



New England First Amendment Coalition

The NEFAC Report

Sunshine Week edition: A sampling of what New England media had to say on open government, March 13-19, 2011

Sunshine Week is a national initiative led by the American Society of News Editors meant to spark public dialogue on the importance of government transparency.

Sunshine Week promotes a year-round cause

Sunshine Week is now over - at least officially.

No more stories with the logo depicting the sun peeking out from behind the capitol dome that proclaims: "Sunshine Week: Your Right to Know."

No more "In This Series" boxes reminding readers of what we've published so far and plan to publish in the coming days.

No more Sunshine Week op-eds displacing our regular columnists on the Opinion page.

The reality, of course, is our commitment to the long-standing principles of Sunshine Week - an open government accessible to all the people it governs - is a 365-day responsibility. To think otherwise would be tantamount to saying we only honor our mothers on the second Sunday in May.

Read [this](#) and [all](#) The Telegraph's Sunshine Week stories

- The Telegraph, Nashua, N.H.

3/20/10

RI needs to lift the presumption of secrecy

Unnecessary secrets.

Some people get aggravated when they start thinking about U.S. Rep. Michele Bachmann. Some people snap pencils when they start talking about the nation's new health-care law. Me? I grind my teeth when I start hearing about unnecessary secrets.

I'm talking about the knee-jerk "no" of control-freak government officials, the how-dare-you-ask defensiveness of some press secretaries, the trust-me-I'm-with-the-government arrogance of the elected and the appointed.

Now, many officials - from top leaders to rank-and-file court clerks - do understand the watchdog role of journalists in a democracy, and their commitment to open government manages to last beyond the first tough question they hear from a reporter.

But we've just concluded Sunshine Week, a national initiative spearheaded by the American Society of News Editors that highlights the importance of open government and freedom of information. And I've recruited three of Rhode Island's top investigative reporters to explain why it's important to roll back the tide of secrecy, especially in this state. [Read more](#)

- Edward Fitzpatrick, Providence Journal 3/20/10

MA lawmaker touts "net neutrality" proposal

This past week marked the celebration of Sunshine Week in D.C., and in legislatures across the country.

Sunshine Week first began six years ago as a nationwide campaign to bring greater transparency in all levels of government. It is with this spirit of openness that I'd like to announce I will be partnering with the people of LexPop on an ambitious project to introduce the first ever voter-generated net neutrality bill before the Massachusetts Legislature.

What is "net neutrality?" Net neutrality embodies the simple notion that Internet users should be able to

choose their own content online. Rather than having Internet service providers such as Comcast or Verizon control the content users can access through tiered pricing, the principle of net neutrality says that all websites should be treated equally. In practice, this means the Internet should stay how it is now - service providers should not be allowed to charge extra for certain websites the way cable companies do for television channels like HBO. [Read more](#)

- Rep. Tom Sannicandro, in The MetroWest Daily News, Framingham, Mass.

3/20/10

Follow the money and reboot transparency

The promise of the developing transparency movement in this country is greater accountability of our elected officials.

Embedded in that promise is a hope for more openness, greater efficiency and accountability in how lawmakers and government officials care for the public's interests and spend taxpayer money, and combat corruption.

When U.S. Supreme Court Justice Louis Brandeis made his famous statement - "sunlight is said to be the best of disinfectants" - in 1913, he was focused on the corrupting influence of major corporations and monopolies in all aspects of American life.

It's now nearly a century later, and in many ways the promise of transparency is being refined, enabled by the Internet and ever-expanding troves of data. Watchdog groups and new media outlets are mixing and matching different types of information to tell the story of how our electoral system affects our public policy process and how our tax money is spent.

Call it sunlight rebooted. I'm sure Brandeis would approve. [Read more](#)

- Edwin Bender, in The Herald News, Fall River, Mass.

Bender is executive director of the National Institute on Money and State Politics

Internet could be a boost for government transparency

Sunshine Week is a celebration and encouragement of open and transparent government. In New Hampshire, a new online database of state spending will open the curtains on much of state government but a few windows still have the curtains drawn.

Newspapers and other open government advocates around the country celebrate this week as "sunshine week," an ongoing effort to make sure more and more of the work of government is visible to the citizens it works for. In recent years, technology has played an increasing role in open government efforts and partisanship has played a lesser role.

For years now, conservative icon Grover Norquist and liberal icon Ralph Nader have been suggesting jointly that government use the internet to make all spending and contracts conveniently transparent. Norquist and Nader agreeing on anything is the moral equivalent, in New Hampshire terms, of Craig Benson and Mark Fernald joining forces -unusual to say the least.

At the federal level, a bill to create a federal online spending portal was jointly sponsored by then Sens. John McCain and Barack Obama. They later jointly agreed that running for president was a good idea too, although they worked on that particular project separately. [Read more](#)

- Charlie Arlinghaus, New Hampshire Union Leader

Arlinghaus is President of the Josiah Bartlett Center for Public Policy

3/16/10

Proposals would help shed light on VT government

BENNINGTON, Vt. - Vermont lawmakers are debating changes to open records and meetings law as the nation celebrates Sunshine Week, an annual event to focus on the importance of open government.

Whether those requesting records should have their legal fees paid when wrongly denied records, and how long local and state governments have to comply with records requests are among the bigger elements of H.73. The bill, first offered by the administration of Democratic Gov. Peter Shumlin, seeks to establish a government transparency office to administer public records laws and makes changes to procedures and fees. The transparency office has so far been rejected by lawmakers, though.

In the Senate, S.67 seeks to clarify when a public body can enter an executive session, which is closed to the public. The legislation would also allow attorney's fees and litigation costs to be awarded for those who challenge a violation of the law.

