

STATE RECORDS COMMITTEE

NOTICE OF PUBLIC MEETING

Thursday, February 12, 2015 at 9:00 a.m. to 4:00 p.m.

Utah State Archives Building
346 S. Rio Grande St.
Salt Lake City, UT 84101

NOTE: The Chair may recess at 12:00 p.m. and may reconvene at 12:30 for lunch when there are two or more hearings scheduled.

AGENDA

HEARINGS:

P. Robert Augason vs. University of Utah. Mr. Augason is appealing the denial of records relating to the property, income, and trademark rights associated with various block "U" trademarks.

CANCELED HEARINGS:

Dan Harrie, *Salt Lake Tribune* vs. SLC Police Civilian Review Board. The *Tribune* is appealing the denial of a GRAMA request for copies of the Police Civilian Review Board report on the Dillon Taylor case.

BUSINESS

Approval of January 8, 2015, SRC Minutes, action item

Retention Schedules, action item

SRC appeals received

Cases in District Court

Other Business

Next meeting scheduled for March 19, 2015 @ 9:00 a.m. to 4:00 p.m.
State Records Committee Annual Training
Legislative updates

ADA: In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify Nova Dubovik at the Utah State Archives and Records Service, 346 S. Rio Grande, Salt Lake City, Utah 84101, or call (801)531-3834, at least three days prior to the meeting.

Electronic Participation: One or more members of the State Records Committee may participate electronically or telephonically pursuant to Utah Code 52-4-207(2) and Administrative Rule 35-1-2. Please direct any questions or comments to: State Records Committee, Utah State Archives, 346 S. Rio Grande, Salt Lake City, Utah 84101 (801) 531-3834.

STATE RECORDS COMMITTEE

Appeals Received

As of February 2015

Pending Documentation/Other:

1. **15-06 Scott Gollaher vs. Morgan County (Appeal 5 Feb).** Mr. Gollaher is appealing Morgan County denial for photos, video, records created by Weber County Sheriff's Office in relationship to a search warrant execution. **Incomplete appeal.**

Hearing Denial:

2. **15-02 Scott Gollaher vs. Division of Child and Family Services (Appealed 20 Jan).** Mr. Gollaher requested records from the DCFS and was denied. **Hearing denied due to untimely appeal submission to State Records Committee.**
3. **15-03 Scott Gollaher vs. Weber County Sheriff's Office (Appealed 20 Jan).** Mr. Gollaher requested records from Weber County Sheriff's Office. Weber County Sheriff's Office stated it does not maintain the records and referred the petitioner to Morgan County records officer. **Petitioner referred to another governmental entity.**

Hearing Scheduled for February 2015:

4. **14-63 P. Robert Augason vs. University of Utah (Appealed 21 Oct).** Mr. Augason is appealing the denial of records relating to the property, income, and trademark rights associated with various block "U" trademarks. Resolved through ombudsman mediation. **Hearing is canceled for February.**
5. **14-79 Dan Harrie, Salt Lake Tribune vs. SLC Police Civilian Review Board (Appealed 29 Dec).** The *Tribune* is appealing the denial of a GRAMA request for copies of the Police Civilian Review Board report on the Dillon Taylor case. Resolved prior to the hearing. **Hearing is canceled for February.**

Hearing Scheduled for March 2015:

6. **15-01 Scott Gollaher vs. Utah Attorney General's Office, Criminal Division (Appealed 5 Jan).** Mr. Gollaher requested records from the Salt Lake Police Department in July and was referred to the Attorney General's Office for the records. He is appealing the AG response that they were unable to locate the requested records. **Hearing scheduled for March. Held telephonic.**
7. **15-05 Scott Gollaher vs. DCFS (Appealed 5 Feb).** Mr. Gollaher is appealing DCFS denial for case # 1887537 and names of employee who had contact with said parties on specific days identified in the appeal. **Hearing is scheduled for March. Held telephonic.**

- 8 **15-04 Harshad P. Desai vs. Panuitch City, Utah (Appealed 2 Feb).** Mr. Desai is appealing the City's denial of records relating to the 2013 list of vendors for the Panquitch Balloon Festival, 2014 Balloon Festival meeting minutes, and city policy for citizen organizers. **Hearing is scheduled for March. Held telephonic.**

Hearing Scheduled for April 2015:

- 9 **14-73 Isaac Lemus vs. Department of Human Services, DCFS (Appealed 26 Nov).** Durham Jones & Pinegar, on behalf of the Lemus Family, is appealing the partial denial of Isaac Lemus' appeal to DHS. DHS redacted requested surveillance footage that now renders the video footage unintelligible. **Hearing is rescheduled for April.**

February 2015 State Records Committee Case Updates

District Court Cases

Daniel Rivera Jr. v. Utah Department of Human Services, Division of Child and Family Services, 3rd District, Salt Lake County, Case No. 150900589, Judge Toomey, filed January 27, 2015.

Current Disposition: Complaint filed with Court but no service yet on the Committee. Answer prepared to file once service has been completed.

Jordanelle Special Service District v. Utah State Auditor, 3rd District, Salt Lake County, Case No. 150900423, Judge McKelvie, filed January 20, 2015.

Current Disposition: Complaint filed with Court on January 20, 2015. Answer filed on behalf of the Committee on February 9, 2015 by AAG Jacob Franklin. Answer filed by the Utah State Auditor on February 5, 2015.

Utah Dept. of Correction v. Campbell, 3rd District, Salt Lake County, Case No. 140906834, Judge Parker, filed October 1, 2014.

Current Disposition: Complaint filed with Court served on the Committee in December 2014. Answer filed on behalf of the Committee on January 7, 2015. Service has been completed on Campbell (Buzzfeed), but no answer has been filed yet.

Salt Lake City v. Jordan River Restoration Network, 3rd Judicial District, Salt Lake County, Case No. 100910873, Judge Stone, filed June 18, 2010.

Current Disposition: Hearing held on January 8, 2015, on cross motions for summary judgment. AAG Alan Bachman attended the hearing on behalf of the Committee. Waiting for decision from the Court.

Appellate Court Cases

Attorney General Office. v. Schroeder, Utah Supreme Court, Appeal No. 20121057.

Current Disposition: Case has been transferred and certified to the Utah Supreme Court as of January 31, 2014. Appellee (Attorney General Office) appellate brief filed on February 19, 2014, reply brief filed on April 22, 2014. Waiting for hearing date to be scheduled.