

From: [Gackstetter, Lance \(MSP\)](#)
To: [Hurt, Samantha \(MSP\)](#)
Cc: [Collins, Kevin \(MSP\)](#)
Subject: FOIA CR-20049761 Accessing Confidential Firearms Records
Date: Monday, October 30, 2017 12:12:16 PM
Attachments: [image001.png](#)
[20049761.pdf](#)

Good afternoon!

The department has received a Freedom of Information Act (FOIA) request for the above records. Please provide the following records:

-Ms. Hinkley advised it would be best to start this request in your work area. Please see the attached request and provide any responsive records. Please let me know if you have any questions or if you believe this request is best handled by a different work area.

RECORDS OR AN ESTIMATE* MUST BE RECEIVED BY THE RECORDS RESOURCE UNIT NO LATER THAN COB ON 11/3/17.

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Please complete:

Estimated number of pages:

Estimate of processing time (in minutes):

Name & classification of lowest paid person capable of processing:

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<input type="checkbox"/>	There are no concerns with the release of the records related to this incident
<input type="checkbox"/>	There ARE concerns with the release of the records; the OIC will contact the Records Resource Unit.

Please note that providing records to the Records Resource Unit when requested is required by Official Order but does not mean the documents will be disclosed to the public. The documents will be reviewed and all appropriate exemptions will be applied.

Thanks!

Lance E. Gackstetter
Assistant FOIA Coordinator
Records Resource Unit
Office of the Director
Michigan State Police
P.O. Box 30634
Lansing, MI 48909
TX: 517-284-3290
Fax: 517-241-1935

"A PROUD tradition of SERVICE through EXCELLENCE, INTEGRITY, and COURTESY"



Dainton, Laura (MSP)

From: Tom Lambert <tlambert@miopencarry.org>
Sent: Thursday, October 26, 2017 1:04 PM
To: MSP-FOI
Cc: MiOC Board
Subject: MSP FOIA Request - System Access Records

RECEIVED

OCT 27 2017

MSP 49761
Freedom of Information Act

To whom it may concern,

Pursuant to the Michigan Freedom of Information Act (FOIA), Michigan Public Act 442 of 1976; MCL 15.231 et seq., Michigan Open Carry, Inc. is hereby requesting an opportunity to obtain electronic (or paper) copies of public records. Michigan Open Carry, Inc. is hereby requesting the following from the Michigan Department of State Police:

- Records created by and/or maintained by the Michigan Department of State Police from peace officers and authorized system users compiled pursuant to MCL 28.421b(2)(f) and MCL 28.425e(4) between October 1st, 2016 and September 30th, 2017.

MCL 28.421b(1) declares individual's firearm records to be confidential, not subject to FOIA, and specifies that the individual's record(s) shall only be accessed as provided in the section. MCL 28.421b(2)(f) allows these records to be accessed by "*A peace officer or an authorized user [who] has reason to believe that access to the firearms records is necessary within the commission of his or her lawful duties. The peace officer or authorized system user shall enter and record the specific reason in the system in accordance with the procedures in section 5e.*" MCL 28.425e(4) states "*(4) Information in the database shall only be accessed and disclosed according to an access protocol that includes the following requirements: (a) That the requestor of the firearms records uses the law enforcement information network or another system that maintains a record of the requestor's identity, time, and date that the request was made. (b) Requires the requestor in an intentional query by name of the firearms records to attest that the firearms records were sought under 1 of the lawful purposes provided in section 1b(2).*"

To be clear, this request is not seeking any individual's firearm records, but rather the non-confidential separate public records associated with official acts of public officials and public employees in accessing said confidential records in compliance with their statutory duties. Michigan Open Carry, Inc. is requesting the reason(s) provided pursuant to MCL 28.421b(2)(f), as well as the related information pertaining to the fulfillment of statutory access obligations pursuant to MCL 28.425e(4). Pursuant the public policy of this state, Michigan Open Carry, Inc. "*cannot hold our officials accountable [for complying with their public duties under MCL 28.421b(2)(f) and MCL 28.425e(4)] if we do not have the information upon which to evaluate their actions.*" Practical Political Consulting v Secretary of State, 287 Mich App 434, 464 (2010).

Michigan Open Carry, Inc. is also hereby requesting a waiver of all fees as the disclosure of the requested information is in the public interest, and will contribute to the public's understanding and knowledge of proper or improper fulfillment of statutory duties of public officials and public employees.

If you deny any or all of this request, please issue the denial certificate under MCL 15.235(5), cite each specific exemption you feel justifies the refusal, and notify us of the appeal procedures available.

Lastly, please make any copies generated under this request available electronically per MCL 15.234(1)(c). Electronic records held within databases, spreadsheets, and/or all other electronic computer files holding

relevant data is/are public records. See *Ellison v Dep't of State*, __ Mich App __ (2017)(Docket No. 336759). It is not only acceptable but preferred for the copies of the requested records to be provided in a .csv or .xls format. If another option would be better for the Department, please let us know and we would be happy to discuss the matter.

Thank you for your time processing this request.

Tom Lambert
President
Michigan Open Carry, Inc.

From: [Gackstetter, Lance \(MSP\)](#)
To: [Collins, Kevin \(MSP\)](#)
Cc: [Hurt, Samantha \(MSP\)](#); [Hinkley, Lori \(MSP\)](#); [Kehoe, Kurt \(MSP\)](#)
Subject: FOIA CR-20054159 2016-2017 CPL Report
Date: Tuesday, January 30, 2018 8:24:38 AM
Attachments: [image001.png](#)

Hi, Kevin:

I have a new request, from the same requestor, asking for the completed 2016-2017 CPL Report. I've gone out to the MSP internet page and I don't see the report listed. Could you provide me with a completed copy of this report that I can provide to the requestor?

Thank you in advance,

Lance Gackstetter
FOIA Analyst
Records Resource Section
Office of the Director
Michigan State Police
P.O. Box 30634
Lansing, MI 48909
TX: 517-284-3290
Fax: 517-241-1935

"A PROUD tradition of SERVICE through EXCELLENCE, INTEGRITY, and COURTESY"



From: Collins, Kevin (MSP)
Sent: Tuesday, October 31, 2017 4:32 PM
To: Gackstetter, Lance (MSP)
Cc: Hurt, Samantha (MSP); Hinkley, Lori (MSP); Kehoe, Kurt (MSP)
Subject: RE: FOIA CR-20049761 Accessing Confidential Firearms Records

Lance,

Mr. Lambert references MCL 28.425e in his letter, which requires the MSP to compile a report for the previous fiscal year and present it to the Legislature by Jan. 1 of the subsequent year. The numbers he is requesting will be included in that report (again, in accordance with the above noted statute).

The CPL unit is in the process of compiling the report as I write.

DTMB, however, has conducted a separate query of the numbers from the CPL database which are included in the attached email.

Please let me know if you need anything else.

Kevin

From: Gackstetter, Lance (MSP)
Sent: Monday, October 30, 2017 12:12 PM

MSP000004

To: Hurt, Samantha (MSP)
Cc: Collins, Kevin (MSP)
Subject: FOIA CR-20049761 Accessing Confidential Firearms Records

Good afternoon!

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Please note that providing records to the Records Resource Unit when requested is required by Official Order but does not mean the documents will be disclosed to the public. The documents will be reviewed and all appropriate exemptions will be applied.

Thanks!

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Records Resource Unit
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P.O. Box 30634
Lansing, MI 48909
TX: 517-284-3290
Fax: 517-241-1935

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From: [Gackstetter, Lance \(MSP\)](#)
To: [Hinkley, Lori \(MSP\)](#); [Kienitz, Staci \(MSP\)](#)
Subject: Lambert_10-26-17
Date: Wednesday, November 15, 2017 9:56:15 AM
Attachments: [Lambert_10-26-17.docx](#)

Review for content and style, please.

Thanks!



STATE OF MICHIGAN
DEPARTMENT OF STATE POLICE
LANSING

RICK SNYDER
GOVERNOR

COL. KRISTE KIBBEY ETUE
DIRECTOR

November 17, 2017

Mr. Tom Lambert
Michigan Open Carry, Inc.
PO Box 16184
Lansing, Michigan 48901

Subject: CR-20049761; Concealed Pistol License (CPL) Report

Dear Mr. Lambert:

The Department of State Police has received your request for certain information and has processed it under the provisions of the Michigan Freedom of Information Act (FOIA), MCL 15.231 et seq.

Your request is granted as to the information currently available. The Concealed Pistol License (CPL) Report is not complete at this time. The report is not statutorily required to be released until January 1 of each year. However, in the spirit of cooperation, we have summarized the information you are requesting below:

- 1- 24,493
- 2- 1,771
- 3- 49,626
- 4- 1,449,241
- 5- 905,110
- 6- 42,329
- 7- 87,717

You may wish to visit our website (http://www.michigan.gov/msp/0,4643,7-123-1878_1591_3503_4654-77621--,00.html) for more detail related to the information provided above.

Under the FOIA, Section 10 (a copy of which is enclosed) you have the right to appeal to the head of this public body or to a judicial review of the denial.

To review a copy of the department's written public summary, procedures, and guidelines, go to www.michigan.gov/msp.

Sincerely,

Lance Gackstetter
Assistant FOIA Coordinator

Enclosure

From: [Collins, Kevin \(MSP\)](#)
To: [Gackstetter, Lance \(MSP\)](#)
Cc: [Hurt, Samantha \(MSP\)](#); [Hinkley, Lori \(MSP\)](#); [Kehoe, Kurt \(MSP\)](#)
Subject: RE: FOIA CR-20049761 Accessing Confidential Firearms Records
Date: Tuesday, October 31, 2017 4:32:20 PM
Attachments: [RE FOIA CR-20049761 Accessing Confidential Firearms Records.msg](#)
[image001.png](#)

Lance,

Mr. Lambert references MCL 28.425e in his letter, which requires the MSP to compile a report for the previous fiscal year and present it to the Legislature by Jan. 1 of the subsequent year. The numbers he is requesting will be included in that report (again, in accordance with the above noted statute).

