



WILLIAM F. BALKWILL, SHERIFF
SARASOTA COUNTY SHERIFF'S OFFICE

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January 12, 2007

VIA FACSIMILE (954) 389-3242
AND UNITED STATES MAIL

Mr. Steven Esdale
1112 Weston Road, #151
Weston, Florida 33326

Dear Mr. Esdale:

As you are aware your requests to examine the hard drives have been honored including allowing you to have access to a government conference room for over 16 hours. Your second request necessitated two sheriff's office personnel to stay with our equipment for an additional 7 hours. At additional time I have transported the hard drives to our downtown property office. Additionally, you recently requested a copy of an audiocassette tape from our property room. You indicated to my assistant that you needed it mailed to an address in Maine. My assistant not only fulfilled your request prior to receiving payment, but also made a special trip to mail the tape on a Saturday to the party in Maine.

Any further request to examine the hard drives will require payment of the prescribed fees allowed under Chapter 119. In my first correspondence to you dated October 20, 2006, I indicated that the nature of these 911 calls would require extensive review by our personnel to determine if any confidential data exists on the 911 calls. In an effort to compromise, and assist you with the costs associated with this request, I arranged for Confidentiality Agreements to be signed by all parties wishing to access the 911 databases.

I have made every effort to reduce the cost to you of retrieving the data that you desire, however, you have indicated to my assistant that you will need a third full day (8 hours) for your next examination. Pursuant to Florida Statute 119.07(4) the hourly fee of \$32.31 will be assessed for a total of \$258.48. Florida Statute 119.07(4) states,

“The custodian of public records shall furnish a copy or a certified copy of the record upon payment of the fee prescribed by law. If a fee is not prescribed by law, the following fees are authorized:



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(d) If the nature or volume of public records requested to be inspected or copied pursuant to this subsection is such as to require extensive use of information technology resources or extensive clerical or supervisory assistance by personnel of the agency involved, or both, the agency may charge, in addition to the actual cost of duplication, a special service charge, which shall be reasonable and shall be based on the cost incurred for such extensive use of information technology resources or the labor cost of the personnel providing the service that is actually incurred by the agency or attributable to the agency for the clerical and supervisory assistance required, or both."

I have submitted your request to have one of your copies of the 911 call which you claim to have enhanced sent to the FBI, this request was denied. After searching several storage areas within the communications center we were able to locate eleven DVDs used in the hard drive backup process. You, or Mr. Tidwell, are welcome to examine those DVDs upon your next visit, they have been placed in our property office as well.

Please make the payment out to the Sarasota County Sheriff's Office and send it directly to my attention at, Sarasota County Sheriff's Office, Attention: General Counsel, Captain Kurt A. Hoffman, 2071 Ringling Blvd., Sarasota, Florida 34237. Once payment is received my office will contact you for a date and time that you can examine the hard drives.

Respectfully,

WILLIAM F. BALKWILL, SHERIFF



Captain Kurt A. Hoffman
General Counsel

KAH/ia

Encl: Copies of Florida State Statute 119.01 and 119.07