

**STATE OF RHODE ISLAND**  
**OFFICE OF ATTORNEY GENERAL**



**2024 ANNUAL REPORT**  
**OPEN MEETINGS ACT**  
**AND**  
**ACCESS TO PUBLIC RECORDS ACT**  
**ATTORNEY GENERAL PETER F. NERONHA**

# OPEN MEETINGS ACT



ANNUAL REPORT 2024

**ATTORNEY GENERAL’S ANNUAL  
REPORT OF COMPLAINTS RECEIVED  
PURSUANT TO  
RHODE ISLAND GENERAL LAWS SECTION 42-46-1, *ET*  
*SEQ.*, THE OPEN MEETINGS ACT**

Rhode Island General Laws Section 42-46-11 requires the Office of Attorney General to submit an annual report to the Legislature summarizing the complaints received pursuant to the Open Meetings Act, including the number of complaints found to be meritorious and the action taken by the Office of Attorney General in response to those complaints. On occasion, complaints will be resolved by the parties without the issuance of a finding, or the Office of Attorney General will issue one finding in response to multiple similar complaints, resulting in a discrepancy between the number of complaints received and findings issued. Additionally, sometimes findings are issued in a different calendar year than when a complaint was received. In cases where this Office finds a violation and determines that injunctive relief and/or civil fines are necessary, oftentimes this Office is able to obtain voluntary compliance from the public body without needing to initiate litigation.

The Office of Attorney General is pleased to submit the following information concerning the calendar year 2024.

**STATISTICS**

<b>OPEN MEETINGS ACT COMPLAINTS RECEIVED:</b>	37
<b>FINDINGS ISSUED BY THE ATTORNEY GENERAL:</b>	15
<b>VIOLATIONS FOUND:</b>	9
<b>WARNINGS ISSUED:</b>	9
<b>LITIGATION INITIATED:</b>	0
<b>WRITTEN ADVISORY OPINIONS:</b>	
<b>REQUESTS RECEIVED:</b>	1
<b>ADVISORY OPINIONS ISSUED:</b>	2

## **VIOLATIONS FOUND/WARNINGS ISSUED**

The Office of Attorney General issued warnings in the following cases where the Office found violations of the Open Meetings Act:

1. OM 24-01     **Kelley v. City of Newport**
2. OM 24-02     **Langseth v. Rhode Island Airport Corporation**
3. OM 24-04     **Langseth v. Rhode Island Commerce Corporation**
4. OM 24-05     **Fargnoli v. Pawtucket Charter Review Commission**
5. OM 24-06     **Morgan v. Central Coventry Fire District**
6. OM 24-08     **Solas v. South Kingstown School Committee**
7. OM 24-13     **Fandetti v. Bonnet Shores Land Trust**
8. OM 24-14     **Keep Metacomet Green v. East Providence Planning Board**
9. OM 24-15     **Dubois v. Woonsocket Library Board of Trustees**

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Summaries of all findings/written advisory opinions issued are included below.

## OPEN MEETINGS ACT FINDINGS – 2024

**OM 24-01**     **Kelley v. City of Newport:**

The Complainant alleged that the Newport City Council failed to post meeting minutes within thirty-five days of its meeting. The City conceded that it failed to do so. We found that this failure to post the meeting minutes within thirty-five days constituted an OMA violation.

VIOLATION FOUND

**OM 24-02**     **Langseth v. Rhode Island Airport Corporation:**

The Complainant alleged that the RIAC Board and Finance Committee failed to provide proper notice in their meeting agendas that they were going to approve a Capital Improvement Program and that the related posted meeting minutes were incomplete. We found that the agendas did provide proper notice. However, RIAC conceded the Board's meeting minutes were incomplete and we found this violated the OMA.

VIOLATION FOUND

**OM 24-03**     **Pontarelli v. Rhode Island State Labor Relations Board:**

The Complainant alleged that the RI State Labor Relations Board must have engaged in discussion outside of a public meeting because it denied his motion without any discussion and subsequently sent him a letter that stated the Board considered the arguments and found no evidence to support granting his motion. We found no violation because there was no evidence to support the Complainant's claim aside from pure speculation.

**OM 24-04**     **Langseth v. Rhode Island Commerce Corporation:**

The Complainant alleged that the RI Commerce Corporation failed to post approved or official minutes from its Board of Directors meeting within 35 days of the meeting. RI Commerce Corp conceded that it failed to do so.