The CPL unit is in the process of compiling the report as I write.

DTMB, however, has conducted a separate query of the numbers from the CPL database which are included in the attached email.

Please let me know if you need anything else.

Kevin

From: Gackstetter, Lance (MSP)
Sent: Monday, October 30, 2017 12:12 PM
To: Hurt, Samantha (MSP)
Cc: Collins, Kevin (MSP)
Subject: FOIA CR-20049761 Accessing Confidential Firearms Records
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Lance E. Gackstetter
Assistant FOIA Coordinator

Records Resource Unit

Office of the Director

Michigan State Police

P.O. Box 30634

Lansing, MI 48909

TX: 517-284-3290

Fax: 517-241-1935

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Cc: [Hurt, Samantha \(MSP\)](#); [Hinkley, Lori \(MSP\)](#); [Kehoe, Kurt \(MSP\)](#)
Subject: RE: FOIA CR-20054159 2016-2017 CPL Report
Date: Tuesday, January 30, 2018 8:34:23 AM
Attachments: [image001.png](#)

Hi Lance,

Here is the link for the 2016-2017 CPL Annual report.

http://www.michigan.gov/documents/msp/CPL_Annual_Report_01-04-2018_611131_7.pdf.

Kevin

From: Gackstetter, Lance (MSP)
Sent: Tuesday, January 30, 2018 8:25 AM
To: Collins, Kevin (MSP)
Cc: Hurt, Samantha (MSP); Hinkley, Lori (MSP); Kehoe, Kurt (MSP)
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From: [Gackstetter, Lance \(MSP\)](#)
To: ["Tom Lambert"](#)
Cc: ["MiOC Board"](#)
Subject: RE: MSP FOIA Request - System Access Records / CR-20049761
Date: Friday, November 17, 2017 12:16:09 PM
Attachments: [20049761.pdf](#)
[image001.png](#)

Mr. Lambert:

Attached is the response to your Freedom of Information Act request below.

Thank you,

Lance E. Gackstetter

Assistant FOIA Coordinator

Records Resource Unit

Office of the Director

Michigan State Police

P.O. Box 30634

Lansing, MI 48909

TX: 517-241-1934

Fax: 517-241-1935

"A PROUD tradition of SERVICE through EXCELLENCE, INTEGRITY, and COURTESY"



From: Tom Lambert [mailto:tlambert@miopencarry.org]

Sent: Thursday, October 26, 2017 1:04 PM

To: MSP-FOI

Cc: MiOC Board

Subject: MSP FOIA Request - System Access Records

To whom it may concern,

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- Records created by and/or maintained by the Michigan Department of State Police from peace officers and authorized system users compiled pursuant to MCL 28.421b(2) (f) and MCL 28.425e(4) between October 1st, 2016 and September 30th, 2017.

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made. (b) Requires the requestor in an intentional query by name of the firearms records to attest that the firearms records were sought under 1 of the lawful purposes provided in section 1b(2)."

To be clear, this request is not seeking any individual's firearm records, but rather the non-confidential separate public records associated with official acts of public officials and public employees in accessing said confidential records in compliance with their statutory duties. Michigan Open Carry, Inc. is requesting the reason(s) provided pursuant to MCL 28.421b(2)(f), as well as the related information pertaining to the fulfillment of statutory access obligations pursuant to MCL 28.425e(4). Pursuant the public policy of this state, Michigan Open Carry, Inc. *"cannot hold our officials accountable [for complying with their public duties under MCL 28.421b(2)(f) and MCL 28.425e(4)] if we do not have the information upon which to evaluate their actions."* Practical Political Consulting v Secretary of State, 287 Mich App 434, 464 (2010).

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Lastly, please make any copies generated under this request available electronically per MCL 15.234(1)(c). Electronic records held within databases, spreadsheets, and/or all other electronic computer files holding relevant data is/are public records. See *Ellison v Dep't of State*, __ Mich App __ (2017)(Docket No. 336759). It is not only acceptable but preferred for the copies of the requested records to be provided in a .csv or .xls format. If another option would be better for the Department, please let us know and we would be happy to discuss the matter.

Thank you for your time processing this request.

Tom Lambert
President
Michigan Open Carry, Inc.



STATE OF MICHIGAN
DEPARTMENT OF STATE POLICE
LANSING

RICK SNYDER
GOVERNOR

COL. KRISTE KIBBEY ETUE
DIRECTOR

November 17, 2017

Mr. Tom Lambert
Michigan Open Carry, Inc.
PO Box 16184
Lansing, Michigan 48901

Subject: CR-20049761; Concealed Pistol License (CPL) Report

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To review a copy of the department's written public summary, procedures, and guidelines, go to www.michigan.gov/msp.

Sincerely,

Lance Gackstetter
Assistant FOIA Coordinator

Enclosure

Sec. 10.

(1) If a public body makes a final determination to deny all or a portion of a request, the requesting person may do 1 of the following at his or her option:

(a) Submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.

(b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, the court of claims, to compel the public body's disclosure of the public records within 180 days after a public body's final determination to deny a request.

(2) Within 10 business days after receiving a written appeal pursuant to subsection (1)(a), the head of a public body shall do 1 of the following:

(a) Reverse the disclosure denial.

(b) Issue a written notice to the requesting person upholding the disclosure denial.

(c) Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.

(d) Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the head of the public body shall respond to the written appeal. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.

(3) A board or commission that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a). If the head of the public body fails to respond to a written appeal pursuant to subsection (2), or if the head of the public body upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action under subsection (1)(b).

(4) In an action commenced under subsection (1)(b), a court that determines a public record is not exempt from disclosure shall order the public body to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located has venue over the action. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. The court, on its own motion, may view the public record in controversy in private before reaching a decision. Failure to comply with an order of the court may be punished as contempt of court.

(5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(6) If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced under this section, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or public body prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).

(7) If the court determines in an action commenced under this section that the public body has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the public body to pay a civil fine of \$1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00 to the person seeking the right to inspect or receive a copy of a public record. The damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.



MOC
mail

Tom Lambert <tlambert@miopencarry.org>

EXHIBIT

A

OUTSIDE LEGAL COUNSEL PLC
www.olecplc.com

MSP FOIA Request - System Access Records

Tom Lambert <tlambert@miopencarry.org>
To: MSP-FOI@michigan.gov
Cc: MiOC Board <board@miopencarry.org>

Thu, Oct 26, 2017 at 1:03 PM

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Pursuant to the Michigan Freedom of Information Act (FOIA); Michigan Public Act 442 of 1976; MCL 15.231 et seq., Michigan Open Carry, Inc. is hereby requesting an opportunity to obtain electronic (or paper) copies of public records. Michigan Open Carry, Inc. is hereby requesting the following from the Michigan Department of State Police:

- Records created by and/or maintained by the Michigan Department of State Police from peace officers and authorized system users compiled pursuant to MCL 28.421b(2)(f) and MCL 28.425e(4) between October 1st, 2016 and September 30th, 2017.

MCL 28.421b(1) declares individual's firearm records to be confidential, not subject to FOIA, and specifies that the individual's record(s) shall only be accessed as provided in the section. MCL 28.421b(2)(f) allows these records to be accessed by "A peace officer or an authorized user [who] has reason to believe that access to the firearms records is necessary within the commission of his or her lawful duties. The peace officer or authorized system user shall enter and record the specific reason in the system in accordance with the procedures in section 5e." MCL 28.425e(4) states "(4) Information in the database shall only be accessed and disclosed according to an access protocol that includes the following requirements: (a) That the requestor of the firearms records uses the law enforcement information network or another system that maintains a record of the requestor's identity, time, and date that the request was made. (b) Requires the requestor in an intentional query by name of the firearms records to attest that the firearms records were sought under 1 of the lawful purposes provided in section 1b(2)."

To be clear, this request is not seeking any individual's firearm records, but rather the non-confidential separate public records associated with official acts of public officials and public employees in accessing said confidential records in compliance with their statutory duties. Michigan Open Carry, Inc. is requesting the reason(s) provided pursuant to MCL 28.421b(2)(f), as well as the related information pertaining to the fulfillment of statutory access obligations pursuant to MCL 28.425e(4). Pursuant the public policy of this state, Michigan Open Carry, Inc. "cannot hold our officials accountable [for complying with their public duties under MCL 28.421b(2)(f) and MCL 28.425e(4)] if we do not have the information upon which to evaluate their actions." Practical Political Consulting v Secretary of State, 287 Mich App 434, 464 (2010).

Michigan Open Carry, Inc. is also hereby requesting a waiver of all fees as the disclosure of the requested information is in the public interest, and will contribute to the public's understanding and knowledge of proper or improper fulfillment of statutory duties of public officials and public employees.

If you deny any or all of this request, please issue the denial certificate under MCL 15.235(5), cite each specific exemption you feel justifies the refusal, and notify us of the appeal procedures available.

Lastly, please make any copies generated under this request available electronically per MCL 15.234(1)(c). Electronic records held within databases, spreadsheets, and/or all other electronic computer files holding relevant data is/are public records. See *Ellison v Dep't of State*, ___ Mich App ___ (2017)(Docket No. 336759). It is not only acceptable but preferred for the copies of the requested records to be provided in a .csv or .xls format. If another option would be better for the Department, please let us know and we would be happy to discuss the matter.

Thank you for your time processing this request.

Tom Lambert
President
Michigan Open Carry, Inc.



