

From: Donoghue, Michael

Sent: Tuesday, December 27, 2016 5:06 PM

To: London, Sarah <Sarah.London@vermont.gov>; Coriell, Scott (Scott.Coriell@vermont.gov) <Scott.Coriell@vermont.gov>

Cc: Allen, Susan <Susan.Allen@vermont.gov>; 'James.Pepper@vermont.gov' <James.Pepper@vermont.gov>

Subject: Public Records Request (update) 2016-12-11

Dear Sarah,

Happy New Year. Good chatting with you.

Please consider this a new request under Vermont's Public Records Law for:

Copies of all forms, letters or other record seeking full pardons for possession of marijuana under the program proposed by Gov. Shumlin. We are interested in the actual form that was filled out by those seeking the pardon. The Governor's website post made it clear to those seeking pardons that their information is public.

As I understand Dec. 25 was the deadline. We are seeking all that applied for a pardon in any format with copies of the request.

The response to our earlier request did not meet the spirit or intent of the request under the law.

The spreadsheet offered provided no dates of birth, or ages of the applicants. Thus it is difficult to match up those names with the actual court records.

Also the Governor's Office indicated to me that it did not know the dates of the convictions. So the question is how can the Governor (or anybody) know what crimes are being pardoned.

Also it appears that some people submitted multiple requests. At least one person was listed four times. We are trying to understand if this person really has four separate convictions for possession of marijuana. Others have multiple pardon requests.

Also we are interested in any records that will show the level of marijuana each person petitioning for a pardon had in his or her possession. At one point Vermont said possession of under two ounces of marijuana was a misdemeanor. Some of those cases may be coming your way, but in reality these people may have had more than one ounce – now the threshold.

If somebody had a pound of marijuana and was trying to sell it, but it was sugared off as a misdemeanor possession of marijuana, will the Governor consider that a pardonable offense?

Does the Governor plan to grant full pardons to people that had more than one ounce of marijuana? What is the threshold for the pardon when some cases are clearly above the one ounce threshold in some criminal cases?

Also we are still awaiting an answer to my earlier question on the following claim by the Governor:

*** Understands that if the Governor grants a pardon and then later discovers that any information provided on the application or throughout the pardon process is false, incomplete and/or incorrect, criminal or civil penalties may be imposed, and the Governor may revoke the pardon.**

This appears to be in conflict with past practices and policies, including what happen with Gov. Snelling when he tried to withdraw a pardon.

Thank you.

**Mike Donoghue
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