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July 23, 2015

VIA E-MAIL open.records@cot.tn.gov

Ann V. Butterworth

Open Records Counsel & Assistant to the Comptroller for Public Finance
Tennessee Comptroller of the Treasury
Suite 1700, James K. Polk Building
Nashville, Tennessee 37243-1402

Re: Blount County Sheriff's Office – Records Request of Tona Monroe

Dear Ms. Butterworth:

I am the County Attorney for Blount County, Tennessee and have been asked to respond to your e-mail of July 23, 2015, concerning a records request made by Ms. Tona Monroe.

Ms. Tona Monroe has a history of requesting information from the Blount County Sheriff's Office that is quite involved and taxing on the staff at the Sheriff's Office. The Sheriff's Office does not have a person designated full-time to research records and obtain information. Sometimes the requests of Ms. Monroe are an attempt to come under the auspices of the Open Records Act and other times they are not. Based on this history, the Sheriff's Office will respond to any requests from Ms. Monroe if they are, in fact, a valid records or document request submitted pursuant to the Tennessee Open Records Act. Neither of the e-mails referenced in your letter were accompanied by a copy of a photo ID from Ms. Monroe. Consequently, the Sheriff's Office did not treat these requests as an official request under the Tennessee Open Records Act.

Further, I am advised that the Sheriff's Office has no record or document that would be responsive to the June 23rd e-mail or paragraph no. 1 of the June 29th e-mail.

The Sheriff's Office does not have a log with the information requested in paragraph no. 2 of the June 29th e-mail. The County has a readily assessable record showing the current vehicle which is assigned to Mr. Millsaps. The Sheriff's Office may have archived records showing various vehicles that have been assigned to Mr. Millsaps over the past 10 years, but no such records that would show the current status of those vehicles.

The Sheriff's Office is attempting to estimate the time and expense that would be involved in reviewing those archived records over the last 10 years and will make that estimate available to Ms. Monroe when it is completed.

Ann V. Butterworth
July 23, 2015
Page Two

The remaining information sought in this e-mail is, again, a request for information and not a request for a document or public record. We think Ms. Monroe needs to understand the difference between an open records request which is a request for a record or document, as opposed to an information request.

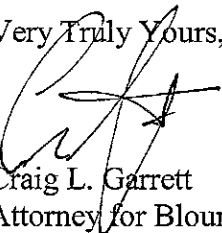
The final paragraph of Ms. Monroe's June 29th e-mail asks who open records should be submitted to. I am in the process of and am about to finalize, at the request of the Blount County Mayor, a written policy on open records requests for Blount County. The elected officials in various departments of Blount County have been overwhelmed with requests for records and information to the point it has become a disruptive practice. Upon completion of this written policy, all records requests will be handled in a centralized manner pursuant to the written policy.

Further, I would like advise that this information regarding Ms. Monroe's request had been sent to me and I had inadvertently failed to get back in touch with Chief French and that is the reason for the delay in getting a response to Ms. Monroe.

If you need further information, feel free to let me know.

With kind regards, I am

Very Truly Yours,



Craig L. Garrett
Attorney for Blount County, Tennessee

CLG/jr

cc: Chief Deputy Jeff French
Tona Monroe