Open records pave path to changes

Sunshine Week BRIGHT IDEAS
The San Jose (Calif.) Mercury News didn’t just endorse open government legislation; it proposed a 36-page model Sunshine Law. “We offer this draft sunshine law as a way to start the conversation about how our government can better serve the people,” Executive Editor Susan Goldberg wrote in a letter to readers. The Mercury News kicked off Sunshine Week by publishing the proposal in the paper and on its Web site, supported by continuing opinion and news articles. Editorial Page Editor Stephen E. Wright also testified at a hearing on the measure. In separate comments he noted, “This kind of activism and teamwork between the editorial and news pages is unusual for us.... But the issue was too important to the community and so central to the newspaper’s mission that business as usual could not apply.”
The Reading (Pa.) Eagle offered readers a bold Page One graphic to help them quickly begin information searches in federal, state, county and municipal governments and schools. The headline “Yours for the asking” reminded readers that government information belongs to the public. “The realm of possibilities is endless for the curious,” reporter Mary E. Young wrote in an article accompanying the graphic. Inside, the Eagle devoted considerable space to very specific guides to getting information in Pennsylvania and from the federal government, including tips on what to expect when a request is made and what to do if it is denied.
The St. Cloud (Minn.) Times produced a nearly full-page information graphic explaining how to begin and proceed along the quest for government records. In addition to the guide, the paper ran a list of agencies that can help with access. The graphic was part of the Times’ eight days of Sunshine Week coverage, which included stories looking at information used to track events at schools, data on the local environment, the value of information available at the courthouse, concerns about medical records and privacy, tracking criminals for community safety, and researching colleges. In addition, the Times reviewed its efforts to access public records, trends in online data, and federal and state legislative issues.
The Dayton (Ohio) Daily News published a week's worth of tips on how to get public information, such as credit reports, the location of registered sex offenders, school records, campaign contributions, court records online and business data from the Securities and Exchange Commission. It also showed how to track a bill in the General Assembly. The newspaper hosted a roundtable discussion about the impact of the Health Insurance Portability and Accountability Act (HIPPA) on privacy and the right to know. Excerpts of the discussion were printed in the newspaper, with the transcript available online.
The Advocate-Messenger in Danville, Ky., focused its Sunshine Week efforts on a series of articles about the legislature’s efforts “to make secret certain documents, or parts of documents, or to make it more difficult to follow the activities of government.” Stories included review of a bill to erase felony convictions; analysis of a proposal to label as private all e-mails, telephone call records or correspondence to legislators; a look at a measure to withhold the names of people who’ve been given concealed-weapons permits; and a report on the demise of a bill that would have opened the records of juveniles charged with felonies. “To say that government is entitled to the information it gathers but the people are not is to deny a government of the people,” wrote Managing Editor John Nelson in a Sunshine Week commentary.
The Greenville (S.C.) News ran a front-page article about open government issues each day during Sunshine Week. Stories ranged from secrecy in the courts to report fees, online resources, emergency response plans and how people can effect change. An info box explained Sunshine Week and directed readers to the Web for more resources, including tips on filing a Freedom of Information Act request. At the end of the week, the News published a Dimension section front article about the difficulties FOIA faces on its 40th anniversary. Inside the A section, was a full-page on how to get government data and info graphics about trends in getting information.
The Modesto (Calif.) Bee used the launch of its Sunshine Week coverage to explain to readers what they would see all week in the Bee and why. “We’ll help you understand that open government is an issue that affects every citizen, not just journalists,” wrote Editor and Senior VP Mark S. Vasché. “We’ll help you understand your rights as a citizen, show you how to file a public records request and tell you what to do if your request is denied. We’ll tell you what happened when we went out and asked 21 local agencies for public documents. We’ll tell you what happened when a First Amendment group made the same request of 31 state agencies. And, we’ll tell you what’s happening in Washington, D.C., and across the country,” he continued. “We’re not alone in doing this. Newspapers, magazines, broadcast outlets and Web sites throughout the nation are joining The Bee in observing Sunshine Week. Why? Because a government that ceases to be open and accessible to its citizens ceases to be a government of, by and for the people. And, we never want that to happen.”
The Oklahoman in Oklahoma City placed the Sunshine Week icon next to the start of every story that was developed because of open records or meetings – on roughly 7 in 10 articles published that week. It also wrote about efforts to curb excessive fees for copying records, explained pending legislation, showed how citizens use information, interviewed the state attorney general about open government, and discussed records that should be available to the public. The results? According to Staff Writer Bryan Dean, city officials pledged to review their fee structure, the mayor of Muskogee said he’d follow up on records and meetings access violations, and Oklahoma State University will explore open records training for employees.
Your right to know
Public access counselor helps you get records

By Krotonn Koranna

When it comes to open government, Illinois is lagging behind the rest of the country. In fact, Illinois has been rated among the lowest in the country in terms of openness by the Center for Public Integrity.

