

FILED

IN THE CHANCERY COURT OF KNOX COUNTY, TENNESSEE, AT KNOXVILLE

2019 APR 10 PM 12:59

MEGHAN CONLEY,

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HOWARD G. HOGAN

Petitioner,

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v.

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No. 197897-1

KNOX COUNTY SHERIFF TOM SPANGLER,

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Respondent.

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PETITION FOR HEARING ON PUBLIC RECORD REQUEST DENIALS AND ACCESS TO PUBLIC RECORDS

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Under Tennessee Code Annotated section 10-7-505 of the Tennessee Public Record Act ("PRA"), Petitioner Professor Meghan Conley, Ph.D., hereby petitions this Court for judicial review of the denials of her public record requests by Sheriff Tom Spangler and employees of the Knox County Sheriff's Office ("KCSO"),<sup>1</sup> for access to her requested record, and for future enforcement of the PRA, Tennessee Code Annotated section 10-7-503 *et. seq.*

In support of this petition, Professor Conley states as follows:

1. Professor Meghan Conley is a citizen of the State of Tennessee and a Professor of Sociology at the University of Tennessee, Knoxville. Her research centers on immigration enforcement and the criminalization of immigrants in the Southeastern United States, with a particular focus on East Tennessee, Knox County, and 287(g) agreements between local law enforcement and

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<sup>1</sup> The statute requires that Sheriff Spangler, not KCSO, be named as defendant in his official capacity. See Tenn. Code Ann. § 10-7-505(a); *Kersey v. Jones*, M2006-01321-COA-R3CV, 2007 WL 2198329, at \*6 (Tenn. App. July 23, 2007) (affirming propriety of official as defendant and listing supporting cases). Although the actions of Sheriff Spangler and his employees, Mike Ruble and Hillary Martin, may be collectively attributed to KCSO to avoid linguistic ambiguity, Sheriff Spangler remains the responsible defendant.

Immigration and Customs Enforcement ("ICE"). See **Attachment 1** (chapter from Professor Conley's forthcoming book). She has authored or co-authored more than twenty academic works, including books, peer-reviewed journal articles, and book chapters, and has given more than fifty academic or community presentations.

2. The respondent is Knox County Sheriff Tom Spangler in his official capacity. His address of employment is 400 Main St SW, Knoxville, TN 37902.
3. Mike Ruble ("Ruble"), KCSO's chief counsel, acted as KCSO's record keeper and its agent in denying the majority of Professor Conley's record requests.
4. Hillary Martin ("Martin") is a KCSO employee. She also acted as KCSO's record keeper and its agent in denying Professor Conley's record requests.
5. As this petition is against Sheriff Spangler in his official capacity, pursuant to Tennessee Rule of Civil Procedure 4.04(1), service of process may be made upon Sheriff Spangler personally or by leaving copies at his abode.
6. KCSO has an active 287(g) agreement with ICE granting KCSO some ability to enforce federal immigration law. **Attachment 2**. KCSO has also entered into various intergovernmental service agreements ("IGSA") with ICE that affect its immigration enforcement powers and strategies.
7. Almost all of the following facts are drawn from Professor Conley's email correspondence with KCSO. **Attachment 3**. All emails are incorporated by reference. Any additional facts are supplied on the information and belief of Professor Conley.

8. Since August 16, 2017, Professor Conley has attempted to exercise her PRA rights to inspect or acquire copies of KCSO arrest records, internal communications, and other public records. KCSO, through its agents Martin and Ruble, has denied all of Professor Conley's requests to inspect its public records and, with few exceptions, has also denied almost all of Professor Conley's requests for copies of records.
9. Professor Conley has met with Sheriff Spangler and KCSO in an unsuccessful attempt to access KCSO records.

**I. KCSO denied Professor Conley's request for records related to KCSO's 287(g) agreement, IGSA, and ICE training information.**

10. Professor Conley's first email request to KCSO, made on August 16, 2017, asked for access to the following public records:

1. All public records of communications between Knox County and the Department of Homeland Security - U.S. Immigration and Customs Enforcement regarding a 287(g) program in Knoxville created on or after June 1, 2017.
2. All public records created on or after June 1, 2017 regarding training, scheduling, and implementation of a 287(g) program in Knox County, Tennessee.