VIOLATION FOUND

**OM 24-05**     **Fargnoli v. Pawtucket Charter Review Commission:**

The Complainant alleged that the Pawtucket Charter Review Commission posted insufficient meeting agendas and failed to timely post a meeting agenda. We found the agendas in question were insufficiently vague and an agenda was untimely posted. We did not find any violations related to the Complainant's allegations that the Commission did not allow him to speak at its meeting, cut off another speaker, failed to vote to adjourn, and had inaccurate information on its website and the Secretary of State website.

VIOLATION FOUND

**OM 24-06**     **Morgan v. Central Coventry Fire District:**

The Complainant alleged the Fire District violated the OMA by failing to post meeting minutes within the time required and by posting incomplete minutes. We found that the Fire District failed violated the OMA.

VIOLATION FOUND

- OM 24-07**     **Solas v. South Kingstown Policy and Planning Committee:**  
The Complainant alleged that the Subcommittee violated the OMA by failing to post meeting minutes with the Secretary of State for most of its 2023 meetings. The Committee argued that the Subcommittee is “solely advisory in nature” and thus not required by the OMA to post meeting minutes. Based on the evidence presented, we determined that the Subcommittee is solely advisory in nature and not required to file meeting minutes with the Secretary of State. Therefore, we found no OMA violation in this case.
- OM 24-08**     **Solas v. South Kingstown School Committee:**  
The Complainant alleged that the School Committee violated the OMA by failing to post meeting minutes in a timely manner for three (3) meetings. The School Committee conceded the violation, attributing it to mitigating factors including administrative turnover. Accordingly, we found a violation. Injunctive relief is not appropriate because the minutes have now been posted. Although this Office declines to pursue civil penalties, this Office is concerned about the Committee’s repeated failure to comply with the OMA’s requirement for timely posting meeting minutes, as evidenced by recent prior findings determining the Committee violated this same provision of the OMA. This Office will monitor the Secretary of State’s website for a period of time as more fully described in the finding to determine whether the Committee is timely filing meeting minutes and would likely seek civil penalties for any similar violations in the near future.  
VIOLATION FOUND
- OM 24-09**     **Jamestown Taxpayers Association v. Jamestown Tax Relief Working Committee:**  
The Complainant alleged that the Committee failed to post meeting minutes and provide proper supplemental notice for meetings. We found that the Committee was not required to post minutes under the OMA because it is a solely advisory committee. We also found that it did provide proper supplemental notice.
- OM 24-10**     **Solas v. South Kingstown Education and Accountability Subcommittee:**  
The Complainant alleged that the Subcommittee violated the OMA by not posting meeting minutes. We found the Subcommittee was solely advisory in nature and thus not required to post minutes.
- OM 24-11**     **Ahlquist v. Scituate School Committee Policy Subcommittee:**  
The Complainant alleged that the Scituate School Committee Policy Subcommittee violated the OMA at its September 12, 2023 meeting by: 1) failing to identify on its agenda with requisite specificity where within the Scituate High School/Middle School complex the meeting would be taking place, and 2) discussing the “Transgender, Gender Non-Conforming and Transitioning Students policy” (Policy 9080) without properly including it on the agenda. The Subcommittee provided uncontested evidence that Policy 9080 was not discussed at the meeting, so we found no violation as to that allegation. The record demonstrated that the Subcommittee re-noticed the September 12, 2023 meeting and re-voted on any matters that were voted on at that meeting. We also found no evidence of a willful

or knowing violation of the OMA, assuming one occurred. As such, we declined to address the merits of the venue-notice allegation because neither of the remedies provided for in the OMA would be appropriate in this instance.

**OM 24-12 Lapierre v. Woonsocket Housing Authority:**

The Complainant alleged the WHA violated the OMA by discussing topics not on its agenda. We found all discussions at the meeting were encompassed by the meeting agenda items.

**OM 24-13 Fandetti v. Bonnet Shores Land Trust:**

The Complainant alleged the Land Trust held a meeting with a member participating remotely. We found the Land Trust violated the OMA.  
VIOLATION FOUND

**OM 24-14 Keep Metacomet Green v. East Providence Planning Board:**

The Complainant alleged that the Planning Board failed to timely post meeting minutes. We found the Planning Board violated the OMA by failing to timely post meeting minutes.  
VIOLATION FOUND

**OM 24-15 Dubois v. Woonsocket Library Board of Trustees:**

The Complainant alleged that the Board failed to post a meeting agenda and minutes. We found the Board violated the OMA by failing to post the same.  
VIOLATION FOUND

**ADV OM 24-01 In re EOHHS – Multidisciplinary Team Review Committees:**

Legal Counsel for the EOHHS sought guidance as to whether “Multidisciplinary Team Review Committees” (“Teams”) within the Office of State Medical Examiners constitute public bodies under the OMA and are thus subject to its provisions. Based upon the evidence that the Teams are advisory in nature and are not required to conduct regular meetings, and based upon the composition of a Teams’ membership as well as our own precedent, we concluded that the Teams are not “public bod[ies]” within the meaning of the OMA.

