

Rudolf Owens, MA, MPH XXXXXXXXXXXXXXXXXXXXXXXXXX

Email: XXXXXXXX **Tel:** XXXXXXXX

From:

Rudolf Scott-Douglas Owens, MA, MPH

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Portland, OR XXXXXXXX

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To:

Michigan Department of Health and Human Services (MDHHS)

FOIA Coordinator

P.O. Box 30195

Lansing, Michigan

Oct. 11, 2020

-Freedom of Information Act Records Request, for Public Records Held by the Department of Health and Human Services (Every Agency, Branch, and Office There Within), per MCL 15.231-.246 (Freedom of Information Act)

-Petitioner: Rudolf Scott-Douglas Owens (Rudy Owens), aka Martin Rudolf Brueggemann (former legal name)

Dear FOIA Coordinator:

Pursuant to the state Freedom of Information Act, Mich. Comp. Laws Ann. 15.231-.246, for public records, as records are defined by MCL 15.233, I request access to and copies of all communications—written or electronic, including but not limited to electronic mail—referencing:

--the petitioner, Rudolf Scott-Douglas Owens, also known as Rudy Owens/Rudolf Owens (who also may be referred to by state employees through his former legal name, Martin Rudolf Brueggemann, Rudy Brueggemann, Martin Brueggemann),

--the petitioner's book (*You Don't Know How Lucky You Are: An Adoptee's Journey Through the American Adoption Experience*),

--the petitioner's websites (www.howluckyuare.com; www.rudyowens.com), and

--any article written by the petitioner.

This request is for those records with such references made by any employee of the Michigan Department of Health and Human Services (MDHHS) and any of its agencies and offices under its purview, including but not limited to the MDHHS Children's Services Agency and the MDHHS Central Adoption Registry, between the following dates: July 1, 2016 through the date of this request, Oct. 11, 2020.

This request for public records includes, but is not be limited to, communications to, from, or including the following MDHHS staff who may still be employed by MDHHS or who no longer work at MDHHS:

--Robert Gordon (MDHHS);

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Email: XXXXXXXX **Tel:** XXXXXXXX

--Rick Lyon (MDHHS);
--Lew Roubal (MDHHS);
--Joo Yeun Chang / JooYeun Chang (MDHHS);
--Kyle Johnson (MDHHS);
--Jennifer Moore (MDHHS);
--Dr. Joneigh Khaldun (MDHHS);
--Melissa Barrett (MDHHS);
--Matthew Rick (MDHHS);
--Elizabeth Hertel (MDHHS);
--Glenn Copeland (MDHHS);
--Tamara Weaver (MDHHS);
--Jeffrey Duncan (MDHHS);
--Steve Yager (MDHHS);
--Stacie Bladen (MDHHS)
--Catherine Hoover (MDHHS);
--Connie Stevens (MDHHS);
--Paula Anderson (MDHHS);
--Sharon Danieli (MDHHS);
--Paul Walters (MDHHS)
--Michelle Shortz Wood (MDHHS);
--Cheryl Rockefeller (MDHHS)
--Angela Minicuci (MDHHS);
--Nancy Grijalva (MDHHS);
--Mikelle Robinson (MDHHS);
--Lalena Coulter (MDHHS);
--Bob Wheaton (MDHHS);
--Monica Chavez (MDHHS)

As a matter of policy and court precedent, Michigan courts throughout the state's history have both expressed and implemented the fundamental principle that the records of government belong to the public and not to the government officials who manage said records. The public's access and ability to inspect are a matter of fundamental right. What's more, the public does not have the burden of justifying the requested inspection, and the custodian bears the duty to justify any exemptions, restrictions, or delays in providing public records.

The petitioner is further requesting a fee waiver and/or reduction of the fee because the request concerns public reporting by the petitioner, public stories and scholarly work by the petitioner, and media coverage that may involve the petitioner regarding the State of Michigan's management of vital records—a matter of important public policy—and reporting intended to inform policymaking and legislation, which are fully in the public's interest. In addition, the policies concerning the management of vital records of adoptees are substantive matters of public policy debated widely in Michigan and all 50 states by elected and public bodies.

Adoptees number in the millions in the U.S. population, and debates over the management of sealed and original birth records and the way adoptees' legal requests are treated by public bodies remain major political topics that are in the public spotlight and are of substantial local,

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state, and national interest. As a matter of public policy, records issues have been in the public interest and debated by public bodies now since the 1930s.

Therefore, it is in the public interest to waive any possible service fees because furnishing copies of the public record how state bodies deliberate on journalists and those who report on public policy issues can be considered as primarily benefiting the general public. Making this information public also sheds light on how public bodies make internal decisions to manage those public records, and therefore is beneficial public information that will only serve the public good and the people of the state of Michigan.

Michigan's FOIA law provides for fee waivers for both searches and copies where the public body "determines that a waiver or reduction of the fee is in the public interest because searching for or furnishing copies of the public record can be considered as primarily benefiting the general public." See Mich. Comp. Laws Ann. § 15.234(2); see also Kearney v. Dep't of Mental Health, 168 Mich. App. 406, 425 N.W2d 161, 162 (1988).

Should a fee be charged and not waived, it is the petitioner's expectation that the fee structure and method of notification will be in accordance with guidelines published by the department online at: http://www.michigan.gov/documents/mdhhs/DHHS_FOIA_summary_7-1-15_492889_7.pdf.

According to the MDHHS, upon legal date of receipt of a FOIA request, the department has five business days to respond. If needed, however, the department may also send a written notice extending the time to respond by an additional 10 business days.

If my request is denied in whole or part, I ask that you justify all deletions by reference to specific exemptions of the act. Thank you for your assistance.

Sincerely,

A handwritten signature in blue ink that reads "Rudy Owens". The signature is fluid and cursive, with the first name "Rudy" and last name "Owens" clearly distinguishable.

Rudolf Scott-Douglas Owens/Rudy Owens