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Suit over police video continues

Attorney claims cost for records is too high.

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Columbia attorney Stephen Wyse will ask the Boone County Circuit Court to appoint a special prosecutor if his lawsuit against the city over public records survives a motion to dismiss.

Wyse said he has not received his full request for videos showing former client Nicole Palmer in custody at the Columbia Police Department and in the lobby. Wyse filed a written Sunshine Law request with the police department Oct. 9 to determine whether police had denied Palmer's request for her attorney, and he was issued a \$2,739 bill to retrieve the information. He sued, challenging the legality of the response.

A hearing to dismiss Wyse's lawsuit was continued this morning at the request of city attorneys. A new hearing is yet to be set, and Wyse said he believes his motion for a special prosecutor could be taken up at the next hearing if his lawsuit survives the city's motion to dismiss.

A written request to Boone County Prosecutor Dan Knight to prosecute the matter or refer it to the Missouri attorney general's office has been met with no response, Wyse said.

In Wyse's lawsuit, he claims his requests to see his client were repeatedly denied while he waited in the police station waiting room early Oct. 9. Palmer was being questioned by police about her knowledge of a homicide at the Red

Roof Inn hours before.

Palmer, 19, was later charged with hindering prosecution and possession of a controlled substance in connection with the shooting death of Nicole Crumby, 26, on Oct. 8 outside the motel. She is awaiting a June 22 trial in Callaway County.

Police reports from when Palmer was in custody indicate police knew of her request for an attorney while Wyse waited in the lobby. Video the Tribune obtained from Columbia police for \$8.19 through an open records request shows Wyse waiting in the lobby around the time of Palmer's request.

"At about 3:15 a.m., Officer Jill Wieneke informed me that as she passed Palmer's holding cell, Palmer told her that she wished to speak to her attorney," Bryan Liebhart said in his report.

Wyse said he was told by city attorneys that the video the Tribune received includes nearly 90 percent of the video he requested. Wyse said he was told the video he has not received is from the one camera in the booking room.

"They didn't want to give it to me. They made up this outrageous copy cost," Wyse said. "They don't want to reveal what is on the camera."

Lt. Krista Shouse-Jones, records custodian for the police department, is named in the lawsuit for not responding to Wyse's request within three days, as the Sunshine Law mandates. Officer Jessie Haden, a police department spokeswoman, said Shouse-Jones was on vacation at the time of Wyse's request.