

Tammy Hodgman

From: Tammy Hodgman
Sent: Wednesday, May 7, 2025 4:23 PM
To: Lindsay.Laxon@Legislature.maine.gov
Cc: Linda Morrell
Subject: Survey Response: Resources for Responding to FOAA Requests
Attachments: Right to Know Advisory Committee Request.pdf; Town of Windham Response.pdf

Please find our response to your FOAA survey.

Thank you,

Tammy Hodgman
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PUBLIC HOURS: Monday 7:00-5:00 Tuesday 7:00-6:00 Wednesday 7:00-5:00 Thursday 7:00-4:00



NOTICE: Under Maine's Freedom of Access ("Right to Know") law, documents – including emails – in the possession of public officials about town business are considered public records. This means if anyone asks to see it, we are required to provide it. There are very few exceptions. We welcome citizen comments and want to hear from our constituents, but please keep in mind that what you write in an email is not private and will be made available to any interested party.

Representative Erin Sheehan, Chair
Senator Anne Carney
Amy Beveridge
Jonathan Bolton
Hon. Justin Chenette
Lynda Clancy
Linda Cohen
Julie Finn
Betsy Fitzgerald



Jen Lancaster
Brian MacMaster
Kevin Martin
Judy Meyer
Hon. Kimberly Monaghan
Tim Moore
Cheryl Saniuk-Heinig
Eric Stout
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STATE OF MAINE

RIGHT TO KNOW ADVISORY COMMITTEE

TO: Dwayne Young, Maine Town and City Clerks' Association

FROM: The Honorable Erin Sheehan, Chair, Right to Know Advisory Committee

DATE: February 7, 2025

RE: Survey: Resources for responding to Freedom of Access Act requests

During its meetings in 2023 and 2024, the Right to Know Advisory Committee considered several topics related to challenges faced by entities responding to public records requests under the Freedom of Access Act (FOAA). To assist in its work in 2023, the Advisory Committee formed a subcommittee which was charged with addressing, among other things, the definition of a "burdensome" FOAA request as used in 1 M.R.S. §408-A(4); issues related to individuals making repeated FOAA requests; and whether the Public Access Ombudsman should be given different or expanded authorities. As a result of the Subcommittee's discussions, the Advisory Committee recommended sending a survey to various entities regarding their experiences with burdensome FOAA requests. In 2024, the Advisory Committee reestablished a subcommittee to review the survey responses it received and made a number of recommendations for changes based on those responses. For a summary of those recommendations, please see the 19th Annual Report of the Right to Know Advisory Committee which is available on the Legislature's website.¹

As the subcommittee discussed the issues related to burdensome requests, it became clear to members that there is significant variability in the resources available to entities responsible for responding to FOAA requests. While some respondents may have institutional capacity to manage a large number of requests, other, smaller entities may lack any dedicated resources for FOAA-related tasks.

To better understand the scope of the resources available to entities responsible for responding to FOAA requests, the subcommittee recommended to the Advisory Committee that it distribute a survey to those entities to determine resource capacity as well as any gaps in resources. The Advisory Committee voted to accept this recommendation. Therefore, the Advisory Committee

¹ Available at: <https://legislature.maine.gov/right-to-know-advisory-committee-annual-reports>

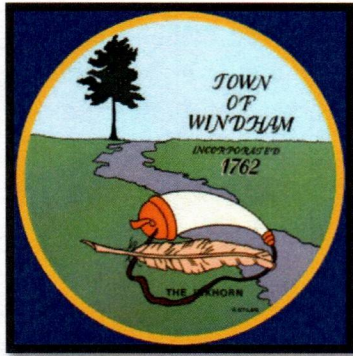
requests the following information from your organization by July 1, 2025. **Please note that information provided to the Right to Know Advisory Committee in response to this survey will be distributed to Advisory Committee members and is public information.**

1. Please describe your organization, including the type of organization (state, local, county, school, etc.) and total number of employees.
2. Please provide the approximate number of FOAA requests that you have received annually since 2021.
3. Please provide the number of individuals in your organization responsible for responding to FOAA requests. Are these individuals tasked with FOAA work part time or full time, or is FOAA an extra task that is not specifically accounted for?
4. Do you feel your organization has sufficient resources to respond to FOAA requests?
5. If you do not feel that you have sufficient resources, what resources would be necessary to meet your organization's needs?

Thank you for your attention to this matter. You may provide your responses by email to Lindsay.Laxon@legislature.maine.gov or via mail to:

Right to Know Advisory Committee
c/o Office of Policy and Legal Analysis
13 State House Station Cross Office Building,
Room 215 Augusta, Maine 04333-0013

If you have any questions or concerns about our request, please do not hesitate to reach out to Advisory Committee staff, Lindsay Laxon or Colleen McCarthy Reid, at (207) 287-1670.



Town of Windham

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May 7, 2025

(via email to: Lindsay.Laxon@Legislature.maine.gov)

Right to Know Advisory Committee
c/o Office of Policy and Legal Analysis
13 State House St. Cross Office Building, Room 215
Augusta, ME 04333-0013

The Town of Windham would like to provide a response to your survey questions, numbered below, regarding our responses to public records requests.

1. Please describe your organization, including the type of organization (state, local, county, school, etc.) and total number of employees.

The Town of Windham is a municipal/local government entity with 221 employees, of which 64 are per diem fire personnel.

2. Please provide the approximate number of FOAA requests that you have received annually since 2021.

2021 – 187 [175 (PD) + 12 (TM)] *
2022 – 322 [272 (PD) + 50 (TM)]
2023 – 339 [284 (PD) + 55 (TM)]
2024 – 387 [334 (PD) + 53 (TM)]

**Only began logging requests in 2022.*

3. Please provide the number of individuals in your organization responsible for responding to FOAA requests.

Officially there are **two** people assigned to respond to FOAA requests. The Administrative Assistant -Dispatch Liaison & Records in the Police Department and the Executive Assistant in the Town Manager's Office.

The Police Department has an employee assigned to respond to FOAA requests for crash reports, PD reports, statistics, etc. Other types of requests move up to the Town Manager's Office for response coordination. Police also use an online form to receive and track their requests. There has been some consideration for a part-time employee at the Police Department to assist with these requests, but it has not been brought forward as a budgeting request.

All other FOAA requests are forwarded to the manager's office so they can be logged. Often the Town Clerk receives the request and forwards them to the Executive Assistant in the Manager's Office. The request is logged, acknowledged, information is gathered and coordinated between departments, and responded to in most instances, centrally by the manager's office.

Do these individuals tasked with FOAA work part time or full time, or is FOAA an extra task that is not specifically accounted for?

Both these positions are full-time and FOAA response is an assigned task as part of their duties in support of their respective supervisors or department head.

4. Do you feel your organization has sufficient resources to respond to FOAA requests?

Yes, we have sufficient personnel resources.

5. If you do not feel that you have sufficient resources, what resources would be necessary to meet your organization's needs?

A better tracking mechanism may be warranted. We may implement an online request form with our next website update which will hopefully centralize requests not pertaining to police business. Our current website provider has the necessary for us to implement that.