3. All public records created on or after June 21, 2013 regarding any intergovernmental service agreement (IGSA) related to detention, transportation, or other services between the Knox County Sheriff's Office and the Department of Homeland Security - U.S. Immigration and Customs Enforcement.

11. On August 25, 2017, Ruble, acting on KCSO's behalf and communicating via email, offered Professor Conley a single-page letter from ICE thanking KCSO for its interest in 287(g) and denied the rest of her request, claiming that "[a]ll of your requests begin with 'any and all'; that type of request fails to meet the specificity standard required by the statute," and [e]ven if the request satisfied the specificity requirement the man hours necessary to review every document, e-mail, etc. would make the response prohibitively expensive." Ruble directly quoted the language of the relevant provision he claimed in support, Tennessee Code Annotated section "10-7-504 (4)[sic]." that:

[t]his section shall not be construed as requiring a governmental entity to sort through files to compile information or to create or recreate a record that does not exist. Any request for inspection or copying of a public record shall be sufficiently detailed to enable the governmental entity to identify the specific records for inspection and copying.

12. On August 25, 2017, Professor Conley emailed Ruble to request the dates for completed and planned ICE training for KCSO officers.

13. On September 15, 2017, Ruble responded that he had obtained the training records but delayed releasing them "[i]n order to comply with our obligations under the [287(g)] contract and federal law I have, this date, supplied the documents to be reviewed by I.C.E. officials prior to release."
14. Professor Conley requested that Mr. Ruble "please cite the specific language in the contract, or the specific federal law, that requires the KCSO to send these documents to ICE for review before you release them to me as required under the Tennessee Public Records Act."
15. Ruble did not respond.
16. On September 26, 2017, Professor Conley repeated her request for the relevant contractual language or federal law permitting the delayed release of the requested records.
17. On September 29, 2017, Ruble released the requested training documents to Professor Conley after having redacted the officers' identifying information from the documents.

**II. KCSO categorically denies Professor Conley's request to inspect arrest reports.**

18. During an August 25, 2017 in-person meeting with Ruble, Professor Conley requested to personally inspect the arrest reports of KCSO inmates being held pursuant to ICE-issued immigration holds. Ruble categorically denied her request to inspect arrest records, claiming that there was no public access point for inspections and that she could only obtain arrest records by making daily requests for a limited number of arrest record copies.

19. Since this time, Professor Conley has been forced to physically retrieve arrest record copies from KCSO. KCSO only permits a limited number of arrest record copies each day. This limitation has significantly hobbled her research.

**III. KCSO denies Professor Conley's request for IGSA information.**

20. On August 31, 2017, Professor Conley requested:

Public records created on or after June 21, 2013 regarding an intergovernmental service agreement (IGSA) related to detention, transportation, or other services that **currently exists or is currently being considered** between the Knox County Sheriff's Office and the Department of Homeland Security - U.S. Immigration and Customs Enforcement.

21. Ruble responded the same day, informing Professor Conley that KCSO had received her requests and noting the "law provides that [KCSO] has seven (7) business days to respond to public records."

