

From: [Clark, Charity](#)
To: [Meyn, Colin](#)
Cc: [Galloway, Anne](#)
Subject: RE: Public Records Act request 4/17/19 - cost estimate
Date: Tuesday, June 18, 2019 12:15:09 PM

Hi, Colin,

Ok. I will answer your questions in the summary below. For now, you would like to skip the portion of your request that deals with the Criminal Division and instead receive:

CONSUMER UNIT

The initial complaint in any enforcement action, including multistate lawsuits, from January 1, 2010 – April 17, 2019 (or, in the case of settlement, the settlement document, such as an AOD, Consent Decree, or Consent Judgment). If you come to our office, you can review these documents in a conference room at no charge. If you prefer to have copies made, I can get a cost estimate. Just let me know. As to your question about timing of availability, for January 1, 2010 to June 2012, the documents are available immediately. You can come review them tomorrow if you like! For the rest, they are being compiled, and I will need to check in with our Consumer Unit for information about timing. Note that I will also need to confirm that the documents already in binders (those dated January 1, 2010 to June 2012) include multistate lawsuits.

CIVIL RIGHTS UNIT

I believe there is no change here from our initial estimate. You would like the initial complaint in any enforcement action, including multistate lawsuits, from January 1, 2010 – April 17, 2019 (or, in the case of settlement, the settlement document, such as an AOD, Consent Decree, or Consent Judgment). These documents are not contained in binders. The cost estimate is \$99.

ENVIRONMENTAL

You would like the initial complaint, including multistate lawsuits, in any enforcement action from January 1, 2010 – April 17, 2019 (or, in the case of settlement, the settlement document, such as an AOD, Consent Decree, or Consent Judgment). Our Environmental Division has been working on the project of compiling these documents in binders, and they are nearly two-thirds finished. They estimate they will be done as early as next week. You can come next week to view the documents for all years for free. As with Consumer, let me know if you would like an estimate on the cost of having copies made.

As to your question about Criminal, I believe the answer is found in an earlier email in this thread (May 9 at 2:07), but let me know if this doesn't quite answer your question.

In the meantime, I will get a sense from Consumer on the status of compiling the July 2012 – April 2019 documents into binders and circle back with you.

Charity

From: Colin Meyn [mailto:cmeyn@vtdigger.org]
Sent: Monday, June 17, 2019 6:42 PM
To: Clark, Charity <Charity.Clark@vermont.gov>
Cc: Galloway, Anne <agalloway@vtdigger.org>
Subject: Re: Public Records Act request 4/17/19 - cost estimate

Hi Charity,

Thanks again for the work on your side to facilitate this request -- and for your patience awaiting my response.

I'd like to narrow my request -- for now -- to the matters under the purview of the environmental and public protection divisions. The combined cost of requested records from those two divisions is \$1,201.20, based on the estimate you sent on May 6.

You mentioned in a later email that you will also make binders of consumer protection and environmental division cases available for public review -- and you mentioned that will reduce the cost. Does that apply the entirety of my request from January 1, 2010 to April 17, 2019? When will these binders become available? I'm unclear on whether there are additional documents in my request that will not be available in these binders. Will there be any cost at all if the records are kept in these binders?

I'm also curious to know what you found out about where the criminal records are kept and to what extent the department fee can be avoided. Happy to talk this over on the phone this week if that saves you time.

Best,

Colin

On Thu, May 16, 2019 at 1:39 PM Colin Meyn <cmeyn@vtdigger.org> wrote:

Hi Charity,

Just wanted to let you know that I do intend to get back to you -- but want to make sure I take in all the info you've sent and have a plan moving forward. Efforts to cover the end of the legislative session have consumed my time, and likely will until mid next week. I appreciate all of your help on this and will be in touch.

