



Major T. D. Reece
Detention Center
Administrator

Capt. S. R. Jones
Special Operations &
Homeland Security Bureau

OFFICE OF THE SHERIFF CALVERT COUNTY

MIKE EVANS
SHERIFF

Lt. Colonel P.D. McDowell
ASSISTANT SHERIFF



Capt. D. P. Payne
Patrol Bureau

Capt. T. M. Ireland
Investigations Bureau

Capt. W. B. Parrott
Administrative &
Judicial Services Bureau

October 25, 2018

To: Ashley I. Kissenger
Mathew E. Kelley
Ballard Spahr LLP
1225 17th Street Suite 2300
Denver, CO 80202-5596

Greetings,

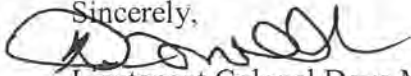
This correspondence is in response to your request on behalf of Kenneth Rossignol, *The Chesapeake Today*, dated October 17, 2018, requesting the reversal of a previous denial to provide records regarding DUI arrest in Calvert County.

While you are correct about the initial basis stated for denying Mr. Rossignol's request, the request must still be denied. Mr. Rossignol's requests seeks information, not records. Under the MPIA, the Sheriff is only required to provide the "public records" in its custody and control as defined in GP § 4-101(j). It is not obligated to create or compile a new public record to provide the information sought in Mr. Rossignol's requests. See GP § 4-205(c). There are no existing records in the custody and control of the Sheriff that hold all the information Mr. Rossignol requests.

Pursuant to GP § 4-362, you are entitled to seek judicial review of this decision. You also have the option to refer any concerns about this decision to the Public Access Ombudsman pursuant to GP § 4-1B-01 et seq.

Please note that the Calvert County Sheriff's Office has every intention of complying with the MPIA. Therefore, in the event you have any questions or concerns, please call my office at 410-535-1600 extension 2459 at your earliest convenience so we can discuss the matter.

Sincerely,



Lieutenant Colonel Dave McDowell
Assistant Sheriff

Detention Center
410-535-4300

Metro Line
301-855-1194

The Calvert House, 30 Church Street
Prince Frederick, Maryland 20678
410-535-2800

FAX
410-535-1770

For Hearing and
Speech Impaired
TDD-535-3491