

From: Johanna Harris

Subject: Complaint Against City of Providence Under APRA (5/30/2016)

Date: May 30, 2016 at 9:42:14 AM EDT

To: Lisa Pinsonneault <opengovernment@riag.ri.gov>

Cc: Lisa Pinsonneault <opengovernment@riag.ri.gov>, "Kathryn M. Sabatini" <ksabatini@providenceri.com>, Johanna Harris

Reply-To: Johanna Harris

Dear Ms. Pinsonneault,

This email constitutes a formal complaint against the City of Providence for violation of the Access to Public Records Act (R.I. Gen. Laws § 38-2 *et seq.*).

On April 30, 2016, I submitted the following APRA request to the Public Records Unit of the City of Providence:

The videotape in the matter of Mile and Quarter House d/b/a The Loft, submitted and shown at the April 28, 2016 public meeting of the Providence Board of Licenses. R.I.G.L. § 38-2-2(4) specifically includes "tapes," "films," "sound recordings," "or other material regardless of physical form or characteristics made or received pursuant to law or ordinance or in connection with the transaction of official business by any agency." R.I.G.L. § 38-2-2(4)(K) states, "any documents submitted at a public meeting of a public body shall be deemed public." In accordance with R.I.G.L. § 38-2-3(4)(k), please provide an "electronic" version of the requested document.

My APRA request was logged in the City's online system as Request #16-245.

On or about May 16, 2016, the City responded as follows:

Kindly note that records are withheld pursuant to the Access to Public Records Act, R.I. Gen. Laws § 38-2-2(4)(D), to prevent the disclosure of information which (a) could reasonably be expected to interfere with investigations of criminal activity or with enforcement proceedings and (c) could reasonably be expected to constitute an unwarranted invasion of personal privacy.

I am attaching copies of both my initial APRA request and the City's response.

As I noted in my initial APRA request of April 30, 2016, the requested videotape was played in full at the public meeting of the Board of Licenses on April 28, 2016, and is therefore by law a public record. The specific agenda item is shown as item #10 in the attached document "2016/04/28 01/00 PM Board of Licenses Regular Meeting - Web Outline - City of Providence.pdf," which was downloaded

from https://providenceri.iqm2.com/Citizens/Detail_Meeting.aspx?ID=3434. The presentation and playing of the videotape is documented in the online recording of the Board's meeting of April 28, 2016, which is accessible at http://mediahttp.iqm2.com/ProvidenceRI/1808_0.mp4. The presentation and playing of the videotape begin at 1:18:31 in the online recording.

Johanna Harris

Public Record Requests

request created successfully! check your email for updates.



Visibility: Embargoed -- Will be auto-published 720 hours after closure

[\(/requests/16-228\)](/requests/16-228)

Request #16-245

Open

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Received

April 30, 2016 via web

Department

None Assigned

Documents

(none)

Staff

Point of Contact

David Ellison

Support Staff Added
less than a minute ago

Support Staff Added
less than a minute ago

Support Staff Added
less than a minute ago

Support Staff Added
less than a minute ago

Request Opened
Request received via web on April 30, 2016
less than a minute ago

Public Record Requests

Visibility: Embargoed -- Will be auto-published on June 15, 2016 at 3:15 PM

[\(/requests/16-228\)](/requests/16-228)

Request #16-245

[\(/requests/16-246\)](/requests/16-246)

Closed

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Received

April 30, 2016 via web

Department

None Assigned

Documents

(none)

Staff

Point of Contact

David Ellison

Request Closed

Kindly note that records are withheld pursuant to the Access to Public Records Act, R.I. Gen. Laws § 38-2-2(4)(D), to prevent the disclosure of information which (a) could reasonably be expected to interfere with investigations of criminal activity or with enforcement proceedings and (c) could reasonably be expected to constitute an unwarranted invasion of personal privacy.

In accordance with R.I. Gen. Laws § 38-2-8, you may wish to appeal this decision to the Chief Administrative Officer. In this instance, Steven M. Paré, Commissioner of Public Safety, fulfills that role. You may also wish to file a complaint with the Department of the Attorney General or the Rhode Island Superior Court.

2 days ago

Support Staff Added

15 days ago

Support Staff Added

18 days ago

Support Staff Added

18 days ago

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Request Opened

Request received via web on April 30, 2016

18 days ago
