

STATE OF COLORADO

OFFICE OF THE GOVERNOR

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Bill Ritter, Jr.
Governor

VIA E-MAIL AND U.S. MAIL

September 19, 2007

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Dear Al:

On September 18, 2007, the Governor's Office of Information Technology ("GOIT") received your Colorado Open Records Act ("CORA") request to inspect "the Colorado Department of State's Information Security Plan," which was prepared and submitted to the GOIT pursuant to C.R.S. § 24-37.5-404. As required by C.R.S. § 24-72-203(3)(b), the Office of the Governor is responding to you within three working days of your request. Because the document you are requesting is not a "public record" subject to disclosure under CORA the Governor's Office is denying your request to inspect this document. The basis for the denial is detailed below.

Under CORA only "public records" are subject to disclosure and inspection. *See* C.R.S. § 24-72-203(1)(a). CORA expressly provides that "[t]he information security plan of a public agency developed pursuant to section 24-37.5-404" is not a public record. *See* C.R.S. § 24-72-202(6)(b)(X). Therefore, your request to inspect the Colorado Department of State's information security plan must be denied.

Should you have any questions regarding this response, please contact our office.

Sincerely,

Craig Welling
Deputy Legal Counsel

cc: Mike Locatis, State CIO
John Conley, Deputy State CIO
Bill Hobbs, Deputy Secretary of State
Dana Williams, Department of State PIO
Trevor Timmons, Department of State CIO