

BEFORE THE IOWA PUBLIC INFORMATION BOARD

MICHAEL J. MERRITT,
Complainant,

v.

CITY OF MARSHALLTOWN, IOWA,
Respondent.

FORMAL COMPLAINT NO. 22FC:0025

**AFFIDAVIT OF CHIEF MICHAEL
TUPPER**

The Affiant, Michael Tupper, under oath or affirmation, states as follows:

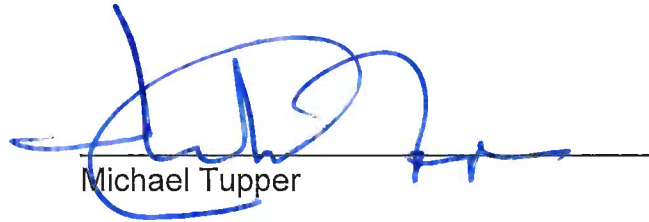
1. I am the Chief of Police for the City of Marshalltown Police Department.
2. Exhibits 1-10 are true and accurate copies of records kept in the regular course of business of the Marshalltown Police Department.
3. I have previously provided Mr. Merritt with all known records responsive to his requests related to Detective Tejada's search of Mr. Merritt's home on June 6, 2019.
4. The actual cost of responding to Mr. Merritt's Requests #001 and #002, as well as to conduct the searches requested, would include the cost of an IT-contractor used by the City for other projects of this nature.
5. The actual cost of responding to Mr. Merritt's Requests #001 and #002 would also include legal review for confidentiality and redacting pursuant to Iowa Code Section 22.7(5) and other state and federal laws.
6. I requested an estimate to complete this search from our IT contractor.
7. For the information that is available, the IT contractor informed me that it takes approximately fifteen minutes to search one month of e-mails for one particular keyword. Mr. Merritt's request seeks twenty-four domain name searches and twenty-four

name variation searches over a thirty-six-month period. The cost for that search alone, at the contractor's rate of \$120.00 per hour, would be \$51,840.00.¹

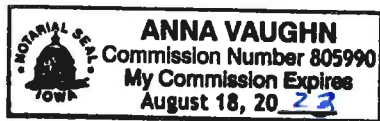
8. For the information that is available, the City's IT contractor estimates that the search history requests listed would cost \$2,250.00.


9. Given the breadth of Mr. Merritt's request, legal counsel for the City estimates that, to review and redact the responsive records for confidential information, the cost would be at least \$825.00.

10. The actual costs could exceed the estimates provided in this affidavit.


Michael Tupper

Subscribed and sworn to before me by Michael Tupper this 16th day of August, 2022.




Notary Public for the State of Iowa

¹ The calculations provided to me to arrive at this estimate are as follows: (24 domain name search + 24 name variation searches) * 36 months = 1,728 searches. A search takes fifteen minutes, therefore 1,728 can be divided by four which equals 432 hours to complete the searches. At \$120.00 per hour, the total cost would be \$51,840.00.