**IV. KCSO denies Professor Conley's request for emails sent between ICE and Sheriff Jimmy Jones and Martha Dooley.**

22. On September 28, 2017, Professor Conley requested:

1. All public records of emails and letters between Knox County Sheriff Jimmy "JJ" Jones and the Department of Homeland Security - U.S. Immigration and Customs Enforcement regarding a 287(g) program in Knox County, TN created on or after August 25, 2017.
  2. All public records of emails and letters between Captain Terry Wilshire and the Department of Homeland Security - U.S. Immigration and Customs Enforcement regarding a 287(g) program in Knox County, TN created on or after August 25, 2017.
  3. All public records of emails and letters between Media Relations Director Martha Dooley and the Department of Homeland Security - U.S. Immigration and Customs Enforcement regarding a 287(g) program in Knox County, TN created on or after August 25, 2017.
23. Ruble responded on September 29, 2017, informing Professor Conley that 189 pages of responsive records were available for her to retrieve from KCSO's records desk. The 189 pages only contained email correspondences between ICE and Captain Wilshire and the first of the emails had been written on July 6, 2017. It also bore the date September 11, 2017, in the lower right-hand corner. **Attachment 4.**
24. Professor Conley's October 3, 2017 response noted that the received records did not contain the requested IGSA records or any of the requested communications between Sheriff Jimmy Jones and ICE or Martha Dooley and ICE.
25. Ruble did not respond.

26. On October 23, 2017, Professor Conley wrote to follow up on her request for records and to ask for a timeline.

**V. KCSO repeatedly denies and evades Professor Conley's renewed requests for IGSA documents.**

27. On October 24, 2017, Ruble notified Professor Conley that some of her requested record were available at the KCSO records desk.

28. Professor Conley renewed her August 31 request for IGSA records on November 1, 2017, specifically requesting access to:

Public records created on or after June 21, 2013, regarding an intergovernmental service agreement (IGSA) related to detention, transportation, or other services that currently exists or is currently being considered between the Knox County Sheriff's Office and the Department of Homeland Security – U.S. Immigration and Customs Enforcement.

29. On November 6, 2017, Ruble responded only that "Knox County has no IGSA with ICE."

30. On November 16, 2017, Professor Conley repeated her August 31 request for access to records of "any IGSA currently being considered" between KCSO and ICE.



31. Ruble did not respond.

32. Professor Conley renewed her August 31st request again on December 4, 2017. Ruble replied only that “[w]e have provided the only contract the KCSO has with ICE.”

33. On December 7, Professor Conley clarified that “my request pertains to IGSA’s that are under consideration (not yet formalized). Does this mean that the KCSO is not currently considering an IGSA with DHS-ICE related to detention, transportation, or other services?”

34. Ruble did not respond.

35. On December 14, 2017, Professor Conley asked Ruble to clarify whether KCSO’s responses meant that there were “no records pertaining to a possible future IGSA for detention, transportation, or other services between KCSO and DHS-ICE that is currently being inquired about, explored, discussed, negotiated, or that is otherwise under consideration and not yet formalized.”

36. Ruble did not respond.

37. On March 6, 2018, Professor Conley renewed her August 31 request for documents related to a contemplated IGSA.

38. Ruble finally responded on March 12, 2018, stating only that “[t]here is no document that is responsive to your request.”

**VI. KCSO denies Professor Conley’s request for KCSO 287(g) Steering Committee records for lacking specificity and requiring compilation.**

39. On June 5, 2018, Professor Conley submitted a request to KCSO asking for “all public records, including letters, emails, and memos, related to the KCSO 287(g) Steering Committee.”

40. Ruble denied this request, on June 11, 2018, claiming that her request that “[KCSO] search for ‘all public records, including letters, emails, and memos, related to the KCSO 287(g) steering committee’ fails to comply with the statutory requirement that the request be specific, and violates the statutory prohibition that no governmental entity can be required to ‘sort through files to compile information.’”

41. Professor Conley made a July 5, 2018 request for “[a]ny and all records of communication, including letters, emails, and memoranda, exchanged within and among the Knox County Sheriff, DHS agencies and subagencies (including ICE),” and created between dating from January 1, 2018 to the present, “including but not limited to communications relating to the establishment of the 287(g) Steering Committee and the planning of the July 11, 2018 meeting, which was previously scheduled for June 26, 2018 and July 10, 2018.”

42. On July 11, 2018, KCSO and ICE held the public 287(g) steering committee meeting at Knoxville's city-county building. Sheriff J.J. Jones spoke, briefly mentioning some statistics on inmates that KCSO had collected.

