

From: Clark, Charity <Charity.Clark@vermont.gov>

Sent: Tuesday, January 26, 2021 3:48 PM

To: Luciana Perez Uribe Guinassi <lperezu@umd.edu>

Subject: RE: Public Records Request - Howard Center for Investigative Journalism

Please see attached.

THOMAS J. DONOVAN, JR.
ATTORNEY GENERAL

JOSHUA R. DIAMOND
DEPUTY ATTORNEY GENERAL

SARAH E.B. LONDON
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Via email to lperezu@umd.edu

January 26, 2021

Luciana Perez Uribe Guinassi
Howard Center of Investigative Journalism
7765 Alumni Dr.
College Park, MD 20742

Re: Vermont Public Records Act request, dated December 2, 2020

Dear Ms. Guinassi:

I write in response to your clarifications concerning your colleague's request for public records dated December 2, 2020. As I mentioned in my voicemail today, we would be happy to put together a cost estimate for you, but, to do so, we will need to have a date range. Also, you may be interested in learning more about the Vermont Public Records Act, and there is more information on our website [here](#). Your clarifications, and my responses, follow:

1. *All databases of formal and nonformal complaints, including but not limited to information on the date, location, employer, complainant, nature of complaint, narrative, agency response, status, and disposition[.]*
 - i. *Formal and nonformal complaints. This generally means employee/employer complaints (workplace complaints).*
 - ii. *I do wish to receive copies of the complaints. I also request an electronic database (excel/CSV) that lists the formal and nonformal complaints with information on the date, location, employer, complainant, nature of complaint, narrative, agency response, status, and disposition.*

In a subsequent email, you clarified that “[formal and nonformal complaints] generally means employee/employer complaints (workplace complaints)[.] If there are consumer [] outstanding complaints, I would like those included (date, location, employer, complainant, nature of complaint, narrative, agency response, status, and disposition).”

As I mentioned in my letter of December 15, 2020, workplace complaints made with our Civil Rights Unit are confidential by statute. As to consumer complaints, please clarify what you mean by “outstanding.” For example, do you mean complaints: for which a business has not replied at all, or that are classified as “open” complaints regardless of whether the business has replied, or something else?

Note that we receive over 10,000 consumer complaints each year. To provide you with a rough sense of the potential cost of providing all consumer complaints for one year, we generally estimate that gathering, reviewing, and redacting one consumer complaint takes 15 minutes. Under the Vermont Secretary of State’s [Uniform Charges Schedule](#), the charge for a paralegal’s time is \$0.45/minute. If you only wanted a chart summarizing the complaints, we could provide that, but my hunch is that it would still cost thousands of dollars. Let me know what you decide, and I would be happy to put together a cost estimate for you.

2. All databases of formal and nonformal complaints concerning COVID-19, if separate from above.

As the AGO does not have a database of complaints specifically concerning COVID-19, I would like the database of consumer complaints, some of which may relate to COVID-19. Thank you for clarifying that the database of complaints made to the Civil Rights Unit is confidential by statute.

See above.

3. Copies of all formal and nonformal complaints that mention COVID-19, and all records of agency response to those complaints[.]

I request those records for the calendar year 2020 in electronic format.

Once I hear from you about No. 1 above, I will move ahead with a cost estimate on No. 3. Just let me know if instead you would like me to proceed with preparing a cost estimate for No. 3 right away.

If you wish to discuss by telephone, please feel free to call me at 802-917-1993.

Sincerely,

/s/ _____
Charity R. Clark
Chief of Staff

From: Clark, Charity <Charity.Clark@vermont.gov>
Sent: Wednesday, January 27, 2021 6:32 PM
To: Luciana Perez Uribe Guinassi <lperezu@umd.edu>
Subject: RE: Public Records Request - Howard Center for Investigative Journalism

Hi, Luciana,

Thanks for your call today. This is to confirm that you will be pursuing your request for public records directly with the Vermont Department of Labor, and, at this point, do not wish to pursue your request with the Attorney General's Office.

Please let me know if you change your mind or have any further questions.

Best,
Charity

From: Clark, Charity
Sent: Tuesday, January 26, 2021 5:26 PM
To: Luciana Perez Uribe Guinassi <lperezu@umd.edu>
Subject: RE: Public Records Request - Howard Center for Investigative Journalism

Hi, Luciana,

That would be fine. Good times to reach me tomorrow are 10:30-11, 1:30-2 or 2:30-3.

Thanks,
Charity

From: Luciana Perez Uribe Guinassi <lperezu@umd.edu>
Sent: Tuesday, January 26, 2021 5:21 PM
To: Clark, Charity <Charity.Clark@vermont.gov>
Subject: Re: Public Records Request - Howard Center for Investigative Journalism

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Hi Ms. Charity,

I will give you a call tomorrow to clarify some points if that works for you. Thank you!

Best,
Luciana