RECEIVED
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Per

7-22-15

State Records Committee:

Re: UDC GRAMA Appeal, Request #'s: 23287, 23804, 23809, 23422

I requested copies of emails maintained by UDC. The Department sent emails to the individuals involved and asked them to search their account and forward any messages. In doing so, any messages they'd deleted would not, nor could not, be provided. The retention schedule UDC has filed with the State Records Committee states all emails of an administrative nature must be retained for two years. Emails of a general nature must be retained at least three years. All messages I'm requesting fall into one of these two catagories.

UDC responded by stating I must pay $27.51 per hour to search the server. They estimated each appeal would take 3 hours, or 6 total. This would amount to $165.06, plus $0.25 per page. The Department knows very well I'm unable to afford this. I believe they are threatening to charge unnecessary and excessive fees to prevent me from obtaining the records I'm requesting. In addition, UCA §63G-2-203 (2)(a) states a per hour charge may be charged when compiling a record in a form (format) other than which is normally maintained. I am not requesting records in any special or irregular format.

Furthermore, I have firsthand knowledge of the ease and accessibility of searching an email server. The State of Utah uses Google for their email server. Anyone with Administrative rights may search the server as easily and quickly as they could their own account. Even if a per hour fee was justified UCA §63G-2-203(2)(c) states no charge may be made for the first quarter hour of staff time. The server could easily be searched for records in less than 15 minutes per request.

I've obtained several emails from other sources which UDC has not provided. I am positive records are being withheld which must be retained on the email server, per the Department's retention schedule. Please send me a copy of the following included documents as I am unable to make copies.

Respectfully,

Patrick Sullivan #210357
Utah State Prison
PO Box 250
Draper, UT 84020