

Subject: Re: Request for release of CCJI material - Greg Gianforte case

Date: Tue, 24 Apr 2018 08:54:26 -0600

From: Kathryn QannaYahu <kathryn@emwh.org>

To: Droge, Gloria <Gloria.Droge@gallatin.mt.gov>

Gallatin County Sheriff's Office
615 N 16th Ave #220
Bozeman, MT 59715

Gloria Droge, Attached is the filled out form you sent me, for the Confidential Criminal Justice Information on the Greg Gianforte assault on Guardian reporter Ben Jacobs, on May 24, 2017. These records have been previously approved for release by Gallatin County District Court Judge Holly Brown.

The Montana Constitution, Article II, Part II, Section 9 states, "Right to know. No person shall be deprived of the right to examine documents or to observe the deliberations of all public bodies or agencies of state government and its subdivisions, except in cases in which the demand of individual privacy clearly exceeds the merits of public disclosure."

I am requesting copies of the following documents: Case file and report of Greg Gianforte, for the assault of Guardian reporter Ben Jacobs on My 24, 2017, including photos, mugshot, audio and any video.

For the purposes of this request the word "document" includes, but is not limited to to, all agreements, memorandum, reports, maps, notes, diaries, calendars, telephone, records, internal communications, interoffice communications, e-mails, text messages, facsimiles, letters, directives, books, brochures, manuals, bulletins, worksheets, minutes and summaries of meetings, conversations and communications of any type, including telephone conversations. "Document" also includes all copies not identical to the original. Please include a search of back up servers, not just current inboxes.

Electronic PDF copies sent to this email address would be preferable or larger files uploaded to Montana File Transfer Service, I have a Montana E-pass account associated with this email address, otherwise, a thumbdrive or CD would be acceptable. Please make sure documents are scanned for text, OCR (Optical Character Recognition). I will print any documents I would like onto hard copies.

MCA 2-6-1006. "Public information requests -- fees. (1) A person may request public information from a public agency. A public agency shall make the means of requesting public information accessible to all persons. (2) Upon receiving a request for public information, a public agency shall respond in a timely manner to the requesting person by: (a) making the public information maintained by the public agency available for inspection and copying by the requesting person; or (b) providing the requesting person with an estimate of the time it will take to fulfill the request if the public information cannot be readily identified and gathered and any fees that may be charged pursuant to subsection (3). (3) A public agency may charge a fee for fulfilling a public information request. Except where a fee is

otherwise provided for by law, the fee may not exceed the actual costs directly incident to fulfilling the request in the most cost-efficient and timely manner possible. The fee must be documented. The fee may include the time required to gather public information. The public agency may require the requesting person to pay the estimated fee prior to identifying and gathering the requested public information. (4) A public agency is not required to alter or customize public information to provide it in a form specified to meet the needs of the requesting person. (5) If a public agency agrees to a request to customize a records request response, the costs of the customization may be included in the fees charged by the agency. (6)(a) The secretary of state is authorized to charge fees under this section. The fees must be set and deposited in accordance with 2-15-405. The fees must be collected in advance."

If there are any fees for searching or copying these records, please inform me of these costs. However, I would like to request a waiver of all fees in that the disclosure of the requested information is in the public interest and will contribute significantly to the public's understanding of and transparency of MT elected officials, open government and accountability. This information is not being sought for commercial purposes.

If access to the records I am requesting will take longer than a 'reasonable' amount of time, please contact me with information about when I might expect copies or the ability to inspect the requested records. As I am making this request as a concerned public citizen and researcher, and this information is of a timely value, I would appreciate your communicating with me by telephone (406-579-7748) or email (kathryn@emwh.org), rather than by postal mail, if you have questions regarding this request.

If you deny any or all of this request, please cite each specific exemption you feel justifies the refusal to release the information and notify me of the appeal procedures available to me under the law.

Thank you for processing my request.

Thank you,
Kathryn QannaYahu

Enhancing Montana's Wildlife & Habitat
406-579-7748
1007 N. Warren St.
Helena, MT 59601

MONTANA EIGHTEENTH JUDICIAL DISTRICT COURT
GALLATIN COUNTY

APPLICATION FOR THE RELEASE OF
CONFIDENTIAL CRIMINAL JUSTICE INFORMATION

APPLICANT: Kathryn Anna Kahu, Enhancing Montana's wildlife & habitat
ADDRESS: 1007 N. Warren St.
CITY, STATE, ZIP: Helena, MT 59601
HOME PHONE: WORK PHONE: 406-579-7748
CASE NUMBER:

Applicant applies to the Court for the Release of Confidential Criminal Justice Information, pursuant to Section 44-5-302(1)(b), M.C.A. The information requested is:

Casefile of on Greg Giantorke for assault of Guardian reporter Ben Jacobs on May 24, 2017, including audio files, mugshot, other photos, or any video.

The reason for the request is: Montana Constitution, Article II, Part II, Sec. 9 - Right to Know

Dated: 4/24/2018

Applicant: Kathryn Anna Kahu

Copy Fees

Paper page	\$.50 per page
Photos reprints	Actual development cost
Color Photos on glossy photo paper	\$1.00 per page
CD's / Audio Tapes	\$10.00 each
Video Tapes	Actual development cost

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