**VII. KCSO partially fulfills a record request that it also claims is too unspecific to fulfill.**

43. Ruble's response, on July 12, 2018, again claimed that "[r]equests the[sic] ask for 'any and all' records both request the compilation of records prohibited by the statute, and fail the statutory requirement of specificity." However, Ruble provided 28 pages of email correspondence between Captain Wilshire and ICE representatives, warning that it was impossible to guarantee that the records represented "any and all" records requested.

44. On July 13, 2018, Professor Conley asked for emails sent between Martha Dooley and ICE and Sheriff Jones and ICE regarding a public 287(g) steering committee meeting that had been rescheduled three different times.

45. On July 20, 2018, Ruble notified Professor Conley that that he had six pages of emails responsive to her July 13 request and that she could collect these records from KCSO's record desk.

**VIII. KCSO twice denies Professor Conley's request for KCSO inmate statistics publically discussed by the Sheriff for lacking specificity and requiring compilation.**

46. On July 20, 2018, Professor Conley requested "any documents that show the total yearly number of inmates in the jail and total yearly number of foreign born inmates in the jail

from 2008 through the first six months of 2018” and that “Sheriff Jones and Captain Wilshire mentioned that the jail keeps track of these numbers during a public forum last week.”

47. On August 3, 2018, Ruble denied her July 20, 2018 request on the grounds that “I was not at the meeting and did not hear[sic] the comments to which you refer. If you could be more specific as to what document you are requesting, this office will be happy to comply.”

48. In an August 8, 2018 email, Ruble issued a second denial of Professor Conley’s July 20, 2018 request, claiming that her “request for ‘any’ documents with total inmate population and total foreign inmates” would require a search of “every document in the K.C.S.O to determine if it contained those numbers.” Ruble claimed that “[w]e are not required to search our documents for a document that might fit your description. If you would ask for a specific document we would be glad to comply with your request.”

**IX. KCSO denies Professor Conley’s request for records documenting KCSO’s agreement with ICE for lacking specificity and requiring compilation.**

49. On August 3, 2018, at 10:09 am, Professor Conley renewed her request for public records regarding an IGSA between ICE and KCSO.

50. Ruble denied this August 3, 2018 request on the same day. He first claimed that her request asked for KCSO to “compile those documents into a file and provide them to

you” and stated that this “type of request is specifically prohibited by law.” He also mentioned the requirement that PRA requests be “sufficiently detailed.”

51. Ruble denied this renewed request, claiming that the request would require review of “each document in the agency,” record compilation, and that the request “fails the statutory requirement that every request be ‘sufficiently detailed’.”

**X. KCSO ignores request for IGSA signed after January 1, 2018.**

52. On August 3, 2018, at 1:16 pm, Professor Conley Professor Conley revised her request to ask for a copy “of any intergovernmental service agreement (IGSA) signed after January 1, 2018, related to detention, transportation, or other services that currently exists” between KCSO and ICE.”

53. Ruble did not respond.

54. On August 14, 2018, Professor Conley emailed Ruble asking when the documents would be available.

55. Ruble did not respond.

56. On August 15, 2018, Professor Conley emailed Ruble asking when the documents would be available.

**XI. KCSO supplies two page of a sixteen-page ICE IGSA.**

57. Ruble responded on August 16, admonishing Professor Conley for again using “any” and “all” in her request despite his repeated warnings that such requests are forbidden under the Public Record Act. “Nevertheless, [Ruble] provided a copy of an amendment to the KCSO’s existing U.S. Marshall’s contract” to be picked up at the KCSO’s records desk.

58. In her August 17, 2018, Professor Conley noted that she had only been provided two out of the contract’s sixteen pages. She requested the remaining pages.

59. Ruble did not respond.

60. Professor Conley again requested the rest of the contract on August 28.

61. Ruble did not respond.

62. Professor Conley again requested the rest of the contract on August 29, 2018.

63. She later received the remaining fourteen pages of the contract. The IGSA had been signed by Sheriff Jimmy “J.J.” Jones on July 19, 2018.

