
From: Staton, Jennifer A
Sent: Friday, February 16, 2018 3:20 PM
To: 'Meyerhofer, Kelly'
Cc: Foster, James H
Subject: RE: FOIA #1: Subpoenas

Kelly,

Thank you for your request for public records pursuant to the South Carolina Freedom of Information Act. In accordance with S.C. Code Ann. 30-4-40(a)(3)(A) and (B), the BCSD exempts from disclosure your requested records on grounds the production thereof would interfere with a prospective law enforcement proceeding and/or would deprive a person of a right to a fair trial and/or an impartial adjudication.

The BCSD has been informed by the U.S. Attorney of its preference that grand jury subpoenas and the contents therein not be made public. As rationale, the U.S. Attorney specifically cited language similar to S.C. Code Ann. 30-4-40(a)(3)(A) and (B). Through its officers, the Board of Education made a public commitment that the “[t]he Board, the District, its counsel, and its employees will cooperate fully with this investigation.” The U.S. Attorney made an unambiguous recommendation that the subpoenas not be made public because doing so might hinder their investigation. It is impossible to reconcile the promise of full cooperation if the BCSD then acts in a manner inconsistent with law enforcement’s stated preference.

The Board officers also directed BCSD staff to release the subpoenas upon notification release no longer interferes with a law enforcement proceeding or would not deprive a person of a right to a fair trial or an impartial adjudication.

Jennifer Staton, MS, CSP
Risk Manager
Beaufort County School District
843-322-2355 (w) | 843-812-6405 (m)

From: Meyerhofer, Kelly [<mailto:kmeyerhofer@islandpacket.com>]
Sent: Monday, February 5, 2018 8:47 AM
To: Staton, Jennifer A <Jennifer.Staton@beaufort.k12.sc.us>; Foster, James H <James.Foster@beaufort.k12.sc.us>
Subject: FOIA #1: Subpoenas

February 5, 2018

Jennifer Staton

Beaufort County School District

2900 Mink Point Boulevard

Beaufort, South Carolina 29902

Ms. Staton:

Pursuant to South Carolina's Freedom of Information Act, I am making a public records request for all subpoenas sent to any and all district employees from any federal agency within the last 60 days.

The requested documents will be made available to the general public, and this request is not being made for commercial purposes, so I ask you to waive any and all fees. In the event that there are fees, I would be grateful if you would inform me of the total charges in advance of fulfilling my request. I would prefer the request be filled electronically, by e-mail attachment if available or jump drive if not.

Thank you in advance for your anticipated cooperation in this matter. I look forward to receiving your response to this request within 10 business days, as the statute requires.

--

Kelly Meyerhofer
Education and Projects Reporter
The Island Packet | The Beaufort Gazette
[843-706-8136](tel:843-706-8136)
kmeyerhofer@islandpacket.com
[@kellymeyerhofer](https://www.instagram.com/kellymeyerhofer)