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03/14/2007 02:24 PM

To "Paul Larrabee" <Paul.Larrabee@chamber.state.ny.us>

cc "Kern Swoboda" <KSwoboda@troopers.state.ny.us>

bcc

Subject: FYI - Fred Dicker

Comm [OIG 001]

Paul,

Fred Dicker called here a little while ago asking for Flight Manifest records for executive flights for 2007. Sgt. Kern Swoboda explained to him that these are records and that he would have to submit a FOIL request, as their paper has done in the past.

Fred insisted that under this Governor's new open government policy, that he was not required to make a written request and that he should be able to make an oral request to receive such records. He then said he would check with the Governor's office.

Kern explained that if he had a specific question or a request for "information" that we would be able to accommodate him. Fred insisted he wanted records. He obviously knows better, but wants us to make exceptions for him. As you know, the Freedom of Information Law requires us to treat members of the public and media equally. Procedures were set up years ago by each agency to accommodate records requests. If we started accepting requests for records orally, we would be overwhelmed and would not be able to adequately track the requests or respond appropriately.

As I'm sure you are aware, this week is national "sunshine week" in which the media discusses access to information and open government. I don't know if Fred would stoop to the level of attempting to use this as an example of how we might be considered unresponsive.

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Jan 1, 2007

Gov
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Ministry

Handwritten notes: "Handwritten/phones for each level"

Handwritten signature: "BPup" inside a hand-drawn box

Stamp: STATE'S EXHIBIT, Com. 6, 9/26/07, PENNS 800-631-6889