



STATE OF INDIANA
OFFICE OF THE GOVERNOR
State House, Second Floor
Indianapolis, Indiana 46204

Eric J. Holcomb
Governor

March 23, 2018

VIA ELECTRONIC MAIL ONLY

Mr. Brian Slodysko
Indiana State Capitol Correspondent
The Associated Press
bslodysko@ap.org

Re: APRA Requests

Dear Mr. Slodysko:

Enclosed herewith are copies of records responsive to certain public records requests you sent pursuant to Indiana's Access to Public Records Act ("APRA"). This includes records that are responsive to your October 2, 2017 request in which you stated:

I am writing regarding the records provided by the governor office on Sept. 28, 2017 in response to several APRA requests filed by the Associated Press, seeking Mike Pence's email correspondence.

The AP's requests sought all emails related to specific topics: the East Chicago lead crisis, the HIV/AIDS outbreak in 2015, RFRA, and voter fraud. However, the records provided are not responsive to these specific subject areas. Rather, the governor's office – as stated in its response letters – treated these broad subject areas as search terms. In order to assist the governor's office in complying with the AP's APRA requests I am providing some search terms, which can be found below.

...

AIDS/HIV Outbreak:

"Needle," "syringe," "opana," "HIV," "AIDS," "outbreak," "crisis," "heroin," "opiates" "needle exchange," "hepatitis," "Scott County," "treatment," "public health," "addiction."

...

RFRA:

"gay," "lesbian," "homosexual," "LGBT," "religious freedom," "controversy," "cake," "Christian," "boycott," "business," "pray," "Porter Novelli," "fix," "RFRA," "sogi."

Furthermore, the Governor's Office previously produced copies of records to you in response to the following requests:

- (1) *All records and emails that were routed through the private and official email addresses maintained by the former Gov. Mike Pence, between 6/1/2016 and 11/31/2016, that also include any of the following people on the chain: Matt Lloyd, Josh Pitcock, Jim Atterholt, Bill Smith, Chris Crabtree, Cary "Lani" Czarniecki, Jennifer Pavlik, Kara Brooks, Doug Carter and Zach Bauer using the following terms: "Trump," "Donald," "DT," "DJT," "VP," "vice president," "fraud," "New York," "trip," "Ted," "Cruz," "running mate," "Golf," "New Jersey," "breakfast," "dinner," "Senate," "House," "audition," "pick," "meet," "meeting," "Conrad," "veep," or "mpence1958@aol.com";*
- (2) *All emails addressing the subject of JustIN or a state run news service, sent to or from the address mpence1314@aol.com between the dates 11/01/2014 and 02/28/2015, that also include any of the following people on the chain: Jim Atterholt, Bill Smith, Bill McCleery, Josh Pitcock, Kara Brooks, and Christy Denault; and*
- (3) *All records and emails addressing the subject of the refugee resettlement that were routed through the address mpence1314@aol.com, between 11/1/2015 and 3/31/2015, that also include any of the following people on the change: Matt Lloyd, Josh Pitcock, Jim Atterholt, Chris Crabtree, Cary "Lani" Czarniecki, John Wernert, Chris Johnson and Kara Brooks.*

At the time you received records in response to these requests, the Governor's Office informed you that "[t]hese records are being produced on a rolling basis as the Governor's Office's review of the records is completed, and this production may be supplemented if and when additional responsive records are located and reviewed." The Governor's Office has now completed its review of all records located that are responsive to these requests, and has enclosed additional responsive records herein.

As a courtesy, we are providing all of the foregoing responsive records to you free of charge. For your request related to "AIDS/HIV Outbreak," we have searched the e-mails produced electronically by the former Governor and e-mails maintained by the State for e-mails which included the former Governor and any of the following individuals within the e-mail chain, Jim Atterholt, Karen Pence, Chris Crabtree, Jerome Adams, Cary "Lani" Czarniecki, Jennifer Walthall, Bill Smith, Kara Brooks, and Christy Denault, in the relevant time period, that contain one or more of the following words: "Needle," "syringe," "opana," "HIV," "AIDS," "outbreak," "crisis," "heroin," "opiates," "needle exchange," "hepatitis," "Scott County," "treatment," "public health," or "addiction."

For your request related to "RFRA," we have searched the e-mails produced electronically by the former Governor and e-mails maintained by the State for e-mails which included the former Governor and any of the following individuals within the e-mail chain, Jim Atterholt, Eric Doden, Matt Lloyd, Curt Smith, Bill Smith, Eric Miller, Micah Clark, Josh Pitcock, Kara Brooks, and Christy Denault, in the relevant time period, that contain one or more of the following words: "gay," "lesbian," "homosexual," "LGBT," "religious freedom," "controversy," "cake," "Christian," "boycott," "business," "pray," "Porter Novelli," "fix," "RFRA," or "sogi."

For your request that included search terms such as "Donald" and "Trump," we have searched the e-mails produced electronically by the former Governor and e-mails maintained by the State for e-mails which included the former Governor and any of the following individuals within the e-mail chain, Matt Lloyd, Josh Pitcock, Jim Atterholt, Bill Smith, Chris Crabtree, Cary "Lani" Czarniecki, Jennifer Pavlik, Kara Brooks, Doug Carter, and Zach Bauer, in the relevant time period, containing the following terms: "Trump," "Donald," "DT," "DJT," "VP," "vice president," "fraud," "New York," "trip," "Ted," "Cruz," "running mate," "Golf," "New Jersey," "breakfast," "dinner," "Senate," "House," "audition," "pick," "meet," "meeting," "Conrad," or "veep."

For your request related to "JustIN," we have searched the e-mails produced electronically by the former Governor and e-mails maintained by the State for e-mails which included the former Governor and any of the following individuals within the e-mail chain, Jim Atterholt, Bill Smith, Bill McCleery, Josh Pitcock, Kara Brooks, and Christy Denault, in the relevant time period, containing the terms "JustIN" or "state run news service."

For your request related to "Refugee Resettlement," we have searched the e-mails produced electronically by the former Governor and e-mails maintained by the State for e-mails which included the former Governor and any of the following individuals within the e-mail chain, Matt Lloyd, Josh Pitcock, Jim Atterholt, Chris Crabtree, Cary "Lani" Czarniecki, John Wernert, Chris Johnson, and Kara Brooks that contain the terms "refugee" or "resettlement" during the specified time period.

Certain records or portions thereof were withheld from and were not produced in response to the your records request, in accordance with, and permitted by, the laws of the State of Indiana, as follows: (i) Indiana Code section 5-14-3-4(b)(6), *records that are advisory or deliberative material*; and (ii) Indiana Code section 5-14-3-4(a)(8), *records declared confidential under rules adopted by the Indiana Supreme Court, specifically attorney-client privilege documents pursuant to Indiana Trial Rule 26(B)(1) and Indiana Rule of Professional Conduct 1.6(a)*. The person responsible for withholding the records, or portions thereof, is Joseph R. Heerens, General Counsel.

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In light of the above and the records that are enclosed herewith, we have completed our response to your public records requests and are closing those files at this time.

Sincerely,

A handwritten signature in cursive script that reads "Stephanie Wilson".

Stephanie Wilson
Press Secretary

Enclosures

cc: File