Illinois has a Freedom of Information Act (FOIA), which was enacted in 1962. However, the law has been criticized for being too weak and lacking enforcement mechanisms. The law has also been used by the state to keep information about police shootings, school shootings, and other matters from the public.

“Public officials are not being transparent because they think it’s their right to withhold information from the public,” said Johnathan film, a legal advocacy director at the Illinois Alliance for Open Government.

Local governments and state agencies are required to respond to FOIA requests within 30 days. However, many agencies fail to respond within the deadline or provide incomplete or inaccurate information.

The law also allows for exceptions to the rule, such as exemptions for police records, school records, and other confidential information.

Illinois is working on improving its FOIA law, but it’s taking its time. The Illinois General Assembly has introduced several bills to improve the law, but none have been passed.

Your right to know is a fundamental right in a democratic society. If you want to learn more about your rights, you can contact your local government officials or the Illinois Alliance for Open Government.

Of the people...
Records belong to the public

By Johnathan Film

Records that belong to the public are meant to be transparent. The public should have access to these records because they are created by the people and for the people. However, the public is often denied access to these records.

The Illinois Alliance for Open Government has received thousands of complaints from people who were denied access to information under the FOIA law.

The Alliance has also received complaints from people who have been threatened or bullied when they asked for information.

Your right to know is a fundamental right in a democratic society. If you want to learn more about your rights, you can contact your local government officials or the Illinois Alliance for Open Government.

The ins and outs of an FOIA application

By Johnathan Film

The Freedom of Information Act (FOIA) is a law that provides the public with access to records maintained by federal, state, and local governments. However, the law has many exceptions.

The law allows for exceptions to the rule, such as exemptions for police records, school records, and other confidential information.

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Secrecy isrishes at all levels; Illinois ranked as ‘closed’ state

By Johnathan Film

Secrecy is on the rise at all levels of government, and Illinois is no exception. The state is ranked as the ‘closed’ state by the Center for Public Integrity.

The Center released its annual report on government transparency, which ranked Illinois as the 49th most transparent state in the country.

The report found that Illinois has a weak FOIA law, and that the state has not made much progress in improving the law.

Your right to know is a fundamental right in a democratic society. If you want to learn more about your rights, you can contact your local government officials or the Illinois Alliance for Open Government.
The Daily Journal in Kankakee, Ill., started its Sunshine Week coverage with a large presentation on Page One, then jumped to this impressive two-page, double-truck spread inside. It explained how to get information, examined the state of secrecy in Illinois, and looked at what the Patriot Act means for libraries and how public information helps citizens make a difference in their communities.
The New Jersey Sunday Herald in Newton opened Sunshine Week with dual reports on the most active requestor under the state’s Open Public Records Act (OPRA) and on what kinds of requests local agencies receive. The Herald also reported on what its team experienced when reporters sought public documents. Responses ranged from prompt and generally helpful to one secretary who said, “I don’t care if it’s OPRA, the pope or the president.” The prosecutor’s office subsequently advised her otherwise.
The San Diego (Calif.) Union-Tribune highlighted the efforts of neighborhood leaders, who utilized public records to improve and protect their communities. To help others do the same, the Union-Tribune supplemented its print coverage—including a hard look at the state of secrecy in California—with online resources that included links to sites for resources at the federal, state and local level. “Once residents realize they can make a difference, they feel empowered to do more,” wrote reporter Tanya Sierra.

The Wake Weekly in Wake Forest, N.C., profiled Franklin County Commissioner Harry Foy, a “vocal proponent” of increased open government, as its lead Metro story, topping other Sunshine Week articles such how a local town manager balances openness and privacy. At each meeting Foy votes “no” on adjourning to closed session. “During his term as chairman of the county commission in 2003, Foy never held a closed session,” reporter Brian J. Slattery noted.
Florida newspapers, which have banded together for Sunshine Week since they launched the concept on a Sunday in 2002, once again proved the sum is greater than its parts as 41 news organizations across the state participated in an information audit of 268 agencies in Florida’s 67 counties. The audit was organized by the Florida First Amendment Foundation. Coverage was extensive in print, such as The Palm Beach Post pictured above, and online, as with the Tallahassee Democrat’s Web site pictured at right. Statewide results were coupled with local performance for each paper’s report. Across Florida, 69 percent of county governments complied with requests, 59 percent of municipalities, 55 percent of sheriffs’ offices, and 49 percent of school districts.
PARADE Magazine asked “Are They Taking Away Our Freedoms?” in a pre-Sunshine Week article about government secrecy. “Today, access to information has never been freer – and yet we seem to live in an age of deepening secrets,” wrote Lyric Wallwork Winik in the Feb. 26 issue. “What should we as a free and open society demand and expect to know?” The article features comments from lawmakers and government access experts, as well as links to relevant Web sites, including Sunshine Week, for more information. PARADE is distributed by more than 340 newspapers to more than 36 million households across the country. Image © 2006 Parade Publications. All Rights Reserved.

