IN THE STATE OF SOUTH CAROLINA	IN THE COURT OF COMMON PLEAS
COUNTY OF CHARLESTON	CASE NO.: 2016-CP-10-4804
EVENING POST INDUSTRIES, INC., AND ANDREW KNAPP, Plaintiffs, v. CITY OF CHARLESTON, Defendant.	

NOW COME the Plaintiffs and Defendant each by and through their approved representatives and agree to settle the above referenced matter as follows.

1. The Plaintiffs withdraw their Freedom of Information Act request for field contact cards maintained by the Charleston Police Department, dated February 2, 2015.

2. *Evening Post Industries, Inc. and Andrew Knapp v. City of Charleston,* Case No.: 2016-CP-10-4804, will be dismissed with prejudice.

3. There will be no admission of liability by either party.

4. Each party is responsible for their own attorney's fees and costs arising from the litigation and settlement.

5. Plaintiffs and defendant agree that they are subject to the provisions of South Carolina H3352, which became law on May 19, 2017 relating to the process for requesting documents under the Freedom of Information Act, and are required to comply with all aspects of the Freedom of Information Act law.

6. The City of Charleston has taken steps to include all information on field contact cards online with the exception of the narrative portion of the forms. Effective Monday, March

12, 2018, this information is available for the years 2016 and 2017 on the website www. policedatatinitiative.org. As a participating agency, field contact cards for the Charleston Police Department can be located in a few steps. In the "Field Contact Card" database, information can be found that includes Field Contact ID Number, Date, Time, Location, Reason for Contact, Number ID of person involved, Race, Sex, Age, CPD Team, CPD Beat, and Geographic Coordinates. This data can be viewed either by points on a map or downloaded as a table. If downloaded as a table, the information can be sorted and searched by any category. Field contact cards will be uploaded and placed on the website each quarter of the year going forward. This information is available for viewing at all times and can be downloaded without charge.

7. Additional information as contained in the field contact cards narrative section is available to the Plaintiffs through a Freedom of Information Act request.

8. The parties agree that the Post and Courier has a public interest in obtaining information that may be contained in the narrative section of the field contact cards and further agree that the Charleston Police Department has a need to protect certain information contained in the narrative that can be exempted from disclosure under the Freedom of Information Act. Therefore, City agrees that from the date of this Order and going forward, when field contact cards are requested through a Freedom of Information Act request, the City will provide the Post and Courier with up to 575 field contact cards within a three month period for no charge. In the event that the response would require more than 575 field contact cards in that period of time, the City will provide the additional field contact cards at a cost of $1.00 per card. Additionally if more than 280 cards are involved in a single request, the City will be given additional time to prepare the response to the request.

9. The City agrees the narrative section not exempted from disclosure under the Freedom of Information Act, although not posted on the police department's public data initiative website, will also be available for release to the public upon written request based upon and

subject to the terms of the Freedom of Information Act. None of the records produced can be used for commercial solicitation.

The above terms are agreed to by plaintiffs Evening Post Industries, Inc., Andrew Knapp and the City of Charleston, as evidenced by either their signature or the signatures of their approved representatives below.

CITY OF CHARLESTON

Susan Herdina
City of Charleston Legal Dept.

3/29/2018
Date

THE POST AND COURIER

Representative on Behalf of
Post and Courier

3/20/18
Date

Andrew Knapp

3-19-2018
Date