**ADV OM 24-02 In re North Providence School Committee – School Improvement Teams:**

Legal Counsel for the North Providence School Committee sought guidance as to whether “School Improvement Teams” (“SITs”) constitute public bodies under the OMA and are thus subject to its provisions. Based upon the evidence that the SITs are advisory in nature and have some flexibility and discretion regarding their meeting schedule, and based upon the composition of the SITs’ membership as well as our own precedent, we concluded that the SITs are not “public bod[ies]” within the meaning of the OMA.

ACCESS TO PUBLIC RECORDS  
ACT



ANNUAL REPORT 2024

**ATTORNEY GENERAL’S ANNUAL  
REPORT OF COMPLAINTS RECEIVED  
PURSUANT TO  
RHODE ISLAND GENERAL LAWS SECTION 38-2-1, *ET*  
*SEQ.*, THE ACCESS TO PUBLIC RECORDS ACT**

Rhode Island General Laws Section 38-2-15 requires the Office of Attorney General to submit an annual report to the Legislature summarizing the complaints received pursuant to the Access to Public Records Act, including the number of complaints found to be meritorious and the action taken by the Office of Attorney General in response to those complaints. On occasion, complaints will be resolved by the parties without the issuance of a finding or the Office of Attorney General will issue one finding in response to multiple similar complaints, resulting in a discrepancy between the number of complaints received and findings issued. Additionally, sometimes findings are issued in a different calendar year than when a complaint was received. In cases where this Office finds a violation and determines that injunctive relief and/or civil fines are necessary, oftentimes this Office is able to obtain voluntary compliance from the public body without needing to initiate litigation.

The Office of Attorney General is pleased to submit the following information concerning the calendar year 2024.

**STATISTICS**

<b>ACCESS TO PUBLIC RECORDS ACT COMPLAINTS RECEIVED:</b>	94
<b>FINDINGS ISSUED BY THE ATTORNEY GENERAL:</b>	59
<b>VIOLATIONS FOUND:</b>	17
<b>WARNINGS ISSUED:</b>	17
<b>LITIGATION/CIVIL PENALTIES SOUGHT:</b>	0
<b>WRITTEN ADVISORY OPINIONS:</b>	
<b>REQUESTS RECEIVED:</b>	0
<b>ADVISORY OPINIONS ISSUED:</b>	1
<b>APRA REQUESTS TO THE ATTORNEY GENERAL:</b>	204

## **VIOLATIONS FOUND/WARNINGS ISSUED**

The Office of Attorney General issued warnings in the following cases where the Office found violations of the Access to Public Records Act:

1. PR 24-03      **Gifford et al. v. City of Woonsocket**
2. PR 24-07      **Farinelli v. City of Pawtucket (IA Report)**
3. PR 24-09      **Milkovits v. City of Pawtucket**
4. PR 24-11      **Barrett v. Foster Gloucester Regional School District**
5. PR 24-21      **Hathaway v. Westerly Police Department**
6. PR 24-23      **Raymond v. Foster-Glocester School District**
7. PR 24-24      **Lapierre v. Woonsocket Housing Authority**
8. PR 24-25      **Dean v. Cumberland Police Department**
9. PR 24-26      **Ware v. Cranston School Department**
10. PR 24-28     **Farzan v. Cranston Police Department**
11. PR 24-32     **DiZoglio v. City of Cranston**
12. PR 24-33     **White v. Office of the Governor**
13. PR 24-41     **Murray v. Western Coventry Fire District**
14. PR 24-44     **Anonymous v. City of Warwick**
15. PR 24-48     **Rosenberg v. City of Cranston**
16. PR 24-51     **Fayan v. Cumberland Police Department**
17. PR 24-52     **Salzillo v. Providence School Department**

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Summaries of all findings/written advisory opinions issued are included below.

## ACCESS TO PUBLIC RECORDS ACT FINDINGS – 2024

**PR 23-48B**     **Cicione v. Town of Warren:**

In this supplemental finding, we found that the Town of Warren’s APRA violations were not willful, knowing, or reckless as its violative actions were due to a misunderstanding of the law and confusion based on the unique posture of the public records request.

