

PCU // \ Free Assembly Project

St. Louis, MO: 314.869.1059 — PCU@Free-Assembly.org

www.Free-Assembly.org

~ an Association of Volunteers

9 July 2007

Sandoval County Sheriff Department
1500 Idalia Rd. – Rio Rancho, New Mexico 87124

Attn: Vivian Seals, Administration

Fax: 505-867-7608

FREEDOM OF INFORMATION REQUEST

Re: 'Rainbow Gathering' Citations & Arrests
June-July 2009

Sheriff, Ms. Seals, and Others Concerned:

This Request is made under the Freedom of Information Act, 5 U.S.C. § 552. This is appropriate because Department actions in question were conducted under Federal mandate and/or funding pursuant to a "National Incident" declaration.

This Request relates to law enforcement actions involving participants in the "Rainbow Gathering" in the vicinity of Cuba, New Mexico, and other locations in Santa Fe National Forest from June 15, 2009 to date. Please provide the following documents:

- 1. Copies of citations or information filed by Sandoval County Sheriff Officers against defendants traveling to this event, on the site, or in its vicinity during this period.*
- 2. Jail intake logs or equivalent records from the Sandoval County detention facility identifying all gathering-related detainees, whether under State or Federal charges. This information should include the name, home town, and citation/case number, and dates of incarceration and release. It may be provided either as log copies annotated to identify such detainees, or as a separate abstract summarizing these facts.**
- 3. A list of such individuals still incarcerated in the Sandoval County detention facility as of this date, in accord with records responsive to item #2 above. Please expedite this information in particular in light of their current circumstances, to protect their legal interests.*

In response please list the items provided in accord with this Request, and mark them for clear identification. The Freedom of Information Act provides that if portions of requested documents are exempt, the remainder must be segregated and released, so it is appropriate that you send all non-exempt portions of the records requested.

*Note that only street addresses and phone numbers for defendant parties and detainees are exempt under the Privacy Act. Their names and hometowns are essential for identification, and must be provided as a matter of public record.

Should you elect to withhold or delete any information, please justify your decisions in writing by referencing specific exemptions of the Act. Under its provisions, we reserve the right to appeal should you withhold any information requested.

PCU // Free Assembly Project embodies compelling public interests in the scope and nature of law enforcement actions and prosecutions affecting participants in expressive assemblies. Due to the nature of such events -- where participation is voluntary and anonymous, in accord with the intent and personal protections of the First Amendment -- by definition, such individuals are not known by name. Therefore they must be identified by citation/arrest dates, locations, and other pertinent facts in the necessity of documenting such actions and criminal cases.

We request waiver of fees on the following grounds:

(a) These materials are requested *"for the general use and benefit of the public"*, in purposes of public-interest research for PCU // Free Assembly Project.

This association has a creditable record of public information & advocacy since 1993, and is acknowledged in this capacity under the Freedom of Information Act by Federal agencies.

(b) It is anticipated that the total number of copies will not exceed 100 pages; therefore the Request falls within the limit for free duplication.

(c) The requested items are specific, current, and available locally; therefore search time should be modest and related fees unwarranted. However we agree to pay reasonable search and/or duplication fees up to a limit of \$25, if required. Please fulfill this request for all items, and notify in writing of any items requiring payment over the stated limit.

This Request is transmitted by Fax for expedited Response, in part.

Please compile and immediately provide the list of current detainees per item #3 above, since this information is of a critical timely nature, and convey it to attorney John McCall, Albuquerque, by return Fax: 505-255-7266.

Thereupon your Responses under items #1 and #2 should be sent out as soon as possible within the 10-day limit allowed by law. These may be mailed directly to the address listed below, and preferably conveyed in digital form by email by email as well.

Please contact me with any questions at the telephone number provided; I can retrieve your message promptly and respond.

Thank you for your cooperation.



Scott C. Addison, Coordinator

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314-869-1059 ... sca@Free-Assembly.org

cc: John McCall, Attorney