



State of Vermont
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Jeb Spaulding, Secretary

MEMORANDUM

TO: House and Senate Committees on Government Operations
FROM: Jeb Spaulding, Secretary of Administration
DATE: January 15, 2011
RE: Report on Public Records Requests

Act 132 of the 2006 General Assembly requires the Agency of Administration to develop a list of public records requests received during the prior calendar year. The report requirement is set forth in Section 3 of Act 132:

The secretary of administration shall submit an annual report to the house and senate committees on government operations on January 15. The report shall include a list of the written public records requests received for the prior calendar year for each state agency; the number of records delivered or withheld by each state agency; the number of records that could not be located by each state agency; and the agency time needed to respond to each request.

Attached to this MEMORANDUM is a summary of the public records requests for calendar year 2010 that is based on data entered into the Public Records Request System maintained by the Department of Information and Innovation (DII).

History

In response to the language contained in Act 132 above, the Agency of Administration in June 2006, through DII, developed an online public records requests tracking system to gather the required information. All executive branch agencies and departments were asked to designate a public records requests "point person" to train agency and department staff and to ensure compliance with the reporting requirements.

In January 2007, the first Report on Public Records Requests was submitted to the House and Senate Committees on Government Operations. That report identified over 1,300 requests for the 6 month period ending December 31, 2006.

In January 2008, the second Report on Public Records Requests was submitted and identified a total of 1,962 public records requests for calendar year 2007. The report also provided the detail associated with each request including status, request date, requesting party, category (verbal, written, email), organization (owner of public record), contact name, date closed, elapsed time and estimated hours to complete request.

It does not appear that reports were submitted for calendar years 2008 and 2009, however the total number of requests that were recorded in the on-line tracking system for those two years is as follows:

Calendar Year 2008 - Total Requests for Public Records = 1,593

Calendar Year 2009 – Total Requests for Public Records = 1,748

Calendar Year 2010

The total number of “completed” requests for public records in calendar year 2010 was 1,941, similar to the number reported for calendar 2007. The Vermont Department of Public Safety (primarily recorded as the State Police) reported 1,254 public records requests. This figure represents 65% of all requests recorded as “completed” for 2010.

A total of 1,217 hours were spent fulfilling all of the recorded requests which is slightly more than one half-time position, based on a full-time equivalent of 2,080 hours per year. The average time spent fulfilling each request was 38 minutes. The total number of pages produced was 22,500 and the amount billed requestors was \$21,277. The attached chart outlines the number of requests, the time spent to fulfill the requests, average time per request, the number of pages produced and amount billed to requestors by reporting agency.

Please let my office know if you would like the details associated with each specific request.

Going Forward

There are several issues to consider with respect to the current reporting requirements for recording and tracking public records requests. In reviewing the information for calendar year 2010, it does not appear that all agencies and departments are recording the disposition of their respective requests for public records. It is also evident that not all requestors are being billed for pages produced.

This Administration supports and encourages transparency in government, particularly in this technological age where information can be disseminated instantaneously. To that end, we are working with the Governor’s Office to improve reporting across state government with the goal of increasing the value and usefulness of the data generated as a result of this reporting requirement.

We welcome the opportunity to discuss these issues with the General Assembly with the hope that we can find the appropriate balance between being responsive to the public’s right for information and the prudent expenditure of taxpayer monies.

Calendar Year 2010 State of Vermont Public Records Request Summary Report

Reporting Agency	Number of Public Records Requests	Total Minutes to Fulfill Requests	Total Hours To Fulfill Requests	Average # Minutes per Request	Number of Pages Produced	Amount Billed To Requestors
State Police	1,254	32,673	545	26	3,815	\$ 17,142
Buildings and General Services	141	4,230	71	30	840	\$ -
Tax	140	4,740	79	34	200	\$ 753
Health Department	114	12,270	205	108	1,192	\$ -
Environmental Conversation	56	3,495	58	62	2,712	\$ 1,644
BISHCA	43	1,725	29	40	2,416	\$ 211
Education	33	1,365	23	41	785	\$ 49
Vermont Health Access	27	2,490	42	92	79	\$ -
Human Resources	25	1,680	28	67	458	\$ 445
Agency of Natural Resources	19	1,125	19	59	501	\$ 155
Finance and Management	19	1,470	25	77	163	\$ -
Public Service	18	1,155	19	64	6,039	\$ 341
Criminal Justice Training Council	13	210	4	16	1,000	\$ 150
Attorney General's Office	10	840	14	84	239	\$ -
Medical Practice Board	9	300	5	33	223	\$ -
Agency of Administration	7	525	9	75	134	\$ -
Clean Energy Development Fund	4	480	8	120	115	\$ -
Natural Resources Board	4	915	15	229	193	\$ 181
Enhanced 911 Board	3	390	7	130	1,414	\$ 207
DII	2	960	16	480	2	\$ -
Totals						
	1,941	73,038	1,217	38	22,520	\$ 21,277