

Guest Column

Go ahead, take closed government personally

By Brian J. Hunhoff

Don't take it personally? That's usually good advice, but today we urge the opposite reaction to government bodies operating in the shadows, purposely avoiding public scrutiny and genuine transparency.



In other words, take closed government personally. Please!

- Take it personally when a reporter is kicked out of a city council meeting so members can hold an illegal or unnecessary executive session.
- Take it personally when public access to government records is refused, limited or attached to excessive fees.
- Take it personally when a judge jails a reporter for refusing to reveal a

confidential source.

- Take it personally when government fails to limit political contributions, and ignores ties of mutual benefit between private business and elected officials.

About

Brian Hunhoff is a community journalist from Yankton, South Dakota. He is a two-time winner of the Golden Quill award for editorial writing from the International Society of Weekly Newspaper Editors.

- Take it personally when a governor issues secretive pardons.
 - Take it personally when a presidential administration works vigorously to identify and criminally prosecute government whistle-blowers.
 - Take all of this personally because it directly affects the quality and scope of government information you get from the press.
- Wouldn't it be great if more people understood a reporter's exclusion from a meeting also excludes them, the general public, from learning details that are being hidden?
- Wouldn't it be great if everyone embraced the notion that government openness is an essential pillar of democracy?
- Wouldn't it be great if more people remembered the press serves as their eyes and ears in the halls of government?
- Wouldn't it be great if more people became aware that jailing journalists not only intimidates the press,

but also chills the public's right to know?

Wouldn't it be great to see thousands of citizens press Congress to pass a federal shield law protecting reporters from being locked up for doing their job?

There is a moving scene in *Return of the King* where a resurgent monarch inspires his small army to stand against overwhelming odds by delivering a stirring cry to arms.

Wouldn't it be great to see people everywhere show that kind of passion and unity in the fight for freedom of information and the battle against government secrecy? With apologies to J.R.R. Tolkien, that speech might go something like this:

"A day may come when the courage of men fails and our freedoms die; when speech and religion are governed; when we forsake our reporters and break all bonds of fellowship with the Fourth Estate ... **but it is not this day!**"

"There may come an hour of darkness, wolves and shattered shields that bring our First Amendment crashing down ... **but it is not this day!**"

"On this day, we battle for our Bill of Rights! This day, we join with journalists everywhere in the war against government secrecy, corruption, and waste.

"This day, the press and public stand ... **together!**"

This day, we fight ... **together!"**

Wouldn't that be great?

Ten Commandments for open meetings

By Brian J. Hunhoff

"I think heroic deeds were all conceived in the open air."

The quote above this editorial is from Walt Whitman's *Song of the Open Road* – a cheerful 1856 tribute to freedom and the great outdoors.

Hopefully, Mr. Whitman would have approved use of his prose to promote open, well-aired government. It's unlikely the great poet favored government secrecy and closed-door meetings. He also wrote, "Out of the dark confinement, out from behind the screen!"

For today's purposes, Whitman's "screen" represents the executive session – a self-important term for a classic oxymoron: closed public meeting.

Too many elected boards seek every opportunity to meet out of sight of the public they serve. Some schedule executive sessions as a regular agenda item. Some hold up to three executive sessions in a single meeting. Some have executive sessions that last longer than the open portion of their meeting.

In most cases, executive sessions do not violate open meeting laws. The closed-door discussions are often suggested or encouraged by an elected board's legal counsel.

But legality and necessity are two different things. Consider the following list our Fourth Estate counsel to county commissions, city councils and school boards everywhere on executive sessions and general government openness. Citizens should hold their elected officials to the standards below. These are Ten Commandments for Open Meetings:

ONE: Do not gather as a quorum outside of regular meetings, and do not hold special meetings without giving at least 24 hours public notice.

TWO: Do not habitually add last-minute items to the agenda, and do not act on anything not listed on the

posted agenda.

THREE: Do not abuse the litigation excuse for executive sessions to speculate about possible or imagined lawsuits.

FOUR: Do not stretch the personnel excuse for executive sessions to discuss policy issues. Example: Creating a new position or changing a department's job descriptions are policy decisions and not appropriate topics for a closed meeting.

FIVE: Do not dial up the "negotiations" excuse to suddenly exclude the public from discussion of controversial issues that were previously aired thoroughly in open session.

SIX: Do not allow executive session conversations to stray to other topics.

SEVEN: Do not violate the spirit of the open meeting law with frequent phone, email or text dialogues with other members. Reach consensus at the meeting.

EIGHT: Do not make a habit of whispering or passing notes at meetings. You were elected to speak for us. Tell what you have to say out loud and proud!

NINE: Allow public input at every meeting. Include it on every agenda.

TEN: Be as transparent as possible. Do not hold executive sessions simply because counsel advised it is "legal" to do so. Ask yourself: "Is it *absolutely critical* we discuss this privately?"

That should be the test because legality and necessity are two different things.

We appreciate our local commissioners and board members. They serve for minimal compensation. They make tough decisions. They sometimes lose friends and make enemies. Their dedication to community is admirable.

We simply ask elected officials to think twice before kicking the public out of public meetings.

Strive for fewer. Less is more. A closed meeting should be a rare occasion, not a habit.

Things to Do

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women's meetings, First Parish Congregational Church, Saco; noon and 7 p.m., 63 School St., Saco. FMI, visit www.csoaamaine.org/meeting.

Ross Center activities include cribbage, 10 a.m.; walking, 11:45 to 12:45 a.m.; dominoes, 1 to 4 p.m.; indoor horseshoes, 7 to 9 p.m.; and karaoke, 7 to 9 p.m., every three months. FMI, call 282-5005. Ross Center is located at J.R. Martin Community Center, 189 Alfred St., Biddeford.

You've Got Me in Stitches, 1:30 p.m., meeting room, Dyer Library, Saco. Knit, crochet, chat and sip tea or coffee. No registration required.

Bingo, 1 to 3 p.m., Saco Armory, 75 Franklin St., Saco, sponsored by Open Door Seniors Club.

Le Club Francais, 6:30 p.m., McArthur Library, Biddeford. FMI, call 284-4181.

Seeds of Hope Neighborhood Center, 9 a.m. to 1 p.m., 35 South St., Biddeford. Drop in for a free cup of coffee and snack, conversation, games, lending library, support and warmth. An outreach of Christ Episcopal Church. FMI, call 283-1783.

Friday, April 8

"As You Like It," performed by UNE Players, 7:30 p.m., City Theater, Main Street, Biddeford. Tickets available at the door. This abridged version includes original music and explores how bewildering yet utterly pleasurable life can be. FMI, call 602-2556.

Fine free, through April 19, Libby Library, 27 Staple St., Old Orchard Beach. Return overdue materials with no fine in exchange for pet food being collected for Community Animal Watch.

Community forum on opioids, 6 to 8 p.m., 630 Pool St., UNE, Biddeford. FMI, visit www.une.edu/brain.

UNE Brain, Body and Wellness Fair, 4 to 8 p.m., 630 Pool St., Biddeford. Fun and engaging activities for the entire family, Free and open to the public, www.une.edu/brain.

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