STATE OF MICHIGAN
DEPARTMENT OF STATE POLICE
LANSING

RICK SNYDER
GOVERNOR



COL. KRISTE KIBBEY ETUE
DIRECTOR

11/03/2017

TOM LAMBERT
MICHIGAN OPEN CARRY, INC
PO BOX 16184
LANSING, MI 48901

NOTICE OF EXTENSION

Subject: CR-20049761

Dear TOM LAMBERT:

The Michigan Department of State Police has received your request for public records under the Michigan Freedom of Information Act (FOIA), MCL 15.231 *et seq.*

We are extending the time for responding to your request by ten (10) business days, as permitted under MCL 15.235, Section 5(2)(d). Therefore, a written notice will be issued to you on or before November 20, 2017.

If you have any questions concerning this matter, please feel free to contact our office at 517-241-1934 or email MSP-FOI@michigan.gov. You may also write to us at the address listed below and enclose a copy of this correspondence.

To review a copy of the Department's written public summary, procedures and guidelines, go to www.michigan.gov/msp.

Sincerely,

LANCE GACKSTETTER
Freedom of Information Unit
Michigan State Police

EXHIBIT

C

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Tom Lambert <

EXHIBIT

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RE: MSP FOIA Request - System Access Records / CR-20049761**Gackstetter, Lance (MSP)** <GackstetterL1@michigan.gov>

To: Tom Lambert <tlambert@miopencarry.org>

Cc: MiOC Board <board@miopencarry.org>

Fri, Nov 17, 2017 at 12:16 PM

Mr. Lambert:

Attached is the response to your Freedom of Information Act request below.

Thank you,

Lance E. Gackstetter

Assistant FOIA Coordinator

Records Resource Unit

Office of the Director

Michigan State Police

P.O. Box 30634

Lansing, MI 48909

TX: 517-241-1934

Fax: 517-241-1935

"A PROUD tradition of SERVICE through EXCELLENCE, INTEGRITY, and COURTESY"

**From:** Tom Lambert [mailto:tlambert@miopencarry.org]**Sent:** Thursday, October 26, 2017 1:04 PM**To:** MSP-FOI**Cc:** MiOC Board**Subject:** MSP FOIA Request - System Access Records

To whom it may concern,

Pursuant to the Michigan Freedom of Information Act (FOIA), Michigan Public Act 442 of 1976; MCL 15.231 et seq., Michigan Open Carry, Inc. is hereby requesting an opportunity to obtain electronic (or paper) copies of public records. Michigan Open Carry, Inc. is hereby requesting the following from the Michigan Department of State Police:

- Records created by and/or maintained by the Michigan Department of State Police from peace officers and authorized system users compiled pursuant to MCL 28.421b(2)(f) and MCL 28.425e(4) between October 1st, 2016 and September 30th, 2017.

MCL 28.421b(1) declares individual's firearm records to be confidential, not subject to FOIA, and specifies that the individual's record(s) shall only be accessed as provided in the section. MCL 28.421b(2)(f) allows these records to be accessed by "A peace officer or an authorized user [who] has reason to believe that access to the firearms records is necessary within the commission of his or her lawful duties. The peace officer or authorized system user shall enter and record the specific reason in the system in accordance with the procedures in section 5e." MCL 28.425e(4) states "(4) Information in the database shall only be accessed and disclosed according to an access protocol that includes the following requirements: (a) That the requestor of the firearms records uses the law enforcement information network or another system that maintains a record of the requestor's identity, time, and date that the request was made. (b) Requires the requestor in an intentional query by name of the firearms records to attest that the firearms records were sought under 1 of the lawful purposes provided in section 1b(2)."

To be clear, this request is not seeking any individual's firearm records, but rather the non-confidential separate public records associated with official acts of public officials and public employees in accessing said confidential records in compliance with their statutory duties. Michigan Open Carry, Inc. is requesting the reason(s) provided pursuant to MCL 28.421b(2)(f), as well as the related information pertaining to the fulfillment of statutory access obligations pursuant to MCL 28.425e(4). Pursuant the public policy of this state, Michigan Open Carry, Inc. "cannot hold our officials accountable [for complying with their public duties under MCL 28.421b(2)(f) and MCL 28.425e(4)] if we do not have the information upon which to evaluate their actions." *Practical Political Consulting v Secretary of State*, 287 Mich App 434, 464 (2010).

Michigan Open Carry, Inc. is also hereby requesting a waiver of all fees as the disclosure of the requested information is in the public interest, and will contribute to the public's understanding and knowledge of proper or improper fulfillment of statutory duties of public officials and public employees.

If you deny any or all of this request, please issue the denial certificate under MCL 15.235(5), cite each specific exemption you feel justifies the refusal, and notify us of the appeal procedures available.

Lastly, please make any copies generated under this request available electronically per MCL 15.234(1)(c). Electronic records held within databases, spreadsheets, and/or all other electronic computer files holding relevant data is/are public records. See *Ellison v Dep't of State*, ___ Mich App ___ (2017)(Docket No. 336759). It is not only acceptable but preferred for the copies of the requested records to be provided in a .csv or .xls format. If another option would be better for the Department, please let us know and we would be happy to discuss the matter.

Thank you for your time processing this request.

Tom Lambert
President
Michigan Open Carry, Inc.



20049761.pdf

121K



STATE OF MICHIGAN
DEPARTMENT OF STATE POLICE
LANSING

RICK SNYDER
GOVERNOR



COL. KRISTE KIBBEY ETUE
DIRECTOR

November 17, 2017

Mr. Tom Lambert
Michigan Open Carry, Inc.
PO Box 16184
Lansing, Michigan 48901

Subject: CR-20049761; Concealed Pistol License (CPL) Report

Dear Mr. Lambert:

The Michigan State Police have received your request for certain information and has processed it under the provisions of the Michigan Freedom of Information Act (FOIA), MCL 15.231 *et seq.*

Your request is granted as to the information currently available. The Concealed Pistol License (CPL) report is not complete at this time. The report is not statutorily required to be released until January 1, of each year. However, in the spirit of cooperation, we have summarized the information you are requesting below:

- 1- 24,493
- 2- 1,771
- 3- 49,626
- 4- 1,449,241
- 5- 905,110
- 6- 42,329
- 7- 87,717

You may wish to visit our website (http://www.michigan.gov/msp/0,4643,7-123-1878_1591_3503_4654-77621--,00.html) for more detail related to the information provided above.

Under the FOIA, Section 10 (a copy of which is enclosed) you have the right to appeal to the head of this public body or to a judicial review of the denial.

To review a copy of the department's written public summary, procedures, and guidelines, go to www.michigan.gov/msp.

Sincerely,

Lance Gackstetter
Assistant FOIA Coordinator

Enclosure

Sec. 10.

(1) If a public body makes a final determination to deny all or a portion of a request, the requesting person may do 1 of the following at his or her option:

(a) Submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.

(b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, the court of claims, to compel the public body's disclosure of the public records within 180 days after a public body's final determination to deny a request.

(2) Within 10 business days after receiving a written appeal pursuant to subsection (1)(a), the head of a public body shall do 1 of the following:

(a) Reverse the disclosure denial.

(b) Issue a written notice to the requesting person upholding the disclosure denial.

(c) Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.

(d) Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the head of the public body shall respond to the written appeal. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.

(3) A board or commission that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a). If the head of the public body fails to respond to a written appeal pursuant to subsection (2), or if the head of the public body upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action under subsection (1)(b).

(4) In an action commenced under subsection (1)(b), a court that determines a public record is not exempt from disclosure shall order the public body to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located has venue over the action. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. The court, on its own motion, may view the public record in controversy in private before reaching a decision. Failure to comply with an order of the court may be punished as contempt of court.

(5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(6) If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced under this section, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or public body prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).

(7) If the court determines in an action commenced under this section that the public body has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the public body to pay a civil fine of \$1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00 to the person seeking the right to inspect or receive a copy of a public record. The damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.



MOC
mail

Tom Lambert

y.org>

EXHIBIT

F

OUTSIDE LEGAL COUNSEL PLC
www.olepc.com

FOIA Denial APPEAL

Tom Lambert <tlambert@miopencarry.org>

To: EtueK@michigan.gov

Cc: MSP-FOI@michigan.gov, MiOC Board <board@miopencarry.org>

Mon, Nov 20, 2017 at 2:36 PM

Col. Etue,

Pursuant to Section 10 of the Michigan Freedom of Information Act (FOIA), MCL 15.240, Michigan Open Carry, Inc. is hereby appealing the denial of our FOIA request submitted to the Michigan Department of State Police (MSP) on October 26th, 2017, which has been attached as MOC Oct 26 FOIA Request.

Background

On October 26th, 2017, we submitted a FOIA request to the Michigan Department of State Police, pursuant to the FOIA. The request was sent to MSP-FOI@michigan.gov, and an automatic reply from the same address was received shortly after acknowledging the request.

Along with a detailed explanation, the request asked for "**Records created by and/or maintained by the Michigan Department of State Police from peace officers and authorized system users compiled pursuant to MCL 28.421b(2)(f) and MCL 28.425e(4) between October 1st, 2016 and September 30th, 2017.**"

The request also stated "*To be clear, this request is not seeking any individual's firearm records, but rather the non-confidential separate public records associated with official acts of public officials and public employees in accessing said confidential records in compliance with their statutory duties. Michigan Open Carry, Inc. is requesting the reason(s) provided pursuant to MCL 28.421b(2)(f), as well as the related information pertaining to the fulfillment of statutory access obligations pursuant to MCL 28.425e(4).*"

MCL 28.421(2)(f) states as follows: "(f) A peace officer or an authorized user has reason to believe that access to the firearms records is necessary within the commission of his or her lawful duties. The peace officer or authorized system user shall enter and record the specific reason in the system in accordance with the procedures in section 5e."

