#2016-08

RECEIVED
FEB 04 2016
For
For

State Records Committee: 1-31-2016

Re: AG's Office GRAMA Appeal Request #2016-08

Enclosed is the response from Mr. Parker Douglas denying my GRAMA Appeal. I would like to proceed with having a hearing scheduled with the State Records Committee.

Mr. Douglas states that "GRAMA does not prescribe the kind of search a governmental entity must conduct in processing a records request. And, particularly, it does not state that a governmental entity must search Google Vault in searching for emails." I'd like to note that GRAMA also does not state that a governmental entity is not required to not search Google Vault. However, it does state "Record" means any "documentary material regardless of physical form or characteristics: (i) that is prepared, owned, received, or retained by a governmental entity..." (Utah Code Ann. §636-2-103 (22)(a)) Messages in Google Vault are records retained by an entity. They are not subject to deletion or retention schedules as is Gmail account. I've already obtained several emails from other agencies which the AG's Office did not provide.

I am positive the AG's Office will find many more emails of which I'm the subject after searching Google Vault. The AG's Office is using the physical form in which the records are stored to deny my rights to inspect and receive a copy of a record. This is in direct violation of GRAMA Statute. See Utah Code Ann §636-2-201(11)