

VIA ELECTRONIC MAIL ONLY

December 16, 2014

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

RE: Complaint Against Newport School Department 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 Newport School Department (herein "NSD") 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 NSD did not appear on those lists provided by your office.

MuckRock also requested from the NSD "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 NSD took 29 business days to respond, violating § 38-2-3(e), and did not possess written procedures.

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 on or before August 21, 2014 of the NSD websites and site specific ("site:www.npsri.net") Google searches ("APRA" and "public records") found no such procedures on any NSD website.

ACCESS/RI asks your office to direct the NSD 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)