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**Testimony of Paul Cavanaugh, DPS FOAA records officer, Legislative  
Liaison, and MSP Staff Attorney**

**IN OPPOSITION TO LD 152**

An Act to Amend the Freedom of Access Act to Require a Specific Time Frame for Agencies to  
Comply with Requests for Public Records

Senator Carney, Representative Kuhn and distinguished Members of the Joint Standing Committee on Judiciary. My name is Paul Cavanaugh, and I am the FOAA officer and legislative liaison for the Department of Public Safety and the Staff Attorney for the Maine State Police. I am offering this testimony on behalf of the Department of Public Safety (DPS) in opposition to LD 152 and the proposed amendment to Maine's Freedom of Access Act (FOAA – 1 MRS §§400-521).

LD 152 seeks to amend section 408-A to require every State agency receiving a public records request (FOAA) to have fully responded to that request within 30 days. Without a significant increase in staffing and resources, complying with such a deadline would be impossible for DPS. As the committee knows, the release of public records requires a review and redaction of those records when the records contain both confidential and public information – it is not the case that records once collected can be released.

Please let me provide two examples of 2024 FOAA requests still being managed. One request was for all emails between the Director of the Maine State Police Crime lab and the executive director of Maine Coalition Against Sexual Assault for a specific duration. When the results were converted to a document a 404-page PDF was created. Another request involved emails to or from the Commissioner of DPS containing specific terms for a specific period – the initial review by OIT discovered 1838 emails taking up 1.26GB of memory. Simply reviewing that much data within thirty days of the request cannot be done at current staffing levels.

Furthermore, DPS responded to 84% of all 2024 FOAA requests within 30 days. During the calendar year 2024, DPS received 1,856 FOAA requests. We responded within 5 days to 1145 of them and within 30 days to an addition 407 of them (for a total of 1552).

On behalf of the Department of Public Safety I thank you for your time reviewing this testimony.

Respectfully submitted February 4, 2025.

A handwritten signature in black ink that reads "Paul Conway". The signature is written in a cursive style with a large, looped "C" at the end.