The Vermont Press Association, of which the Banner is a member, has long criticized Vermont laws as too relaxed.

Neal P. Goswami, Bennington (Vt.) Banner

3/17/11

Technology can lead the march toward transparency

Among the millions of people tweeting, blogging or posting their thoughts to Facebook each day are an increasing numbers of politicians.

While office holders use these platforms to promote their efforts or to draw support for bills, others work to show voters a personal side beyond the campaign promises and photo-ops.

Everyone who follows an elected official on Twitter or "friends" them on Facebook opens a door to communicate with their representatives in a way never before possible.

Experts say that's a good thing, at least as far as an open and transparent government is concerned. Jane Fountain, a political science and public policy professor at the University of Massachusetts at Amherst, knows the power of the Internet in relation to government firsthand.

She is director of the UMass-based National Center for Digital Government, which works to strengthen the network of researchers and practitioners engaged in using technology in government.

"Technology has led a march toward transparency, and we now have a better view of what our elected officials are doing," she said. "It is a good way for citizens to get more information about the process and see how it all works." [Read more](#)

- Robert Rizzuto, The Republican, Springfield, Mass.

3/15/11

ME governor proclaims Sunshine Week but brings clouds

Gov. Paul LePage has recently come under fire in connection with his formation of a business advisory group. Organizations as varied as the Maine Civil Liberties Union and the Maine Heritage Policy Center are upset that the governor closed this group's proceedings and records to the public. The irony is that Gov. LePage had just proclaimed March 13-19 as "Sunshine Week."

Sunshine Week is a seven-day celebration of the importance of transparency in government and freedom of information. The event is always held during the week of James Madison's birthday (March 16). Among the milestones celebrated are the federal Freedom of Information Act and the 50 separate state acts.

In Maine, the act is called the Freedom of Access Act (FOAA), 13 M.R.S.A. § 401 et seq. It requires that all public proceedings be open to the public; that public notice be given for all proceedings; and that public documents be available for inspection and copying.

Every meeting and every document at each level of government - state, county and municipal - is public unless there is a specific exception written in Maine law. The presumption is that the people's business should be done in public.

Public proceedings are defined as "transactions of any functions affecting any or all citizens of the State." They include legislative hearings, county commissioners' meetings, town council meetings and school board meetings. [Read more](#)

- Michelle A. Small, The Times Record, Brunswick, Maine Small represents the League of Women Voters on

Open government requires constant diligence

Government would not exist but for the consent of the governed and the taxes they pay. Therefore the workings of government should be open and transparent to the citizens. It is their government.

It is based on this principle that state and federal legislators have over the last several decades approved freedom of information laws. These laws assume that records produced by the government, the meetings held to discuss public policy and the reports or documents created through tax dollars are open to the people.

Exemptions should be few - national security, protecting the integrity of criminal investigations, preventing a party from gaining unfair advantage in contract negotiations, protecting personal privacy such as medical records.

Open government best serves the people. Open books make it harder for elected leaders and government workers to abuse the power of government for self-aggrandizement. Public meetings avert backroom deals and cutting corners. Open courts discourage the railroading of defendants or special treatment for the privileged.

Today begins Sunshine Week, first launched in 2005 to promote a dialogue about the importance of open government. It is a way of reminding elected leaders who they are working for. Too often the tendency is to conceal, not disclose. [Read more](#)

- The Day, New London, Conn.

3/13/10

Some rays of light getting through the Golden Dome

Daylight Saving Time has arrived, and as we spring ahead today, we also leap into Sunshine Week, an annual awareness event created by journalists "to enlighten and empower people to play an active role in their government at all levels, and to give them access to information that makes their lives better and their communities stronger."

Here in Massachusetts, legislators have made a lot of campaign promises about letting some sunshine through the golden dome on Beacon Hill, where business is often obscured to public view, but in several cases they have already failed to deliver on those promises.

There have been some bright spots, however. A major reform came last year when enforcement of open meetings and records violations shifted from the district attorneys to the state attorney general. Watchdogs complain that the law lacks teeth, however. Another promising development comes in the realm of online access to state expenditures and the posting of all bills on the Internet. [Read more](#)

-The Herald News, Fall River, Mass.

3/12/11

Audit shows public info still unavailable in some CT towns

As part of National Sunshine Week, which begins today, The Bulletin sent a team of reporters to 22 Eastern Connecticut communities with a simple task: Obtain a copy of the contract for each superintendent of schools.

Not a very difficult task for a reporter, nor should it be for the average citizen.

Under Connecticut's Freedom of Information laws, any individual can request a copy of a public document, and officials are obliged to provide them with that. Officials can charge a fee to cover the cost of copying the document, and in some cases, depending on the extent or volume of documents being requested, take "reasonable time" to comply with the request.

But they are prohibited from withholding the information or from asking the individual who they are or why they want the document

Reporters were sent to communities they don't normally cover and instructed not to identify themselves as reporters when making the request - a test to determine how easy it would be for the average person, not a

member of the media, to obtain a copy of the contract.

In 13 cases, the reporter was given a copy of the contract with no questions asked. Sadly, in nine cases it wasn't that easy. [Read more](#)

-The Bulletin, Norwich, Conn.

3/12/11

National FOI conference coming to Providence, May 20-21

NEFAC plays host to the National Freedom of Information Coalition's 2011 conference at the Biltmore in Providence, R.I., May 20-21. Watch for separate mailings with details on the agenda, hotel reservations.

Comments welcome. Send to editor Larry Laughlin, nefac01@gmail.com or lmlaughlin@gmail.com.

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