

From: [Newman, Zoe](#)
To: [Meagan Collins](#)
Subject: Public Records Request
Date: Friday, February 23, 2024 10:43:08 AM
Attachments: [PRR C.Z. Response 2.23.24.pdf](#)

Hi Meagan,

Attached is the response to your public records request.

Best,
Zoe

Zoë Newman (she/her)
Assistant Attorney General
Medicaid Fraud and Residential Abuse Unit
Office of the Vermont Attorney General
109 State Street
Montpelier, VT 05609-1001
(802) 793-5837

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**CHARITY R. CLARK
ATTORNEY GENERAL**

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**STATE OF VERMONT
OFFICE OF THE ATTORNEY GENERAL
MEDICAID FRAUD AND RESIDENTIAL ABUSE UNIT
109 STATE STREET
MONTPELIER, VT
05609-1001**

February 23, 2024

Meagan Collins
Lynn, Lynn, Blackman & Manitsky, P.C.
76 St Paul St Ste 400
Burlington, VT 05401

Via email to: mcollins@lynnlawvt.com

Re: Public Records Request

Dear Meagan:

I write in response to your Public Records Act request dated February 20, 2024, and further clarified on February 21, 2024, requesting “any documents which came into the AGO’s possession and control on September 25, 2023 or after as part of an investigation undertaken by Detective Hemond pertaining to the Howard Center’s care of Chriss Zuckerman.”

The records you have requested have been withheld pursuant to the following exemptions of the Vermont Public Records Act:

- 1 V.S.A. § 317(c)(3) (exempts “[r]ecords that, if made public pursuant to this subchapter, would cause the custodian to violate duly adopted standards of ethics or conduct for any profession regulated by the State”);
- 1 V.S.A. § 317(c)(5)(A) (exempts “[r]ecords dealing with the detection and investigation of crime, but only to the extent that the production of such records: (i) could reasonably

be expected to interfere with enforcement proceedings; (ii) would deprive a person of a right to a fair trial or an impartial adjudication; (iii) could reasonably be expected to constitute an unwarranted invasion of personal privacy”);


Many of the records requested additionally fall under the following exemptions:

- 1 V.S.A. § 317(c)(7) (exempts “[p]ersonal documents relating to an individual, including . . . information in any files relating to personal finances; medical or psychological facts concerning any individual or corporation; provided, however, that all information in personnel files of an individual employee of any public agency shall be made available to that individual employee or his or her designated representative”);
- 1 V.S.A. § 317(c)(42) (exempts “[e]xcept as otherwise provided by law, information that could be used to identify a complainant who alleges that a public agency, a public employee or official, or a person providing goods or services to a public agency under contract has engaged in a violation of law, or in waste, fraud, or abuse of authority, or in an act creating a threat to health or safety, unless the complainant consents to disclosure of his or her identity.”);

Further, your request seeks production of records the disclosure of which could reasonably be calculated to cause members of the Office of the Attorney General to violate ethical obligations set forth in the Vermont Rules of Professional Conduct. See Vt. R. Prof. Cond. 3.6 (Trial Publicity) and Vt. R. Prof. Cond. 3.8 (Special Responsibilities of a Prosecutor).

To the extent you feel any records have been withheld in error, you may appeal to the Deputy Attorney General, Robert McDougall at: ago.publicrecordsrequests@vermont.gov.

Sincerely,



Zoe Newman
Assistant Attorney General
Medicaid Fraud and Residential Abuse Unit
Attorney General’s Office