**PR 24-01**     **Ahlquist v. Rhode Island Department of Housing:**

The Complainant alleged that RI Department of Housing assessed him an excessive prepayment estimate. It is undisputed that Department employees spent the hours used in the estimate to search for and compile potentially responsive records and we found its estimate of one minute per page for review and redaction was reasonable. Therefore, we found the prepayment estimate was not excessive.

**PR 24-02**     **Pontarelli v. Department of Children, Youth & Families:**

The Complainant alleged that DCYF violated the APRA by redacting the names of cities and towns where local education agencies were located in DCYF’s petitions to RIDE for the designation of a city or town responsible for a foster child’s education. We found the redactions did not violate the APRA because the petitions were exempt from disclosure in their entirety under Exemption (S), as R.I. Gen. Laws § 42-72-8(a) deems all DCYF records pertaining to children receiving their services confidential.

**PR 24-03**     **Gifford et al. v. City of Woonsocket:**

The Complainants (four total in this consolidated finding) alleged that the City violated the APRA when it failed to timely respond in whole or in part to the various APRA requests addressed in the finding. Based upon the undisputed record before us, we found the City violated the APRA by failing to timely respond to the Complainants’ requests. We determined that injunctive relief may be appropriate and directed the City to respond to all outstanding APRA requests (addressed in the finding) at no charge to the Complainants. We declined to reach a conclusion as to whether the violations found were willful and knowing, or reckless, pending the City’s response to the finding.

VIOLATION FOUND

**PR 24-04**     **Barriera v. Rhode Island State Police:**

The Complainant alleged that the RISP failed to respond to his APRA request. It is undisputed that the RISP sent a response in a timely manner and that the Complainant was in receipt of the same. Accordingly, we found no violation.

**PR 24-05**     **Caldwell v. Rhode Island College:**

Complainant alleged RIC violated the APRA when it stated that no records responsive to the Complainant’s request existed and by failing to provide all records responsive to a second request. RIC provided undisputed evidence that it did not maintain records responsive to Complainant’s first request and that it provided all records responsive to the subsequent request. Accordingly, we found no violation.

- PR 24-06**      **Farinelli v. City of Pawtucket:**  
The Complainant asserts that the City of Pawtucket improperly asserted an extension in responding to her public records request. The evidence of record did not support the Complainant’s assertion and we found no violation.
- PR 24-07**      **Farinelli v. City of Pawtucket**  
The Complainant alleged that the Pawtucket Police Department improperly redacted audio recordings of telephone calls, failed to provide responsive documents, and improperly withheld an internal investigation report. We found the City violated the APRA by withholding an internal investigation report when there was a significant public interest in its disclosure and redaction could assuage individual privacy concerns. We found the Complainant’s other allegations to be unfounded.  
VIOLATION FOUND
- PR 24-08**      **Farinelli v. City of Pawtucket**  
The Complainant alleged that the Pawtucket Police Department improperly withheld audio recordings of telephone calls. We found that the recordings were permissibly withheld due to the privacy interests of the individuals accused of wrongdoing in the recordings. Therefore, we found no violation.
- PR 24-09**      **Milkovits v. City of Pawtucket:**  
The Complainant alleged that the City violated the APRA by improperly withholding and/or redacting a number of police reports. For the reasons explained in this finding, we concluded that the City violated the APRA and required the City to refund the costs charged and to produce the records in a manner consistent with the finding. We did not find a willful and knowing or reckless violation.  
VIOLATION FOUND
- PR 24-10**      **Bedford v. Foster Gloucester School District:**  
The Complainant alleged that the District did not properly respond to his APRA request seeking “meeting minutes.” The undisputed record evidenced that the Complainant had previously informally requested “notes” but then requested “meeting minutes” when submitting his APRA request. This Office found that the instant APRA request was not clear regarding what records were being sought. Accordingly, we found that the District did not violate the APRA by interpreting the request as seeking formal meeting minutes and responding that such records were not maintained by the District.
- PR 24-11**      **Barrett v. Foster Gloucester Regional School District:**  
The Complainant alleged that the District violated the APRA by denying her request for an audio recording of a public meeting. The District did not assert any APRA exemptions in denying her request, nor did it conclusively state whether or not it maintained a responsive record. The District merely stated that no “public” recordings of the meeting exist. In responding to the instant Complaint, the District was again ambiguous as to whether a recording exists and again did not cite to any APRA exemptions. We found that a recording of the meeting (assuming one exists)

is a public record, and that District violated the APRA by failing to either affirmatively state that no responsive audio recording exists or by failing to cite to a relevant APRA exemption in withholding the record. We directed the District to either provide the recording to the Complainant or address conclusively whether a recording existed at the time and no longer exists, as well as to address whether the violation found was willful and knowing, or reckless.

