

Good morning Mr. Larsen:

Relief Sought

Are you also going to use this as your relief sought?

Nova Dubovik

Nova Dubovik
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REC'D SEP 01 2017

On Fri, Sep 1, 2017 at 9:45 AM, D.larsen68 ·

wrote:

Nova, I believe I already sent this to you. However, as you can see; it was also sent to Heber City as well. Let me know if you need something different. Thank You.

Respectfully,
Dave Larsen.

From: "D.larsen68" <>
To: "Nova Dubovik" <ndubovik@utah.gov>
Cc: "Tammy Mair" <tmair@ci.heber.ut.us>, dbooth@ci.heber.ut.us, "Rosemary Cundiff" <rcundiff@utah.gov>, "Mark Smedley" <msmedley@ci.heber.ut.us>
Sent: Thursday, August 10, 2017 11:37:14 AM
Subject: Fee wavier request, etc.

Nova, Attached you will find the request for G.R.A.M.A. Approved items from the City of Heber. As by Law I am given the right to "Inspect" Records prior to having to purchase them, I would request this option be made available to myself as well. As you will see; one request is for Officers "Terminated or Resigned" complaints and discipline initiated upon them resulting in such action! This has been asked for (And approved) for research purpose on the way the Department handles "Internal Investigation"! As a Public Safety matter; as there an extreme need for the Public to be aware of how their Tax Dollars are being spend, as well as making sure Officers are being Supervised properly! It would also be imperative for the Public be understand that "Written Complaints" can be made without the fear of retaliation from offending Officer's or Command! Furthermore, it is extremely important to know that these complaints are being follow-up on in a Professional and "Non-Biased" investigation. Inasmuch, I believe that it falls under G.R.A.M.A. Laws that these documents can be "Inspected, or Viewed free of charge to any Citizen approved for the records". If at the time of inspection these records are chosen to be obtained; another form of Media transfer can be made without the City of Heber actually giving any documents to myself!

Therefore, I would respectfully appeal any Fee's asked of Heber City based upon the following request 1)- The Videotape approved for Monday June 26th, 2017 of the Lobby area of the Police Department for the entire day (Beginning at 0600 hr-1900 hr. As I am the party involved in record, I believe I have a right to view and be given possession at no cost, as

*Fee wavier
Video tape*

provided under G.R.A.M.A. As an alternative; I would suggest that once the Videotape has been viewed (And determined to be the proper day), that an alternate form of transferring the data could legally be applied. The Chief (Dave Booth) instructed myself that he did not allow transfer of this data, and I would have to pay! Regardless, as the Law allows for several different ways to safely transfer such data "At no Cost", I suggested several compromises (And solutions) with the Chief. I first suggested that after the Videotape is determined to be the proper day; they could simply email me the footage with no chance of corruption, or Malware infecting Departmental Computers! The Chief advise that he would not allow this as well. I then offered once again to compromise by purchasing (Paying the average Retail Price) a brand new Thumb-Drive on to which transfer the data! There would again be no chance of any Virus of Malware infecting Departmental Computers (As the Thumb-Drive has never been used)!! As well, in doing research regarding this appeal, I discovered Rosemary's article in "Utahsright.com". This Article was written as a guidance for the Public in the proper ways of going about obtaining "Government Records". In the Article it was specifically mentioned that "Thumb-Drive Transfer" was a perfectly common (And legal) way to obtain documents without "Exorbitant" Fee's being charged by City Governments! The very reason that the Legislation has put a "Cap" on the Fee's charged is "We do not want these Agency's to begin to rely on this Money as a source of revenue"! Rosemary has never given me a reason to not fully believe, trust, and help me understand (And Mediate issues) concerning G.R.A.M.A. Chief Dave Booth however, in my opinion has been dishonest, unethical, and unwavering in his attempts to have the Department discriminate, Intimidate, and treat me much differently, in a Hostile manner! This Videotape is evidence of Lt. Bradley attempting to enforce Authority outside the "Scope of Police Officer Authority"; and general misconduct by a command Officer! I was directed to the Department by the City Attorney (Mark Smedley) to obtain records previously requested (And approved) for my viewing. Therefore, I was not in anyway at the Department asking for something that I had not been advised was prepared for viewing! As well, at this point the "Normal Records Clerk" advised me that I would have to speak to the Lt. or Chief regarding all following request (Further evidence of being treated in a manner different than any other Citizens)!! As the Lt. walked out, I stood-up to talk to him concerning what I needed. He did not want to allow me access to items approved by the City Attorney. I mentioned I would get in touch with him, as he was violating G.R.A.M.A. Laws! At this point he yelled at me to "Sit-Down"!! I advised the Lt. that he had no authority over me as I had not raised my voice, or acted in anything but a manner within my legal rights! The Lt. advised me to "Get out of the Lobby"! I asked if he was issuing a "Trespassing Order upon me; and if so, what for? I then advised the Lt. that I would finish my email to Mark and leave the building! However, before I even had a chance to leave, the Lt. all of a sudden appeared with the documents first requested? This Videotape was requested of proof of the ongoing Harassment faced at the hands of the Department, but especially Lt. Bradley. As he was my first contact with a Supervisor to file a written complaint concerning the Officer, he treated me with Contempt at that time as well. However, after the case being Dismissed W/Prejudice, to the present time, I am continuously being treated with disrespect! As a Party to the record, I respectfully ask for either releasing the actual copied Video surveillance, or be allowed to transfer data in a manner that would be safe applying agency standards of such "Data Transfer".

