

PRISON INFORMATION PROJECT
prison.info.project@umich.edu

c/o Prof. Margo Schlanger
910 Legal Research Building
625 South State Street
Ann Arbor, Michigan 48109-1215

March 7, 2014

Ms. Shelley Nobriga
Litigation Coordination Officer/PREA Coordinator
Hawaii Department of Public Safety
919 Ala Moana Boulevard #116
Honolulu, HI 96814
Sent via email to: shelley.d.nobriga@hawaii.gov

RE: Request for Public Records Follow-up

Dear Ms. Nobriga:

We are in receipt of your email of February 26. We thank you for your response fulfilling Item 2 and Item 4 of our public-records request of February 14.

For Item 1 (inmate handbooks/manuals), you estimate that the cost of providing the inmate handbook or guidelines from each of the seven facilities would be \$230 for “search, review, segregation, copying, and scanning.” For Item 3 (grievance-related statistical records), you indicated that providing these records would cost \$210 for “search, review, segregation, copying, and scanning.” The total would be \$440, minus a public-interest waiver of \$60, for a cost to us of \$380.

Our project is a nonprofit venture with a limited budget. Of the fifty states we have surveyed, most states have provided all the records we have requested free of charge, or for a modest fee under \$50.

However, we are willing to work with Hawaii DPS to clarify or modify our request, and we do so in this letter. We hope to reduce any administrative burden on with Hawaii DPS and avoid the assessment of high fees while still receiving useful data to advance our project and serve the public interest.

Item 1

For Item 1, we requested inmate handbooks/manuals. We do not believe that these require any review or segregation, since these documents are provided to inmates in standard form, and no conceivable privacy or other concerns requiring redaction exist. We also believe that any search/retrieval, copying, or scanning costs would be negligible, as each institution would presumably have their own inmate handbook or manual readily available in either print or electronic form (such as a Microsoft Word file or PDF).

We would be happy to receive the items in the same format as you provide them to prisoners, which should minimize the cost. If handbooks/manuals are available in print form, we would be pleased to accept these records by mail (and pay for printing and postage) rather than in an electronic form which would require staff to spend time scanning records.

Item 3

For Item 3, we would like to clarify and narrow the records we are seeking.

First, a clarification. Our request is a limited one. As we indicated in our letter in February 14: “We are not requesting individual grievance records. We are only requesting records that summarize, aggregate, or compile grievance data.” In other words, our request is framed to apply only already extant records, and to summary records. For example, if the Hawaii DPS has records such as monthly or yearly reports on grievances, indicating very basic data (number filed, disposition), providing these would be sufficient to satisfy our request.

Second, a narrowing of our original request. In order to further reduce any burden to Hawaii DPS, we are also willing to limit our request to records from 2008 to the present. This would eliminate the necessity of providing records which cover another five years, and we hope will reduce the cost of fulfilling our request.

In light of these considerations and the substantial narrowing of our request, we ask for a revised estimate for Item 3.

Records Accepted in Mail Form if Less Costly

As indicated above, we would be happy to accept records by mail at the address above, if doing so would reduce the costs to us (e.g., by eliminating the need for staff to expend time making scans of a record, such as an inmate manual, which is typically in print form).

Conclusion

We look forward to continuing to work with Hawaii DPS to fulfill our request. We thank you for your time and attention to this matter.

Sincerely,

Benj. Cavataro

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