U.S. News & World Report in Washington conducted an interview with Steven Aftergood, director of the Federation of American Scientists’ Project on Government Secrecy, in which he talked about the need for Sunshine Week and the increasing pace of government secrecy. Aftergood told reporter David E. Kaplan, “What I’m concerned about is that we may lose sight of our own ideals as a society. We may lose the expectation of open, accountable government. We will simply assume that the most important political decisions are out of reach and beyond our ability to affect.”
Bob EDWARDS: I’m sure the government would say 9/11 changed everything and national security is paramount.

Hodding CARTER III: National security is the first order of any government. Security of the state is why people come together to create the state. Okay, now we all agree on that. Then the question is what is it that actually enhances or diminishes national security?

The typical information which is classified, which is kept out of the public purview under this insane – and I mean quite literally insane – campaign to close down the flow of information to people, the typical piece of information has nothing whatsoever to do with national security. It has to do with bureaucratic power, and it has to do with embarrassment, i.e., information which will call into question the validity of what is the government is doing.

You know, millions of pieces of information are classified each year. There are not millions of national security secrets. There are not tens of thousands of national security secrets. There are perhaps thousands. The game underway right now is a form of wrapping the flag around essentially un-American activity.

Bob EDWARDS: You say there’s no such thing as government information, that this is not just an issue for the media. How is the public hurt by overclassification of government information?

Hodding CARTER III: Well, start it the other way around. How is the public helped by overclassification? The point of information in this system – and that is to say that which government manufactures – is that the manufacturer, the government, is not sovereign. The people are sovereign. And the people are entitled to must-have information about what their government is doing, so they can judge whether or not they both support what the government is doing and support the government itself in the political sense.

The more you allow government to behave as though it were somehow the king and the king owns the information, the more we say goodbye to the most important aspect of our society. And I’ll say it again: The people are sovereign. If you don’t have the information by which you can judge what your government is doing, you are no longer sovereign. The government is existing as the only power that matters.
“NOW,” the PBS weekly newsmagazine, presented a special one-hour edition on government secrecy during Sunshine Week. Among the segments were: a feature on efforts to get information about plans to build an energy plant in Falls River, Mass.; a discussion with Tom Blanton of the National Security Archive at George Washington University (pictured here with Senior Correspondent Maria Hinojosa), who talked about the thousands of government files now declassified – and the many that aren’t; an interview with Rep. Heather Wilson (R-N.M.), who charged the White House with “stonewalling” Congressional oversight efforts; and a look at two mothers who fought to uncover the truth behind their sons’ deaths in Iraq. “Across America, across political lines, Americans are asking to let the sunshine in. I am glad to have been a tiny part in just telling their stories,” Hinojosa wrote in her online reporter’s notebook, part of a special Web site for the program.
Gannett Co. Inc. of McLean, Va., utilized its “NewsWatch” in-house newsletter to highlight the Sunshine Week work of its newspapers and news service. “The work ranged from surveys of government agencies to see how accessible public records are, to a forum in Shreveport on the Patriot Act,” wrote news executive Ann Clark. Gannett News Service “shed light on the responsiveness of federal agencies to requests for information and explored the issue in its weekly newsmaker Q&A,” Clark reported. GNS also held an in-house workshop on strategies for getting around roadblocks to obtain government records. “At a time when national surveys show a rising concern about secrecy in government and that open government leads to a more effective democracy, it is important to show our readers how open government helps them live their lives.”

In-paper advertising is an effective way to promote special coverage such as Sunshine Week. The Plain Dealer in Cleveland (left) incorporated the Sunshine Week poster created by The Buffalo News into a house ad, giving readers an idea of what was ahead. The Oklahoman in Oklahoma City (below) also created its own ad, which used the Sunshine Week print ad, explained upcoming coverage, and told readers to “Look for the Sunshine logo...to read stories containing information obtained with the help of open government laws.”