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Legislator, Chief Clerk of the House

info@washingtoncog.org
6351 Seaview Ave NW
Seattle, WA 98107-2664

Phone: 206.782.0393 FAX: 206.623.4474

Washington *Coalition for* Open Government

washingtoncog.org

Annual Report for 2009

Washington Coalition for Open Government, the leading protector of open government in Washington, had another very impressive year in 2009:

- We fought hard in the courts to preserve access to public records, including an appeal to the U.S. Supreme Court to preserve a Ninth Circuit Court of Appeals victory that could be a landmark decision for preserving open government and the peoples' right to know (see page 5 for this and other **important legal victories**);
- We tracked over 100 bills in the state legislature (including 19 high priority bills) and **won significant legislative victories** in the face of misguided efforts to limit the access to government and the people's right to know (see page 4);
- We **expanded public outreach** with a new Speakers Bureau, a new Facebook page (updated often), a new Electronic Newsletter, six new Open Government Forums throughout Washington, and planning for a new Statewide Open Government Conference in 2010 (see pages 2 and 3); and,
- We added **impressive new talent** to our efforts to protect and enhance open government efforts in Washington, including a new Advisory Council (see below).

WCOG's accomplishments in 2009 were even more impressive, since they were achieved in the face of some serious challenges. The economic recession was felt by everyone, including WCOG. Many of our most generous members and sponsors were adversely impacted by the downturn in both the economy in general and the media business in particular. One important metric, dues-paying membership in the Coalition, stood at 132 at the end of 2009, down from 149 at the end of 2008, while the number of individuals signed up for the free "Citizen's Network" email list grew from 315 to 575. The Coalition responded to our fiscal challenges by finding creative new ways to bring in the resources needed to do our work, including forming a speakers bureau to tap revenue from honoraria, using regular email newsletters to keep possible donors informed of WCOG activities and promote financial support of the Coalition, producing and distributing online ads to draw people to the WCOG web site, expanding WCOG training programs including Continuing Legal Education seminars, watching for opportunities to file lawsuits in which all or a portion of the attorney fees would be donated to WCOG, seeking additional grants, and contracting with a professional fundraiser rather than depending exclusively on volunteer fundraising efforts. **By taking strong action to address our challenges, we were not only able to maintain our efforts to advocate for open government in Washington, but expanded our programs.**

We appreciate the service of board members **Paula Wissel** of KPLU Radio and **Trent England** of Evergreen Freedom Foundation, who left the board this past

year. We welcomed to the board **Lucille Walls**, executive director of the Alliance for People with Disabilities, **Richard Kielbowicz**, associate professor of communications at the University of Washington School of Communication, **Anna Jancewicz**, Government Relations Coordinator and legal counsel for Teamsters Local No. 117, and **Mike Reitz**, general counsel of Evergreen Freedom Foundation. We thank those who are serving as officers and committee chairs of the Coalition: **Toby Nixon**, president and chair of the Government Committee; **Mike Fancher**, vice president; **Gerry Pollet**, secretary and chair of the Revenue Strategy Committee; **Jason Mercier**, treasurer; **Patience Rogge**, chair of the Outreach and Membership Committee; **Bill Will**, chair of the Media Committee; **Duane Swinton**, chair of the Legal Committee; and **Chris Leman**, chair of the Board Development Committee. We also appreciate the hard work of our executive director **Elly Snow** and the staff at Seattle Operating Support, and **Stokes Lawrence** law firm for hosting our monthly board meetings. The Coalition would not function without the service of these individuals and the many volunteers and activists who contribute their time and energy to the cause.

This year, the Coalition organized an **Advisory Council** of prominent individuals who strongly support the mission, objectives and principles of the Washington Coalition for Open Government. In addition to the use of their names as supporting the Coalition's mission and objectives, members of the Advisory Council will assist the board in a number of ways, including advising the board on various issues, reviewing and modifying the legislative priorities, facilitating fundraising opportunities, encouraging positive relations with government officials and other high level contacts, and helping to promote the Coalition's mission and message. We are grateful to have as founding members of the Advisory Council the following friends of open government: **John Carlson**, founder of Washington Policy Center and commentator on KOMO Radio; **Enrique Cerna**, executive producer of KCTS 9 Public Television; **John Hamer**, executive director of Washington News Council; **Graham Johnson**, former executive director of the Washington State Public Disclosure Commission; **Greg Overstreet**, attorney with Allied Law Group and former Open Government Ombudsman in the Washington State Attorney General's Office; **Dave Ross**, host of The Dave Ross Show on KIRO-FM; and **Rowland Thompson**, executive director of Allied Daily Newspapers of Washington and a recipient of WCOG's James Madison Award.

