

From: [Nicole Solas](#)
To: [Open Government](#)
Subject: Fwd: APRA
Date: Monday, February 17, 2025 7:57:12 PM
Attachments: [2025.2.17 - APRA Response. N Solas. RI Senate X Account.pdf](#)

[External email: Use caution with links and attachments]

Open Government Unit,

This is a public records complaint against the State of Rhode Island for failing to respond to my public records request in the statutory time period and then willfully withholding public records after I emailed two State email accounts several times to remind it of the looming deadline. The State responded a day late and improperly asserted the privacy exemption both procedurally and on its merits. The State's false basis that the resumes of agents of the Rhode Island Senate using the official X account of the RI to Senate to communicate official information to the public are "private," is an attempt to withhold clearly public records.

An agency is precluded from claiming any exemptions after failing to respond to a public records request without a showing of good cause. The State cannot show good cause and therefore any improperly asserted claim to the privacy exemption should not even be reviewed. Notwithstanding this preclusion, should the open government unit humor the State, it will find that its arguments on the merits to withhold the resumes of individuals controlling and accessing the official X account of the Senate also fail. The legislature believes that resumes of individuals hired to carry out the official business of government are somehow *not* in the interest of the public to see. This is ludicrous. Resumes of individuals carrying out official public business absolutely shed light on how government works because it shows the qualifications - or lack thereof - of the individuals whom government hired to do official government work or delegated official government duties to in some other capacity. Further, the work of communicating official business to the public on X is not an inconsequential task. Other legal issues may arise from the work of government agents using social media to communicate with the public, such as claims of censorship when the Senate hides comments of members of the public, possibly in violation of the the First Amendment - and the RI Senate does, in fact, hide comments.

You will see from my email correspondence below that the State did not even acknowledge and apologize for failing to respond to my request. Instead, I received a response a day later than the statutory deadline of February 14 after I emailed the State and Communications Director, Greg Pare, notifying them of the deadline. The State's failure to acknowledge its own failure to respond my request after I generously emailed two accounts a reminder to respond is dishonest and should weigh heavily in the attorney general's decision to sanction the legislature for willful violation of the APRA. Omitting critical information, such as the agency's failure to respond, does not keep government open - it serves only to thwart the public of their rights under the APRA.

I request that the AG order the legislature to produce the records without a fee, find it willfully violated the APRA, and impose sanctions.

Nicole

----- Forwarded message -----

From: **Nicole Solas** <nicolesolas@gmail.com>

Date: Fri, Feb 14, 2025, 5:05 PM

Subject: Fwd: APRA

To: <gpare@rilegislature.gov>

Hi Greg,

Are you going to respond to my APRA request as the Senate Communications Director? See below.

Nicole

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From: **Nicole Solas** <nicolesolas@gmail.com>

Date: Fri, Feb 14, 2025, 5:02 PM

Subject: Fwd: APRA

To: <publicinfo@rilin.state.ri.us>

Are you responding to my request? Today is the deadline.

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From: **Nicole Solas** <nicolesolas@gmail.com>

Date: Fri, Jan 31, 2025, 7:18 PM

Subject: APRA

To: <publicinfo@rilin.state.ri.us>

Hello,

This is a public records request for the resumes of all individuals who control and/or access the RI Senate X account, @RISenate.

https://x.com/RISenate?t=_t_dqAWfaVNMRMOpcVDYiA&s=09

Nicole