

STATE OF COLORADO
Department of State

1700 Broadway
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Mike Coffman
Secretary of State

William A. Hobbs
Deputy Secretary of State

October 24, 2007
SENT VIA EMAIL – alkolwicz@qwest.net

Al Kolwicz
Colorado Voter Group
2867 Tincup Circle
Boulder, CO 80305

Re: Your Colorado Open Records Act (“CORA”) Request of September 11, 2007

Dear Mr. Kolwicz:

First off, in Dana Williams’ absence, I will be filling in for the time being. Also, we did receive your e-mail dated October 19, 2007 concerning the above-referenced CORA request. This letter is intended to respond to your October 19, 2007 correspondence and to generally address your September 11, 2007 CORA request.

In the Department’s October 8, 2007 letter to you, we listed the specific responsive documents available for your inspection. In addition, we informed you that other responsive records are available on the Secretary’s web site. *See* § 24-21-111(2), C.R.S., (2007) (where a document is stored by the Secretary of State and available to the public by electronic means, the department may designate electronic access the sole means of access to the document). We also informed you of records that will not be made available for public inspection, and the legal grounds for withholding those records.

Your October 19, 2007 email states, “...the materials that have been identified by the Department are not responsive to our request, or are wrongfully being withheld.” However, the records we have made available are directly responsive to your requests. For example, you requested a “letter transmitting the information security plan to the chief information security officer.” The Department expressly advised you that a “copy of the transmittal letter that accompanied the Agency Cyber Security Plan (ACSP) when submitted to the Chief Information Security Officer” is available for your inspection. *See* Department’s October 8, 2007 letter. Likewise, you asked for various SCORE specifications, requirements, agreements and contracts. Our October 8, 2007 letter informed you that documents directly responsive to those requests are available for your inspection at the Department and/or on the Department’s web site.

This office has spent many hours at public expense analyzing your requests, identifying and retrieving responsive documents, and corresponding with you multiple times concerning your requests. We have made every effort possible to understand and respond to your requests in good faith. However, you have failed to review the available documents and have failed to

schedule a time to review the documents. Given this, for any future CORA requests from you that will require more than an hour of research and retrieval, the Department will require that you advance the fees for research and retrieval prior to the Department incurring those costs. *See* 8 C.C.R. 1505-12, rule 4.

As previously indicated, these records were to remain available for your inspection through October 26, 2007. However, because you have indicated you will be unable to respond to our October 16, 2007 letter before November 1, 2007, we will keep the responsive records available for your inspection through November 16, 2007. If you do not make an appointment by that date to inspect the documents, we will assume you do not want to review the records and will put the documentation away. Please contact me at the above telephone number to arrange an appointment to review these records. Keep in mind that you will be required to pay the fees for the research and retrieval of these records.

Sincerely,

Richard Coolidge
Communications Director