Bolger, Katrina

From: Bolger, Katrina
Sent: Wednesday, September 21, 2022 7:51 AM
To: John Ryan
Cc: Allred, Timothy; Stuart Segrest; Ortley, David; Jesse Slaughter
Subject: RE: Public Records Request

Mr. Ryan,

We have provided you with the records identified as public information by the POST Council, as explained in my prior email. POST "is not required to alter or customize public information to provide it in a form specified to meet the needs of the requesting person." Mont. Code Ann. 2-6-1006(4).

Katrina Bolger, ACP
Advanced Certified Paralegal – Discovery
Montana Public Safety Officer Standards and Training Council
2260 Sierra Road East
Helena, MT 59602
Phone: 406-444-9974
Fax: 406-444-9978
Office Hours: Mon.-Fri. 7:00-3:00

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From: John Ryan <auditarchivesweb@gmail.com>
Sent: Tuesday, September 13, 2022 6:52 PM
To: Bolger, Katrina <KBolger@mt.gov>
Subject: [EXTERNAL] RE: Public Records Request

This is not a response to my records request. Let me show you an example. I need records of EVERY CERTIFIED OFFICER IN THE STATE.

EXAMPLE PROVIDED

1	FIRSTNAME	MIDDLEN	SUFFIX	PRIMARY ORGANIZATION	TITLE/RANK	EMPLOYMENT TYPE	APPOINTMENT TYPE	LAST HIRED DATE	EMPLOYMENT	Date Certified a
2	Richard	M.		Tri-State Airport Police Department	Officer	Full Time	Sworn/Certified	9/25/2021	Active	11/9/1990
3	Theodore	M.		Boone County Sheriff's Office	Chief Deputy	Full Time	Sworn/Certified	1/1/2021	Active	7/23/1993
4	Michael	R.		Ravenswood Police Department	Officer	Full Time	Sworn/Certified	7/15/2019	Active	
5	Connor	Glenn		West Virginia State Police	Trooper			8/29/2022	Active	
6	Jamie	R		Camden on Gauley Police Dept.	Chief	Part Time		1/1/1901	Active	
7	William	B		Raleigh County Sheriff's Office	Corporal	Full Time	Sworn/Certified	10/24/2005	Active	4/28/2006
8	Andrew	B		Wheeling Police Department	Sergeant	Full Time	Sworn/Certified	1/13/2014	Active	8/10/2012
9	Barry	L		Kanawha County Sheriff's Office	Corporal	Full Time	Sworn/Certified	10/15/2004	Active	12/19/2003
10	Douglas	W		Cabell County Sheriff's Office	Chief Deputy	Full Time	Sworn/Certified	1/22/1998	Active	10/16/1998
11	John	T		Madison Police Department	Captain	Full Time	Sworn/Certified	4/6/1998	Active	8/23/1996
12	Joseph	Robert		Westover Police Department	Chief	Full Time	Sworn/Certified	10/23/2020	Active	11/9/1990
13	Kenneth	L.		Bluefield Police Department	Lieutenant	Full Time	Sworn/Certified	3/26/2013	Active	9/26/2003
14	Matthew	S		Brooke County Sheriff's Office	Chief Deputy	Full Time	Sworn/Certified	4/15/2019	Active	8/19/1994
15	Noah	J.		West Virginia State Police	Trooper	Full Time	Sworn/Certified	1/17/2022	Active	
16	Randy	G		Wetzel County Sheriff's Office	Corporal	Full Time	Sworn/Certified	2/1/2005	Active	8/26/2005
17	Stephanie	M		Kanawha County Sheriff's Office	Corporal	Full Time	Sworn/Certified	3/1/2010	Active	12/21/2007
18	Stephen	E.	III	Ceredo Police Department	Officer	Full Time	Sworn/Certified	6/8/2020	Military Activation	
19	Logan	Lee		Mercer County Sheriff's Office	Deputy	Full Time	Sworn/Certified	5/30/2019	Active	8/19/2011
20	Joshua	M.		West Virginia Natural Resources Polic	Natural Resource I	Full Time	Sworn/Certified	3/19/2012	Military Activation	
21	Anthony	S.		Putnam County Sheriff's Office	Deputy	Full Time	Sworn/Certified	8/13/2018	Active	
22	Benny	R.	Jr.	West Virginia Public Service Commiss	Patrolman	Full Time	Sworn/Certified	5/1/2014	Active	2/13/1987
23	Billy	J.		Raleigh County Sheriff's Office	Corporal	Full Time	Sworn/Certified	11/16/2011	Active	4/24/2008
24	Brandon	D.		Huntington Police Department	Patrolman	Full Time	Sworn/Certified	8/24/2015	Active	
25	Curtis	L.		West Virginia State Police	Sergeant	Full Time	Sworn/Certified	1/13/2003	Active	11/7/1997

AS STATED PREVIOUSLY

I am requesting an opportunity to inspect or obtain copies of public records concerning Certified Law Enforcement Officers within The State. Please do not direct me to any online forms or proprietary systems to file this request. If you are not the records custodian, please do not respond telling me so, but rather forward this request to the public records custodian for the records sought.

