

McLAIN & WINTERS

ATTORNEYS AND COUNSELORS AT LAW

61 N. HURON
YPSILANTI, MICHIGAN 48197
(734) 481-1120

DENNIS O. McLAIN
WM. DOUGLAS WINTERS
ANGELA B. KING

FAX (734) 481-8909
[E-MAIL: mcwinlaw@gmail.com](mailto:mcwinlaw@gmail.com)

October 19, 2011

Washtenaw County Office of the Sheriff
Attn: Mark A. Ptaszek
2201 Hogback Rd.
Ann Arbor, MI 48105-9732

ptaszekm@ewashtenaw.org

Re: ***Request for Copy of Portable Flash Drive (i.e. Thumb Drive) Prepared by Ypsilanti Township Residential Services Director Jeff Allen and Conveyed to Washtenaw County Special Investigator Brian Miller on Friday, March 11, 2011***

Dear Undersheriff Ptaszek:

As I am sure your file reflects, your office conducted an independent investigation back in March and April of 2011 regarding a “. . . **potential improper conduct of a Sheriff's Office employee.**” It is my understanding that this investigation was led by Washtenaw County Special Investigator Brian Miller who during the course of his investigation met with Ypsilanti Township's Residential Services Director Jeff Allen. According to Director Allen's calendar (and his contemporaneous notes) this meeting with Special Investigator Miller occurred on Friday, March 11, 2011.

During this meeting with Special Investigator Miller, Director Allen provided him with the only copy of a surveillance video regarding the incident that was being investigated by the Sheriff's Department. It is my understanding that Director Allen made a copy of the surveillance video by utilizing a “**portable flash drive**” commonly referred to as a “**thumb drive.**” Inasmuch as the Township's surveillance video is recorded over after thirty (30) days, the thumb drive provided to Investigator Miller is believed to be the only copy that currently exists.

Recently, the Township Clerk received a FOIA request from a reporter from the Ann Arbor.com requesting *inter alia* a copy of the surveillance video that was provided to Investigator Miller. However, as stated above inasmuch as the surveillance video regarding the incident was “**recorded over**”, the Township Washtenaw County Office of the Sheriff

Mark Ptaszek

Re: Request for Copy of Portable Flash Drive

October 19, 2011

Page 2

cannot provide this video per the FOIA request unless the Township receives a copy of the video that was transferred from the surveillance camera onto the flash drive by Director Allen and delivered to Investigator Miller on March 11, 2011.

In light of your letter dated April 18, 2011 addressed to Office of Community Standards Director Mike Radzik wherein you advised that the “. . . **independent investigation was conducted [and it was determined] that the allegation was unfounded and the matter is closed**” please forward a copy of the surveillance video in the format that it was received so as to allow the Township to respond to the FOIA request from Ann Arbor.com.

Once you have had an opportunity to review this correspondence if you have any questions or I can be of further assistance, please contact me.

Very truly yours,



Wm. Douglas Winters

dc

cc: Sheriff Jerry L. Clayton
Township Board
Mike Radzik
Jeff Allen