

# REVISED NOTICE TO REQUESTER

(File or Report No. 2016-0656)

TO: Amanda J. Finaly, ACLU of Hawaii Phone: (808) 522-5905  
PO Box 3410 Email: mfinlay@acluhawaii.org  
Honolulu, HI 96801

FROM: Jerrie L. Sheppard, Deputy Corporation Counsel  
Department of the Corporation Counsel, County of Maui  
200 South High Street, 3<sup>rd</sup> Floor Phone: (808) 270-7400  
Wailuku, HI 96793 Email: jerrie.sheppard@co.maui.hi.us

DATE REQUEST RECEIVED: May 13, 2016

DATE OF THIS NOTICE: May 31, 2016

## GOVERNMENT RECORDS YOU REQUESTED:

Values below revised based on Requestor's email, dated May 25, 2016, attached, modifying original request.

### A. YOUR REQUEST WILL BE MADE AVAILABLE AFTER PAYMENT:

- After full payment of fees and costs of \$  
Payment may be made by  cash (in-person) or  Check payable to County of Maui
- Once prepayment has been received we will begin work on your request. The agency has within 20 business days to disclose each increment of the records you requested. HAR § 2-71-15.

### B. ESTIMATED FEES & COSTS:

An agency is authorized to charge fees and costs to process your request (even if no record is found to exist), but must waive the first \$30 in fees assessed for general requesters and the first \$60 in fees when the agency finds that the request made is in the public interest. See HAR §§ 2-71-14, -31 and -32. The agency may require prepayment of 50% of the total estimated fees and 100% of the total estimated costs prior to processing your request. HAR § 2-71-19. The following is the estimate of the fees and costs that the agency will charge you, with the applicable waiver amount deducted:

Fees: Search	Time spent: Estimate <i>Approximately</i> 42 hours (\$2.50 for each 15-minute period = \$10/hr)	\$ 420.00
Review and segregation	Time spent: Estimate <i>Approximately</i> 49 hours (\$5.00 for each 15-minute period = \$20/hr)	\$ 980.00
Other	(Pursuant to HAR §§ 2-71-19 & 2-71-31)	\$ unknown
Fees waived	<input type="checkbox"/> general (\$30) <input checked="" type="checkbox"/> public interest (\$60)	<\$ 60.00 >
	<b>TOTAL FEES:</b>	\$ 1,340.00
Costs: Copying	# of pages copied: (@ \$0.25 per page.)	\$ unknown
Other costs	Estimate unknown; CD's approximately \$10.00 each DVD's approximately \$10.00 each	\$ unknown
	<b>TOTAL COSTS:</b>	\$ unknown
	<b>TOTAL ESTIMATED FEES AND COSTS</b> (50% of fees; 100% of costs):	\$670.00 + costs
	Total Fees and Costs charged to date:	\$ 0.00
	Total Fees and Costs paid to date:	\$ 0.00
	<b>REMAINING FEES AND COSTS DUE NOW:</b>	\$ TBD

**C. YOUR RECORDS REQUEST:**

Per your request, because the total fees for this request (including copying charges, which are unknown at this time) are anticipated to exceed \$50.00, we are notifying Requestor to seek specific written permission to proceed with the attached request. Please feel free to contact Deputy Corporation Counsel Jerrie Sheppard at the above phone number or email address to revise your request if desired, or provide your specific written permission to proceed with your request. If you desire to narrow your request, please notify Ms. Sheppard.

**D. METHOD & TIMING OF DISCLOSURE:**

Records available for public access in their entireties must be disclosed within a reasonable time, not to exceed 10 business days, or after receipt of any prepayment required. Records not available in their entireties must be disclosed within 5 business days of this notice or after receipt of any prepayment required. If incremental disclosure is authorized by HAR § 2-71-15, the first increment must be disclosed within 5 business days of this notice or after receipt of any prepayment required.

**Method of Disclosure:**

- Inspection at the following location: \_\_\_\_\_.
- As requested, a copy of the record(s) will be provided in the following manner:
  - Available for pick-up at the following location: \_\_\_\_\_.
  - Will be mailed to you.
  - Will be transmitted to you by other means requested: \_\_\_\_\_.

For questions about this notice, please contact the person named above. Questions regarding compliance with the UIPA may be directed to the Office of Information Practices at 808-586-1400 or [oiip@hawaii.gov](mailto:oiip@hawaii.gov).

For incremental disclosures, each subsequent increment will be disclosed within 20 business days after:

- The prior increment (if one prepayment of fees is required and received).
- Receipt of each incremental prepayment required.

Disclosure is being made in increments because the records are voluminous and the following extenuating circumstances exist:

- Agency must consult with another person to determine whether the record is exempt from disclosure under HRS chapter 92F.
- Request requires extensive agency efforts to search, review, or segregate the records or otherwise prepare the records for inspection or copying.
- Agency requires additional time to respond to the request in order to avoid an unreasonable interference with its other statutory duties and functions.
- A natural disaster or other situation beyond agency's control prevents agency from responding to the request within 10 business days.

**THIS RESPONSE IS BEING PROVIDED PURSUANT TO THE UIPA, ITS ADMINISTRATIVE RULES AND HAWAII LAW, CHAPTER 92F, HRS AND CHAPTER 2-7 HAWAII ADMINISTRATIVE RULES.**