



128 Dorrance Street, Suite 400
Providence, RI 02903
Phone: (401) 831-7171
Fax: (401) 831-7175
www.riaclu.org
info@riaclu.org

March 12, 2021

The Hon. Kenneth Hopkins
Cranston City Hall
869 Park Avenue
Cranston, RI 02910

sent via fax (401) 780-3113

Dear Mayor Hopkins:

I realize that you have only been in office a few months and transitions can sometimes be rough, but I am writing to apprise you of the Kafkaesque experience we have had today trying to obtain from your office an important public city document that should be accessible with one click on a computer screen. In the hope that you can take steps to ensure that nothing like it will happen again, I thought it important to let you know of the inexplicable difficulties that members of the public encounter in seeking information from City Hall.

A week ago, you held a news conference announcing the issuance of an executive order dealing with the presence of off-road vehicles on the City's streets. It being an executive order – a quintessential public document, and one with the force of law - we expected to find it on the City's website. Much to our surprise, we were unable to locate it there.

My office colleague Megan Khatchadourian therefore called your office early this morning in order to obtain a copy. I share below the results of her experience.

At around 9 AM this morning, I called the Mayor's office and left a message on the Mayor's Assistant's voicemail indicating that I was trying to obtain a copy of the Mayor's executive order on ATVs. When his office called me back, the woman asked me who I was because when she gave the Mayor the message "he's going to want to know who Megan Khatchadourian is." I explained I was calling from the ACLU of RI. She then told me that the Mayor was not presently in, but that she'd forward my message along to him to call me when he returned or to his Chief of Staff. I told her I would like to leave my email with her in case they decided it was easier to just send me the document.

Shortly thereafter, I got a call from Communications Coordinator Steven Paiva, who again asked me who I was and told me that he was going to give me the contact information for the City Solicitor, as I would need to talk to him. I asked him if that was his way of telling me that I needed to ask for the executive order through a formal Access to Public Records Act request. He stated no and said that the solicitor, Chris Millea, would be the one who could get me the document the fastest and easiest. He gave me the Law Department's extension.

I called the Law Department, and Mr. Millea answered. I explained what I was calling about and told him that the Mayor's office suggested I speak with him about this. Like everybody else before him, he asked me who I was and where I was calling from, and advised me that he is currently on vacation in New Hampshire. He asked me if this was an urgent request or if it could wait until Monday since he was on vacation and his work files were locked in his office at City Hall. I pressed him as to why it was so difficult for me to obtain a copy of a

week-old executive order that the media had reported on and that had been the subject of a press conference, and asked if no one at City Hall had access to the document who could send it faster than Monday. After putting me on hold, he told me he would try to make some phone calls to the office to see if someone might be able to access his computer files to get me the document and that he would call me back later.

Almost six hours since her first phone call to your office, we are still waiting for a copy of this executive document that was publicized and released with much fanfare a week ago. The fact that we are still at this point after having talked with three people in your office, and that an inquiry as to who was asking for the document was one of the first questions always asked, sends a very strong message – but not the right one – about your administration’s approach toward government transparency.

I must mention that we are apparently not the only ones facing this obstacle course. This morning we also learned that a city resident who had sought to obtain a copy of the executive order was told by a police official that he could not get a copy of it. Exactly why your staff would work so hard to keep secret a document that you considered important enough to hold a news conference about is puzzling, as it its apparent unavailability to anybody in City Hall but your solicitor. I would also add that it is difficult for the City to expect compliance with a governmental order that nobody can see. They are public documents for a reason – many reasons, actually.

All I can do is hope that we receive the executive order soon and that future requests for information from your office – whether from us or a local constituent – will not be so byzantine.

Sincerely,

A handwritten signature in black ink that reads "Steven Brown". The signature is written in a cursive, slightly slanted style.

Steven Brown
Executive Director

cc: Cranston City Council (via email)