**XII. KCSO denies Professor Conley’s request for ICE task orders for lacking specificity and requiring compilation.**

64. On September 11, 2018, Professor Conley requested access to “[t]ask orders associated with detention services for ICE detainees with the Knox County Sheriff’s detention

facility under Marshall Service Agreement 74-13-0015 that were signed on or after June 28, 2018.”

65. Ruble’s September 24 response noted that the public record requests should now be directed to Hillary Martin. Ruble denied her request as “fail[ing] both tests” of specificity and requiring compilation. Ruble denied that KCSO possessed any document titled “task order.”

**XIII. KCSO denies Professor Conley’s request for KCSO emails for lacking specificity and requiring compilation.**

66. On October 8, 2018, Professor Conley requested access to records created on or after July 1, 2018:

[a]ny and all records of communication, including letters, emails, and memoranda, exchanged within and among personnel of the Knox County Sheriff’s Office (including but not limited to: Tom Spangler, Bernie Lyon, Kimberly Glenn, Jimmy “JJ” Jones, Martha Dooley, Lee Tramel, Terry Wilshire, Rodney Bivens, Eddie Biggs) pertaining to reporting of corrections information on the KCSO website (knoxsheriff.org), and specifically regarding the “24-hour in custody list” or “inmate population.”

She expressly noted that “ [m]y request requires only record collation to complete and does not require statistics collection, explanation, interpretation, or analysis, by your office, thus falling outside of § 10-7-503(4)'s exception. *See Tennessean v. Elec. Power Bd. of Nashville*, 979 S.W.2d 297, 304 (Tenn. 1998).”

67. On October 17, 2018, Martin denied her request for lacking specificity and requiring compilation. She also noted that “[t]his request is for all records that deal with the ‘24-hour in custody list’ ever made from any source. The request is not only in violation of statute, but also impossible to provide.”

**XIV. KCSO denies Professor Conley’s renewed August 31, 2017 request for IGSA records for lacking specificity and requiring compilation.**

68. On November 8, 2018, Professor Conley renewed her August 31, 2017 request for “any documents related to any intergovernmental service agreement (IGSA) related to detention, transportation, or other services between [KCSO] and[ICE], including inquiries, explorations, discussions, or negotiations of any IGSA that have taken place since June 21, 2013.”
69. Martin denied her request on November 13, 2018, for “not comply[ing] with the statutory requirement that public record requests be specific and not require the agency to search for and compile information.”



***A. KCSO claims that the PRA requires researchers to already know the name of the document sought.***

70. On November 16, 2018, Professor Conley asked KCSO to “please clarify what would qualify as a sufficiently specific request” and to provide examples.

71. Citing Tennessee Code Annotated section 10-7-503(4), Martin claimed that a statutorily correct request “needs to be one that tells us exactly what you're asking for so that we don't have to sort through files and guess what you're needing,” and provided the following examples deemed sufficiently specific: “a specifically-named contract with a defined date, a specific inmate's jail file” and “a specific incident report.” “[T]he request needs to be one that tells us exactly what you're asking for so that we don't have to sort through files and guess what you're needing. Specificity reduces room for error.”

**XV. KCSO denies Professor Conley's request for emails on the grounds that its email system automatically deletes all emails after 30 days and the body of emails cannot be searched.**

72. On November 19, 2018, Professor Conley requested KCSO's public records regarding any email communications mentioning her name that were sent or received by Mike Ruble from August 1, 2017, through November 19, 2017, as well as emails mentioning her name sent or received by Jimmy Jones, Martha Dooley, or Terry Wilshire, between August 1, 2017, and September 2018.

73. On November 21, 2018, Martin responded that the request could not be fulfilled because "our system only retains emails for 30 days. Part of your request for Mike Ruble's communications falls within that time, so I will get started on that and keep you posted."

74. On November 26, 2018, Martin provided Professor Conley with a copy of KCSO's email policy.

**Attachment 5.** The policy makes KCSO employees responsible for assuring that "his/her email (including both sent and received emails) are retained by the user in printed format or electronically stored in accordance with the records management requirements under T.C.A. 10-7-301 through 10-7-308, and also in accordance with the rules of the Public Records Commission."