MCL 28.425e(4) states as follows: "(4) Information in the database shall only be accessed and disclosed according to an access protocol that includes the following requirements:

- (a) That the requestor of the firearms records uses the law enforcement information network or another system that maintains a record of the requestor's identity, time, and date that the request was made.
- (b) Requires the requestor in an intentional query by name of the firearms records to attest that the firearms records were sought under 1 of the lawful purposes provided in section 1b(2)."

On November 17, 2017 (15 business days after the request was submitted), the MSP FOIA unit, through Mr. Lance Gackstetter, responded by providing a reply containing **zero** information matching the request, attached as MSP Nov 17 Reply. Rather than providing anything remotely resembling the request described above, all that was provided in this reply were seven seemingly random and unlabeled numbers ranging from four to seven digits in length.

This appeal follows.

Reasons for Appeal

Pursuant to Section 5 of the FOIA, if a request is denied, in full or in part, a public body is required to respond within five business days, fifteen if an extension is issued, in writing with and with a full explanation of the reasons for denial. Failure to respond as such constitutes a denial.

If the requested documents do not exist, the FOIA requires a disclosure of this fact. "*We would concede that the nonexistence of a record is a defense for the failure to produce or allow access to the record. However, it is not a defense to the failure to respond to a request for a document **with the information that it does not exist.***" (Hartzell v Mayville Community Sch Dist, 183 Mich App 782; 455 NW2d 411 (1990)).

The response submitted by Mr. Gackstetter on November 17th stated that the request was "*granted as to the information currently available*", and supplied seven random unlabeled numbers. No reasons for a denial were provided, nor were any exemptions taken.

12/11/2017

Michigan Open Carry, Inc. Mail - FOIA Denial APPEAL

As the information supplied in the November 17th response in no way remotely resembled the requested information, and no justification for a denial was provided nor exemptions taken, it can only be said that the records requested on October 26th have been improperly and unjustifiably **denied** in violation of the FOIA.

Lastly, due to the extreme disparity between the requested records and the supplied records, we are alleging that this denial is not only arbitrary and capacious, but also willful and intentional.

Action Requested

We ask that you please reverse this improper denial at your soonest ability and instruct the FOIA Unit to comply with the Act.

If you have any questions, I may be reached through this email address.

Thank you,

Tom Lambert
President
Michigan Open Carry, Inc.

2 attachments



MOC Oct 26 FOIA Request.pdf
110K



MSP Nov 17 Reply.pdf
121K



STATE OF MICHIGAN
DEPARTMENT OF STATE POLICE
LANSING

RICK SNYDER
GOVERNOR



COL. KRISTE KIBBEY ETUE
DIRECTOR

November 28, 2017

Mr. Tom Lambert
Michigan Open Carry, Inc.
P.O. Box 16184
Lansing, Michigan 48901

Subject: Appeal, Freedom of Information Act Request, File No: CR-20049761

Dear Mr. Lambert:

This notice responds to your November 20, 2017, correspondence, received by the Michigan State Police (MSP) on November 21, 2017, concerning the department's November 17, 2017, written notice granting your October 26, 2017, request for information under the Freedom of Information Act (FOIA), MCL 15.231 *et seq.*

You requested a copy of:

Records created by and/or maintained by the Michigan Department of State Police from peace officers and authorized system users complied pursuant to MCL 28.421b(2)(f) and MCL 28.425e(4) between October 1st, 2016 and September 30th, 2017.

Your stated reason for appeal is that the MSP's response did not include a reason for denial and no exemptions were taken.

After review, your appeal is denied and the department's original decision is upheld.

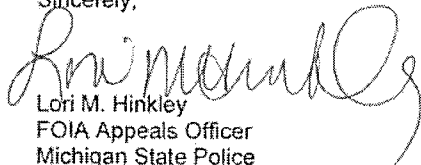
Your FOIA request was not denied; the request was granted and you were provided with the only responsive records within the possession of the public body, the summarized information that was provided to you is the only information in the MSP's possession. A statutory report that explains and summarizes the information has not yet been completed and therefore cannot be produced in response to your request.

A public body does not have any obligation to compile a summary or create a new public record (see section 3(4) and 3(5) of the FOIA). As such, MSP's letter advised that you may wish to review our website for last year's report to assist you in understanding the numbers that were provided.

The department is obligated to inform you that under section 10 of the FOIA (a copy of which is enclosed) you may file an action in the Court of Claims within 180 days from the final determination. If applicable, the Court may award reasonable attorneys' fees, costs and disbursements and possible fines and damages.

The department's FOIA Procedures and Guidelines can be accessed at www.michigan.gov/msp.

Sincerely,


Lori M. Hinkley
FOIA Appeals Officer
Michigan State Police

Enclosure

Sec. 10.

(1) If a public body makes a final determination to deny all or a portion of a request, the requesting person may do 1 of the following at his or her option:

(a) Submit to the head of the public body a written appeal that specifically states the word "appeal" and identifies the reason or reasons for reversal of the denial.

(b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, the court of claims, to compel the public body's disclosure of the public records within 180 days after a public body's final determination to deny a request.

(2) Within 10 business days after receiving a written appeal pursuant to subsection (1)(a), the head of a public body shall do 1 of the following:

(a) Reverse the disclosure denial.

(b) Issue a written notice to the requesting person upholding the disclosure denial.

(c) Reverse the disclosure denial in part and issue a written notice to the requesting person upholding the disclosure denial in part.

(d) Under unusual circumstances, issue a notice extending for not more than 10 business days the period during which the head of the public body shall respond to the written appeal. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.

(3) A board or commission that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a). If the head of the public body fails to respond to a written appeal pursuant to subsection (2), or if the head of the public body upholds all or a portion of the disclosure denial that is the subject of the written appeal, the requesting person may seek judicial review of the nondisclosure by commencing a civil action under subsection (1)(b).

(4) In an action commenced under subsection (1)(b), a court that determines a public record is not exempt from disclosure shall order the public body to cease withholding or to produce all or a portion of a public record wrongfully withheld, regardless of the location of the public record. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located has venue over the action. The court shall determine the matter de novo and the burden is on the public body to sustain its denial. The court, on its own motion, may view the public record in controversy in private before reaching a decision. Failure to comply with an order of the court may be punished as contempt of court.

(5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(6) If a person asserting the right to inspect, copy, or receive a copy of all or a portion of a public record prevails in an action commenced under this section, the court shall award reasonable attorneys' fees, costs, and disbursements. If the person or public body prevails in part, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).

(7) If the court determines in an action commenced under this section that the public body has arbitrarily and capriciously violated this act by refusal or delay in disclosing or providing copies of a public record, the court shall order the public body to pay a civil fine of \$1,000.00, which shall be deposited into the general fund of the state treasury. The court shall award, in addition to any actual or compensatory damages, punitive damages in the amount of \$1,000.00 to the person seeking the right to inspect or receive a copy of a public record. The damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

Sec. 10a.

(1) If a public body requires a fee that exceeds the amount permitted under its publicly available procedures and guidelines or section 4, the requesting person may do any of the following:

(a) If the public body provides for fee appeals to the head of the public body in its publicly available procedures and guidelines, submit to the head of the public body a written appeal for a fee reduction that specifically states the word "appeal" and identifies how the required fee exceeds the amount permitted under the public body's available procedures and guidelines or section 4.

(b) Commence a civil action in the circuit court, or if the decision of a state public body is at issue, in the court of claims, for a fee reduction. The action must be filed within 45 days after receiving the notice of the required fee or a determination of an appeal to the head of a public body. If a civil action is commenced against the public body under this subdivision, the public body is not obligated to complete the processing of the written request for the public record at issue until the court resolves the fee dispute. An action shall not be filed under this subdivision unless 1 of the following applies:

(i) The public body does not provide for appeals under subdivision (a).

(ii) The head of the public body failed to respond to a written appeal as required under subsection (2).

(iii) The head of the public body issued a determination to a written appeal as required under subsection (2).

(2) Within 10 business days after receiving a written appeal under subsection (1)(a), the head of a public body shall do 1 of the following:

(a) Waive the fee.

(b) Reduce the fee and issue a written determination to the requesting person indicating the specific basis under section 4 that supports the remaining fee. The determination shall include a certification from the head of the public body that the statements in the determination are accurate and that the reduced fee amount complies with its publicly available procedures and guidelines and section 4.

(c) Uphold the fee and issue a written determination to the requesting person indicating the specific basis under section 4 that supports the required fee. The determination shall include a certification from the head of the public body that the statements in the determination are accurate and that the fee amount complies with the public body's publicly available procedures and guidelines and section 4.

(d) Issue a notice extending for not more than 10 business days the period during which the head of the public body must respond to the written appeal. The notice of extension shall include a detailed reason or reasons why the extension is necessary. The head of a public body shall not issue more than 1 notice of extension for a particular written appeal.

(3) A board or commission that is the head of a public body is not considered to have received a written appeal under subsection (2) until the first regularly scheduled meeting of that board or commission following submission of the written appeal under subsection (1)(a).

(4) In an action commenced under subsection (1)(b), a court that determines the public body required a fee that exceeds the amount permitted under its publicly available procedures and guidelines or section 4 shall reduce the fee to a permissible amount. Venue for an action against a local public body is proper in the circuit court for the county in which the public record or an office of the public body is located. The court shall determine the matter de novo, and the burden is on the public body to establish that the required fee complies with its publicly available procedures and guidelines and section 4. Failure to comply with an order of the court may be punished as contempt of court.

(5) An action commenced under this section and an appeal from an action commenced under this section shall be assigned for hearing and trial or for argument at the earliest practicable date and expedited in every way.

