

## RE: Iowa Open Records Request - Jasper County IA - 563 - CM-X2 - Status Request - II/II

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From randye@newtongov.org <randye@newtongov.org>

To Michael Merritt <cipher.hunter@cipherphoenix.com>

Date Friday, August 4th, 2023 at 10:33 PM

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Michel, I can tell by your emails that you are frustrated beyond compare with the legal systems. While we all get to a give up point that is where men like you dig in and fight harder. Please Do Not give up. We know, from reading the bible, that we will be tested. But God does not make mistakes and He will not abandon you. I pray that you get some rest and spend some time in prayer.

Your life does matter to your loved ones.

If you need further help don't hesitate to use the Vererans resources group. They are there for you.

Thanks for keeping all of us humble and held accountable.

Randy Ervin  
Newton City Council

Sent from my U.S.Cellular© Smartphone

----- Original message -----

From: Michael Merritt <cipher.hunter@cipherphoenix.com>

Date: 8/4/23 7:51 PM (GMT-06:00)

To: Scott Nicholson <general@jaspercoatty.org>, Scott Nicholson <snicholson@jaspercoatty.org>, John Halferty <jhalferty@jaspersheriff.org>, Brandon Talsma <btalsma@jasperia.org>, Doug Cupples <dcupples@jasperia.org>, michaelh@newtongov.org, Mark Hallam <markh@newtongov.org>, Evelyn George <evelyng@newtongov.org>, Vicki Wade <vickiw@newtongov.org>, Randy Ervin <randye@newtongov.org>, Craig Trotter <craigt@newtongov.org>, Rob Burdess <robb@newtongov.org>, Melissa Dalton <melissad@newtongov.org>, Ron Cook <ronc@newtongov.org>, Chris Wing <ChrisW@newtongov.org>, Wayne Winchell <waynew@newtongov.org>, Matt Muckler <matt@newtongov.org>, wsimmons@grinnellpd.com, webteam@ag.iowa.gov

Subject: Re: Iowa Open Records Request - Jasper County IA - 563 - CM-X2 - Status Request - II/II

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

I am done. The last email I sent please disregard it. I am done. The one thing Jasper County, IA has taught me is that those in positions authority can walk all over the law even after county attorney's office was directed to never have someone contact me because he produced evidence of violating the law while harassing me with false criminal

allegations which you have done nothing about. I went to the VA for 6 weeks and was diagnosed with PTSD from all of the false allegations of criminal conduct I have endured by malicious people and I come back home and I am getting contacted by the same person I asked Jasper County, IA in a legal notice that I don't want to be contacted by Ryan Eaton anymore.

I am going to take my medication and I am going to lay down and calm down. I contacted the Jasper County, IA Sheriffs office about it and two dispatchers did nothing and hung up on me while refusing to give me the dispatchers operator number that hung up on me the first time. I called the Grinnell IA Police department and I appreciate the officers that were there for me.

I am done. One thing you all have taught me is that if I were found dead in a bedroom. It wouldnt matter to no one. Why would it not matter to no one because I came to you all for help and you were all completely fine concealing public records showing how you failed to protect me followed by falsely accusing me of crimes to intimidate me during an IPIB case.

I now understand that my life has no value to all of you. Because I was not important enough to be provided the same rights and liberties I defended for twenty years.

Sheriff Halferty thank you for being there for me.

Thank you Grinnell PD for being there for me.

What Jasper County, IA have shown me is that my life doesn't matter. My life has no value. You are completely fine concealling public records from me falsely accusing me of crimes, but when I show you evidence of my rights being violated you do nothing and then conceal records documenting it.

On Fri, Aug 4, 2023 at 12:09 PM Ryan Eaton <[reaton@jasperia.org](mailto:reaton@jasperia.org)> wrote:

Mr. Merrit,

I have been tasked with reviewing your latest requests and I am afraid the Iowa Public Information Board already ruled for Jasper County, and we will not provide you with "user names" for Jasper County Facebook accounts.

The Supervisor's Facebook pages are their own and not administered or connected to Jasper County. You will need to address that with them.

I appreciate your confusion about the fees charged by different entities for E-discovery services. Indeed, the security requirements play a significant role in determining the cost. Organizations dealing with sensitive data like CJIS (Criminal Justice Information Services) have stricter security requirements, and therefore, they may need to more experienced and certified IT staff, which can lead to higher fees.

On the other hand, educational institutions, like schools, may not handle such sensitive data, so they can potentially use alternative, cost-effective solutions. Utilizing a paid intern or cyber security student to perform the E-

discovery under supervision can help reduce expenses while still ensuring compliance with privacy regulations and removing personal identification information (PII) to protect individual privacy.

It's essential for organizations to understand their specific data security requirements and tailor their E-discovery approach accordingly. By doing so, they can strike a balance between cost-effectiveness and maintaining the necessary level of security.

As the only staff member with training and a license to use Gimmal's Discovery Attender for Open Records Requests, they are performed by me. You will find this in smaller departments where resources may be limited, it can be more costly for both the organization and the requestor.

The NIST (National Institute of Standards and Technology) framework or NIST 800-53 is widely used for information security and access control in various organizations and government agencies. The principle of least privilege is a fundamental concept in this framework, where each user or account is granted only the minimum level of access necessary to perform their specific tasks, reducing the risk of unauthorized access and potential security breaches.

