From: Sarah Terwilliger <sterwilliger@ashevillenc.gov>
Sent: 5/20/2018 10:55:19 AM
To: Patrick Conant <patrick@prcapps.com>
Cc: Maggie Burleson <mburleson@ashevillenc.gov>,Scott Barnwell <sbarnwell@ashevillenc.gov>
Subject: Re: [#108524] Use of Force Data

Correct, this request was only recently sent directly APD.Â Â In response, I received the blank Use of Force Form from APD and sent to the Sunshine mailbox Friday (5/18) afternoon.Â This is the only responsiveÂ public record at this time, and I have closed out this request.Â Â

To help clarify, this original request was interpreted to be for all individual Use of Force reports filled out following use of force incidents and reviewed by the APD chain of command in 2017. Reports pertaining to individual use of force incidents are considered confidential personnel information as defined by N.C. Gen. Stat. 160A-168, and as such, are not public records. This information was relayed to the requesting party on March 14, 2018.Â

To be clear, no information, or data, contained in individual use of force reports is publicly available at this time. The APD is currently working on the development of a number of data sets pertaining to policing, including possible anonymized data pertaining to use of force incidents; however, as you noted,Â that effort is a separate request.Â

Thank you,Â
SarahÂ

Sarah TerwilligerÂ
Deputy City Clerk
Interim Public Records Officer
City of AshevilleÂ
(828) 259-5839

On Sat, May 19, 2018 at 10:45 AM, Patrick Conant <patrick@prcapps.com> wrote:

> Hi Sarah,
>
> Thank you for this response.
>
> For the benefit of Scott and Maggie, I want to include this link to the Sunshine Request, where you can see the entire thread of communication since this request started:
>
> http://sunshinerequest.com/records_request/public-records-related-2017-use-force-incidents/
>
> I want to be clear that this request is for all fields containing public record data contained in the City's Use of Force database. This could possibly be more information than the City decides to publish in their Open Data Feed, and it is a separate request.
>
> To clarify, are you saying that you did not forward this request to an APD crime analyst until recently? We clarified and you confirmed that the data we are requesting is a public record on March 15th, but I understand there may have been confusion due to similar efforts related to Code for Asheville's petition.Â
>
> At this point, I simply want to confirm that APD has been asked to complete this request separately from their Open Data efforts, and, considering the significant time that has passed since this request was first submitted, would ask for a firm timeline from APD as to the completion of the request.Â

Thank you,

Patrick Conant
patrick@prcapps.com
PRC Applications
www.prcapps.com

On Thu, 17 May at 9:37 AM , Sarah Terwilliger <sterwilliger@ashevillenc.gov> wrote:
Hi Patrick,Â

The request is taking long to process because of a misunderstanding on my end.Â Shortly after receiving this request I was informed by the ITS department that they are working on this information in collaboration with APD and legal to make publicly available data-set.Â I transmitted this information to Sunshine Request on March 15, stating that I would send once available.Â

Thank you for recently clarifying that the request is directed for APD records, and should be handled separately than the data-set.Â Since this clarification, the request has been forwarded to a APD Crime Analyst for review.Â As the interim Public Records Officer, it is my duty to help track and coordinate request as they come in, the custodian department(s) are responsible for compiling the requested records- I am not always in the loop as they work through this process; however, I am happy to follow-up as needed. I have forwarded this follow-up request to the records custodian for more information.Â

Thank you,Â
SarahÂ

Sarah TerwilligerÂ
Deputy City Clerk
Interim Public Records Officer
City of AshevilleÂ
(828) 259-5839

THE CITY OF ASHEVILLE

On Wed, May 16, 2018 at 6:02 PM, Patrick Conant <patrick@prcapps.com> wrote:
Hi Sarah,

I wanted to follow up on my request for the status of Use of Force Data from Sunshine Request.

http://www.sunshinerequest.com/records_request/public-records-related-2017-use-force-incidents/

At this point, I would appreciate any information on where this request is in the process, and why it is taking so long for the request to be fulfilled.Â

I absolutelyÂ understand that public records requests take time, but since this data has already been confirmed to be public record, I am concerned that this request is being arbitrarily delayed for one reason or another.Â

Thank you,

Patrick Conant
patrick@prcapps.com
PRC Applications
www.prcapps.com

On Fri, 11 May at 4:26 PM , Sarah Terwilliger <sterwilliger@ashevillenc.gov> wrote:
I better understand now- thank you.Â This request is being treated separate from the data set and we will coordinate with APD for any records that currently exist and are responsive to this request.Â

Have a great weekend,Â
SarahÂ

Sarah TerwilligerÂ
Deputy City Clerk
City of AshevilleÂ
(828) 259-5839

On Fri, May 11, 2018 at 3:08 PM, Patrick Conant <patrick@prcapps.com> wrote:

Hi Sarah,

Please tell Ben we wish him the best of luck on his next adventure - we are very appreciative of his efforts with our many requests! Will you be checking the opengov email address?Â

Regarding the Use of Force data - thank you for following up with staff.Â

I simply would like more details on what pieces of the process have occurred, and what still remains to be done. For example, has an APD analysts been asked to pull the Use of Force data? Has that analyst pulled the data, or is time scheduled for that to occur?Â

If that data has been pulled, can it be provided to fulfill the request? If not, what steps remain - are there reviews by City legal or APD leadership that need to happen?Â

I'm surprised that APD and IT would both need to be involved to fulfill this request. I understand that those departments were working togetherÂ to consider how this information could be provided as an open data feed, but I do want to be clear that this public records request is a completely separate item.Â

Sunshine Request allows anyone in the community to submit a request for information anonymously - I don't know who submitted that request, so I just want to be sure that it's not being held up due to the fact that Use of Force data is also included in Code for Asheville's proposal that I am leading.Â

Thank you,

Patrick Conant
patrick@prcapps.com
PRC Applications
www.prcapps.com