

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Dear [REDACTED]

By this letter, I request access to, and copies of, public records in the possession, custody, or control of the Office of the District Attorney pursuant to the Tennessee Public Records Act, T.C.A. § 10-7-503(a). I recognize that names and circumstances of individual children and families are protected by statute and understand that documents produced in response to this request will not contain their names or other identifying information. Unless otherwise indicated, this request seeks documents from January 1, 2015 to the present.



Tennessee

PO Box 120160
Nashville TN 37212
(615) 320-7142
aclu-tn.org

Please provide copies of the following records:

1. List all screening and charging information your office collects (including but not limited to: number of cases handled by your office; number of charges per case at arrest and/or the number of charges at direct presentment to the Grand Jury; number of cases declined for prosecution and/or the number of cases where charges were filed; number of juvenile cases transferred to adult/criminal court; and/or number of cases that included any enhancement charges—e.g. habitual offender).
2. List the types of pretrial release information your office collects (including but not limited to: number of cases where the prosecutor recommended own/personal recognizance (nonmonetary release), bail/bond, or no bail for pretrial release; number of cases where the prosecutor recommended a pretrial release program or conditions that include pretrial supervision (e.g. in-person reporting, call or text reporting, GPS monitoring); number of cases where the judge deviates from the prosecutor's pretrial release recommendation; number of defendants held in pretrial detention between arraignment and sentencing; and or number of defendants on pretrial supervision).
3. List the information your office collects related to alternative sentencing options, such as information related to diversion programs, drug courts, problem-solving courts, deferred prosecution/adjudication (including but not limited to: number of cases disposed to diversion programs; number of cases handled by alternative or problem-solving court; number of cases where



prosecution is deferred, such as agreements to retire a case after completion of conditions; number of cases that end with successful or unsuccessful completion of the diversion, problem-solving court or deferred option; average time elapsed between decision to impose an alternative option and the completion of that alternative option; and/or case dispositional outcomes (e.g. incarceration, probation, sentence length) for cases where the alternative option was not successfully completed).

4. List the information your office collects related to plea bargaining and sentencing (including but not limited to: number of cases resolved by all charges being dismissed by the prosecutor; number of cases resolved by guilty or no contest pleas on at least one charge; number of cases that go to trial and the subsequent disposition; final number of charges at disposition; number of cases recommended for incarceration or probation; recommended sentence length; fines recommended as part of the case resolution; and/or number of convictions overturned).
5. List any other information your office collects [including but not limited to: time spent processing a case (e.g. the time spent deciding on charges and/or the time elapsed when charges are filed and disposition); caseloads per prosecutor; information on turnover of staff; recidivism results (such as re-arrest, re-conviction, or probation violations); allegations of prosecutorial misconduct; and/or all other related information].

As used in this request, the term “records” includes but is not limited to all documents, papers, letters, maps, books, photographs, microfilms, electronic data processing files and output, films, sound recordings, information stored or maintained electronically or other material, regardless of physical form or characteristics or any copy thereof. Please note that the term “record” refers to those items in your possession, custody, or control, or those items which were, but are no longer, in your possession, custody, or control.

If you claim that any document or portion thereof is exempt from inspection under T.C.A. § 10-7-504, or any other statute or judicial decision, as to each document or portion you claim to be exempt, please state the basis for the exemption, and identify the document or portion by date; by sender, recipient, or author; and by a description of the contents sufficiently detailed to enable an independent evaluation of the exemption.

If any record is otherwise withheld for any reason, please indicate the type of record withheld, the title or style of the record, the length or size of the record, the author of the record, a description of the subject

matter of the record, the file(s) where the record (or copies thereof) may be located, and the reason(s) the record is being withheld.

T.C.A. § 10-7-503(a)(2)(B) requires the custodian of the requested records to either produce the records within seven days of the request or “[f]urnish the requestor a completed records request response form developed by the office of open records counsel stating the time reasonably necessary to produce such record or information.” I anticipate that this request will be relatively simple to comply with and should take no more than the statutory time period. If you anticipate that the production of this request will take longer than seven days to complete, please contact me with an anticipated date certain for completion.

Please send us documents in electronic form where possible. If copies must be made, this request contemplates only black and white copies. I agree to pay reasonable copying and postage fees up to \$50.00. Please notify me if the fees associated with filling this request will exceed this amount before completing the request. If the costs associated with producing the requested records do exceed the above stated amount, please provide a detailed estimate of the costs of copying and labor, including any rate to be charged for copying and the hourly rate to be charged for labor.

Should you have any questions or wish to discuss this matter further, please do not hesitate to contact me at [REDACTED].

Sincerely,

Thomas H. Castelli
Legal Director
American Civil Liberties Union of Tennessee
P. O. Box 120160,
Nashville, Tennessee 37212

