

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 Rhode Island State Police 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 Rhode Island State Police (herein "RISP") 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 sent a staffer to the RISP on May 19, 2014 to request "The log of arrests made over the past seven (7) days, including: (1) full name of the arrested adult; (2) home address of the arrested adult, unless doing so would identify a crime victim; (3) year of birth of the arrested adult; (4) charge or charges; (5) date of the arrest; (6) time of the arrest; (7) gender of the arrested adult; (8) race of the arrested adult; and (9) name of the arresting officer." R.I.G.L. § 38-2-3.2.

When the staffer requested the logs the following events transpired:

"The intake officer provided an APRA request form, which the MuckRock staffer completed without providing a name, indicating a phone number for followup as well as the address to which the documents were to be sent.

"When the intake officer reviewed the APRA form, he asked the MuckRock staffer the purpose for the request. The MuckRock staffer declined to provide this information. The intake officer conferred with fellow officers, then returned the APRA form to the MuckRock staffer and indicated that the requested records were not releasable, saying 'no one gets that.'

"Only when the MuckRock staffer provided a copy of the relevant

section of the Attorney General APRA guidelines did the officer make a photocopy of the request form and confirm that he would pass the request on to the appropriate records clerk.

“On May 23, the Rhode Island State Police postmarked 58 pages of responsive documents [Appendix A] along with an invoice for \$23.70, which included duplication as well as two hours of review.”

Additionally, MuckRock requested via email, “All arrest records, including narrative, for the past 24 hours.” The RISP took 19 business days to respond (Appendix A), violating § 38-2-3(e).

We ask that the Attorney General file suit against the RISP 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

Attachment (1)