



## GEORGIA DEPARTMENT OF LAW

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February 25, 2016

**Via Facsimile No. 678-335-5744**

Edward Logan Butler, IV  
Patterson Moore Butler, LLC  
327 Dahlonega Street Suite 801  
Cumming, Georgia 30040

RE: Open Records Act Complaint from Frank Huggins regarding the Forsyth County Sheriff's Office

Dear Mr. Butler:

I am writing to you in your capacity as the attorney for Forsyth County. Our Office received a complaint from Frank Huggins alleging that the Forsyth County Sheriff's Office has failed to produce correspondence and a report, which Mr. Huggins requested pursuant to the Open Records Act. The requested documents included correspondence between the Forsyth County Sheriff's and the Commission on Accreditation of Law Enforcement Agencies, Inc. (CALEA), and a report received by the Forsyth Sheriff's Office from CALEA.

Our office mediated a similar complaint from Mr. Huggins last summer; at that time, he requested correspondence between CALEA and the Sheriff's Office, which he did receive on September 21, 2015. The request at issue here is for a CALEA report, and correspondence between the Sheriff's Office and CALEA "following the assessment team re-accreditation visit." There may be some overlap with the correspondence that he previously requested, but the records he is requesting should still be provided in full.

Under Georgia law the Attorney General, as an independent constitutional officer, has the discretionary authority to enforce the Open Records Act and the Open Meetings Act. O.C.G.A. §§ 50-14-5(a) and 50-18-73(a). The Attorney General has chosen to exercise that discretion by establishing a mediation program where citizens may raise issues and concerns with us regarding the Acts and we will attempt to resolve disputes between citizens and local government. This office also reserves the right to pursue litigation in these matters where it deems doing so is appropriate.

I would ask Forsyth County to provide a response to Mr. Huggins' complaint within the next ten

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days. In the response, please explain why correspondence and reports between employees of the Sheriff's office and the CALEA would not be subject to the Georgia Open Records Act. If you determine that there was an oversight by the records custodian, I ask that you comply with the request forthwith, and copy me with the cover correspondence to Mr. Huggins.

Thank you for your attention to this matter.

Sincerely,

 Jennifer Colangelo

wep BB

JENNIFER COLANGELO  
Assistant Attorney General

Enclosures

cc: Mr. Frank Huggins (w/out encl.)