administrator*

January 16, 2024

VIA EMAIL: 156753-82393443@requests.muckrock.com

Rose Terse

MuckRock News
DEPT MR 156753
263 Huntington Ave
Boston, MA 02115

**Re: Your Public Records Request Received on January 8, 2024; Our File
No. 029-0058344**

Dear Ms. Terse:

Pursuant to RCW 42.56.520, this letter serves as our acknowledgment letter to your written request for records received by our office on January 8, 2024, in which you asked for the following:

“All current "Brady lists" and "Giglio lists" (per Brady v. Maryland/Giglio v. United States) maintained by your office.”

I process records requests in the order in which they were received. Your request is currently 10th in the queue. Due to the volume of records and sensitivity of information of the pending requests, including your request, **I estimate nineteen (19) weeks or less (approximately May 28, 2024)** to review the records for responsiveness and possible exemptions and redaction, and to assemble the final collection of documents.

Per RCW 42.56.120, public records requests are subject to payment of reasonable charges for any records transmitted through electronic delivery. The current rate, as established by Island County Ordinance C-120-17, is \$0.05 per 4 electronic files or attachment uploaded. There are also per gigabyte charges for transmission. I will advise you of the cost of the records and release them to you upon payment. For your convenience, I have enclosed a copy of the Fee Schedule from the Ordinance.

If you have any questions or concerns, please do not hesitate to contact me at 360-240-5509 or j.miller@islandcountywa.gov. Thank you.

ISLAND COUNTY PROSECUTING ATTORNEY'S OFFICE

LAW & JUSTICE CENTER

PHYSICAL: 101 NE 6TH STREET, SUITE 200; MAILING: 1 NE 7TH STREET, COUPEVILLE, WASHINGTON 98239

Main extension: (360) 679-7363 / from South Whidbey: 321-5111, ext. 7363 / from Camano Island: 629-4522, ext. 7363

Fax (360) 679-7393 / ICProsecutor@islandcountywa.gov

Acknowledgment Letter to R. Terse
January 16, 2024
Page 2

Sincerely,

A handwritten signature in blue ink that reads "Jenna Miller". The signature is written in a cursive, flowing style.

Jenna Miller
Assistant Public Records Officer

Enclosure

**BEFORE THE BOARD OF COUNTY COMMISSIONERS
OF ISLAND COUNTY, WASHINGTON**

IN THE MATTER OF) **RESOLUTION C-120-17**
RE-ESTABLISHING FEES AND CHARGES)
FOR PUBLIC RECORDS

WHEREAS, the State Legislature by Engrossed House Bill 1595, chapter 304, Laws of 2017, Section 3, provides that an agency need not calculate the actual costs it charges for providing public records if it has rules or regulations declaring the reasons for doing so would be unduly burdensome; and

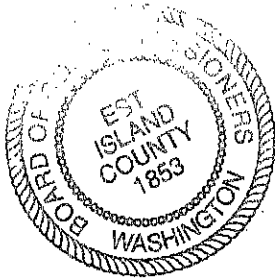
WHEREAS, Island County has a high volume of records, various locations, and types of public records received, generated and otherwise acquired by the County, which would place an undue burden on the County to calculate the actual costs for each type of record at each location; NOW THEREFORE,

BE IT HEREBY RESOLVED by the Board of County Commissioners:

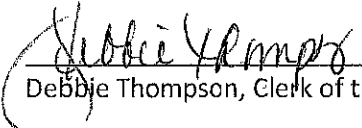
- 1) The Board of County Commissioners finds that it would be unduly burdensome to calculate the actual costs it charges for providing public records.
- 2) Fees and charges for public records as shown in Exhibit A are adopted.
- 3) Resolution C-33-96 is hereby repealed.

Originally adopted December 5, 2017 and typographical error in Exhibit A corrected on December 26, 2017.

**BOARD OF COUNTY COMMISSIONERS
ISLAND COUNTY WASHINGTON**



Attest:



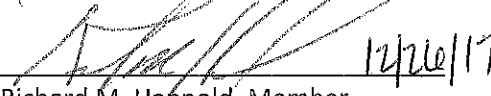
Debbie Thompson, Clerk of the Board

EXCUSED

Jill Johnson, Chair



Helen Price Johnson, Member



Richard M. Hannold, Member

EXHIBIT A
(Corrected for typographical error)

FEES & CHARGES FOR PUBLIC RECORDS

FEES & CHARGES FOR PUBLIC RECORDS	Amount
Photocopies of public records	\$0.15
Printed copies of electronic public records when requested by the person requesting records	\$0.15
Per copy charge for the use of County equipment to photocopy public records if copying is done by the requestor or requestor's designee	\$0.15
Per page charge for public records scanned into an electronic format	\$0.10
Per page charge for the use of County equipment to scan records if scanning is done by the requestor or requestor's designee	\$0.10
Charge per each 4 electronic files or attachment uploaded to email, cloud-based data storage service or other means of electronic delivery	\$0.05
Charge per gigabyte for the transmission of public records in an electronic format or for the use of County equipment to send the records electronically	\$0.10
Any digital storage media or device provided by the County, the actual cost of any container or envelope used to mail the copies	Actual cost
Postage or delivery charge(s)	Actual cost
Outside vendor charge(s) for photocopying or scanning for a large number of records <i>[Note: Requestor will be given a reasonable estimate of cost and have an opportunity to revise his or her request in order to avoid or reduce the cost of such charge(s).]</i>	Actual cost
Customized service charge(s) for requests requiring the use of information technology expertise to prepare data compilations or provide customized access services that are not used by the County. <i>[Note: Requestor will be given a reasonable estimate of cost and have an opportunity to revise his or her request in order to avoid or reduce the cost of a customized service.]</i>	Actual cost

No fee is charged for inspection of a public record or for locating a record. Fees may be waived due to the few number of copies/scans made or other circumstances.

Payment of fees is required prior to release of records unless other arrangements have been made.

The County may require a deposit of up to ten percent (10%) of the estimated cost of copying/scanning records, including a customized service charge or any other applicable charges, prior to providing any records for a requestor. The County may also require payment of the remainder of the cost before providing all of the records, or the payment of the costs of copying/scanning an installment before providing that installment.

Upon request, the County will provide a summary of the applicable charges before any copies/scans are made,

and the requestor may revise the request to reduce the number of copies/scans to be made and the applicable charges.

Charges may be combined to the extent that more than one type of charge applies to copies/scans produced in response to a particular request.

State statute or federal law may set a fee for providing copies of certain records. Examples of fees set by state law are: death certificates, court papers, traffic accident reports, criminal history information. Where charges are established by state or federal law, charges will be as prescribed.