-C

On Thu, May 9, 2019 at 2:07 PM Clark, Charity <Charity.Clark@vermont.gov> wrote:

Hi, Colin,

I write with an update regarding the boxes stored at the Vermont Records Department. My understanding is that Criminal Division files dating from roughly 2015 are stored on

site at the AGO. Therefore, if you were looking to more or less completely eliminate the fee to the Vermont Records Department, narrow your request to responsive documents dated 2015 and later. If you were looking to go back a little farther, but still dramatically reduce retrieval costs, there are roughly 100 boxes of potentially responsive documents for files dating 2012-2015 stored at the Vermont Records Department. At \$4/box, retrieval would cost an estimated \$400.

Just let me know how you would like to proceed. We will wait to hear from you before taking any further steps.

Thanks,
Charity

From: Clark, Charity
Sent: Thursday, May 9, 2019 9:55 AM
To: Meyn, Colin <cmeyn@vtdigger.org>
Cc: Galloway, Anne <agalloway@vtdigger.org>
Subject: RE: Public Records Act request 4/17/19 - cost estimate

Hi, Colin,

Thank you for bringing this former Public Records Act request to my attention. As I understand it, VTDigger's 2012 request for records from the Criminal Division was much narrower. I have only our side of the correspondence, but it's clear that the scope extended to the prosecution of law enforcement officers only. In addition, I believe your request was made under a previous iteration of the Public Records Act, which exempted more documents than under the current version of the statute. Although I have copies of the 2012 correspondence from our Criminal Chief to VTDigger, I am not finding copies of the actual documents sent to you. On another note, knowing of your interest in reducing the cost of our responding to your PRA request, I have asked the Criminal Division to identify for which years potentially responsive documents are stored at the AGO as opposed to the Vermont Records Department, i.e., how many years would you lose if you avoided the Department fees (saving \$2,764). I will let you know what I hear.

As for the 2012 request as to the Consumer Unit, it looks like we have copies of AODs and consent decrees (filed with the Court after settlement) from April 2005 to June 2012, which were provided to you. I know I have mentioned that we have binders containing Consumer Unit complaints from 2003-2008 and Assurances of Discontinuance (AODs) from 1993-2008. Having reflected on this, we have concluded that keeping complaints and AODs in binders, while perhaps a little old fashioned, is good practice. Therefore, we plan to continue this practice, picking up with where the binders leave off in 2008 through the present. We also think this is good practice for the Environmental Division's enforcement cases. For your purposes, this would equate to a cost reduction. You could either come to the AGO and review the binders, which would cost you nothing, or we could scan them for you, which would come at a cost.

Charity

From: Colin Meyn <cmeyn@vtdigger.org>

Sent: Monday, May 6, 2019 4:17 PM

To: Clark, Charity <Charity.Clark@vermont.gov>; Galloway, Anne <agalloway@vtdigger.org>

Subject: Re: Public Records Act request 4/17/19 - cost estimate

Hi Charity,

I have a related request as we figure out how to narrow this down or otherwise reduce the cost. If you want me to file a formal PRR I'm happy to do that. A former Digger reporter named Nat Rudarakanchana made a PRR in mid-2012 for civil and criminal complaints from the Sorrell's office, back to the start of his time as AG. I'm curious if you would have a copy of that request and the AG office's response on file?

We still have some of his spreadsheets, but not his communications with the AG's office which would help us know what he asked for so that we might be able to start our request where he left off. Anne's memory is that there was a nominal cost, or no cost at all, to that request, so it might also provide insight into how we can frame this request to save you time, and us money.

Best,

Colin

On Mon, May 6, 2019 at 3:26 PM Colin Meyn <cmeyn@vtdigger.org> wrote:

Hi Charity,

Thank you for the cost rundown. This is very helpful as we figure out how to proceed with this request. I'll be in touch in the next day or two with a proposed next step.

-C

On Mon, May 6, 2019 at 3:22 PM Clark, Charity <Charity.Clark@vermont.gov> wrote:

Please see attached.

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