75. On December 3, 2018, Martin informed Professor Conley that "[o]ur IT Department was unable to locate any emails mentioning your name in the 'to' field, the 'from' field, and the subject line of Mike Ruble's emails for the aforementioned searchable time. I was informed that that they are unable to search the bodies of our emails."

**XVI. KCSO denies Professor Conley's request to inspect arrest reports because it has no "system that allows the public to inspect arrest reports."**

76. Professor Conley contacted KCSO on November 30, 2018, "to touch base with you about scheduling a time to inspect arrest reports. It is my understanding that arrest reports of inmates in the Knox County jail are public records . . . . Are there specific hours to be able to review arrest reports?"

77. Martin responded that “[KCSO doesn’t] have a system that allows the public to inspect arrest reports. The only system we have is for law enforcement use only, but we will be more than happy to provide you with copies of the reports you would like.” Martin advised Professor Conley to use the “‘Records Request’ button on [knoxsheriff.org](http://knoxsheriff.org) that allows you to submit your requests online.”

**XVII. KCSO denies Professor Conley’s request for ICE emails for lacking specificity and announces new requirement that she provide the names of email senders and recipients.**

78. On March 4, 2019, Professor Conley requested from KCSO “access to and a copy of the following documents from the period of January 1, 2019 to present: Any and all records of communication, including letters, emails, and memoranda, exchanged within and among the Knox County Sheriff's Office, DHS agencies and subagencies (including ICE).”

79. On March 6, 2019, Martin, quoting Tennessee Code Annotated section 10-7-503(4), denied this request, claiming that it “is not specific enough, and therefore, impossible to fulfill. Our system also only retains emails for 30 days, so the time frame of your request would also need to be amended.”

80. The same day, Professor Conley responded by asking KCSO to clarify what would qualify as a sufficiently specific request.

81. On March 7, 2019, Martin replied that “[i]f you can provide the names of the KCSO employees, as well as at least a partial email address of the recipient or sender, our IT department can search for possible emails.”

82. On March 8, 2019, Professor Conley altered her request to ask for:

access to inspect the following documents from the period of January 1, 2019 to present: Any and all records of communication, including letters, emails, and memoranda, exchanged within and among personnel of the Knox County Sheriff's Office (Tom Spangler, Bernie Lyon, Kimberly Glenn, William Purvis, Brian Bivens) and DHS agencies and subagencies, including ICE (with email addresses ending @ice.dhs.gov).

83. Martin made the requested email records available to Professor Conley on March 19, 2019. One email, written by KCSO employee Gavin Bales and addressed to 287g@knoxsheriff.org, was more than thirty days old, having been sent on February 10, 2019. **Attachment 6.**

**XVIII. All of KCSO's record request denials violate the PRA.**

84. All of KCSO's denials of Professor Conley's requests, both those described here and in the documents attached, violate the PRA, either by failing to respond in a timely manner, failing to respond, failing to provide an applicable exception to the PRA, improperly citing an inapplicable PRA exception, or supplying fabricated or inconsistent factual reasons.

85. At all times, KCSO knew that the records requested by Professor Conley were public records subject to inspection and copying under the PRA and has never denied that Professor Conley's requested records are subject to PRA inspection and copying.

86. KCSO willfully denied Professor Conley's record requests, ignoring the plain language of the PRA, making legally unsupported denials, or denying requests with no legal justification at all.

**XIX. Professor Conley requests that this Court exercise its statutory authority to review KCSO's willful and repeated denial of her record requests.**

87. Employing the PRA, Professor Conley requested that KCSO provide her with "public records"—emails, internal reports, and other documents—that "were made or received . . . in connection with the transaction of official business by" KCSO. *See* Tenn. Code Ann. §10-7-503(a) (1) (defining public records).