(6) If the requesting person prevails in an action commenced under this section by receiving a reduction of 50% or more of the total fee, the court may, in its discretion, award all or an appropriate portion of reasonable attorneys' fees, costs, and disbursements. The award shall be assessed against the public body liable for damages under subsection (7).

(7) If the court determines in an action commenced under this section that the public body has arbitrarily and capriciously violated this act by charging an excessive fee, the court shall order the public body to pay a civil fine of \$500.00, which shall be deposited in the general fund of the state treasury. The court may also award, in addition to any actual or compensatory damages, punitive damages in the amount of \$500.00 to the person seeking the fee reduction. The fine and any damages shall not be assessed against an individual, but shall be assessed against the next succeeding public body that is not an individual and that kept or maintained the public record as part of its public function.

(8) As used in this section, "fee" means the total fee or any component of the total fee calculated under section 4, including any deposit.

EXHIBIT

H

OUTSIDE LEGAL COUNSEL PLC
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STATE OF MICHIGAN
DEPARTMENT OF STATE POLICE
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LANSING, MICHIGAN 48909

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4850135184 9018



Gackstetter, Lance (MSP)

From: Tom Lambert <tlambert@miopencarry.org>
Sent: Thursday, January 25, 2018 4:57 PM
To: MSP-FOI
Cc: MiOC Board
Subject: MSP FOIA Request - 2016-2017 Annual CPL Report

To whom it may concern,

Pursuant to the Michigan Freedom of Information Act (FOIA), Michigan Public Act 442 of 1976; MCL 15.231 et seq., Michigan Open Carry, Inc. is hereby requesting an opportunity to obtain electronic copies of public records. Michigan Open Carry, Inc. is hereby requesting the following from the Michigan Department of State Police:

- The Michigan Department of State Police's Annual Concealed Pistol License Report for the 2016-2017 fiscal year.

The Michigan Department of State Police is required to file this report with the Secretary of the Senate and the Clerk of the House of Representatives, and post it on their internet website by January 1 of each year pursuant to Section 5e of 1927 PA 372; MCL 28.425e(5).

*"(5) The department of state police shall by **January 1 of each year** file with the secretary of the senate and the clerk of the house of representatives, and post on the department of state police's internet website, an annual report setting forth all of the following information for the state for the previous fiscal year:*

- (a) The number of concealed pistol applications received.*
- (b) The number of concealed pistol licenses issued.*
- (c) The number of statutorily disqualified applicants.*
- (d) Categories for statutory disqualification under subdivision (c).*
- (e) The number of concealed pistol licenses suspended or revoked.*
- (f) Categories for suspension or revocation under subdivision (e).*
- (g) The number of applications pending at the time the report is made.*
- (h) The mean and median amount of time and the longest and shortest amount of time used by the Federal Bureau of Investigation to supply the fingerprint comparison report required in section 5b(10). The department may use a statistically significant sample to comply with this subdivision.*
- (i) The total number of individuals licensed to carry a concealed pistol found responsible for a civil violation of this act, the total number of civil violations of this act categorized by offense, the total number of individuals licensed to carry a concealed pistol convicted of a crime, and the total number of those criminal convictions categorized by offense.*
- (j) The number of suicides by individuals licensed to carry a concealed pistol.*
- (k) The total amount of revenue the department of state police has received under this act.*
- (l) Actual costs incurred per initial and renewal license by the department of state police under this act, itemized by each statutory section of this act.*
- (m) A list of expenditures made by the department of state police from money received under this act, regardless of purpose.*
- (n) Actual costs incurred per permit for each county clerk.*
- (o) The number of times the database was accessed, categorized by the purpose for which the database was accessed."*

An examination of the Department's website on the day of this request, January 25th, 2018, shows the Department's website to not contain this report as required by law.

Michigan Open Carry, Inc. is also hereby requesting a waiver of all fees as the disclosure of the requested information is in the public interest, and will contribute to the public's understanding and knowledge of the Department of State Police's operations.

If you deny any or all of this request, please issue the denial certificate under MCL 15.235(5), cite each specific exemption you feel justifies the refusal, and notify us of the appeal procedures available.

Lastly, please respond to this request electronically, and make any copies generated under this request available electronically per MCL 15.234(1)(c).

Thank you for your time processing this request.

Tom Lambert
President
Michigan Open Carry, Inc.



STATE OF MICHIGAN
DEPARTMENT OF STATE POLICE
LANSING

RICK SNYDER
GOVERNOR

COL. KRISTE KIBBEY ETUE
DIRECTOR

January 30, 2018

TOM LAMBERT
MICHIGAN OPEN CARRY, INC
PO BOX 16184
LANSING, MI 48901

Subject: CR-20054159

Dear TOM LAMBERT:

The Michigan Department of State Police has received your request for public records and has processed it under the provisions of the Michigan Freedom of Information Act (FOIA), MCL 15.231 *et seq.*

Your request has been:

☒ [X] Granted.

☐ [] Granted in part and denied in part. Portions of your request are exempt from disclosure based on provisions set forth in the Act. (See comments on the back of this letter.) Under the FOIA, Section 10 (a copy of which is enclosed), you have the right to appeal to the head of this public body or to a judicial review of the denial.

☐ [] Denied. (See comments on the back of this letter.) Under the FOIA, Section 10 (a copy of which is enclosed), you have the right to appeal to the head of this public body or to a judicial review of the denial.

☒ [X] The documents you requested are enclosed. Please pay the amount of \$-.-. Under the FOIA, Section 10a (a copy of which is enclosed), you have the right to appeal the fee to the head of this public body.

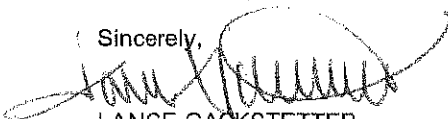
☐ [] Please pay the amount of \$-.-. Once payment is received the documents will be mailed to you. Under the FOIA, Section 10a (a copy of which is enclosed), you have the right to appeal the fee to the head of this public body.

You may pay the amount due online at www.michigan.gov/mspfoiapayments using a credit card or check. You will need to provide your name and the reference number listed above. Please note, there is a \$2.00 processing fee for using this service. If you prefer, you can submit a check or money order made payable to the STATE OF MICHIGAN and mail to P.O. Box 30266, Lansing, MI 48909. To ensure proper credit, please enclose a copy of this letter with your payment.

If you have any questions concerning this matter, please feel free to contact our office at 517-241-1934 or email MSP-FOI@michigan.gov. You may also write to us at the address listed below and enclose a copy of this letter.

To review a copy of the Department's written public summary, procedures, and guidelines, go to www.michigan.gov/msp.

Sincerely,



LANCE GACKSTETTER
Freedom of Information Unit
Michigan State Police

**CONCEALED PISTOL LICENSING
ANNUAL REPORT**

OCTOBER 1, 2016 TO SEPTEMBER 30, 2017



**MICHIGAN STATE POLICE
CRIMINAL JUSTICE INFORMATION CENTER**

**CONCEALED PISTOL LICENSING ANNUAL REPORT
GENERAL INFORMATION
OCTOBER 1, 2016 TO SEPTEMBER 30, 2017**

Applications Received:	137,345
Applications Issued:	137,624
Applications Pending:	3,127
Applications Disqualified ¹ :	2,387
Not a United States citizen or immigrant alien:	25
Did not submit appropriate pistol safety training course certificate:	2
Mental health order:	40
Subject to personal protection order/injunctive/conditional bond order:	46
Felony conviction or charges pending:	665
Dishonorable discharge – United States military:	1
Misdemeanor conviction or charges pending:	1,446
Other mental health history:	6
Incomplete application:	6
Fugitive from justice:	221
Unlawful user or addicted to controlled substance:	19
Failed reinstate background check:	30
Licenses Suspended:	3,039
Carried in prohibited premises - 1st offense:	4
Nondisclosure of carrying pistol to peace officer - 1st offense:	18
Misdemeanor or felony charge pending:	2,071
Carried under the influence of alcohol or controlled substance (.02- <.08):	20
Carried under the influence of alcohol or controlled substance (.08- <.10):	3
Refusal to submit to chemical analysis:	14
Subject to personal protection order/injunctive/conditional bond order:	909

¹Applications Disqualified includes those applications with multiple statutory disqualification reasons. Therefore, the total number of disqualified applications is less than the total number of disqualification reasons.

Licenses Revoked:	1,893
Carried under the influence of alcohol or controlled substance (.10 or higher):	9
Mental health:	26
Felony or misdemeanor conviction:	1,765
Subject to personal protection order/injunctive/conditional bond order:	4
No longer resident:	25
Federally disqualified:	64
Number of Civil Infractions:	47
Number of Concealed Pistol License (CPL) Holders Convicted of a Crime:	1,837
Number of Suicides ² :	132
Mean Amount of Time for FBI Clearance ³ :	8 Hours
Median Amount of Time for FBI Clearance ³ :	2 Minutes
Shortest Amount of Time for FBI Clearance ³ :	1 Minute
Longest Amount of Time for FBI Clearance ³ :	60 Days
The Total Number of Times the Database was Accessed:	2,560,287
The individual poses a threat to himself, herself, or others, including a peace officer:	24,493
The individual has committed an unlawful offense with a pistol:	1,771
The pistol may have been used during the commission of an unlawful offense:	49,626
To ensure the safety of a peace officer:	1,449,241
For purposes of this act:	992,827
A peace officer or an authorized user has reason to believe that access to the firearms records is necessary within the commission of his or her lawful duties:	42,329

²Suicide information was obtained from the Department of Health and Human Services (DHHS) and compared to the CPL database.

³The Mean, Median, Shortest, and Longest Amount of Time for FBI Clearance is based on a statistically significant sample of requests.