2)- I would respectfully request an appeal on the Fee's quoted on attached "Approval of G.R.A.M.A. request regarding research on the Internal Investigation techniques used by Heber City Police Department. I have requested (And been approved) for documents contained in the files of Officers "Terminated or Resigned" form the Department from March 2015- present (08-10-2017). This documents consist of all complaints made, action taken, and if terminated; the reason why? Also requested is a full Roster of all Officers that would include- , Part-time employed officers or employees, Volunteer's, Officers from other agency's working for or with Heber City Police or any other Officers, Investigators, or Employees in March of 2015. And a current Roster of all above mentioned individual's! I am not asking the

Fee Waiver Documents

Department to create any items that are not already available in Computer files at the Department. (However, this issue is moot due to approval already granted). I am requesting a Fee Wavier based upon my needs to research this issue that could potentially be a Public Safety risk! As well, the Public as an overwhelming Public need to feel safe in filing complaints when they feel they have been mistreated! Moreover, the Public has a overwhelming duty to determine that the very people that are in charge of protecting us, are not violating us instead!! The Public has an extreme need to understand that if their Civil Rights are violated, that a Professional, Non-Biased, and through investigation be completed. If the Public cannot feel safe in reporting complaints on Officers that have potentially committed misconduct within the community; the Police then have unfettered access to enforce the Law as THEY see fit! As the Public funds the Department to allow for take-home vehicles, new equipment, Training, and their nice brand-new Police Department; the Department has a duty to insure the Public of their safety and protection. Especially against the very one's that are hired to protect them.

Therefore, I ask to view and inspect such documents previous to any potential Fee's required as well! As we all know; Heber City has had a "Poor" record of providing proper documents that have been legally approved for release! I have had to travel back and forth to Heber for over two years now just attempting to obtain what they imply is prepared! Over half the times I have driven to Heber for this purpose; They have either refused release, or not had proper documents. I have a very strong problem paying this agency any Money upfront. Especially after this most recent incident of supplying the wrong "Videotape" and asking that I purchase it as well!! The City has given no indication of it's desire to cooperate with "Record retrieval" without having to ask numerous times to get it right! I do not trust the City and Police Department, and I believe they are working feverishly to intentionally delay the release of records! Therefore, how can I be prepared to pay the City with the expectation of the results for items requested??The research I am conducted could potentially contain issues that have cost me far more than any of you can imagine. (I don't blame you for not understanding, as I did not realize the destruction of lives that potential failures in controlling liability issues cause before it happened to me)!! It also is very clear that the "Internal Investigation" into my complaint was improperly handled as well! In closing; I would ask Rosemary and Nova to please refer to your website under the heading:- ELECTRONIC MAIL FOR STATE AGENCIES- A Guideline of the Utah State Archives and Records Service! As I have not received any "Statutory Requirements" used in deciding my most recent appeal to the Board. Thank You.

Respectfully.
Dave Larsen