

IN THE CHANCERY COURT FOR KNOX COUNTY, TENNESSEE

PART I

ENTERED

APR 09 2020

MEGHAN CONLEY,

Plaintiff,

HOWARD G. HOGAN

v.

No. 197897-1

KNOX COUNTY SHERIFF
TOM SPANGLER,

Defendant.

ORDER

In accordance with the Court's memorandum opinion filed contemporaneously herewith, which is adopted and Incorporated herein as the Court's written findings and conclusions, it is ORDERED, ADJUDGED and DECREED as follows:

- (1) That the KCSO shall comply with the provisions of Tenn. Code Ann. § 10-7-503 (a)(2)(B) as follows: "by promptly [making] available for inspection any public record not specifically exempt from disclosure" or "[i]n the event it is not practicable for the record to be promptly available for inspection, the custodian shall, within seven (7) business days: (i) [m]ake the information available to the requestor; (ii) [d]eny the request in writing or by completing a records request response form developed by the office of open records counsel. Response shall include the basis for the denial; or (iii) [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 the record or information."

- (2) That the KCSO shall produce to Professor Conley's counsel, Andrew Fels, within the next 7 (seven) business days, any and all emails, including archived emails, for the period of January 1, 2019 thru March 8, 2019, more than 30 days old as of March 8, 2019, "within and among personnel of the Knox County Sheriff's office (Tom Spangler, Bernie Lion, Kimberly Glenn, William Purvis, Brian Bivens) DHS agencies and subagencies including ICE (with email addresses ending @ice.dhs.gov)" or respond to Professor Conley's counsel, Andrew Fels, in writing, within the next seven (7) business days, that KCSO has searched and found no such public record not produced.
- (3) That the KCSO is prohibited from treating any written request for inspection or copies generally phrased in terms of information sought as insufficient for lack of specificity or detail.
- (4) That the KCSO, within the next 30 days, shall begin steps to implement a system, either manually or through a computer program or system, that will enable it to produce its arrest records on a current basis for inspection and viewing by citizens with the confidential information redacted and shall complete implementation of the manual system or computer program or system within a reasonable period of time;
- (5) That the petitioner is entitled to an award of costs, including attorney's fees, incurred in obtaining the relief in paragraphs (2) & (4) above, with the amount of the costs to be determined at a further hearing;
- (6) That the costs of this cause are taxed to the defendant in his official capacity and not as an individual; and

(7) That the time limits in paragraph 4 or this Order are tolled and suspended for so long as any executive order of the Governor of this State or order of the Health Department of Knox County mandates the closure of nonessential business to the public.

Enter this 9th day of April, 2020.

John G. Weaver
CHANCELLOR

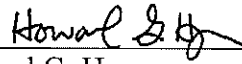
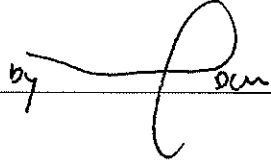
CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the foregoing was placed in the United States Mail, postage prepaid to:

Andrew C. Fels, Esq.
125 S. Central Street, Suite 203
Knoxville, TN 37902

Amanda Lynn Morse
David L. Buuck
Deputy Law Directors
400 Main Street, Suite 612
Knoxville, TN 37902

This 9th day of April, 2020.

 by 
Howard G. Hogan
Clerk and Master