AMERICAN OVERSIGHT

January 13, 2025

VIA FACSIMILE

Carroll County Sheriff's Office
100 N. Court St.
Westminster, MD 21157
Fax: (410) 876-1152

Re: Public Information Act Request

Dear Records Custodian:

Pursuant to the Maryland Public Information Act ("PIA") codified at Md. Code, Gen. Prov. §§ 4-101 et seq., American Oversight makes the following request for records.

Requested Records

American Oversight requests that your office produce the following records immediately or within a reasonable period upon approval, and in no more than thirty days after receipt of this request:[1]

1. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) sent by any of the officials listed below, and/or anyone communicating on their behalf, such as an assistant, secretary, and/or chief of staff, and containing any of the key terms listed below.

   Carroll County Sheriff's Office Officials:
   i. Sheriff James DeWees
   ii. Chief Deputy Richard Hart

   Key Terms:
   a. "287 g"
   b. 287g
   c. 287(g)
   d. "287 (g)"
   e. "jail enforcement model"
   f. JEM
   g. "warrant service officer"
   h. WSO
   i. "collaboration with ICE"
   j. "collaborate with ICE"
   k. "ICE collaboration"

[1] Md. Code Ann., Gen. Prov. §§ 4-203(a)(1)–(b)(1).

In an effort to accommodate your office and reduce the number of potentially responsive records to be processed and produced, American Oversight has limited part 1 of this request to emails sent by the specified individuals. To be clear, however, American Oversight still requests that complete email chains be produced, displaying both sent and received messages. This means that both an individual's response to an email and the initial received message are responsive to this request and should be produced.

2. All email communications (including emails, email attachments, complete email chains, calendar invitations, and calendar invitation attachments) between any of the officials listed above in part 1, and (b) anyone communicating from U.S. Immigration and Customs Enforcement (ice.dhs.gov).

3. Records reflecting any final formal or informal directives (including informal email communications), guidance, protocol, or policies from U.S. Immigration and Customs Enforcement regarding 287(g) programs.

4. Records reflecting any training materials developed, created, or issued regarding 287(g) programs.

   Responsive records may include, but should not be limited to, PowerPoint slides, informational handouts, summary documents, handwritten or typed notes, training videos, or any other records used in trainings.

Please provide all responsive records from November 5, 2024, through the date the search is conducted.

Fee Waiver Request

In accordance with Md. Code Ann., Gen. Prov. § 4-206(e), American Oversight requests a waiver of fees associated with processing this request for records. A fee waiver is in the public interest because disclosure of the requested records will likely contribute to a better understanding of relevant government procedures by the general public in a significant way. Because American Oversight is a 501(c)(3) nonprofit dedicated to government transparency, and the request is primarily and fundamentally for non-commercial purposes, a fee waiver will serve the public interest by furthering American Oversight's nonprofit mission to inform and educate the public through the release of public records.

A waiver of fees is "in the public interest,"[2] because disclosure of the requested records will inform the public concerning government activities and operations of interest. The public has a significant interest in the potential expansion of the 287(g)

[2] Md. Code Ann., Gen. Prov. § 4-206(e)(2)(ii).

program.[3] Records with the potential to shed light on this matter would contribute significantly to public understanding of operations of the government, including how the 287(g) program will be used to carry out President Trump's mass deportation agenda. American Oversight is committed to transparency and makes the responses agencies provide to public records requests publicly available, and the public's understanding of the government's activities would be enhanced through American Oversight's analysis and publication of these records.

This request is primarily and fundamentally for non-commercial purposes. As a 501(c)(3) nonprofit, American Oversight does not have a commercial purpose and the release of the information requested is not in American Oversight's financial interest. American Oversight's mission is to promote transparency in government, to educate the public about government activities, and to ensure the accountability of government officials. American Oversight uses the information gathered, and its analysis of it, to educate the public through reports, press releases, or other media. American Oversight also makes materials it gathers available on its public website and promotes their availability on social media platforms, such as Facebook and X (formerly Twitter).[4]

American Oversight has also demonstrated its commitment to the public disclosure of documents and creation of editorial content through regular substantive analyses posted to its website.[5] Examples reflecting this commitment to the public disclosure of documents and the creation of editorial content include the posting of records and analysis related to the organization's investigations into misconduct and corruption in state governments;[6] posting records and analysis of federal and state governments' responses to the Coronavirus pandemic;[7] posting records received as part of American

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[3] *See, e.g.*, Uriel J. García & Alejandro Serrano, *Trump Promised Mass Deportations. Here's One Way They Could Quietly Happen.*, Texas Trib. (Jan. 17, 2025, 5:00 AM), https://www.texastribune.org/2025/01/17/texas-mass-deportations-trump/.