**CONCEALED PISTOL LICENSING ANNUAL REPORT
REVENUE AND EXPENDITURES
OCTOBER 1, 2016 TO SEPTEMBER 30, 2017**

Revenue:

Actual revenue from fees paid for CPL applications ⁴ :	\$7,724,490
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Five year CPL revenue average:	\$6,077,898
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Expenditures:

MCL 28.424, 28.425a, 28.425d, 28.428 ⁵ :	\$34,673
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MCL 28.425, 28.425c ⁶ :	\$3,723
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MCL 28.425b, 28.425e, 28.426 ⁷ :	\$1,881,724
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Support systems utilized by the CPL unit:	\$5,804,370
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CPL revenue is used to support the business operation of maintaining the CPL database, as well as the program used by the county clerks and the MSP CPL Unit to enter applicant information and conduct background checks. It is used for compiling the CPL annual report to the Legislature; developing, printing, and distributing required forms; providing training and support, and legislative and legal resources. In addition, CPL revenue, along with fingerprints and Internet Criminal History Access Tool (ICHAT) fees, is used to support several criminal justice information systems used by law enforcement and criminal justice agencies, including the MSP CPL Unit.

⁴CPL Revenue, less fingerprint processing fee. CPL revenue is cyclical; it fluctuates due to socioeconomic factors, elections, and renewal cycles.

⁵Employee and other costs for functions mandated under section 4, 5a, 5d, and 8 of 1927 PA 372; MCL 28.424, 28.425a, 28.425d, and 28.428 (unable to separate costs by section).

⁶Employee and other costs for functions mandated under sections 5, 5c, and 5m of 1927 PA 372; MCL 28.425, 28.425c (unable to separate costs by section).

⁷Employee and other costs for functions mandated under sections 5b, 5e, and 6 of 1927 PA 372; MCL 28.425b, 28.425e, 28.426 (unable to separate costs by section).

**CONCEALED PISTOL LICENSING ANNUAL REPORT
OCTOBER 1, 2016 TO SEPTEMBER 30, 2017
COUNTY COSTS**

The following is the actual cost per CPL application processed as reported by the County Clerk.

County	Cost Per Application	County	Cost Per Application
Alcona	\$24.80	Lake	\$23.90
Alger	\$11.67	Lapeer	\$11.90
Allegan	\$29.39	Leelanau	\$29.68
Alpena	\$27.06	Lenawee	\$23.49
Antrim	\$17.18	Livingston	\$20.44
Arenac	\$30.78	Luce	\$5.39
Baraga	\$7.52	Mackinac	\$25.06
Barry	\$12.72	Macomb*	\$0.00
Bay	\$17.05	Manistee	\$35.54
Benzie	\$16.59	Marquette	\$31.37
Berrien	\$21.97	Mason	\$19.19
Branch	\$7.72	Mecosta	\$13.02
Calhoun	\$23.65	Menominee	\$18.67
Cass	\$16.34	Midland	\$31.07
Charlevoix	\$4.60	Missaukee	\$23.24
Cheboygan	\$46.38	Monroe	\$18.04
Chippewa	\$10.71	Montcalm	\$7.77
Clare	\$9.28	Montmorency	\$33.28
Clinton	\$7.42	Muskegon	\$15.22
Crawford	\$28.95	Newaygo	\$10.17
Delta	\$23.26	Oakland	\$20.84
Dickinson	\$19.20	Oceana	\$19.28
Eaton	\$8.24	Ogemaw	\$29.09
Emmet	\$27.03	Ontonagon	\$6.20
Genesee	\$21.23	Osceola	\$44.09
Gladwin	\$17.33	Oscoda	\$19.53
Gogebic	\$20.74	Otsego	\$1.96
Grand Traverse	\$19.23	Ottawa	\$10.76
Gratiot	\$7.89	Presque Isle	\$30.55
Hillsdale	\$8.18	Roscommon	\$12.43
Houghton	\$10.46	Saginaw	\$11.00
Huron	\$14.36	St Clair	\$36.52
Ingham	\$29.99	St Joseph	\$30.49
Ionia	\$8.72	Sanilac	\$56.94
Iosco	\$41.22	Schoolcraft	\$12.91
Iron	\$24.31	Shiawassee	\$3.34
Isabella	\$41.00	Tuscola	\$22.24
Jackson	\$26.00	Van Buren	\$39.24
Kalamazoo	\$27.64	Washtenaw	\$29.06
Kalkaska	\$13.00	Wayne	\$29.43
Kent	\$14.96	Wexford	\$28.47
Keweenaw	\$15.71		

*Failed to report CPL processing costs.

**CONCEALED PISTOL LICENSING ANNUAL REPORT
STATEWIDE TOTALS
VIOLATIONS INFORMATION
OCTOBER 1, 2016 TO SEPTEMBER 30, 2017**

The following is the total number of individuals licensed to carry a concealed pistol found responsible for a civil violation of the Michigan Firearms Act, and the total number of civil violations of the Michigan Firearms Act categorized by offense.

Civil Violations	Statute/PACC	Found Responsible
FAILURE TO POSSESS CPL AND STATE IDENTIFICATION WHILE CARRYING A CONCEALED PISTOL	28.425F4	5
FAILURE TO DISCLOSE A CONCEALED PISTOL TO A PEACE OFFICER - 1ST OFFENSE	28.425F5A	16
CARRYING A CONCEALED PISTOL WITH BAG OF .02 - .07 GRAMS	28.425K2C	5
REFUSAL TO TAKE A CHEMICAL TEST	28.425K7	20
CARRYING A CONCEALED PISTOL ON PROHIBITED PREMISES	28.425O6A	1
Total Civil Violations		47

The following is the total number of individuals licensed to carry a concealed pistol convicted of a crime, and the total number of those criminal convictions categorized by offense.

Criminal Convictions	Statute/PACC	Conviction
TOBACCO - PRODUCTS TAX ACT - VIOLATIONS FELONY	205.4282	1
TOBACCO - PRODUCTS TAX ACT - MISCELLANEOUS VIOLATIONS	205.4283	1
TOBACCO - PRODUCTS TAX ACT - VIOLATIONS MISDEMEANOR	205.4284	2
OPERATE UNREGISTERED VEHICLE	257.215	5
MOTOR VEHICLE - ODOMETER TAMPERING	257.233A6	1
LICENSE PLATE/REGISTRATION/TITLE - UNLAWFUL USE	257.256	8
LICENSE DOCUMENTS/PLATES - FORGERY	257.257	1
OPERATING - NO LICENSE/MULTIPLE LICENSES	257.301	5
MOTOR VEHICLES - LEARNERS PERMIT VIOLATION	257.306	1
OPERATING - WITHOUT LICENSE ON PERSON	257.311	83
OPERATING - VIOLATION OF LICENSE RESTRICTIONS	257.312	1
MOTOR VEHICLE - LET UNLICENSED MINOR TO OPERATE	257.325	1

Criminal Convictions	Statute/PACC	Conviction
OPERATE OWNER PERMITTING ANOTHER TO VIOLATE MOTOR VEHICLE CODE	257.326	28
MOTOR VEHICLE CODE/PRODUCING FALSE EVIDENCE OF INSURANCE	257.328	3
POLICE OFFICER - REFUSAL TO OBEY TRAFFIC ORDER	257.602	1
POLICE OFFICER - FLEEING/VEHICLE CODE/4TH DEGREE	257.602A2	6
FAILURE TO STOP AT SCENE OF ACCIDENT RESULTING IN SERIOUS IMPAIRMENT OR DEATH	257.617	2
FAILURE TO STOP AT SCENE OF A PERSONAL INJURY ACCIDENT	257.617A	2
FAILURE TO STOP AT SCENE OF PROPERTY DAMAGE ACCIDENT (ATTENDED VEHICLE)	257.618	5
FAILURE TO STOP AFTER COLLISION	257.620	2
FAILURE TO REPORT ACCIDENT TO FIXTURES	257.621	2
FAILURE TO REPORT ACCIDENT	257.622	5
ALCOHOL - OPEN CONTAINER IN VEHICLE	257.624A	14
OPERATING - WHILE INTOXICATED	257.6251-A	224
OPERATING - BAC OF .10% OR MORE	257.6252	1
OPERATING - ALLOWING INTOXICATED PERSON TO OPERATE MOTOR VEHICLE	257.6252-A	3
OPERATING - IMPAIRED	257.6253-A	513
OPERATING - WHILE INTOXICATED CAUSING DEATH	257.6254	1
OPERATING - UNDER THE INFLUENCE CAUSING SERIOUS INJURY	257.6255-A	2
OPERATING - OUIL/PER SE/OWI - 2ND OFFENSE NOTICE	257.6256B	20
OPERATING - OUIL/PER SE/OWI - 3RD OFFENSE NOTICE	257.6256D	6
OPERATING - UNDER THE INFLUENCE - OCCUPANT LESS THAN 16	257.6257A1	6
OPERATING - MINOR WITH ANY BAC - OCCUPANT LESS THAN 16	257.6257B1	1
OPERATING - WITH THE PRESENCE OF A CONTROLLED SUBSTANCE	257.6258	1