Jasper County has implemented a process for searching and granting access to specific accounts, but this access is given on a temporary basis. The process involves the following steps:

1. Access Request: When someone needs access to a particular account or resource, they must submit a request.
2. Individual Permission: Each account is individually granted access based on the principle of least privilege. This means that users will only be given access to the specific resources they need and nothing more.
3. Processing: The access is granted and processed after business hours. The specific details of the access request and the time it takes to process are automatically recorded in a report.
4. Access Removal: Once the authorized user has completed their task, the access is removed. This ensures that the temporary access is not left open unnecessarily.

The time taken to process an access request varies depending on the size of the account. Accounts with larger data volumes (e.g., 25 GB) may take several hours to process, while smaller accounts may be completed in 30 minutes or less.

By implementing this access control process, Jasper County is ensuring that only authorized personnel have access to specific resources for the duration required, minimizing the risk of unauthorized access and potential security threats. Additionally, the logging and reporting of access times provide transparency and accountability for access-related activities.

MXtoolbox.com or [dnsstuff.com](https://dnsstuff.com) can be used to view our Jasper County's MX records to see it is on Microsoft's Government Cloud. Again, as required by Federal Law, CJIS data must be stored within the United States and with ever increasing cyber-attacks, it is more cost effective to use third party security than attempt to protect it in house.

Previously we have provided approximately 40 hours of both IT staff and Attorney time/wages on your requests at no charge. It seems there was a misunderstanding, and any organization can bill for staff's time to complete requests. My wages increased on July 1<sup>st</sup> and the current cost at 1.5 for afterhours "time only" is \$83.35.

You will need to discuss the fees for the County Attorney's staff hourly rate to review the results and redact any Personal Identifiable Information (PII), Health Insurance Portability and Accountability Act of 1996 (HIPAA), Public Law 104-191, or Criminal Justice Information Systems (CJIS) protected data. That will be redacted according to Federal laws.

Based on your previous emails regarding building databases and the potential for collecting information contained in metadata on attachments, all requests will be printed and sent by certified mail to the address you have provided.

**I have an outstanding open request from you** for emails from Jon Dunwell to any jasper county email account. Per your request I included the cost per hour and received no confirmation that you accepted or would pay that fee. That will need to be paid for before additional requests are reviewed and completed.

Please Contact the Jasper County Attorney's Office – [general@jaspercoatty.org](mailto:general@jaspercoatty.org) to confirm fees and authorize the billing for the work you have requested.

Ryan Eaton

Chief information Officer

Jasper County, Iowa

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**From:** Scott Nicholson <[snicholson@jaspercoatty.org](mailto:snicholson@jaspercoatty.org)>

**Sent:** Tuesday, August 1, 2023 4:23 PM

**To:** Ryan Eaton <[reaton@jasperia.org](mailto:reaton@jasperia.org)>

**Subject:** FW: Iowa Open Records Request - Jasper County IA - 563 - CM-X2 - Status Request - II/II

Here is one that came in today.

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**From:** General Attorney <[general@jaspercoatty.org](mailto:general@jaspercoatty.org)>

**Sent:** Tuesday, August 1, 2023 1:29 PM

**To:** Scott Nicholson <[snicholson@jaspercoatty.org](mailto:snicholson@jaspercoatty.org)>

**Subject:** FW: Iowa Open Records Request - Jasper County IA - 563 - CM-X2 - Status Request - II/II

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**From:** [cipherus.x1@cipherphoenix.com](mailto:cipherus.x1@cipherphoenix.com) <[cipherus.x1@cipherphoenix.com](mailto:cipherus.x1@cipherphoenix.com)>

**Sent:** Tuesday, August 1, 2023 9:45 AM

**To:** General Attorney <[general@jaspercoatty.org](mailto:general@jaspercoatty.org)>

**Subject:** Iowa Open Records Request - Jasper County IA - 563 - CM-X2 - Status Request - II/II

[**NOTICE:** This message originated outside of Jasper County -- **DO NOT CLICK** on **links** or open **attachments** unless you are sure the content is safe.]

This public record status request is being electronically served to Jasper County IA in accordance with Iowa Code Chapter 22.4(2.).

**Iowa Code Chapter 22.4(2.) Public records requests.**

(2.) *"In writing, by telephone, or by electronic means. The lawful custodian of the records shall post information for making such requests in a manner reasonably calculated to apprise the public of that information."*

**Iowa Code Section 23.7(1.) Filing of complaints with the board.**

(1.) *"The board shall adopt rules pursuant to chapter 17A providing for the timing, form, content, and means by which any aggrieved person, any taxpayer to or citizen of this state, the attorney general, or any county attorney may file a complaint with the board alleging a violation of chapter 21 or 22. The complaint must be filed within sixty days from the time the alleged violation occurred or the complainant could have become aware of the violation with reasonable diligence. All complaints filed with the board shall be public records."*

Respectfully,

Michael J. Merritt, USN Retired/Writer

Founder: [phoenixharbor.com](https://phoenixharbor.com)

Creative Writer/Musician

Information Warfare Specialist

Information Systems Manager

PO BOX 187

Newton, IA 50208

[cipherus.x1@cipherphoenix.com](mailto:cipherus.x1@cipherphoenix.com)

*"Bricks made with testimony lacking evidence are equivalent to bricks made with straw without clay."*

Cipher Hunter

**PHOENIXID Authentication:** <https://cipherphoenix.com/phoenixid/>

Cipherus X1 sent this electronic mail on behalf of Michael J. Merritt.