

VIA ELECTRONIC MAIL ONLY

December 17, 2014

Lisa Pinsonneault, Special Assistant Attorney General
Rhode Island Office of Attorney General
150 South Main Street
Providence, RI 02903

RE: Complaint Against Scituate Clerk for Violations of APRA

Dear Attorney Pinsonneault:

ACCESS/RI is a broad-based, non-profit freedom of information coalition dedicated to improving citizen access to the records and processes of government in Rhode Island.

I write on behalf of ACCESS/RI to file a complaint against the Scituate Town Clerk (herein "STC") for violating the Access to Public Records Act (herein "APRA"), R.I.G.L. § 38-2-1 et seq.

ACCESS/RI through our contractor Muckrock requested a list from your office of those entities (see Appendix A) that certified employee(s) "who have the authority to grant or deny persons or entities access to records...[and] have been provided orientation and training" (§ 38-2-3.16). The STC did not appear on those lists provided by your office.

MuckRock also requested from the STC "Written procedures for access to the agency's public records, including any records request forms required or suggested by the agency," required by § 38-2-3(d). As the attached correspondence indicates (Appendix B), the STC did not possess written procedures, but rather just a request form.

MuckRock also examined compliance with the requirement in § 38-2-3(d) that "a copy of these procedures shall be posted on the public body's website if such a website is maintained and be made otherwise readily available to the public." A MuckRock visual review of the Town of Scituate websites on or before August 21, 2014 and site specific ("site:www.scituateri.org") Google searches ("APRA" and "public records") found just a form, and insufficiently detailed instructions for submitting an APRA request, on any Town of Scituate website.

ACCESS/RI asks your office to direct the STC to correct the issues raised in this complaint. Furthermore we ask that the Attorney General file suit pursuant to § 38-2-8(b) in the Superior Court and seek civil fines for these knowing and

willful—or, at a minimum, clearly reckless—violations of APRA pursuant to § 38-2-9(d).

Sincerely,

Linda Lotridge Levin
LLLevin@uri.edu
ACCESS/RI

Attachments (2)