

From: [Lees, Robert](#)
To: [Keays, Alan](#)
Subject: Rutland OIS PRR Cost Estimate
Date: Tuesday, December 7, 2021 9:55:46 PM
Attachments: [AGO Rutland OIS PRR Cost Estimate 12-7-2021.pdf](#)

Dear Mr. Keays:

Attached please find a cost estimate letter in response to your public records request dated November 22, 2021 related to the August 25, 2021 officer-involved shooting in Rutland.

Please let me know if you have any questions.

Thank you,

Robert

Robert D. Lees
Assistant Attorney General
Vermont Attorney General's Office | Criminal Division
109 State Street
Montpelier, Vermont 05609
(802) 828-5512

PRIVILEGED & CONFIDENTIAL COMMUNICATION: This communication may contain information that is privileged, confidential, and exempt from disclosure under applicable law. DO NOT read, copy or disseminate this communication unless you are the intended addressee. If you are not the intended recipient (or have received this E-mail in error) please notify the sender immediately and destroy this E-mail. Any unauthorized copying, disclosure or distribution of the material or taking of any action in reliance on the contents of the electronically transmitted materials is prohibited. Vermont's lobbyist registration and disclosure law applies to certain communications with and activities directed at the Attorney General. Prior to any interactions with the Office of the Vermont Attorney General, you are advised to review Title 2, sections 261-268 of the Vermont Statutes Annotated, as well as the Vermont Secretary of State's most recent compliance guide available at <https://www.sec.state.vt.us/elections/lobbying.aspx>.

From: [Lees, Robert](#)
To: [Keays, Alan](#)
Subject: RE: Rutland OIS PRR Cost Estimate
Date: Tuesday, December 7, 2021 10:09:00 PM

Mr. Keays,

I will also be sending you a OneDrive download link shortly that contains the video files that have been redacted thus far. Let me know if you have any issues accessing these materials. Please give me a call if you have any questions or would like to discuss your request further.

Thank you,

Robert

Robert D. Lees
Assistant Attorney General
Vermont Attorney General's Office | Criminal Division
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Montpelier, Vermont 05609
(802) 828-5512

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From: Lees, Robert
Sent: Tuesday, December 7, 2021 9:56 PM
To: Keays, Alan <akeays@vtdigger.org>
Subject: Rutland OIS PRR Cost Estimate

Dear Mr. Keays:

Attached please find a cost estimate letter in response to your public records request dated November 22, 2021 related to the August 25, 2021 officer-involved shooting in Rutland.

Please let me know if you have any questions.

Thank you,

Robert

Robert D. Lees
Assistant Attorney General
Vermont Attorney General's Office | Criminal Division
109 State Street
Montpelier, Vermont 05609
(802) 828-5512

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THOMAS J. DONOVAN, JR.
ATTORNEY GENERAL

JOSHUA R. DIAMOND
DEPUTY ATTORNEY GENERAL

SARAH E.B. LONDON
CHIEF ASST. ATTORNEY GENERAL



TEL: (802) 828-3171

<http://www.ago.vermont.gov>

**STATE OF VERMONT
OFFICE OF THE ATTORNEY GENERAL
109 STATE STREET
MONTPELIER, VT
05609-1001**

December 7, 2021

VIA EMAIL

Alan J. Keays
VTDigger
26 State Street, Suite 8
Montpelier, VT 05602
802-353-2458
akeays@vtdigger.org

Re: November 22, 2021, Public Records Request: Rutland Officer-Involved Shooting

Dear Mr. Keays:

I am writing in connection with your public records act request dated November 22, 2021, requesting information about the officer-involved shooting that took place on August 25, 2021, involving Rutland City Police Department Corporal Christopher Rose.

A general overview of the records the AGO has in its possession are as follows:

- 911 recording
- Radio traffic / dispatch recording
- Audio recorded interviews of witnesses
- Exhibits from interviews
- Crime Scene Search Team materials
- Sworn statement forms
- Interview exhibits
- VSP investigative reports
- Assisting law enforcement officer reports from Rutland City PD and Rutland Town PD
- Body-worn and cruiser camera video from VSP and other departments
- McDonald's surveillance video
- Civilian cell phone video
- Search consent forms
- Vermont Forensic Lab reports
- Office of the Chief Medical Examiner report

Please note that portions of the above records, as well as other responsive records in our possession, are presently exempt from disclosure under the following statutory exceptions:

1 V.S.A. § 317(c)(3) - Records which, if made public pursuant to the PRA, would cause the custodian to violate duly adopted standards of ethics or conduct for any profession regulated by the State. Please see Rules 1.1 (Competence), 1.6 (Confidentiality of Information), and 3.8 (Special Responsibilities of a Prosecutor) of the Vermont Rules of Professional Conduct.

1 V.S.A. § 317(c)(5)(A)(iii) - Records dealing with the detection and investigation of crime that could reasonably be expected to constitute an unwarranted invasion of personal privacy.

1 V.S.A. § 317(c)(5)(D) - Records dealing with the detection and investigation of crime that could reveal information that could be used to facilitate the commission of a crime or the identity of a private individual who is a witness to or victim of a crime.

Turning first to the portion of potentially responsive records that are documentary records, please be advised that because the materials covered by your request contain records that require review and redaction, we will require payment to cover the cost associated with this time, which we have calculated as follows:

1. Attorney review of records: 300 minutes @ .57/minute (\$171.00)
2. Attorney time for redactions of records: 960 minutes @ .57/minute (\$547.20)
3. Staff time for redaction of records: 300 minutes @ .33/minute (\$89.1)

Pursuant to 1 V.S.A. 316(c), the first 30 minutes of staff time are exempt from billing. Therefore, the total amount payable to process your request for *documentary records only* is \$807.03. Should you wish to proceed with this portion of your request, please send a check in that amount to our office at my attention made payable to the State of Vermont. As soon as this payment is received, we will finish processing your request.

In addition to documentary records, records responsive to your request also include electronic photographs, audio recordings, and video. It will take additional time to estimate costs for redaction of these records, or to redact them in advance of inspection as we do not have that capability within the Attorney General's Office.

Please be advised that to the extent this letter constitutes a denial of your request, you may appeal to the Deputy Attorney General. Any appeal should be in writing and addressed to:

Joshua Diamond
Deputy Attorney General
109 State Street
Montpelier, VT 05609-1001

Sincerely,

/s/ Robert D. Lees
Assistant Attorney General
Criminal Division

From: [Lees, Robert](#)
To: [Keays, Alan](#)
Subject: Lees, Robert shared the folder "Rutland OIS - redacted video" with you.
Date: Tuesday, December 7, 2021 10:10:10 PM
Attachments: [AttachedImage](#)
[AttachedImage](#)
[AttachedImage](#)
[AttachedImage](#)
[AttachedImage](#)



Lees, Robert shared a folder with you

OneDrive download link referenced in prior email.



Rutland OIS - redacted video



This link only works for the direct recipients of this message.

Open



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