Criminal Convictions	Statute/PACC	Conviction
DRIVING RECKLESS	257.626	16
OPERATING - DRAG RACING	257.626A	1
FAILURE TO USE DUE CARE WHEN PASSING STATIONARY EMERGENCY VEHICLE	257.653A2	8
OPERATING - LICENSE SUSPENDED/REVOKED/DENIED	257.9041B	44
LICENSE SUSPENDED/LET SUSPENDED PERSON OPERATE - 2ND OR SUBSEQUENT OFFENSE	257.9041C	3
MOTOR VEHICLES - ALLOWING A SUSPENDED PERSON TO OPERATE	257.9042-A	17
OPERATING - NO LICENSE FOR THREE YEARS - 1ST OFFENSE	257.904A-A	1
AIRPORTS - POSSESSING WEAPON IN STERILE AREA	259.80F2	6
LEIN INFORMATION - UNAUTHORIZED DISCLOSURE	28.2143-A	1
FINGERPRINTING - REFUSAL	28.243A	1
WEAPONS - PISTOLS - CARRY CONCEALED WHILE UNDER THE INFLUENCE	28.425K2A	52
WEAPONS - PISTOLS - CARRY CONCEALED WITH BAC OF .08 GREATER THAN BUT LESS THAN .10	28.425K2B	9
SEX OFFENDERS - FAILURE TO COMPLY WITH REGISTRATION ACT	28.729	1
SOLID WASTE - GENERAL VIOLATION	324.11549	1
WILDLIFE CONSERVATION PART - POSSESSING FIREARM IN VEHICLE OR MOTORIZED BOAT	324.401112	1
WILDLIFE CONSERVATION PART - INTERFERING WITH ANOTHER'S HUNT	324.40112	1
WILDLIFE CONSERVATION PART - GENERAL VIOLATIONS	324.401181	1
HUNTING AND FISHING LICENSE PART - INELIGIBLE PERSON OBTAINING LICENSE	324.435581I	1
MARINE SAFETY - COUNTER-CLOCKWISE OPERATION/100-FOOT RULE	324.80149	1
MARINE SAFETY - OUIL/PER SE	324.801761	1
MARINE SAFETY - OPERATING WHILE IMPAIRED	324.801763	5
PERSONAL WATERCRAFT - RECKLESS OPERATION	324.802081	1

Criminal Convictions	Statute/PACC	Conviction
OPERATING - ORV - OUIL/PER SE	324.81134	2
OPERATING - ORV - IMPAIRED	324.811351	2
OPERATING - ORV - FLEEING AND ELUDING	324.811461	1
SNOWMOBILES - OUIL/UBAL	324.821271	1
CONTROLLED SUBSTANCE - DRUGS - OBTAIN BY FALSE PRESCRIPTION	333.17766E	1
CONTROLLED SUBSTANCE - DELIVERY/MANUFACTURE NARCOTIC, HEROIN OR COCAINE 1,000 OR MORE GRAMS	333.74012A1	1
CONTROLLED SUBSTANCE - DELIVERY/MANUFACTURE NARCOTIC, HEROIN OR COCAINE 50-449 GRAMS	333.74012A3	4
CONTROLLED SUBSTANCE - DELIVERY/MANUFACTURE NARCOTIC, HEROIN OR COCAINE LESS THAN 50 GRAMS	333.74012A4	10
CONTROLLED SUBSTANCE - DELIVERY/MANUFACTURE (SCHEDULE 1, 2 & 3 EXCEPT MARIJUANA)	333.74012B-A	3
CONTROLLED SUBSTANCE - DELIVERY/MANUFACTURE (SCHEDULE 4)	333.74012C-A	1
CONTROLLED SUBSTANCE - DELIVERY/MANUFACTURE 5-45 KILOGRAMS OF MARIJUANA	333.74012D11	8
CONTROLLED SUBSTANCE - DELIVERY/MANUFACTURE MARIJUANA	333.74012D3	16
CONTROLLED SUBSTANCE - POSSESSION (NARCOTIC/COCAINE) LESS THAN 25 GRAMS	333.74032A5	8
CONTROLLED SUBSTANCE - POSSESSION (ANALOGUES)	333.74032B-A	6
CONTROLLED SUBSTANCE - POSSESSION (METHAMPHETAMINE/ECSTASY)	333.74032B1	1
CONTROLLED SUBSTANCE - POSSESSION (MARIJUANA)	333.74032D	31
CONTROLLED SUBSTANCE - USE (NARCOTIC/COCAINE/METHAMPHETAMINE/ECSTASY)	333.74042A	4
CONTROLLED SUBSTANCE - USE	333.74042B	3
CONTROLLED SUBSTANCE - USE (MARIJUANA)	333.74042D	8
CONTROLLED SUBSTANCE - MAINTAINING A DRUG HOUSE	333.7405D	5
CONTROLLED SUBSTANCE - DISTRIBUTION WITHOUT REMUNERATION (MARIJUANA)	333.74102	1

Criminal Convictions	Statute/PACC	Conviction
FRAUD - WELFARE (FAIL TO INFORM) LESS THAN \$500	400.602-A	1
MEDICAID FRAUD - FALSE CLAIM	400.6071	1
GAMBLING OPERATIONS - FELONY VIOLATIONS	432.2181	2
GAMBLING - DISASSOCIATED PERSON - TRESPASSING	432.22513	1
ALCOHOL - SELLING/FURNISHING TO MINOR	436.17011-A	1
MOTOR VEHICLE - INVALID CERTIFICATE OF INSURANCE	500.3101A	1
MOTOR VEHICLE - OPERATE WITHOUT SECURITY	500.3102	24
INSURANCE - FRAUDULENT ACTS	500.45111	1
CONTRACTOR - FRAUDULENT USE OF BUILDING CONTRACT FUND	570.152	2
DOMESTIC VIOLENCE - PERSONAL PROTECTION ORDER	600.2950	2
BREAKING AND ENTERING - A BUILDING WITH INTENT	750.110	7
HOME INVASION - 1ST DEGREE	750.110A2	2
HOME INVASION - 2ND DEGREE	750.110A3	1
HOME INVASION - 3RD DEGREE	750.110A4	2
BREAKING AND ENTERING - ILLEGAL ENTRY (WITHOUT OWNER'S PERMISSION)	750.115-A	2
BURGLAR'S TOOLS - POSSESSION	750.116	2
WITNESSES - BRIBING/INTIMIDATING/INTERFERING	750.1227A	1
WITNESSES - INTIMIDATING - COMMITTING CRIME/THREATENING TO KILL OR INJURE	750.1227C	1
CHECK - NON-SUFFICIENT FUNDS LESS THAN \$100	750.1313A1	3
CHECK - NON-SUFFICIENT FUNDS \$100 OR MORE BUT LESS THAN \$500	750.1313B1	2
CHECK - NON-SUFFICIENT FUNDS \$500 OR MORE	750.1313C	1
CHECK - NO ACCOUNT	750.131A1	1
CHECK - NON-SUFFICIENT FUNDS 3 WITHIN 10 DAYS	750.131A2	2

Criminal Convictions	Statute/PACC	Conviction
CHILD ABUSE - 2ND DEGREE	750.136B3	6
CHILD ABUSE - 4TH DEGREE	750.136B5	8
CHILDREN - CONTRIBUTING TO DELINQUENCY	750.145	1
CHILDREN - ACCOSTING FOR IMMORAL PURPOSES	750.145A-A	1
CHILD SEXUALLY ABUSIVE ACTIVITY	750.145C2	2
CHILD SEXUALLY ABUSIVE ACTIVITY - DISTRIBUTING OR PROMOTING	750.145C3	6
CHILD SEXUALLY ABUSIVE MATERIAL - POSSESSION	750.145C4-A	7
COMPUTER - INTERNET/COMMUNICATING WITH ANOTHER TO COMMIT CRIME	750.145D2A	1
COMPUTERS/INTERNET - COMMUNICATING WITH ANOTHER TO COMMIT CRIME	750.145D2D	1
FINANCIAL TRANSACTION DEVICE - STEALING/RETAINING WITHOUT CONSENT	750.157N1	1
FINANCIAL TRANSACTION DEVICE - POSSESSION OF FRAUDULENT ONE	750.157N2	3
FINANCIAL TRANSACTION DEVICE - POSSESSION	750.157P	3
FINANCIAL TRANSACTION DEVICE - ILLEGAL SALE/USE	750.157Q	1
DISORDERLY PERSON	750.167	41
DISORDERLY PERSON - NON-SUPPORT	750.1671A	2
DISORDERLY PERSON - ILLEGAL OCCUPATION	750.1671D-B	1
DISORDERLY PERSON - DRUNK	750.1671E	10
DISORDERLY PERSON - OBSCENE CONDUCT	750.1671F	6
DISORDERLY PERSON - LOITERING ABOUT ILLEGAL BUSINESS	750.1671J	1
DISORDERLY PERSON - JOSTLING	750.1671L	13
DISTURBING THE PEACE	750.170	58
EMBEZZLEMENT - AGENT OR TRUSTEE LESS THAN \$200	750.1742	8

Criminal Convictions	Statute/PACC	Conviction
EMBEZZLEMENT - AGENT OR TRUSTEE \$200 OR MORE BUT LESS THAN \$1,000	750.1743A	4
EMBEZZLEMENT - AGENT OR TRUSTEE \$1,000 OR MORE BUT LESS THAN \$20,000	750.1744A	2
EMBEZZLEMENT - \$1,000 OR MORE BUT LESS THAN \$20,000 NON-PROFIT/ CHARITABLE ORGANIZATION	750.1745C	1
EMBEZZLEMENT - \$100,000 OR MORE	750.1747	3
EMBEZZLEMENT - PUBLIC OFFICIAL OVER \$50.00	750.175	1
ESCAPE - PRISON	750.193	1
EXTORTION	750.213	1
FALSE PERSONATION OF PUBLIC OFFICER	750.215	2
FALSE PRETENSES - LESS THAN \$200	750.2182	5
FALSE PRETENSES - \$200 OR MORE BUT LESS THAN \$1,000	750.2183A	3
FALSE PRETENSES - \$1,000 OR MORE BUT LESS THAN \$20,000	750.2184A	2
WEAPONS - MISCELLANEOUS	750.2241-A	2
WEAPONS - FIREARMS - SHORT BARRELED SHOTGUN/RIFLE	750.224B	1
WEAPONS - SWITCHBLADE - POSSESSION OR SALE	750.226A	2
WEAPONS - CARRYING CONCEALED	750.227	6
WEAPONS - FELONY FIREARMS	750.227B-A	15
WEAPONS - FIREARMS - POSSESSION OF LOADED FIREARM IN OR UPON A VEHICLE	750.227C	3
WEAPONS - FIREARMS - IMPROPER POSSESSION OF A FIREARM IN OR UPON A MOTOR VEHICLE	750.227D	10
WEAPONS - FIREARMS - KEEPING REGISTRATION RECORDS	750.232	1
WEAPONS - FIREARMS - PURCHASE PISTOL WITHOUT LICENSE	750.232A1	5
WEAPONS - FIREARMS - AIMING WITHOUT MALICE	750.233	2

