

More requests going unanswered

WHAT IS SUNSHINE WEEK?

A week of March 13 has been named Sunshine Week by the organizations and other groups pressing for government openness, contending information is being withheld more often by state and city post-Sept. 11 security concerns.

This is the second in a two-part series to examine the use of the

By MARTHA MENDEGA
The Associated Press

Since 1998, many federal departments have been reducing the amount of information they release to the public — even as the government fields and answers more requests for information than ever, an Associated Press review has found.

The locations of stores and



idea Dick Cheney's 2001 energy policy task force are all among the records that the government isn't sharing with the public.

MORE INSIDE

Still waiting after 24 years? 7

Editorial Citizens, lawmakers should take part in Sunshine Week 6

Leafy: A push to improve access to public records 6

Even its members in the war on terror

But open government advocates worry that U.S. citizens'

Who wants records? Candidate, union and others

Editor's note: Across the country, news outlets and other media outlets and groups are participating in Sunshine Week, a celebration and recommitment of freedom of information. The special week begins today. This is part two in a two-part series.

"I won't give up fighting till the end. ... I educate, educate and try to get things done."
— Roger L. Buckwater, reporter

"This is an easy issue that the average person asked government for information the day in 2001. Most of the time, over and over such the government figure — and

BROADCAST



Web site outlines information access, A7

Sunshine: Without laws, government keeps lots of secrets

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under the heading of taxpayer-funded campaign work.

Conflicting versions of events for Superintendent Deryl Erick, Herrick eventually found in a letter to the editor that he had written into his contract at least one new benefit for which he mistakenly thought he'd secured board approval.

More information obtained through the open records law below.

Report of Associated Press

U.S. Fred Goetz's complaint against the village of Grafton, filed with the state Equal Rights Division and the Federal Equal Employment Opportunity Commission (EEOC), alleging age discrimination was the reason he was not chosen as police chief.

Open records laws can be without making formal, written requests. The Missouri Po Department, for instance, released the full report of internal investigation into death of Matthew Sheridan in

There's example of who asked for what from our local governments and why.

Please turn to RECORDS, A7

Miss who have 4,000 nearby also could help meet

for County and Powers found Brown B, chair of a Canal law is a longer and it for nine hours

reporter Mark Schmitt turned up information that revealed the truth about the city's push to change the way residents get utility services.

Mayor Buddy Dyer, now suspended, said then that his administration had done very little study of the idea to carve off the Orlando Utilities Com

State's DNA

State Bureau

people over 8-Norman.

Laws ensure that 'democracy thrives in the light of day'

A week of coordinated news stories, columns and editorials about open government has

Getting information

Try these Web sites for information

B2 Orlando Sentinel

Open records pave path to changes

SUNSHINE

Reporters Mary Macklin and Dennis Martin Bohne used a variety of public-records databases to develop a two-part series on open records

was titled "Deadly But Legal" was culled from public records by staffers Roger Roy, Anthony Colaneri and Pedro Ruz Gomez.

To examine 80 cases in which Central Florida officers

ABOUT SUNSHINE WEEK

Throughout the week, local

were at the heart of a 10-month investigation last year. Florida Department of Justice by reporters Mary Macklin and Dennis Martin Bohne. The work is the



Sunshine on the Airwaves

Broadcasters were an important component to the Sunshine Week dialogue. Through evening newscasts, talk radio discussions, public service ads and other means, they brought the issue of open government to millions of viewers and listeners.

Some showed us how important access to information can be when it comes to community safety. Others empowered people by showing them what kind of information is available and how to get it, including via links on stations' Web sites. Lively discussions about the state of open government provided lots to think about.

Overall, broadcasters provided another avenue to reach the people, reminding them of their right to know what their government is up to.



In West Palm Beach, Fla., WPEC News 12 anchor and reporter Terry Anzur was repeatedly frustrated in her efforts to access information about the background of school volunteers. She told the story of those attempts in a Sunshine Week report that is archived online at <http://wpecnews12.com/engine.pl?station=wpec&id=13730&tempate=pagesearch.html>.