[4] American Oversight currently has approximately 16,000 followers on Facebook and 95,800 followers on X (formerly Twitter). American Oversight, Facebook, https://www.facebook.com/weareoversight/ (last visited Feb. 12, 2025); American Oversight (@weareoversight), X (formerly Twitter), https://x.com/weareoversight (last visited Feb. 12, 2025).

[5] *See generally News*, American Oversight, https://www.americanoversight.org/blog.

[6] *See generally State Investigations*, American Oversight, https://www.americanoversight.org/states; *see, e.g.*, *State Government Contacts with Voting-Restriction Activists*, American Oversight, https://www.americanoversight.org/investigation/state-government-contacts-with-voting-restriction-activists; *Georgia's Voting Machines and Election Security*, American Oversight, https://www.americanoversight.org/investigation/georgias-voting-machines-and-election-security.

[7] *See, e.g.*, *The Trump Administration's Response to Coronavirus*, American Oversight, https://www.americanoversight.org/investigation/the-trump-administrations-response-to-coronavirus; *Tulsa Health Officials Initially Estimated Trump Rally Would Directly Lead to 2 to 9 Deaths*, American Oversight, https://www.americanoversight.org/tulsa-health-officials-initially-estimated-trump-

Oversight's "Audit the Wall" project to gather and analyze information related to the Trump administration's proposed construction of a barrier along the U.S.-Mexico border, and analyses of what those records reveal;[8] and the posting of records related to an ethics waiver received by a senior Department of Justice attorney and an analysis of what those records demonstrated regarding the Department's process for issuing such waivers.[9]

Accordingly, American Oversight qualifies for a fee waiver.

Guidance Regarding the Search & Processing of Requested Records

In connection with its request for records, American Oversight provides the following guidance regarding the scope of the records sought and the search and processing of records:

- Please search all locations and systems likely to have responsive records, regardless of format, medium, or physical characteristics.
- In conducting your search, please understand the terms "record," "document," and "information" in their broadest sense, to include any written, typed, recorded, graphic, printed, or audio material of any kind.
- Our request for records includes any attachments to those records or other materials enclosed with those records when they were previously transmitted. To the extent that an email is responsive to our request, our request includes all prior messages sent or received in that email chain, as well as any attachments to the email.
- Please search all relevant records or systems containing records regarding agency business. Do not exclude records regarding agency business contained

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rally-would-directly-lead-to-2-to-9-deaths; *Wisconsin Documents Offer Window into Early Uncertainty over COVID-19*, American Oversight, https://www.americanoversight.org/wisconsin-documents-offer-window-into-early-uncertainty-over-covid-19; *In the Documents: Florida Health Department Efforts to Suppress Release of Coronavirus Records*, American Oversight, https://www.americanoversight.org/in-the-documents-florida-health-department-efforts-to-suppress-release-of-coronavirus-records.

[8] *See generally Audit the Wall*, American Oversight, https://www.americanoversight.org/investigation/audit-the-wall; *see, e.g.*, *Border Wall Investigation Report: No Plans, No Funding, No Timeline, No Wall*, American Oversight, https://www.americanoversight.org/border-wall-investigation-report-no-plans-no-funding-no-timeline-no-wall.

[9] *DOJ Records Relating to Solicitor General Noel Francisco's Recusal*, American Oversight, https://www.americanoversight.org/document/doj-civil-division-response-noel-francisco-compliance; *Francisco & the Travel Ban: What We Learned from the DOJ Documents*, American Oversight, https://www.americanoversight.org/francisco-the-travel-ban-what-we-learned-from-the-doj-documents.

in files, email accounts, or devices in the personal custody of your officials, such as personal email accounts or text messages. Records of official business conducted using unofficial systems or stored outside of official files are subject to the PIA.[10]

- In the event some portions of the requested records are properly exempt from disclosure, please disclose any reasonably segregable non-exempt portions of the requested records.[11] If a request is denied in whole, please state specifically why it is not reasonable to segregate portions of the record for release.

- Please take appropriate steps to ensure that records responsive to this request are not deleted by the agency before the completion of processing for this request. If records potentially responsive to this request are likely to be located on systems where they are subject to potential deletion, including on a scheduled basis, please take steps to prevent that deletion, including, as appropriate, by instituting a litigation hold on those records.