88. KCSO has repeatedly violated Professor Conley's PRA rights by (1) failing to make timely responses to requests, *see, e.g.*, ¶ 12-17; (2) ignoring requests, *see, e.g.*, ¶ 25; (3) denying requests on frivolous legal grounds, such as lack of specificity or requiring compilation, *see, e.g.*, ¶ 11, 40, 43, 48, 50, 51, 65, 67, 69, 79; (4) denying inspection requests with no justification, *see, e.g.*, ¶ 18, 77; (5) and denying requests for demonstrably false factual reasons, *see, e.g.*, ¶ 73, 79.

89. KCSO knew that Professor Conley's requested records were public and yet willfully refused to grant her access.

90. As a citizen of Tennessee whose record requests have been “in whole or in part denied by the . . . designee of any official,” Professor Conley is entitled “to petition for access to any such record and to obtain judicial review of the actions taken to deny the access,” Tennessee Code Annotated section 10-7-505(a), a petition this Court has jurisdiction to hear because the records are kept in Knox County. *See* Tenn. Code Ann. § 10-7-505(b).

91. She does so now, asking that this Court grant her access to her requested records and for judicial review of KCSO’s action.

92. Professor Conley further requests that this Court exercise its statutory authority by issuing an “order requiring the defendant,” Sheriff Spangler, “to *immediately* appear and show cause, if he has any, why the petition should not be granted. *Id.* (emphasis added). No formal written response to this petition is required, and “the generally applicable periods of filing such response shall not apply in the interest of expedition hearings.” *Id.* Should Sheriff Spangler attempt to show cause, he bears the burden of justifying the denial of record requests and must carry this burden by a preponderance of the evidence. Tenn. Code Ann. § 10-7-505(c). Professor Conley also requests that this Court employ its power to “direct that the records being sought be submitted under seal for review by the court and no other party” and held there until this action is resolved.

93. KCSO’s persistent and continuous denials have prevented Professor Conley from inspecting or even requesting the majority of records she requires for her. She requires future enforcement of the PRA’s record inspection rights to prevent KCSO from continuing its pattern of frivolous

denials. As KCSO admits to refusing all citizen requests to inspect physical or digital arrest records, granting Professor Conley full relief requires that KCSO be enjoined to follow the PRA's requirements and permit record inspection.

94. In crafting a remedy, the PRA empowers this Court "to exercise full injunctive remedies and relief to secure the purposes and intentions of this section . . . broadly construed so as to give the fullest possible public access to public records." Tenn. Code Ann. § 10-7-505(d).

95. This Court may award "all reasonable costs involved in obtaining the records, including reasonable attorneys' fees," if the government "knew the record was public and willfully refused to disclose it." Tenn. Code Ann. § 10-7-505(g).

96. To prevent further delays, Professor Conley urges this Court to order this hearing with all due speed.

97. A memorandum of law in support of this Petition is filed contemporaneously with this Court.

**PREMISES CONSIDERED, PETITIONER PRAYS:**

1. Professor Conley requests that this Court order Sheriff Spangler to "immediately appear" at a show cause hearing and carry his burden of justifying the denials of Professor Conley's PRA requests and showing why this Petition for record access should not be granted.

2. Professor Conley requests that this Court order Sheriff Spangler to promptly allow Professor Conley access to her requested records.
3. Professor Conley requests that this Court place Professor Conley's requested records under seal for the Court's review prior to the hearing, as permitted by Tennessee Code Annotated section 10-7-505(b).
4. Professor Conley requests that this Court enjoin Sherriff Spangler to: (1) adopt policies for citizen inspection and copying of KCSO records consistent with the PRA, including halting KCSO's policy of providing only a limited number of arrest report copies each day ; (2) establish and maintain the required administrative, physical, or technological infrastructure necessary to facilitate record inspection, and ; (3) cease violating Professor Conley's PRA rights through frivolous denials, delays, or harassment.
5. Professor Conley requests that she be awarded all reasonable costs incurred in obtaining these records, including reasonable attorney's fees.
6. Professor Conley requests any other relief to which she proves herself entitled.

Respectfully submitted,

By: \_\_\_\_\_  
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**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing has been served, via the method(s) indicated below, on the following counsel of record, this the \_\_\_\_\_ day of \_\_\_\_\_, 2019.

**Counsel of Record:**

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