

C Ethics Watch

October 8, 2009

Charles W. Pike, Esq.
Office of Legislative Legal Services
200 E. Colfax Ave., Rm. 091
Denver, CO 80203-1782

VIA FACSIMILE 303-866-4157

RE: Colorado Open Records Act Request

Dear Mr. Pike:

Pursuant to the Colorado Open Records Act, C.R.S. § 24-72-201 *et seq.*, Colorado Ethics Watch (“Ethics Watch”) makes this request of the Colorado Senate Minority Office (“SMO”) for records, regardless of format, medium or physical characteristics.

Specifically, Ethics Watch seeks to inspect the following documents and records:

1. Relating to any formal or informal policies regarding handling of, and access to, any e-mail contact list for the SMO, and any documents identifying individuals who were authorized to have access to that data.
2. Any documents regarding complaints, comments, inquiries or other feedback from individuals who contacted the SMO with information regarding their receipt of e-mails from the Penry for Governor campaign since September 1, 2009.

We are transmitting this request to you because you have advised Ethics Watch, by letter dated October 7, 2009, that the position of director of the SMO is currently vacant, which means that currently there is no custodian of records for the SMO under the terms of Section 1.a. of the legislature’s CORA policy. If these records are not in your custody or control, please notify me forthwith and state in detail to the best of your knowledge the reason for the absence of the records, their location, and what person or persons has custody or control of the records, as required by C.R.S. § 24-72-203(2).

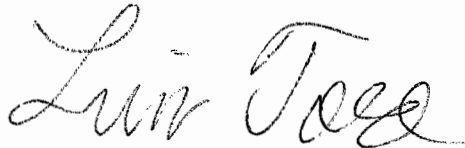
Please set a date and hour within three working days at which the records will be available for inspection as required by C.R.S. § 24-72-203(3). *Ethics Watch does not agree to pay any charges associated with the retrieval of responsive documents without prior authorization.*

If you deny access to any of the above public records, please provide forthwith a written statement of the grounds for the denial, citing the law or regulation under which access is denied as required by C.R.S. § 24-72-204(4).

If you have any questions about this request or foresee any problems in releasing fully the requested records within the requisite three-day period, please call me within that time period. I can be reached at (303) 626-2100. Alternatively, you can deliver the requested documents to Luis Toro, Colorado Ethics Watch, 1630 Welton Street, Suite 415, Denver, CO 80202, via facsimile at (303) 626-2101 or via electronic mail at lto@coloradoforethics.org.

Thank you for your prompt attention to this request.

Sincerely,

A handwritten signature in black ink that reads "Luis Toro". The signature is written in a cursive, flowing style.

Luis Toro
Senior Counsel