Criminal Convictions	Statute/PACC	Conviction
WEAPONS - FIREARMS - DISCHARGE WHILE AIMED - WITHOUT MALICE AND INJURY	750.234	1
WEAPONS - FIREARMS - DISCHARGE FROM VEHICLE	750.234A	1
WEAPONS - FIREARMS - DISCHARGE IN OR AT A BUILDING	750.234B	1
WEAPONS - FIREARMS - POSSESSION ON RESTRICTED PREMISES	750.234D	1
WEAPONS - FIREARMS - BRANDISHING IN PUBLIC	750.234E	27
WEAPONS - FIREARMS - DISCHARGED WHILE AIMED WITHOUT MALICE WITH INJURY	750.235	1
WEAPONS - FIREARMS - POSSESSION UNDER THE INFLUENCE	750.237	58
FORGERY	750.248	1
UTTERING AND PUBLISHING	750.249	4
GAMBLING HOUSE - PERMITTING FOR GAIN	750.303-B	1
HOMICIDE - MURDER 2ND DEGREE	750.317	1
INDECENT EXPOSURE	750.335A	3
AGGRAVATED INDECENT EXPOSURE	750.335A2B	1
KIDNAPPING	750.349	1
UNLAWFUL IMPRISONMENT	750.349B	1
LARCENY - \$20,000 OR MORE	750.3562A	1
LARCENY - \$1,000 OR MORE BUT LESS THAN \$20,000	750.3563A	3
LARCENY - \$200 OR MORE BUT LESS THAN \$1,000	750.3564A	11
LARCENY - LESS THAN \$200	750.3565	12
LARCENY - FROM A MOTOR VEHICLE	750.356A1	1
BREAKING AND ENTERING - A VEHICLE WITH DAMAGE TO VEHICLE	750.356A3	1
RETAIL FRAUD - 2ND DEGREE	750.356D	7
RETAIL FRAUD - 3RD DEGREE	750.356D4	58

Criminal Convictions	Statute/PACC	Conviction
LARCENY IN A BUILDING	750.360	3
THEFT DETECTION DEVICE - DEACTIVATION/REMOVAL	750.360A2A	1
LARCENY BY CONVERSION - \$1,000 OR MORE BUT LESS THAN \$20,000	750.3623A	2
LARCENY BY CONVERSION - \$200 OR MORE BUT LESS THAN \$1,000	750.3624A	2
MALICIOUS DESTRUCTION OF PERSONAL PROPERTY - \$1,000 OR MORE BUT LESS THAN \$20,000	750.377A1B1	1
MALICIOUS DESTRUCTION OF PERSONAL PROPERTY - \$200 OR MORE BUT LESS THAN \$1,000	750.377A1C1	9
MALICIOUS DESTRUCTION OF PERSONAL PROPERTY - LESS THAN \$200	750.377A1D	9
MALICIOUS DESTRUCTION OF A BUILDING - \$200 OR MORE BUT LESS THAN \$1,000	750.3804A	1
MALICIOUS DESTRUCTION OF A BUILDING - LESS THAN \$200	750.3805	1
FALSE REPORT OF A MISDEMEANOR	750.411A1A	6
FALSE REPORT OF A FELONY	750.411A1B	1
FALSE REPORT OR THREAT OF BOMB/HARMFUL DEVICE	750.411A3A	1
STALKING	750.411H	6
MONEY LAUNDERING - 3RD DEGREE	750.411M	1
MOTOR VEHICLE - UNLAWFUL - 2 YEAR MISDEMEANOR	750.414	1
MOTOR VEHICLE - TAMPERING	750.416	2
POISONING - FOOD/DRINK/MEDICINE/WATER SUPPLY	750.4362A	1
PROSTITUTION - ACCOSTING AND SOLICITING	750.448	2
PROSTITUTION/ENGAGING SERVICES OF	750.449A	1
POLICE OFFICER - FLEEING - 3RD DEGREE - PENAL CODE	750.479A3	1
INTERFERING WITH CRIME REPORT	750.483A2A	4
INTERFERING WITH A POLICE INVESTIGATION	750.483A4A	3

Criminal Convictions	Statute/PACC	Conviction
ANIMALS - ABANDONING/CRUELTY TO 2 OR 3 ANIMALS	750.504B	1
COMMON LAW OFFENSES	750.505-C	1
ANIMALS - KILLING/TORTURING	750.50B	2
CRIMINAL SEXUAL CONDUCT - 1ST DEGREE (MULTIPLE VARIABLES)	750.520B	3
CRIMINAL SEXUAL CONDUCT - 1ST DEGREE (RELATIONSHIP)	750.520B1B	2
CRIMINAL SEXUAL CONDUCT - 1ST DEGREE (INJURY INCAPACITATED VICTIM)	750.520B1G	1
CRIMINAL SEXUAL CONDUCT - 1ST DEGREE (PERSON UNDER 13, DEFENDANT 17 OR OLDER)	750.520B2B	3
CRIMINAL SEXUAL CONDUCT - 2ND DEGREE (MULTIPLE VARIABLES)	750.520C	1
CRIMINAL SEXUAL CONDUCT - 2ND DEGREE (PERSON UNDER 13)	750.520C1A	4
CRIMINAL SEXUAL CONDUCT - 2ND DEGREE (RELATIONSHIP)	750.520C1B	4
CRIMINAL SEXUAL CONDUCT - 2ND DEGREE (PERSON UNDER 13, DEFENDANT 17 OR OLDER)	750.520C2B	7
CRIMINAL SEXUAL CONDUCT - 3RD DEGREE (MULTIPLE VARIABLES)	750.520D	2
CRIMINAL SEXUAL CONDUCT - 3RD DEGREE (PERSON 13 - 15)	750.520D1A	5
CRIMINAL SEXUAL CONDUCT - 4TH DEGREE (FORCE OR COERCION)	750.520E1A	8
CRIMINAL SEXUAL CONDUCT - 4TH DEGREE (MENTAL HEALTH PROFESSIONAL)	750.520E1E-A	3
CRIMINAL SEXUAL CONDUCT ASSAULT WITH INTENT TO COMMIT SEX PENETRATION	750.520G1	2
CRIMINAL SEXUAL CONDUCT - 2ND DEGREE (ASSAULT)	750.520G2	2
ARMED ROBBERY	750.529	10
UNARMED ROBBERY	750.530	1
SAFE BREAKING	750.531-B	1
STOLEN PROPERTY - RECEIVING AND CONCEALING - \$1,000 OR MORE BUT LESS THAN \$20,000	750.5353A	1

Criminal Convictions	Statute/PACC	Conviction
STOLEN PROPERTY - RECEIVING AND CONCEALING - \$200 OR MORE BUT LESS THAN \$1,000	750.5354A	4
STOLEN PROPERTY - RECEIVING AND CONCEALING - MOTOR VEHICLE	750.5357	1
CAPTURING DISTRIBUTING IMAGE OF UNCLOTHED PERSON	750.539J2B	1
INTERFERING WITH ELECTRONIC COMMUNICATIONS	750.5405A	2
TELECOMMUNICATIONS SERVICE - MALICIOUS USE	750.540E	2
TRESPASS	750.552	9
LITTERING - PRIVATE PROPERTY	750.552A	1
ASSAULT OR ASSAULT AND BATTERY	750.81	49
DOMESTIC VIOLENCE	750.812	39
DOMESTIC VIOLENCE - 2ND OFFENSE	750.813	3
AGGRAVATED ASSAULT	750.81A	12
DOMESTIC VIOLENCE - AGGRAVATED	750.81A2	5
POLICE OFFICER - ASSAULTING/RESISTING/OBSTRUCTING	750.81D1	29
POLICE OFFICER - ASSAULTING/RESISTING/OBSTRUCTING CAUSING INJURY	750.81D2	1
ASSAULT WITH DANGEROUS WEAPON	750.82	41
ASSAULT WITH INTENT TO MURDER	750.83	4
ASSAULT/BODILY HARM LESS THAN MURDER	750.84	2
TORTURE	750.85	1
CHEMICAL AGENTS - PROHIBITED USES	752.272	1
COMPUTER - USE TO COMMIT A CRIME - MAXIMUM 1 YEAR OR LESS	752.7973A	2
COMPUTER - USE TO COMMIT A CRIME - MAXIMUM 4 YEARS OR MORE BUT LESS THAN 10 YEARS	752.7973D	7
COMPUTER - USE TO COMMIT A CRIME - MAXIMUM 20 YEARS OR MORE BUT LESS THAN LIFE	752.7973F	2

Criminal Convictions	Statute/PACC	Conviction
FIREARMS - CARELESS DISCHARGE/PROPERTY DAMAGE \$50 OR LESS	752.862-A	1
FIREARMS - CARELESS DISCHARGE/PROPERTY DAMAGE OVER \$50	752.862-B	1
RECKLESS USE OF FIREARMS	752.863A	15
HABITUAL OFFENDER - 2ND OFFENSE	769.10	1
PRISONS - FURNISHING CELLPHONE TO PRISONER	800.283A	1
Total Criminal Convictions		2,121