Sunshine Sunday: Volunteers in Public Schools

Terry Anzur: This is Sunshine Week, when news organizations across the U.S. are calling your attention to just how open your government really is. Here in Florida, all government documents are open, not only to reporters, but to citizens like you. Except in cases where the state legislature makes a special point to keep those documents "out" of public view.

But the I-Team found out getting access to some public records can be a long and expensive battle, even when the safety of your children is involved. Here's News 12's Terry Anzur with our I-team investigation.

Terry Anzur: It started with a simple question. Who's checking the backgrounds of the volunteers who work with children in our public schools? Last October, the I-Team asked to see the records of a program known as "V-I-P-S," or Volunteers in Public Schools. We've learned that some volunteers actually admit to having criminal backgrounds. But the Palm Beach County School District doesn't make it easy to find out who they are.

Video of principal, kissing a pig.

Anzur: When the principal of Pine Grove Elementary kissed a pig to celebrate the students' FCAT scores, some very special seniors shared the moment of triumph.

Dotty Feingold/volunteer: "My heart swelled. I really felt that we made a big difference with these children."
Jerry Feingold/volunteer: "We were thrilled to death."

Anzur: Jerry and Dotty Feingold are two of the seniors from Delray Villas who volunteered at Pine Grove during the 2002-2003 academic year, when the school's FCAT grade improved from a C to an A. But they also noticed how easy it was for just about anyone to sign up as a volunteer.

Jerry Feingold: There has to be a way to check the background of people. It would be very disturbing if I found that through a program that I was involved in, somebody did something bad to the kids. That would be terrible.

The V-I-P-S program has a good reputation... News 12 even did public service announcements to recruit volunteers.

Terry Anzur on Public Service Announcement: "Volunteer to be an FCAT tutor..."

Anzur: And the district's own brochures say that thousands have volunteered. More than 28-thousand last year, according to a spokeswoman, who also told me that school police do a background check on every single one. But when the I-Team asked to see the record/document be created, if one does not already exist."

Barbara Petersen, president of the First Amendment Foundation, and an expert on open records in Florida, found that hard to believe.

Barbara Petersen/First Amendment Foundation: "They've got volunteers in the classroom with our kids and they have no records of them?"

Anzur: The next day we got this letter. It says the volunteer applications are all on file here at school district headquarters. And this year for the first time the district started keeping track of volunteers in a computer database. But these records are not open to the public because the district claims they contain confidential information.

News 12 obtained a copy of the application all volunteers are supposed to fill out. It asks for the volunteer's address and phone number that this information must be "redacted" or blacked out. Charge for school district staff to redact and copy the 40-thousand pages of documents \$6,948.

Barbara Petersen: "In my experience, the exorbitant fees some agencies try to charge is nothing more than a barrier to your right of access."

Anzur: We have learned that more than 150 volunteers admit to having a criminal history, including 16 district employees and seven former employees who volunteer. But the school district wanted to hold back those applications because of the possibility that they says the open records expert.

Barbara Petersen: "That sounds more like a cover-up than it does a legitimate response to a public records request."

Anzur: Finally the district added a charge for determining which volunteers are related to law enforcement officers and other government workers who may request to have their home address information withheld from the public.

Barbara Petersen: No! No! No! No!

Petersen says the district must only withhold information when cops or other exempt workers make such a request in writing. Still, the district wanted to charge us for that too—a whopping \$39,105.

Continued...



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WCNC-TV, 6News in Charlotte, N.C., produced a series of news stories for Sunshine Week showing viewers different kinds of information they could access. Reporter Stuart Watson (left) reported on how to get family histories, real estate records, restaurant inspections, birth and marriage certificates, and doctors' licensing and disciplinary records. In addition, the station's Web page helped viewers find relevant materials online.

