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WILEY J. BEEVERS (0041 2019)

TELECOPY COVER LETTER

DATE: January 4, 2019
TO: Oliver Torres (786) 237-2949
FROM: STEVEN M. MAUTERER
CLIENT: Custodian of Records St. Charles Parish Sheriff

NUMBER OF PAGES (3) INCLUDING THIS COVER LETTER.
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OPERATOR: _____

DATE COMPLETED: _____ **TIME:** _____

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January 4, 2019

Via Facsimile: (786) 237-2949

Oliver Torres
Southern Poverty Law Center
P.O. Box 370037
Miami, FL 33137-0037

Re: Public Records Request - St. Charles Parish Sheriff's Office dated December 20, 2018 and Received January 2, 2019
Our File No.: BB19-001

Dear Mr. Torres:

Our office handles public records requests for Sheriff Greg Champagne as Custodian of Records for the St. Charles Parish Sheriff's Office. We have been provided a copy of your letter dated December 20, 2018 that was received by Captain Maurice Bostick on January 2, 2019.

With respect to your request, under Louisiana law, the Custodian of Records may not release any information which is privileged, confidential, or otherwise protected from disclosure by Louisiana or federal law. This would include, without limitation, the release of information which would constitute a violation of an individual's right to privacy as mandated by La. Const. Art. 1, § 5. (La. Const. 1974), such as certain personal information including, but not limited to, home addresses, personal telephone numbers, next of kin, social security numbers.

The Custodian of Records will perform a good faith and diligent search in an effort to identify the existence and availability of public records that may be responsive to your request as written. However, "[t]he custodian of public records cannot be expected to produce records that it cannot identify." *Hatchery, Inc. v. State*, 16-0666 (La. App. 4 Cir. 2/1/17), 217 So.3d 451 citing *All JOP Affordable Energy v. Frick*, 96-1763, p. 7 (La. App. 4 Cir. 5/28/97), 695 So.2d 1126, 1132.

As we understand your request, you seek:

1. An unredacted copy of Saint Charles Parish's internal records regarding the

Oliver Torres
January 4, 2019
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Ordering Agreement (BOA)

We have identified the Basic Ordering Agreement (BOA). While nothing but the BOA has been requested, out of the abundance of caution, the Custodian of Records expressly asserts and incorporates herein as if copied *in extenso* the section of the BOA regarding Public Disclosures.

Further pursuant to La. R.S. 44:32C(1)(a), the Custodian of Records will require payment of fees for copies in advance of production. Sheriff Chamagne is not a state agency and is not bound by La. R.S. 44:32(2) which requires a uniform fee schedule established by the Louisiana State Administration, as provided by R.S. 39:241. The Custodian of Records has established and published his own fee schedule which is posted on the St. Charles Parish Sheriff's website. The aforementioned Basic Ordering Agreement comprises approximately two (2) pages. Please advise if you would like copies of this document and the appropriate invoice can be generated and forwarded to you for pre-payment of two (\$2.00) dollars to the "Sheriff's General Fund St. Charles Parish."

By providing this response to you, please be advised that the Custodian of Records has not waived any additional objection it has or may have with respect to your request, its form, nature, demands or substance.

In the event after additional investigation, further copies, further inquiries, or other actions taken in furtherance of this request, or any subsequent requests, the Custodian of Records reserves and all rights granted by law, jurisprudence or Attorney General Opinion.

It is the policy of the Custodian of Records to undertake a comprehensive effort to review all records to be disclosed pursuant to Louisiana law or federal law; the Custodian of Records will abide by that law.

Should you have any questions, please do not hesitate to contact me at the above number. Please be advised that you should direct your response, or further inquiries, if any, to me in writing, by U.S. Mail, or by facsimile transmission at (504) 362-1405.

Because of the volume of electronic transmissions we receive, responding by e-mail is substantially delayed and not preferred.

Thank you for your kind attention and cooperation.

Sincerely,


Steven M. Mauterer

SMM

Sheriff Greg Chamagne