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**Lawyer sues over police video request**

**Sunshine Law was violated, he claims.**

**BY BRENNAN DAVID**

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Columbia attorney Stephen Wyse has filed a lawsuit against the city of Columbia and a Columbia Police Department records custodian for alleged violations of the Sunshine Law, the state's open-records law.

The lawsuit filed in Boone County Circuit Court alleges Wyse was repeatedly denied his request to see his client, Nicole Palmer, while waiting in the police station waiting room early on Oct. 9. Palmer was being questioned by police at the time 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. A man linked to the incident, Blake Logan, 18, was charged with second-degree murder, first-degree robbery and armed criminal action. Police believe the shooting was drug-related.

Wyse said in his lawsuit, filed Wednesday, that Palmer was told no attorney was present for her at the police station, despite his claim that he waited more than two hours to speak to her.

Wyse filed a written Sunshine Law request with the police department asking for surveillance footage of Palmer where she was held and of the lobby, where he interacted with police during the same time frame. Wyse said he wanted to prove he was in the waiting area during Palmer's questioning.

"Either the communications of my client are not truthful, or the police

department is not being truthful," Wyse said. "I have no reason to not believe my client. I don't understand why they are fighting to not get me those videos."

As a result of the incident, Wyse claims in the lawsuit, the Palmer family sought a new attorney. As of this morning, he had not obtained the requested videos.

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

and that she was the only person who could have fulfilled the request.

"He knew she was going to be gone the next week," Haden said.

Upon Shouse-Jones' return, she responded to Wyse on Oct. 21 that it would take about three weeks to fulfill the request and requested a deposit of \$2,739.73 for 80.25 hours of research. An additional cost estimate of \$114.30 for copying the videos also was faxed to Wyse.

Wyse paid the second fee but claims the original estimate does not fall under what the law allows. He also said the department was required to provide him the videos regardless of whether its records custodian was on vacation.

"It's their obligation to have a records custodian there," he said. "If that person leaves, they should have someone who can act in that person's place. Their failures are not my responsibility."

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