



Sheila Mathews <sheila@the-grip.net>

RE: Open Records request

Teresa A. Watson <twatson@cityofgriffin.com>

Wed, Jan 22, 2020 at 11:42 AM

To: Sheila Matthews <sheila@the-grip.net>

Cc: Diane Martin <DMartin@cityofgriffin.com>, Mike Yates <myates@cityofgriffin.com>, Susan Bartholomew <sbartholomew@cityofgriffin.com>, "Kenny L. Smith" <KSmith@cityofgriffin.com>, Jessica O'Connor <jocconnor@cityofgriffin.com>

ORA-20-00778 (Cont.)

Sheila,

The City of Griffin maintains that public disclosure shall not be required for the documents sought by you (surveillance photographs of Spalding County Associate Magistrate Judge Don Taliaferro) in your below Open Records Act request based on the following exemptions as provided in §50-18-72:

(a) Public disclosure shall not be required for records that are:

(3) Except as otherwise provided by law, records compiled for law enforcement or prosecution purposes to the extent that production of such records is reasonably likely to disclose the identity of a confidential source, disclose confidential investigative or prosecution material which would endanger the life or physical safety of any person or persons, or disclose the existence of a confidential surveillance or investigation;

(4) Records of law enforcement, prosecution, or regulatory agencies in any pending investigation or prosecution of criminal or unlawful activity, other than initial police arrest reports and initial incident reports; provided, however, that an investigation or prosecution shall no longer be deemed to be pending when all direct litigation involving such investigation and prosecution has become final or otherwise terminated; and provided, further, that this paragraph shall not apply to records in the possession of an agency that is the subject of the pending investigation or prosecution; and provided, further, that the release of booking photographs shall only be permissible in accordance with Code Section 35-1-18;

As already noted in my earlier response, although confirmed closed by the GBI, this matter is still active with the Georgia JQC (Georgia Judicial Qualifications Commission), a regulatory agency, in a pending investigation.

Since nothing that is available in our possession is releasable at this time, there are no records responsive to your request. We consider ORA-20-00778 complete and closed.

Teresa A. Watson
Office of the City Manager | Executive Secretary
100 S Hill Street
Griffin, GA 30223

P: 770-229-6408
F:



C:
E: twatson@cityofgriffin.com
W: cityofgriffin.com

From: Sheila Mathews <sheila@the-grip.net>

Sent: Tuesday, January 21, 2020 4:56 PM

To: Teresa A. Watson <twatson@cityofgriffin.com>

Cc: Diane Martin <DMartin@cityofgriffin.com>; Mike Yates <myates@cityofgriffin.com>; Susan Bartholomew <sbartholomew@cityofgriffin.com>; Kenny L. Smith <KSmith@cityofgriffin.com>; Jessica O'Connor <joconnor@cityofgriffin.com>

Subject: Re: Open Records request

Importance: Low

Teresa,
As the publication of an article is being delayed, I do request production of these photographs by 11 a.m. tomorrow.

Thank you,

Sheila Mathews

Publisher

The GRIP

770.713.5839 - cell

sheila@the-grip.net

On Tue, Jan 21, 2020 at 3:34 PM Teresa A. Watson <twatson@cityofgriffin.com> wrote:

Sheila,

Diane Martin is assisting me with trying to locate the public records you seek that were related to a specific criminal investigatory action of the Griffin PD when the case was turned over to the GBI. Chief Yates advises if we actually have any photographs, a comprehensive hand search for them would be required to locate the unlabeled photos, as we have no mechanized method to do so. However, I am hopeful that there may be a file that documented what was provided to the GBI and that it may contain such photos. We are diligently trying to fulfill this request but will not be able to do so by close of business today. The Chief is out of the office until tomorrow, and I should be able to relay more information at that time.

Teresa A. Watson

Office of the City Manager | Executive Secretary
100 S Hill Street
Griffin, GA 30223

P: 770-229-6408

F:

C:

E: twatson@cityofgriffin.com

W: cityofgriffin.com



From: Sheila Mathews <sheila@the-grip.net>
Sent: Tuesday, January 21, 2020 1:42 PM
To: Teresa A. Watson <twatson@cityofgriffin.com>
Cc: #Directors <Directors@cityofgriffin.com>; Mike Yates <myates@cityofgriffin.com>; Susan Bartholomew <sbartholomew@cityofgriffin.com>; Kenny L. Smith <KSmith@cityofgriffin.com>; Jessica O'Connor <joconnor@cityofgriffin.com>
Subject: Re: Open Records request
Importance: Low

Ms. Watson,

Any investigation of the Judicial Qualifications Commission is irrelevant to this Open Records request as I am not seeking JQC records in the city's possession; I am seeking public records related to specific criminal investigatory actions of the Griffin Police Department.

According to § 50-18-72 (a) (4) Records of law enforcement, prosecution, or regulatory agencies in any pending investigation or prosecution of criminal or unlawful activity, other than initial police arrest reports and initial incident reports; provided, however, that an investigation or prosecution shall no longer be deemed to be pending when all direct litigation involving such investigation and prosecution has become final or otherwise terminated; and provided, further, that this paragraph shall not apply to records in the possession of an agency that is the subject of the pending investigation or prosecution; and provided, further, that the release of booking photographs shall only be permissible in accordance with Code Section 35-1-18...

The photographs I requested are not part of an active and ongoing criminal investigation by either the Griffin Police Department or the Georgia Bureau of Investigation, and it has been determined there will be no prosecution associated with any such investigation conducted by either agency, ergo, the records I seek are subject to production under the Georgia Open Records Act.

My request was submitted at 11:28 a.m. Tuesday, Jan. 14, 2019. The city did not respond within the three-day window required by the ORA, so the production of records has already been unnecessarily delayed. I respectfully request the records be produced before the close of business today.

Sincerely,

Sheila Mathews

Publisher

The GRIP

770.713.5839 - cell

sheila@the-grip.net

On Tue, Jan 21, 2020 at 9:16 AM Teresa A. Watson <twatson@cityofgriffin.com> wrote:

ORA-20-00778

Sheila,

Pursuant to your below ORA request, please be advised that this case file, although confirmed closed by the GBI, is still active with the Georgia JQC (Georgia Judicial Qualifications Commission). Would you like to contact the JQC directly at [244 Washington Street, SW, Suite 300, Atlanta, GA 30334](#), phone 404.558.6940? Email from Mike Yates/Jeff Hatchett at GBI is attached.

Teresa A. Watson
Office of the City Manager | Executive Secretary
[100 S Hill Street](#)
Griffin, GA 30223



P: 770-229-6408
F:
C:
E: twatson@cityofgriffin.com
W: cityofgriffin.com

From: Sheila Mathews <sheila@the-grip.net>

Sent: Tuesday, January 14, 2020 11:28 AM

To: &Open Records Act <records@cityofgriffin.com>

Subject: Open Records request

Importance: Low

To whom it may concern,

Pursuant to OCGA 50-18-70 I wish to obtain any surveillance photographs of Spalding County Associate Magistrate Judge Don Taliaferro obtained or taken by the Griffin Police Department.

Please release the requested information electronically to this email address.

Thank you,

Sheila Mathews

Publisher

The GRIP

770.713.5839 - cell

sheila@the-grip.net

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