VIOLATION FOUND

**PR 24-12**      **Crandall and Machado v. Office of the Governor:**

The Complainants allege that the Governor’s Office assessed them excessive prepayment estimates for records related to the Washington Bridge. We found that the Governor’s Office adequately supported its assertion that the estimates were reasonable. Further, we found that the APRA does not require agencies to release records without prepayment or empower this Office to require such.

**PR 24-13**      **Amaral v. Department of Behavioral Health, Developmental Disabilities and Hospitals; and Amaral v. Department of Administration**

The Complainant alleges that BHDDH and DOA improperly withheld documents related to the investigation into illegal activities by employees at Slater Hospital and personnel records for the employees involved. We found that these records were permissibly withheld pursuant to Exemptions (A)(I)(b), (E), (K), and (P). We also found that DOA’s use of a *Glomar* response was appropriate.

**PR 24-14**      **St. Louis v. Cranston Police Department:**

The Complainant alleged the Department failed to respond to her request. We declined to find a violation because even assuming the request was a valid APRA request, we found the record provided for *in camera* review is not a public record pursuant to the “unwarranted invasion of personal privacy” exemption in R.I. Gen. Laws § 38-2-2(4)(D)(c). Even if the Department violated the APRA, neither injunctive relief nor civil fines would be appropriate.

**PR 24-15**      **Lee v. Cranston Police Department:**

The Complainant alleged the Department improperly denied her request for an animal cruelty report involving a public official. We declined to find a violation because we found, after *in camera* review, the report is not a public record pursuant to the “unwarranted invasion of personal privacy” exemption in R.I. Gen. Laws § 38-2-2(4)(D)(c).

**PR 24-16**      **Ebertz v. Department of Corrections:**

The Complainant alleged the Department withheld records responsive to her request for recordings of an inmate’s phone calls. We declined to find a violation because we found, after *in camera* review, the recordings are not public records pursuant to the “unwarranted invasion of personal privacy” exemption in R.I. Gen. Laws § 38-2-2(4)(A)(I)(b).

- PR 24-17**      **DiPalma v. Rhode Island Turnpike and Bridge Authority:**  
The Complainant alleged the RITBA improperly withheld reports. We found no violation because the reports were pre-publication drafts and thus exempt from disclosure under Exemption (K).
- PR 24-18**      **Falcone v. Westerly Public School District:**  
The Complainant alleged the WPSD violated the APRA when it failed to provide requested numerical data. We found no violation because it was undisputed that the WPSD did not maintain documents with such data and under the APRA did not have an obligation to compile such data.
- PR 24-19**      **Alba v. Rhode Island Department of Environmental Management:**  
Complainant asserted that DEM failed to respond within ten days to an APRA request and denied possessing a lease. We found no evidence to dispute DEM's assertion that it did not possess the requested lease and that it did properly respond within ten business days.
- PR 24-20**      **Tomasello v. Town of Narragansett:**  
The Complainant requested certain communications involving Town Council members and challenged the Town's denial of the request pursuant to Exemption (M), which exempts from public disclosure "[c]orrespondence of or to elected officials with or relating to those they represent and correspondence of or to elected officials in their official capacities." R.I. Gen. Laws § 38-2-2(4)(M). After conducting an *in-camera* review, this Office determined that the withheld documents pertaining to the Complainant's APRA requests did in fact fall under Exemption (M), since all of the responsive emails from and to Council members comprised communications to or from Council members in their official capacities. As a result, this Office found no APRA violation.
- PR 24-21**      **Hathaway v. Westerly Police Department:**  
The Complainant alleged the WPD violated the APRA by redacting information from incident reports related to himself. We found the redactions were permissible and the Complainant had no particularized right to access reports related to himself. However, we found the WPD violated the APRA by failing to provide all responsive records.  
VIOLATION FOUND
- PR 24-22**      **Farinelli v. City of Pawtucket:**  
The Complainant alleged that the City of Pawtucket violated the APRA by providing a responsive record in a supplemental response after its initial response and by redacting an email address. We found the City's initial search that did not turn up this responsive record was reasonable and the email address was properly redacted.
- PR 24-23**      **Raymond v. Foster-Glocester School District:**  
The Complainant alleged that the School District violated the APRA by partially denying her public records request and withholding records without informing her

that it was withholding records or providing reasons for such withholding. We found the School District violated the APRA.  
VIOLATION FOUND