All Publicly Available Columns within the POST Profile database for all Current Certified Law Enforcement Officers within The State. Please redact any attributes protected by privacy laws and forward a copy of the readily available database to me for inspection **in Excel .xls format**. If these records are not readily available in the format I am requesting them in, please respond and explain what records are readily available in the format requested without extensive clerical work. If the files are too large for email, please use a Dropbox link to forward them to me. NOTE: These are public records I am seeking, so Dropbox should not violate any security requirements, but if so, please explain to me what security requirements need to be met to send this file to me electronically.

I request a waiver of all fees for this request since the disclosure of the information I seek is not primarily in my commercial interest, and is likely to contribute significantly to public understanding o-f the operations or activities of the government, making the disclosure a matter of public interest.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

I will contact your office 1 week to discuss when I may expect fulfillment of my request, and payment of any statutorily prescribed fees. If you have any questions in the interim, you may contact me at the number below or via email.

**This is a legal communication to request records from a government entity under Federal and State open records laws. If you are not the custodian of the sought records, please forward this request to the proper custodian, as this is the contact we have on file for your agency. Thank you.*

Mrkq#J|dq#
Dxgl#Dufklyhv#
s1#79<08870<:3#

From: Bolger, Katrina
Sent: Friday, September 9, 2022 8:42 AM
To: John Ryan
Cc: Standish, Brooke; DeClercq, Len; Stuart Segrest; Ortley, David; Cranmer, Tina
Subject: RE: Public Records Request

Mr. Ryan,

In response to your September 1, 2022 records request to Montana POST, attached is a zip file with several .csv files, including code tables for the spreadsheets. The attached files are in a format which is accessible with Microsoft Excel.

In response to prior requests, the Montana POST Council has decided to only produce the records of Montana peace officers whose certification has been sanctioned by POST. This decision was based on the Right to Privacy guaranteed to all Montanans in Article II, Section 10 of the Montana Constitution, advice of the Montana Attorney General, and opposition to disclosure from hundreds of Montana peace officers who are in good standing. This position represents the balancing of the public's right to know against the individual officers' right to privacy in the absence of disciplinary action having been taken against them.

The following columns have been redacted from the attached files:

1. Social Security Numbers - Mont. Code Ann. § 2-6-502; Mont. Const. Art. II, §10 (Right to Privacy)
2. Dates of Birth - Mont. Const. Art. II, § 10 (Right to Privacy); Art. II, § 9 (no merit to public disclosure)
3. Add ID and Chg ID, which contain POST Staff's system login IDs - Mont. Const. Art. II, §§ 9-10 (no merit to public disclosure, private, security risk)

The attached spreadsheets contain export information from the officer tables for POST's active sanctioned peace officers. Please note that officers' records remain in the active records for one year after they have become inactive, meaning that some officers who show up in the "active" files may not be actively working today.

Katrina Bolger, ACP
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From: Bolger, Katrina
Sent: Friday, September 2, 2022 9:09 AM
To: John Ryan <auditarchivesweb@gmail.com>; Cranmer, Tina <Tina.Cranmer2@mt.gov>
Cc: Standish, Brooke <Brooke.Standish@mt.gov>; DeClercq, Len <Len.declercq@mt.gov>; Stuart Segrest

<stuart@cplawmt.com>
Subject: RE: Public Records Request

Good morning, Mr. Ryan!

The Montana POST Bureau's database is currently down and inaccessible by our staff. We are working to get the system up and running, but we don't have a current estimate of when that will occur As soon as we are back up and running, we will consult with our legal counsel regarding your request.

Thanks, and have a great Holiday Weekend!

Katrina Bolger, ACP
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From: John Ryan <auditarchivesweb@gmail.com>
Sent: Thursday, September 1, 2022 9:11 AM
To: Cranmer, Tina <Tina.Cranmer2@mt.gov>
Cc: Standish, Brooke <Brooke.Standish@mt.gov>; Bolger, Katrina <KBolger@mt.gov>
Subject: [EXTERNAL] Public Records Request

I am requesting an opportunity to inspect or obtain copies of public records concerning Certified Law Enforcement Officers within The State.

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Mrkq#J|dq
Dxgl#Dufkly hv
s1#79<08870 3<:3

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