

Truro's PRR Fiasco Confirmed. You Answered, State Reviewing. Select Board Must Act.

February 11, 2025

via email to editor@truronews.org

Dear Editor,

I have written about the Town's Public Records Request (PRR) process on several occasions. Each time I have tried to "peel the onion" and uncover another layer of the PRR experience in Truro. Some will ask: Why does this matter?

Here's why: Denying public information TO the public denies citizens of justice, defeats transparency, and covers-up wrongdoing.

In Truro, this is not a light or trivial matter. Most of the 19 PRR requests from June 2023 through early February 2025 that I received information about concerned very important matters - how Town money was used, how appointments were made, how contracts were established that cost Truro taxpayers lots of money; how citizens were denied voting rights; how voter turnout was suppressed; how power became concentrated in the former Town Manager, even how at least one ATM vote was knowingly taken improperly, and so much more.

Truro citizens should know that of these 19 cases, nine were abandoned because the Town simply refused to comply with the legal requirement to give full production, even after very long periods of nonsense procedures - including inflated cost estimates and frequent multiple appeals. Every appeal I have been informed about was decided in favor of the citizen. Yet, the Town has continued to delay fulfillment and has entirely ignored at least one ORDER to comply. All these efforts by Town officials seem intended to wear folks out. In nine cases it worked.

Almost all 19 cases experienced improper privilege claims and exemptions - where the Town says this is protected attorney-client communication. This is so abused that in one instance the State ordered the Town to redo the content of its privilege log to adhere to legal requirements - it has still refused to comply. Often cited in the materials shared with me where documents involving the Town Planner are not produced; apparently, she is rarely just a Town Planner and has most of her communications withheld - even routine ones—under the mantle of "lawyer" - even when she is not acting as one. The now former Town Manager named the Town's new PRR consultant as Truro's official Records Access Officer (RAO). She simply declares "case closed" based on the former Town Manager's instructions - even when not closed. This begs the question about the process now - since the former Town Manager is still on the books until April 8th - is he still instructing our RAO on how to address PRRs, including those that involve him (and her)?

I have prepared a summary of what I have learned and have sent it to the State's Supervisor of Records at their request. Once I hear from them, I will make my report available to the Select Board as well. But the SB should not wait - or need to wait - to correct the serious abuse of the PRR process in place to obstruct justice, obscure transparency, and cover over wrongdoing. I am aware of more having been filed recently and invite these folks to keep me posted as well so I can update this report if necessary.

It is notable that the number of PRRs increased only in the Fall 2023 during the voter challenges period led by Mr. Richter. Otherwise, it is a steady rate. Yet, the falsely asserted "increase" was used to justify a \$40K consultant. The noteworthy increase in staff time and associated costs is not based on actual sustained

increases in PRR requests. Rather, it is in direct result of the steps the Town Manager developed and enforced to make sure nothing was revealed to the public without a lot of pain, frustration, money - and yes - even intimidation. It is why so many are afraid to give their names out - who needs the hassle when simply trying to exercise their right to know?

Equally concerning is that an outside consultant who apparently knows little to nothing about Truro or MA law - and certainly not privilege logs - costs Truro \$250 just to read the opening email request. And she can only respond administratively since, until last Friday, the Town Manager entirely controlled the PRR review and output - even on matters directly concerning him and the RAO where they should have recused themselves.

Truro's Select Board has the opportunity to open this process up entirely, do an independent review, restore the common-sense processes that worked easily and well for Town staff and townspeople before the current regime, and assure citizens that public information will be made public except when truly protected by law. If the cost and stress at Town Hall is to diminish, it will only happen if the PRR process is corrected, involves people who know Truro, and operates under trustworthy Town Management. Then, everyone can relax.

Sincerely,

Jon Slater, Wellfleet and Truro