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[1] TRT: 1 11 OUTCUE: STANDARD [1] [30-35] * CG c226 Todd Wilson MECKLENBURG COUNTY [2] [59-105] * CG c228 Stuart Watson SWATSON@WCNC.COM		(CHRIS) ALL THIS WEEK WCNC HAS JOINED NEWSROOMS NATIONWIDE IN SUNSHINE WEEK - A CELEBRATION OF OPEN RECORDS AND OPEN GOVERNMENT. WE'VE LOOKED AT A DIFFERENT SET OF RECORDS EACH EVENING TO SHOW HOW THEY BENEFIT US ALL. TONIGHT - STUART WATSON FOCUSES ON PROPERTY RECORDS... SO IF YOU'VE EVER THOUGHT ABOUT BUYING OR SELLING A HOME TAKE A LOOK... (ANIM) AT THIS STORY ALL NEW AT 5. (PKG) [1] [2]				



Welcome back to Mid-Morning. I'm Kerri Miller...and we've got the state's toughest watchdog on public information in the studio today.

{music here}

Don Gemberling retired about a year ago, but I can tell you from my reporting days at the state capitol that he was a tireless advocate for prying open the activities of government to the eyes of the press and the public. Now, Mr. Gemberling's work is being recognized with the 2005 John R. Finnegan Freedom of Information Award, and we've invited him in to talk about why government should be transparent; how to get the information you want; and whether—in a post 9/11 world—governments are returning to an era of secrecy.



Excerpts from Don Gemberling:

"Generally, things aren't getting more open, they're getting less open.... [T]hat's, in part, what [Sunshine Week] is about...a variety of folks are trying to bring visibility to these issues."

"Part of the problem is that those of us who really care about the issues sometimes kind of sit back and say, 'Well, it looks too self-serving if we go out and talk about it.' I think that's particularly a problem with media folks. But if you don't talk about it, then how do people get educated?"

"Oftentimes the people who make policy, view these kinds of [FOI] issues as issues that don't have a constituency other than you self-serving media types who just want to sell advertising and newspapers. And until [policymakers] begin to understand that people really do care, then it's difficult to bring about change."



Minnesota Public Radio's Midmorning program on March 16 featured an interview by host Kerri Miller (above) with Don Gemberling, the retired director of Minnesota's Information Policy Analysis Division of Administration. Excerpts from the interview appear above, and the audio archive of the entire show, including caller comments, can be heard online at <http://news.minnesota.publicradio.org/programs/midmorning/listings/mm20050314.shtml>.



Sunshine Week Radio PSA 1

Announcer: "These are the words that come first."

Read: "Congress shall make no law respecting the establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press...." (fades)

Announcer over: "Words to live by—the cornerstone of freedom in America. The First Amendment to the Constitution, guaranteeing freedom of the press. But that hard-won freedom continues to be hard-fought. Freedom of Information laws across the nation vary, but all seek to keep our government open so the people's business remains the business of the people. Find out more on YOUR freedom of information, and how it's being threatened, by visiting w-w-w dot sunshine week dot o-r-g."

Read: "We hold these truths to be self evident...." (fades)

Announcer: "There's a reason why the right to know is the FIRST Amendment. A public service of this station and the Radio-Television News Directors Association."



WAKR in Akron, Ohio, created two Sunshine Week radio public service announcements for the Radio-Television News Directors Foundation. In addition to being available via the RTNDA and Sunshine Week Web sites, the ads were distributed via CBS Radio, ABC NewsRadio, AP Radio and CNN Radio. The ads are still downloadable from WAKR's Web site, www.wakr.net/sunshine.asp.



Sunshine Week Radio PSA 2

SFX game show theme music, applause

Voice 1: "...and the category is: things that DON'T go together..."

SFX contestant buzzer in

Voice 2: "...football and rain forests...ice cream and motor oil...open government and closed doors."

SFX: audience applause and fades

Announcer: "Your freedom of information under the First Amendment isn't a game. Government works best when the people's business is TRULY conducted in the open. Find out more on your state's Freedom of Information Laws and how that freedom is being threatened, by visiting w-w-w dot sunshine week dot o-r-g. There's a reason why the right to know is the FIRST Amendment. A public service of this station and the Radio-Television News Directors Association."