

STATE OF NEW MEXICO
OFFICE OF THE ATTORNEY GENERAL



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ATTORNEY GENERAL

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Chief of Staff for Policy and Public Affairs

September 26, 2016

Joseph Savage
Box 8
La Luz, NM 88337
Email: savage@zianet.com

RE: Your Inspection of Public Records Complaint

Mr. Savage:

On November 4, 2015, the New Mexico Office of the Attorney General (OAG) received your complaint alleging that Dona Ana County violated the Inspection of Public Records Act ("IPRA"), NMSA 1978, Sections 14-2-1 to -12 (2011). As confirmed in the correspondence from Kelly Jameson of Dona Ana County and your email correspondence, Dona Ana County is actively producing the requested records and are actively working to provide you with more of the records at issue in your November 4, 2015 IPRA Complaint. Please see attached correspondence. As such, we consider this matter closed, but are available if you have any questions. If you have any questions, please feel free to contact me.

Sincerely,

A handwritten signature in blue ink, appearing to read "Dylan K. Lange".

Dylan K. Lange
Assistant Attorney General

RECEIVED
OFFICE OF THE
ATTORNEY GENERAL
2015 NOV 24 AM 8:30

FAX TO: 975-526-2415

RECEIVED NOV 24 2015
JM

INSPECTION OF PUBLIC RECORDS ACT ("IPRA") COMPLAINT FORM
New Mexico Office of the Attorney General
Open Government Division

YOUR CONTACT INFORMATION:

First Name: JOSEPH Last Name: SAUSAGE
Address: [REDACTED]
City: [REDACTED] State: [REDACTED] Zip Code: [REDACTED]
Phone Number: [REDACTED]
Email: [REDACTED]

IPRA REQUEST TO THE PUBLIC BODY:

Name of the Public Body that is the subject of this complaint (including city/town, county or region, if applicable): DONA ANA COUNTY
Format of IPRA Request: Written Oral
Date IPRA Request was Submitted to the Public Body: 4 NOVEMBER 2015
Date of all Responses Received from the Public Body: NO RESPONSE

ALLEGED VIOLATIONS OF IPRA BY THE PUBLIC BODY: Please select from the following list the violations you allege the public body committed. Check all that apply.

RECORDS:

- No records were provided.
- The agency provided some but not all of the records responsive to the request.
- Records were provided, but they were not responsive to the request.
- The public body does not have custody or responsibility for the records, and the records custodian did not forward the request to the proper custodian.
- The request was for records in electronic format and although the records are available in electronic format, the copies of the public records were not provided in an electronic format.

DENIED REQUESTS TO INSPECT PUBLIC RECORDS

Although some records were provided, the custodian did not include a written explanation for denying the production of exempt records or for redacting confidential information from records.

No records were provided and the records custodian did not deliver or mail a written explanation to the requester within fifteen (15) calendar days after receiving the request that included a description of the records sought, the names and titles of each person responsible for denying the request, and a description of the reasons for the denial.

NOTICE

Public body did not post in a conspicuous location at its administrative office or on the public body's website a notice setting forth: the rights of any person to inspect the public body's public records, the public body's responsibility to make public records available for inspection, the procedures for requesting inspection of public records, the procedures for requesting copies of public records, and/or reasonable fees for copying public records

DEADLINES (For purposes of deadlines imposed by the IPRA, the date the request is received is not counted)

Inspection was not allowed within three (3) business days and the public body did not timely send a written "three-day letter" to the requester explaining when the records would be available or when the public body would respond to the request.

The public body did not allow inspection or otherwise respond to the request within fifteen (15) calendar days from the date the custodian received the request.

FEES

The public body charged fees in excess of \$1.00 per printed page for documents 11"X17" or smaller, or charged fees that exceeded the actual costs to copy the records.

The public body did not provide a receipt upon request.

DETAILED EXPLANATION OF ALLEGED IPRA VIOLATIONS (Required): Please provide a description of the actions taken by the public body that violated the IPRA, including specific dates and why you believe the IPRA has been violated.

I SUBMITTED A WRITTEN REQUEST (ATTACHED)
FOR INSPECTION OF RECORDS AND I HAVE
RECEIVED NO RESPONSE.

E-MAIL IS BEST WAY TO CONTACT ME ON THIS COMPLAINT. THANK YOU.