**PR 24-22**      **Lapierre v. Woonsocket Housing Authority:**

The Complainant alleged that the WHA violated the APRA by failing to respond to her APRA request within ten days. WHA concedes the violation. We found civil fines are not appropriate due to multiple mitigating circumstances.  
VIOLATION FOUND

**PR 24-25**      **Dean v. Cumberland Police Department:**

The Complainant alleged the Department withheld a police report and destroyed body-worn camera footage relating to a school incident involving juveniles and not ending in any arrest. We declined to find a violation because we found, after *in camera* review, that the report is not a public record pursuant to the law enforcement “unwarranted invasion of personal privacy” exemption in R.I. Gen. Laws § 38-2-2(4)(D)(c), and that the camera footage was deleted pursuant to the Department's record retention policy when no APRA request was pending. We also found that the Department's late response to the Complainant's administrative appeal violated R.I. Gen. Laws § 38-2-8(a) but was not willful, knowing, or reckless.  
VIOLATION FOUND

**PR 24-26**      **Ware v. Cranston School Department:**

The Complainant alleged that the Cranston School Department failed to provide all responsive requested records. We found that the CSD violated the APRA by failing to provide all responsive records and required corrective action to provide the Complainant with all responsive records.  
VIOLATION FOUND

**PR 24-27**      **Machado v. Tiverton Police Department:**

The Complainant alleged that the Tiverton Police Department improperly withheld an incident report. We found that the non-arrest incident report was permissibly withheld as the privacy interests of the individuals involved were not outweighed where the Complainant did not identify a public interest in disclosure.

**PR 24-28**      **Farzan v. Cranston Police Department:**

The Complainant alleged that the Cranston Police Department improperly withheld four non-arrest incident reports. We found that three of the four reports were properly withheld as the privacy interests of the individuals involved were not outweighed by the public interest. We found that one report was improperly withheld because it did not contain information implicating privacy interests.  
VIOLATION FOUND

**PR 24-29**      **Jackson v. Rhode Island State Police:**

The Complainant alleges that the RISP failed to provide all records responsive to his public records request. The evidence in the record is insufficient to establish that the RISP possessed any additional responsive records.

- PR 24-30**      **Farinelli v. City of Pawtucket:**  
The Complainant alleged the City of Pawtucket violated the APRA by withholding a key fob log of a police substation. The log was permissibly withheld as it pertained to a security plan of a law enforcement agency under Exemption (F).
- PR 24-31**      **Cronin v. Rhode Island Department of Transportation:**  
The Complainant alleged that RIDOT violated the APRA by withholding crash data. We found that RIDOT permissibly withheld the crash data under Exemption (E) based on federal law.
- PR 24-32**      **DiZoglio v. City of Cranston:**  
The Complainant alleged that the City responded to his public records request by directing him to an online portal that did not contain all responsive records. The City conceded that the online portal did not provide the Complainant with all responsive records.  
VIOLATION FOUND
- PR 24-33**      **White v. Office of the Governor:**  
The Complainant alleged that RIDOT improperly redacted text messages. We found that all redactions were permissible except for one text message that was over-redacted pursuant to Exemption (A)(I)(b).  
VIOLATION FOUND
- PR 24-34**      **RIWatchdawgs v. RIDE:**  
The Complainant alleged that RIDE failed to provide all responsive emails. There was insufficient evidence to conclude that RIDE conducted an inadequate email search.
- PR 24-35**      **Lee v. Town of Richmond:**  
The Complainant alleged that he is entitled to an unredacted copy of an incident report not leading to arrest because of his relationship to individuals mentioned in the report. We found the privacy interests in the report did not outweigh any public interest and he did not have an individualized right to access under the APRA.
- PR 24-36**      **Burke v. Cranston Police Department:**  
The Complainant alleged that the Department should have provided him with video footage and incident reports for a traffic stop because it involved himself and that it failed to produce a responsive phone call recording. We found the privacy interests in the video footage and reports outweighed any public interest and he did not have an individualized right to access under the APRA. We also found no evidence that the Department possessed a responsive phone call recording.
- PR 24-37**      **Anonymous v. City of Warwick:**  
The Complainant alleged that the City failed to provide responsive records and failed to respond to his administrative appeal because the City's response came from its legal counsel rather than the Mayor himself. We found insufficient

evidence to support the assertion that the City possessed responsive records and found it properly responded to his appeal through its legal counsel.

**PR 24-38**     **Wuttmann v. Cumberland Police Department:**

The Complainant alleged that the Cumberland Police Department violated the APRA by withholding incident reports in full. The Complainant requested incident reports that did not result in an arrest and pertained to a specific named individual. We found the incident reports were permissibly withheld because the privacy interests outweighed any public interest.

