

STATE OF RHODE ISLAND  
KENT, SC

SUPERIOR COURT

RI HOUSE MINORITY LEADER PATRICIA MORGAN

VS.

PETER KILMARTIN ATTORNEY GENERAL STATE OF RI

KC-2018-0473

### DECLARATORY JUDGEMENT

On February 14, 2018 the school shooting in Parkland, Florida took the lives of 17 students and their teachers. To prevent future tragedies in Rhode Island schools, I have been attempting to learn about the funds remaining in the Attorney General's care. I am interested in determining how much money was left and how all the funds have been spent. Unfortunately, the Attorney General has thrown up a roadblock to the information I need.

I am a duly elected Representative from District 26 in the RI House of Representatives and reside in West Warwick, Rhode Island.

Following are the actions, I have taken to secure the information I require to make good policy decisions for the People of Rhode Island.

February 28, 2018: House Minority Leader Patricia Morgan sends a letter to Attorney General Kilmartin requesting that he convene a panel of law enforcement and safety experts to guide our schools' efforts in spending the remaining Google settlement funds on security upgrades to protect our children. **Exhibit A**

On March 1, 2018: House Minority Leader Patricia Morgan requested staff in the House Minority Office to submit an APRA request to the Attorney General's Office. The Access to Public Records request asked for "Any and all documents, notes, memoranda, invoices, correspondence and records together with attachments, forwarded to or received from the State of Rhode Island, its agents, servants, departments or other agencies relating to the 2012 Google settlement, how it was spent, including current balances and documentation thereof." **Exhibit B**

FILED  
KENT SUPERIOR COURT  
NANCY STUBBS CLERK

On March 1, 2018: House Minority Leader Patricia Morgan holds press conference calling on the Attorney General's Office to release the remaining Google settlement funds to our schools to be used for enhanced security equipment. *Exhibit C*

On March 15, 2018: Special Assistant Attorney General Lisa A. Pinsonneault responded to my APRA request on behalf of the Attorney General's Office via email requesting a prepayment of \$3700 for the cost of the document "search and retrieval". The email included a Microsoft Excel spreadsheet of expenses paid using the Google settlement funds through January 31st, 2018 and seven letters sent from the RI Office of Attorney General to the United States Justice Department that authorizes the withdrawal of Google settlement funds for specified projects. *Exhibit D*

March 27, 2018: House Minority Leader Patricia Morgan submitted a press release again calling on the Attorney General's Office to release the remaining Google settlement funds. *Exhibit E*

March 28, 2018: House Minority Leader Patricia Morgan responds to the Attorney General's message with a letter from the House Minority Office. This appeal letter argues that she has free access to public records under R.I.G.L. 22-6-12 because she is an ex-officio member of the House Committee of Finance. *Exhibit F*

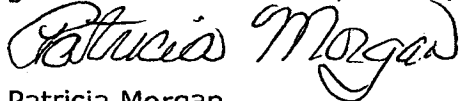
April 3, 2018: House Minority Leader Patricia Morgan submits a press release again on the Attorney General's Office to release the remaining Google settlement funds. *Exhibit G*

April 10, 2018: Assistant Attorney General Michael Field sends a letter denying the appeal. *Exhibit H*

April 26, 2018: House Minority Leader Patricia Morgan submits three APRA requests to the Attorney General's Office for all documents related to the cost of generator rentals, the Leadership Rhode Island program, and Microsoft Surface PRO laptop computers with Google settlement funds. *Exhibit I*

The above facts show that my request to waive fees is in the public interest because it adds to my and the public's understanding of what has been done with the Google funds and permits me to advocate more effectively for the remaining funds to be used to increase school security for our students. It is also clear that my request is primarily in the public interest and not for my commercial benefit.

I ask the court to grant me relief from the fee the Attorney General is demanding to provide the documents I need to understand the use of the Google ~~settlement~~ funds. R.I.G.L. 38-2-4 (e) relating to Public Records states: A court may reduce or waive the fees for costs charged for ~~search or retrieval~~ if it determines that the information requested is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the government and is not primarily in the commercial interest of the requester.

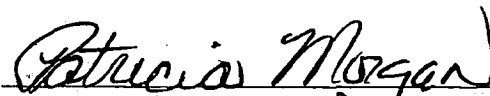


Patricia Morgan  
RI House Minority Leader  
MAY 7, 2018

CERTIFICATE OF SERVICE BY REGISTERED OR CERTIFIED MAIL

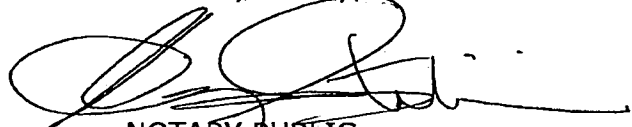
I hereby certify that I have duly served the foregoing citation by causing to be mailed a duly attested copy thereof to the defendant named therein whose address was known to me, such copies being sent by certified mail, Return Receipt Requested. Said Defendant so serviced is listed as follows and his respective return receipt are attached hereto and made a part thereof.

PETER KILMARTIN, ATTORNEY GENERAL, STATE OF RHODE ISLAND  
DEPARTMENT OF ATTORNEY GENERAL  
150 SOUTH MAIN STREET  
PROVIDENCE, RO 02903



PATRICIA MORGAN,  
REPRESENTING SELF AND  
PEOPLE OF RI

Subscribed and sworn to before me this 7<sup>th</sup> day of May, 2018



NOTARY PUBLIC  
COMMISSION EXPIRES

7-1-18