Conclusion

If you have any questions regarding how to construe this request for records or believe that further discussions regarding search and processing would facilitate a more efficient production of records of interest to American Oversight, please do not hesitate to contact American Oversight to discuss this request. American Oversight welcomes an opportunity to discuss its request with you before you undertake your search or incur search or duplication costs. By working together at the outset, American Oversight and your agency can decrease the likelihood of costly and time-consuming litigation in the future.

Where possible, please provide responsive material in an electronic format by email. Alternatively, please provide responsive material in native format or in PDF format on a USB drive. Please send any responsive material being sent by mail to American Oversight, 1030 15th Street NW, Suite B255, Washington, DC 20005. If it will accelerate release of responsive records to American Oversight, please also provide responsive material on a rolling basis.

We share a common mission to promote transparency in government. American Oversight looks forward to working with your agency on this request. If you do not understand any part of this request, please contact Danny Martinez at records@americanoversight.org or (202) 897-2465. Also, if American Oversight's

[10] *See* Md. Public Information Act Manual 1-6 (15th ed., Nov. 2020) ("email communications from private email accounts and text messages stored on private devices[that] are made or received by a custodian in connection with the transaction of public business, they are public records.").
[11] Md. Code Ann., Gen. Prov. § 4-203(c)(1)(ii); *Blythe v. State*, 161 Md. App. 492, 519, *cert. granted*, 388 Md. 97 (2005).

request for a fee waiver is not granted in full, please contact us immediately upon making such a determination.

Sincerely,

/s/ Danny Martinez
Danny Martinez
on behalf of
American Oversight

RESET

James T. DeWees
Sheriff

Office of the Sheriff
Carroll County, Maryland
100 North Court Street
Westminster, Maryland 21157
TTY: 711/800-735-2258

Colonel Richard L. Hart Jr.
Chief Deputy

Colonel Dennis A. Strine
Warden

REQUEST FOR PUBLIC INFORMATION

Date of Request: 2/13/2025

Pursuant to Public Information Act of Maryland, I Daniel Martinez,
(Print Name)

hereby request the below listed information from the Carroll County Sheriff's Office. I acknowledge that the Public Information Act pertains to documents ONLY and that the Records Custodian, or his/her designee, according to the Public Information Act, has the right to review this request, having ***ten (10)*** days to grant or deny it, with cause. If the request is granted, the Custodian shall produce the record immediately or within a reasonable period of time. I understand that fees can be charged for retrieving and providing copies of this information. If the request is denied the applicant will be notified within ten working days and provided reasons why it cannot be released.

In some cases, Maryland Law requires the applicant to be a party of interest. This mandates us to ask who you are and why you need the information. Please answer the below listed questions.

What is your interest in the case? (i.e., victim, witness, defendant, media, etc.)
Non-profit transparency organization

If you are an attorney, whom do you represent? Please see attached request.

If you are representing an insurance company, who are you acting on behalf of? Please see attached request.

I am requesting the below listed information:
Accident Report (List case number or date and time) Please see attached request.

Arrest Logs (List date and time) _____

Budget/Financial Information _____

Call(s) for Service (List date and time) _____

CCSO #157 Rev. 6/21/22 File ADM 1-3

SHERIFF SERVICES
Phone: (410) 386-2900
Toll Free: (888) 302-8924
Fax: (410) 876-1152

Since 2006

DETENTION CENTER
Phone: (410) 386-2628
Toll Free: (888) 302-8826
Fax: (410) 857-1509

Child Sex Offender Information (List name or specific area of interest) _____

_____

_____

Copies of News and Press Releases (Provide date or subject matter) _____

_____

_____

Police Report (list case number, date and time)_____
Statistical Information _____

_____

Other (please describe in detail) See attached request

_____

_____

_____

Signed: /s/ Daniel Martinez Date: 2/13/2025

Name: Daniel Martinez Phone Number: (202) 897-2465

Address: 1031 15th Street NW, B255, Washington, DC 2005

Email: danny.martinez@americanoversight.org

The more specific your request the better we can search and locate the records you are requesting. Be aware common everyday terminology may be used differently in law enforcement and corrections, IE; arrest logs are releasable while arrest records are not. In this instance logs and records, while conceivably can mean the same thing, represent two different sets of documents. When in doubt explain your request in detail.

SHERIFF'S OFFICE USE

Name of Deputy Receiving Request: _____ ID # _____

Date of Request: _____

Request Granted: _____
If granted, when was material provided to applicant: _____

Denied: _____

Reasons for denial: _____

_____

Fee: (yes or no) _____ **Time Required for Search: _____**