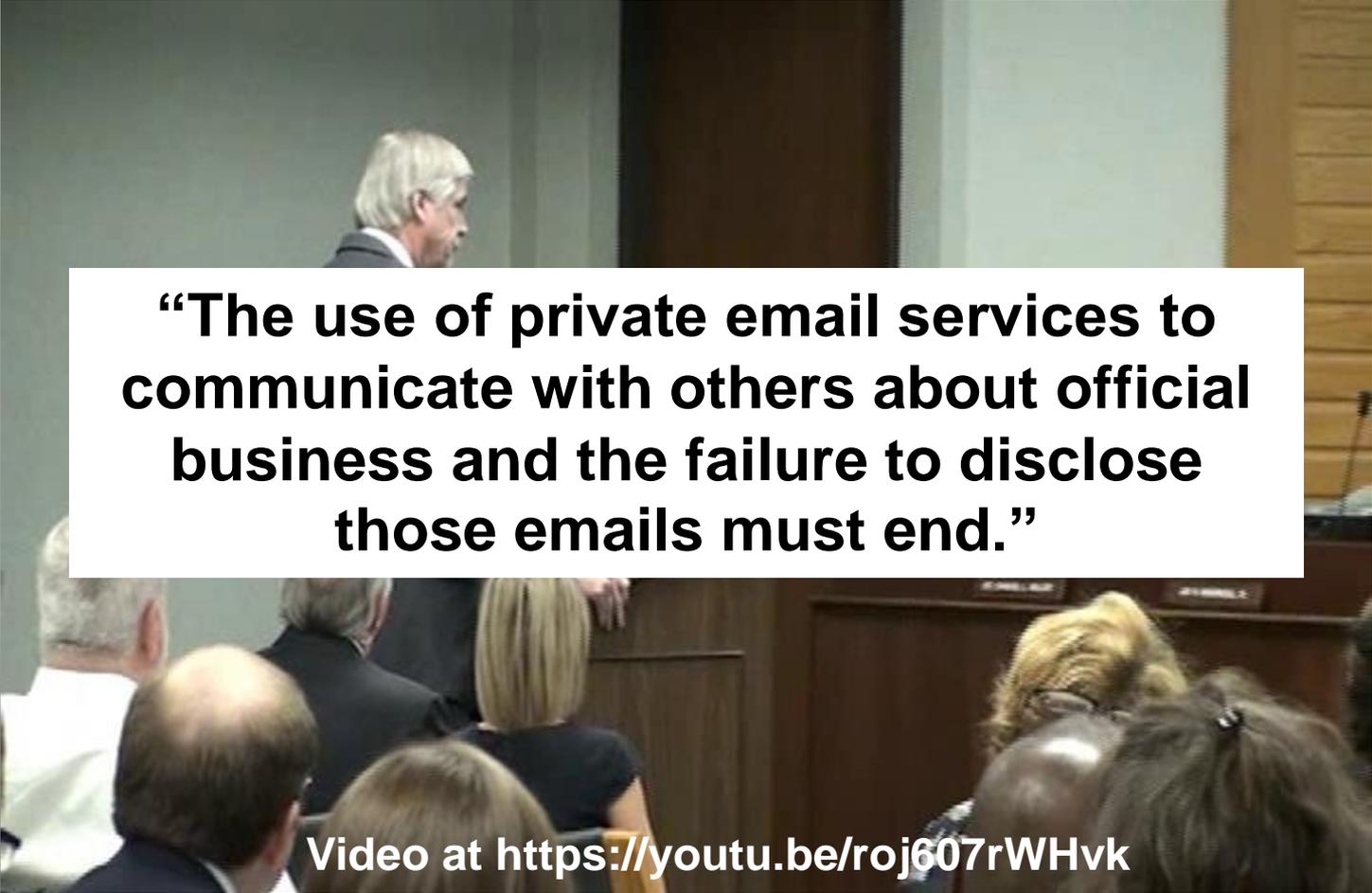


OUT OF THE SHADOWS: Conducting public business on private email



December 14, 2018

August 17, 2018



“The use of private email services to communicate with others about official business and the failure to disclose those emails must end.”

Video at <https://youtu.be/roj607rWHvk>

**David A. Ludder, Attorney
Environmental Defense Alliance**



September 27, 2018



“In the wake of the testimony and convictions in *United States v. Gilbert, et al.*, No. 2017-cr-00419 (N.D. Ala. 2018), public confidence in the Alabama Environmental Management Commission and Alabama Department of Environmental Management has been severely shaken, perhaps irreparably. Dramatic measures must be taken by the Commission if it hopes to restore public confidence. The Environmental Defense Alliance submits the attached recommendations for your consideration and action.”

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Full document at <http://bit.ly/2yHlhqg>

**Michael W. Mullen, President
Environmental Defense Alliance**



October 19, 2018



“End the AEMC practice of conducting public business on private email.”

Video at https://youtu.be/Pd9ARqvAH_Y

**Rev. Mark Johnston, Board Member
Environmental Defense Alliance**



Records introduced in the trial of Gilbert and Roberson show that during his tenure on the AEMC, **W. Scott Phillips**

1. sent at least **23 emails** to persons representing Drummond Company concerning the 35th Avenue Site.
2. received at least **27 emails** from persons representing Drummond Company concerning the 35th Avenue Site.

A public records request seeking disclosure of emails to and from **W. Scott Phillips** concerning the 35th Avenue Site was submitted to the AEMC on July 23, 2018. The AEMC response on Aug. 9, 2018 did not include any of the 50 emails identified above.



Recommendation: End practice of conducting AEMC/ADEM-related business over private email

1. Assign all AEMC members an email address on the domain “adem.alabama.gov” and require that all AEMC members use it for all AEMC/ADEM-related matters.
2. Require that all emails sent or received by AEMC members concerning AEMC/ADEM-related matters – regardless of domain used – be copied to the AEMC Executive Assistant.
3. Make all past and future emails sent or received by AEMC members concerning AEMC/ADEM-related matters – regardless of domain used – available to the public upon request.



Four Easy Steps to Adopt Email Policy

1. One AEMC member may make a motion to adopt recommendations as policy of the AEMC
2. A second AEMC member may second the motion
3. The AEMC may discuss the motion
4. The AEMC may vote on the motion



The people of Alabama await your action.

