

May 28, 2014

Randy Ruaro
Policy Director
Office of the Governor
PO Box 110001
Juneau, AK 99811-0001

**Re: Public Records Request
Sexual Assault response by the Alaska National Guard**

Dear Mr. Ruaro,

I hope this finds you well. I am a reporter for Alaska Public Media, and I am seeking access to the state correspondence sent by Mr. Mike Nizich from his personal e-mail account in his capacity as Gov. Sean Parnell's chief of staff. As allowed by the Alaska Public Records Act,¹ I also seek access to records related to sexual assault in the Alaska National Guard.

Specifically, I request:

- Any and all e-mails Mr. Nizich exchanged with National Guard members since 2010 using his personal account
- Notes on internal Office of the Governor meetings that have occurred since 2010 on the issue of sexual assault in the Alaska National Guard
- Correspondence sent since 2010, on the subject of sexual assault in the Alaska National Guard to or from:
 - Gov. Sean Parnell
 - Chief of Staff Mike Nizich
 - Deputy Director Cindy Sims
 - Director of State/Federal Relations Kip Knudsen

Please interpret broadly to include e-mails, text messages,² and memos.

- Interdepartmental correspondence since 2010, on the subject of sexual assault in the Alaska National Guard from Governor's staff between:
 - Major General Thomas Katkus
 - Deputy Commissioner McHugh Pierre

Please interpret broadly to include e-mails, text messages, and memos.

If you are unsure whether a record is responsive, please err on being over inclusive. As you gather these records, you may think that some of them are privileged or that they fall under an exception to the Public Records Act. If so, and if you believe that you cannot redact those records in a way that will protect the privilege or exception, please send me a

¹ Alaska Stat. § 40.25.110, et seq.

² To avoid confusion, by "text messages" I mean messages, such as SMS (short message service) messages, that are sent from a mobile phone directly over a mobile telephone network.

privilege log that individually lists each withheld record and a corresponding description of the asserted privilege or exception. Please include sufficient detail for me – and if need be, the courts – to objectively assess the claimed privilege or exception. If you decline to disclose any records, please preserve them long enough for me to exhaust any administrative or judicial appeal of your denial.³

I am not a party in any suit against the state, and these records are not being requested for the purpose of any litigation.⁴

I hope that you are able to produce these records within 10 working days. If you need more time, please tell me the reason why and we can discuss the matter when you fulfill my request.⁵ Also, please let me know if anything is unclear or if I may narrow my request to make it easier or cheaper for you to produce these records. You may call me at 907-209-1799.

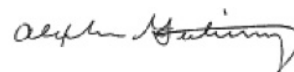
I prefer digital copies, but please produce the records in the way that is easiest and cheapest to you. You may e-mail them to agutierrez@alaskapublic.org, fax them to 907-586-5692, or mail them to:

Alexandra Gutierrez
Alaska Public Media
3877 University Dr
Anchorage, AK

As a member of the press, I am also requesting a fee waiver.⁶ The handling of sexual assault in the Alaska National Guard is a matter of public interest. Given the allegations made about the response to sexual assault cases reported by Guard members, information on handling of those charges would substantially enhance Alaskans' understanding of government.

Thank you for your help with this. I appreciate it, and I look forward to receiving these records.

All the best,



Alexandra Gutierrez
Capitol Correspondent

³ 2 Alaska Admin. Code § 96.335(g).

⁴ Alaska Stat. § 40.25.122; 2 Alaska Admin. Code § 96.220.

⁵ 2 Alaska Admin. Code § 96.325.

⁶ AS 40.25.110 (d)