**PR 24-39**     **Defenders of Animals, Inc. v. Cranston Police Department:**

The Complainant alleged the Cranston Police Department improperly withheld an incident report not leading to arrest because it involved a candidate for political office. We found that the privacy interests were not outweighed by any public interest.

**PR 24-40**     **Dey-Sigman v. Town of South Kingstown:**

The Complainant asserted the Town violated the APRA by not producing emails sent to members of the Town Council. We found the emails were permissibly withheld pursuant to Exemption (M).

**PR 24-41**     **Murray v. Western Coventry Fire District:**

The Complainant alleged the Fire District violated the APRA by withholding an audio recording of a public meeting. We found the withholding was a violation as the recording was a non-exempt public record.

VIOLATION FOUND

**PR 24-42**     **Ahlquist v. City of Pawtucket:**

The Complainant alleged the City violated the APRA by redacting home addresses, telephone numbers, and email addresses from public comment submissions. We found the redactions of personally identifiable information were permissible.

**PR 24-43**     **Costello v. Office of the General Treasurer:**

The Complainant alleged that the Office of the General Treasurer violated the APRA by failing to include accompanying specific dollar amounts associated with a list of items of unclaimed property that he requested. The Office of the Treasurer denied the Complainant's request, stating that it did not maintain an existing document containing this requested information and that generating a document containing that information would be unduly burdensome. Based on the record before us, we concluded that the Office of General Treasurer was not required to create a new responsive record containing the requested dollar amount information, and that it did not violate the APRA by failing to produce a record that it did not maintain.

**PR 24-44**     **Anonymous v. City of Warwick:**

The Complainant alleged that the City violated the APRA by withholding a police officer's entire personnel file. We found the City violated the APRA by denying

the request entirely when only some records in the personnel file were exempt from disclosure.

VIOLATION FOUND

**PR 22-45**      **Amaral v. Coventry Public Schools:**

The Complainant alleged the Schools assessed her an excessive prepayment because it reviewed paper bank records. We found the prepayment assessment was reasonable.

**PR 24-46**      **Ayrassian v. Rhode Island Judiciary:**

The Complainant alleged the Judiciary violated the APRA by not providing requested survey results. We found no violation as the Judiciary did not possess survey results since the survey was still ongoing.

**PR 24-47**      **Cannon v. Rhode Island Airport Corporation:**

The Complainant alleged that RIAC violated the APRA by withholding prepublication drafts of a study conducted by a third-party vendor, pursuant to Exemption (K). We found no violation because the reports were prepublication drafts and thus exempt from disclosure under Exemption (K). Although the Complainant clarified in rebuttal that he was seeking “data” received by RIAC in creating the study, we found no evidence that RIAC was in possession of independent sets of “data,” nor that RIAC had a duty to extract “data” from prepublication drafts or obtain the “data” from the third-party vendor (assuming that this Office were to address an issue raised for the first time in a rebuttal).

**PR 24-48**      **Rosenberg v. City of Cranston:**

The Complainant alleged that the City of Cranston failed to respond in a timely manner and did not provide all responsive records relative to her APRA request for records pertaining to the Budlong Pool. The City conceded that its response was untimely and that, at the time of the parties’ filings, there were potentially some still-outstanding records that the Complainant had not yet received. We found that the City violated the APRA by failing to completely respond to the Complainant’s APRA request in a timely manner. We determined that injunctive relief may be appropriate and directed the City to provide the Complainant with any remaining outstanding records. We declined at this time to reach a conclusion as to whether the violation found was willful and knowing, or reckless, pending the City’s response to the finding.

VIOLATION FOUND

**PR 24-49**      **Patten v. City of Cranston:**

The Complainant alleged that the City of Cranston violated the APRA by withholding security camera footage of the City Hall parking lot. The City argued that the requested records were exempt from public disclosure pursuant to R.I. Gen. Laws § 38-2-2(4)(D) (subsections (a) and (e)). Based on the record before us, we found that it was permissible for the requested records to be withheld under the APRA. Although the City did not clearly articulate why its cited exemptions were applicable in this instance, we concluded that at least one other APRA exemption was applicable, and we were disinclined to find that the other exemption(s) were

waived based on the security concerns that would be implicated in releasing the footage.

