

STATE OF NEW MEXICO
OFFICE OF THE ATTORNEY GENERAL



HECTOR H. BALDERAS
ATTORNEY GENERAL

April 29, 2019

VIA US POSTAL MAIL ONLY

Michael R. Crohan
P.O. Box 800
Grants, NM 87020

Re: Inspection of Public Records Complaint – NM Department of Corrections

Dear Mr. Crohan:

The Office of the Attorney General, Open Government Division ("OGD"), has received and reviewed your complaints dated September 26, 2016 and December 13, 2016, alleging violations of the Inspection of Public Records Act ("IPRA"), NMSA 1978, Sections 14-2-1 to -12 (1947, as amended through 2019) by the New Mexico Department of Corrections (NMDOC) and Centurion. The OGD's jurisdiction is limited to a review of the IPRA and the Open Meetings Act ("OMA"). After a review of the documents, there are insufficient facts to find a violation of a specific section of the IPRA. As such, the OGD will not further review this matter and consider this matter closed.

Your September 26, 2016 complaint states that you requested documents May 22, 2016, which were not provided. A copy of your May 22, 2016 IPRA request to the public body was not attached to your complaint. Unfortunately, Centurion did not receive your request for information because they did not take over the NMDOC until June 1, 2016.

Your December 13, 2016 complaint alleges the NMDOC violated IPRA when it would not allow you to borrow the requested documents by taking them home and returning them two days later. Your complaint states you did not intend to pay for copies of the documents, but only wanted to view them. It also states that your case worker did make the documents available for viewing but that your case worker would not allow you to take them home.

IPRA is clear that "every person has a right to inspect public records of this state," with specific exceptions. "Inspect" is defined by IPRA, and means "to review." Your case worker properly denied your request to take the original documents home. The spirit of IPRA allows you to inspect public records by viewing them at a location specified by the

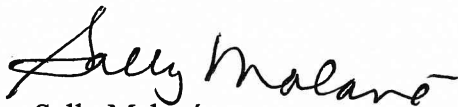
Michael R. Crohan
April 29, 2019
Page 2

public body or by obtaining copies of the originals. IPRA allows a public body may also charge reasonable fees for copying public records, NMSA 1978, Section 14-2-9 (C) (1).

On November 4, 2016, the IPRA paralegal for NMDOC notified you that the requested documents were available to inspect by appointment with your case worker or that you could purchase copies of the 30 pages at a cost of 25 cents per page (\$7.50 total). Removing the original documents is not an option under IPRA.

The OGD appreciates you bringing possible violations to this office and will welcome any further complaints you may submit. If you have any concerns in the future, please do not hesitate to contact us.

Sincerely,



Sally Malavé
Assistant Attorney General
Director, Open Government Division

To: Attorneys General's Office
Civil Division

OFFICE OF THE
ATTORNEY GENERAL

9-26-2016

From: Michael Rory Crohan
#52337

2016 OCT -6 AM 8:58

RE: I.P.R.A.

Michael R. Crohan #52337

GREETINGS

This is to REQUEST the Attorneys General's office enforce the I.P.R.A. that this person has requested from the New Mexico Corrections Dept (NMCD).

But this request is from May 22, 2016. The request is for the personal file for case R DARNELL, an employee of NMCD. and second follow up on the contract between NMCD & CENMCD (independent provider for NMCD). The follow up consists of all amendments (staffing requirements, Building of positions, cost of ~~blank~~ positions, etc).

NMCD has FAILED to respond in a timely manner. Please enforce this Act.

Sincerely
Michael Rory Crohan

P.S. Request contact person at your office

cc: Matthew Coyne, Attorney at Law
James R. Brewster General Counsel

Office of General Counsel
c/o General Counsel, Jim Brewster
New Mexico Corrections Department
PO Box 27116 Santa Fe, NM 87502-0116
E-mail: nmcd-ipra@state.nm.us
Fax: 505.827.8533

July 2016

$$\begin{array}{r} 5 \\ 178 \\ \hline 20 \\ 123.28 \end{array}$$

| Sun | Mon | Tue | Wed | Thu | Fri | Sat |
|-----|-----|-----|-----|-----|-----|---------------------|
| | | | | | 1 | 2 CAK owns OK |
| 3 | 4 | 5 | 6 | 7 | 8 | 9 |
| 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17 | 18 | 19 | 20 | 21 | 22 | 23 |
| 24 | 25 | 26 | 27 | 28 | 29 | 30 |
| 31 | | | | | | |

STATE OF NEW MEXICO
OFFICE OF THE ATTORNEY GENERAL



HECTOR H. BALDERAS
ATTORNEY GENERAL

TANIA MAESTAS
Deputy of Civil Affairs

SHARON PINO
Deputy of Criminal Affairs

CARLA MARTINEZ
Chief of Staff for Operations

SONYA CARRASCO-TRUJILLO
Chief of Staff for Policy & Public Affairs

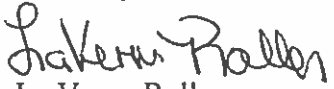
October 14, 2016

Michael R. Crohan #52337
CMRU/UNIT A332
P.O. Drawer 1328
Los Lunas, NM 87031-1328

Dear Mr. Crohan:

The Office of the Attorney General is in receipt of your complaint alleging a violation of the Inspection of Public Records Act by the NM Corrections Department. We are currently in the process of reviewing your complaint. Our office may contact you to clarify the issues raised in your complaint. In the meantime, if you have any questions, please feel free to contact me.

Sincerely,


La Verne Roller
Administrative Assistant