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STATE OF ALASKA
OFFICE OF THE GOVERNOR
JUNEAU

January 28, 2009

Talis Colberg
Attorney General
State of Alaska
1031 West Fourth Avenue, Suite 200
Anchorage, Alaska 99501

Re: Request for Additional Extension of Time to Respond to Public Records
Request


Dear Attorney General Colberg:

In my December 9, 2008, letter to you, I requested an extension of time until January 28 for the Office of the Governor to respond to 18 separate records requests made by various individuals. 17 of those requests are still pending. In requesting that extension, I mentioned that additional extensions would likely be necessary. For the reasons described in the attached memorandum to me from David Jones, Senior Assistant Attorney General, I am requesting an additional extension of time until March 31, 2009.

Once I have an estimate of the additional time necessary to provide the records, I will request a further extension. Because all requestors are entitled under 2 AAC 96.325(e) to an opportunity to be heard concerning this extension request, I am sending each a copy of this letter and attachment.

Thank you for your consideration of this request.

Sincerely,


Linda J. Perez
Administrative Director

Attachment

cc: David Corn
Mark Thiessen

cc: (continued)

Aram Roston

Alan Suderman

Bill Dedman

Jessi Joseph

Kay Brown

Zane Henning

Andrée McLeod

Jerry McCutcheon

Michael Nizich, Chief of Staff

Randy Ruaro, Deputy Chief of Staff

MEMORANDUM


State of Alaska Department of Law

TO: Linda Perez
Administrative Services Director
Office of the Governor

DATE: January 28, 2009

FILE NO.: 661-09-0002

TEL. NO.: (907) 269-5169

FROM: 
David T. Jones
Senior Assistant Attorney General
Opinions, Appeals, and Ethics Section, Anchorage

SUBJECT: Status of Records Review
for Responses to Public
Records Requests

Because the extension you requested from Attorney General Colberg on December 9 would expire today, I am reporting on the status of our review of Governor Palin's and others' e-mail records for responding to various public records requests. Based on that status, I recommend that you request an additional extension of time until March 31.

Unfortunately, we have made little progress. As you know, you provided the records to us in electronic form, on the hope that we could use software we recently obtained to number, review, and redact the records electronically. Despite our best efforts and those of the Enterprise Technology Services staff, we have found no way to convert the e-mail records from the format provided to the portable document format (pdf) necessary to use the new software, without opening each individual message to convert it. We were also unable to batch-print the e-mail records in the format provided.

After other attempts to resolve the problem proved unsuccessful, the Enterprise Technology Services staff began converting the records to a format that will allow us to batch-print the records. But in that process they discovered some file failures that they are now attempting to resolve. Consequently, the records are not yet available to us in a form that will permit us to number, review, and, as necessary, redact them. Our hope is that we will have those records in a usable form within the next two weeks.

Once we receive the records, we will need to print them and have them numbered and copied. We will then review the records to determine whether any contain privileged information that would warrant withholding or redacting them. We will also need to prepare a log of any withheld records.

Of course, we do not yet know how many pages of records we will have to review. For that reason, we can only guess how long it will take to review the records. We have,

however, recruited several attorneys within our office to assist with the review. Even with their assistance, I suspect we will not complete the review process before March 31. I therefore recommend requesting from Attorney General Colberg an additional extension until March 31, 2009.

Like you, we regret the need to request an additional extension. Unfortunately, we have once again encountered unanticipated difficulties. Thank you for your understanding and patience.