**PR 24-50**     **Chrostowski v. Town of South Kingstown [11.1.23], [11.21.23], [1.26.24]:**

In three (3) separate complaints, the Complainant alleged that the Town violated the APRA by: 1) stating that it did not maintain a retainer or contract agreement for the Town Solicitor and partially denying the Complainant's request for attorney invoices, (2) providing an excessive prepayment estimate for communications concerning "road maintenance" and seeking an APRA extension without sufficiently particularizing the reason for the extension, and (3) making the Complainant obtain a third set of records in person as opposed to electronically. We found no violation as to the first Complaint, because it was undisputed that the Town did not maintain a retainer or contract agreement and the Town's redactions were permissible because they contained privileged information. As to the remaining Complaints, we found that the Town violated the APRA by failing to adequately state a reason for the extension it sought and by improperly charging the Complainant "\$1.50 per page" for copies of meeting minutes. We determined that injunctive relief may be appropriate and directed the Town to provide the Complainant with the requested minutes free of charge. We declined to reach a conclusion as to whether the violations found were willful and knowing, or reckless, pending compliance with the finding.

VIOLATION FOUND

**PR 24-51**     **Favan v. Cumberland Police Department:**

The Complainant alleged that the CPD violated the APRA by failing to provide non-arrest incident reports. We found that the CPD permissibly withheld the reports, however it violated the APRA by failing to state that no portion of the responsive records contain reasonable segregable information and failing to respond to the Complainant's administrative appeal.

VIOLATION FOUND

**PR 24-52**     **Salzillo v. Providence School Department:**

The Complainant alleged that the PSD violated the APRA by failing to provide all responsive records. We found it unnecessary to make a determination about that allegation as the record shows the Complainant possesses the records, however we did find the PSD violated the APRA by failing to respond to the Complainant's administrative appeal.

VIOLATION FOUND

**PR 24-53**     **Vitkevich v. Town of Portsmouth:**

The Complainant alleged that the Town violated the APRA by denying his request for records demonstrating who "proposed" and "approved" of a Consent Order agreed to in *DiPaola v. Town of Portsmouth, et al*, which was a federal court First Amendment challenge to a local ordinance prohibiting the displaying of certain signs on private property. The Town argued that the withheld records were exempt pursuant to exemptions (A)(I)(a), (E), and (K). Following our *in camera* review of the subject documents, we found no violation. The withheld records include internal attorney-client communications between the Town Solicitor and certain Town

officials which are exempt under (A)(I)(a). Although these withheld records include communications between outside counsel for the Town and opposing counsel, we found that these communications are embedded within privileged email chains and thus, per our precedent, are non-public. They would also be independently exempt under Exemptions (E) and (K). Finally, to the extent that there would be any standalone emails between the Town's outside legal counsel and opposing counsel that discuss the "proposal" and "approval" of the Consent Order and are also maintained by the Town, we found that such communications would be exempt per the aforementioned exemptions.

**PR 24-54**     **Rogers v. City of Pawtucket:**

The Complainant alleged the City violated the APRA by withholding incident reports related to suicides. We found the withholding was permissible pursuant to Exemption (D) despite previous disclosure of one of the reports in a different context.

**PR 24-55**     **Durand v. Scituate Police Department**

The Complainant alleged that the Scituate Police Department failed to respond to his public records request. We found the time the Scituate Police Department had to respond to the request was permissibly tolled because the Complainant failed to respond to its request for clarification about his request.

**PR 24-56**     **Anonymous v. RI Office of the Postsecondary Commissioner**

The Complainant alleged that the Office of the Postsecondary Commissioner failed to respond to their public records request. The Office asserted that the request was not properly submitted in accordance with its posted APRA procedures. We found no violation where the request was not properly submitted.

**PR 24-57**     **Mercurio v. Cranston Police Department**

The Complainant alleged that the Cranston Police Department impermissibly withheld a non-arrest incident report in its entirety. We found that Cranston Police Department permissibly withheld the incident report because the privacy interests implicated outweighed any public interest and the specificity of the request made redaction ineffective.

**PR 24-58**     **Cooper v. Barrington Police Department**

The Complainant alleged that the Barrington Police Department failed to respond to his public records requests. Yet he failed to identify what these requests were or when they were sent. A sworn affidavit from Barrington Police Department states that it never received a request from the Complainant. We found insufficient evidence of a violation.

**PR 24-59**     **Pinelli v. Warwick Police Department**

The Complainant alleged that the Warwick Police Department impermissibly redacted the face of a suspect and the face and audio of reporting parties in body camera footage for an incident he was involved in. We found the redactions were permissible because the privacy interests implicated outweighed any public interest.

**ADV PR 24-01**

**Community Libraries of Providence:**

We advised that the Community Libraries of Providence meets the definition of a public body under the APRA.