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Human Rights Defense Center v. Correct Care Solutions, LLC

Supreme Court of Vermont - September 3, 2021 - A.3d - 2021 WL 4032925 - 2021 VT 63

Nonprofit advocacy group brought action against government contractor that provided medical care to incarcerated individuals, seeking to compel disclosure under the Public Records Act (PRA) of claims, lawsuits, or settlements arising from contractor's provision of services under its contract.

The Superior Court entered summary judgment for contractor. Advocacy group appealed.

The Supreme Court held that:

- Defendant was a "public agency" as that term was defined by the PRA, and
- As a matter of first impression, where the state contracts with a private entity to discharge the entirety of a fundamental and uniquely governmental obligation owed to its citizens, that entity acts as an instrumentality of the state, and therefore, the private entity constitutes a "public agency" within meaning of the PRA.