

COMMITTEE ON LEGAL SERVICES

Sen. John Morse, Chair
Rep. Jeanne Labuda, Vice Chair
Rep. Bob Gardner
Rep. Daniel Kagan
Rep. Claire Levy
Rep. Ellen Roberts
Sen. Greg Brophy
Sen. Shawn Mitchell
Sen. Gail Schwartz

OFFICE OF LEGISLATIVE LEGAL SERVICES
COLORADO GENERAL ASSEMBLY



STATE CAPITOL BUILDING, ROOM 091
200 EAST COLFAX AVENUE
DENVER, COLORADO 80203-1782

TELEPHONE: 303-866-2045
FACSIMILE: 303-866-4157
E-MAIL: olls.ga@state.co.us

DIRECTOR

Charles W. Pike

DEPUTY DIRECTORS

Dan L. Cartin
Sharon L. Eubanks

**REVISOR OF
STATUTES**

Jennifer G. Gilroy

SENIOR ATTORNEYS

Gregg W. Fraser
Deborah F. Haskins
Bart W. Miller
Julie A. Pelegrin

**SENIOR STAFF
ATTORNEYS**

Jeremiah B. Barry
Christine B. Chase
Edward A. DeCecco
Michael J. Dohr
Kristen J. Forrestal
Duane H. Gall
Jason Gelender
Robert S. Lackner
Thomas Morris
Nicole S. Myers
Jery Payne
Esther van Mourik

**SENIOR STAFF
ATTORNEY FOR
RULE REVIEW**

Charles Brackney

**SENIOR STAFF
ATTORNEY FOR
ANNOTATIONS**

Michele D. Brown

STAFF ATTORNEYS

Troy Bratton
Brita Darling
Kate Meyer
Jane M. Ritter
Richard Sweetman

**PUBLICATIONS
COORDINATOR**

Kathy Zambrano

October 14, 2009

Mr. Luis Toro
Senior Counsel
Colorado Ethics Watch
1630 Welton Street, Suite 415
Denver, CO 80202

RE: 10/5/09 and 10/8/09 Colorado Open Records Act Requests

Dear Mr. Toro:

The following responds to your original 10/5/09 CORA request, and your 10/8/09 letter clarifying that request and to your second CORA request of 10/8/09.

10/5/09 CORA request and 10/8/09 clarification:

As I previously indicated, the "Legislative Policies Related to Public Records and E-Mail"¹ addresses your question on custodians. Section II (B)(1)(a) of the policy specifies that the Secretary of the Senate is the custodian for all public records relating to the Senate except for public records in the custody and control of the members of that house. Therefore, CORA requests of a staff member in the Senate should be made with the Secretary of the Senate.

With regard to item 1 of your request, and your subsequent clarification, we have been informed by the Senate staff who assist the minority party members of the Senate that the e-mail contact list does not contain anything other than e-mail addresses. Therefore, no such list, redacted or otherwise, can be made available for inspection.

With regard to item 3 of your request, and your subsequent clarification that it was limited to the Colorado Senate Minority Office, we have been informed that no documents referring to any person's candidacy for governor in the

¹See: <http://www.leg.state.co.us>

2010 election are in the custody of the Senate staff who assist the minority party members of the Senate.

10/8/09 CORA request:

We have been informed that the Senate staff who assist the minority party members of the Senate do not have any documents or records referenced in items 1 and 2 of your request.

Sincerely,

A handwritten signature in black ink that reads "Charles W. Pike". The signature is written in a cursive style with a large, prominent "C" and "P".

Charles W. Pike
Director
Office of Legislative Legal Services

cc: Senator Brandon Shaffer, President of the Senate
Senator Joshua Penry, Senate Minority Leader
Karen Goldman, Secretary of the Senate