The Coalition is grateful for the generous support of all of our contributors who make it possible for us to continue our work, including **James Madison Supporters**: Allied Law Group, Patrick Brown, William John Crittenden, Davis Wright Tremaine, Toby Nixon, and The Seattle Times; **Platinum Supporters**: Corey Hansen, Jason Mercier, Pioneer Newspaper Service, Stefan Sharkansky, Stokes Lawrence, and Yakima Herald Republic; **Gold Supporters**: American Civil Liberties Union, Stephanie Anderson, D. Edson Clark CPA PS, Mike Fancher, Peter Horvitz, Krist Novoselic, Patience Rogge, Seattle Operating Support, Brian Sonntag, The Spokesman-Review, Duane Swinton, Washington Newspaper Publishers Association, and Washington Policy Center; and **Silver Supporters**: Jim Andersen, Frank Garred, Scott Johnson, Olympic View Publishing, Alan Thompson, Lucille Walls, and Donald Williams. We are grateful for all of the contributions and volunteer efforts of our many other members and supporters, and especially grateful to the **National Freedom of Information Coalition**, **Norcliffe Foundation**, and **Best of the West** for their grants to help the WCOG with special projects.

As you will see in the following summary of the activities of the Coalition, a lot of hard and important work was done during 2009. We accomplished a great deal – but there is always more than we have time, people, or energy to do! We actively seek the participation of others who share our passion for open government and willingness to serve, and hope that all you who read this report will join us in this important work.

Summary of Activities for 2009

Public Education and Outreach

Open Government Forums: Six Open Government Forums were held all around Washington during 2009, including Camas (February), Ellensburg (April), Yakima (June), Wenatchee (August), Walla Walla (October), and Port Townsend (December). Most were very well attended by both the general public and government officials; for example, more than 100 people were present in Port Townsend, and more than 70 in Yakima. Several were taped by TVW (the statewide public affairs cable channel) and rebroadcast several times; many forums were taped by Christy Diamond of Uninformed Consent and made available on the web. Many prominent officials appeared on panels this year, including **State Auditor Brian Sonntag**, **State Archivist Jerry Handfield**, **Assistant Attorney General Tim Ford**, former director of the Washington State Public Disclosure Commission **Graham Johnson**, **State Representative Bruce**

Chandler, State Representative Norm Johnson, and State Representative Maureen Walsh. We greatly appreciate the organizations that co-sponsored the forums, including **League of Women Voters of Kittitas Valley, Yakima County, Chelan County, Jefferson County, Concerned Citizens in Action, and Walla Walla Community College,** and the local newspapers that cosponsored the forums – **The Columbian, Ellensburg Daily Record, Yakima Herald-Republic, Wenatchee World, Walla Walla Union-Bulletin, and the Port Townsend & Jefferson County Leader.**

Speakers Bureau: WCOG formed an open government speakers bureau, with a dual mission of raising funds through honoraria and outreach to and education of the public and government officials. Eleven speakers volunteered to participate: **William Crittenden, Mike Fancher, Frank Garred, Scott Johnson, Richard Kielbowicz, Toby Nixon, Sam Pace, Gerry Pollet, Patience Rogge, Bill Will,** and former board member **Scott Wilson.** The speakers bureau is being promoted on the WCOG web site, by news release, and via direct mail to over 130 organizations around the state. In this first year, speakers addressed diverse groups including Friends of Skagit County, Concerned Citizens in Ocean Shores, Legal Services Housing Task Force, Law Librarians of Puget Sound, Washington Association of Legal Investigators, and the staff of the Bellingham Herald. More information about the Speakers Bureau is available on the WCOG web site.

Online Ads: Board Member **Mike Fancher** worked with graphic artists at **The Seattle Times** to create a series of ads in various sizes and formats to promote open government and invite web users to support, join, and contribute to the Coalition. Due to budget limitations, WCOG decided not to purchase ad placements on web sites and blogs, but instead approached news media and blogs around the state and asked for in-kind contributions of otherwise idle ad space on their web sites as “public service announcements”. The ads were promoted to all members of **Washington Newspaper Publishers Association** and **Allied Daily Newspapers of Washington,** as well as popular news and public policy blogs, many of which accepted WCOG’s request. The ads continue to be posted in the “Promote the Cause” section of the WCOG web site and can be used by Coalition members and supporters at any time.



Electronic Newsletter: In addition to the periodic news releases and “Call To Action” emails that the Coalition sends out to members and subscribers to the Citizens Network email list, the board this year committed to regular publication of an electronic newsletter. The newsletters, which will be sent roughly monthly using an attractive HTML format, will contain brief articles highlighting the activities of the Coalition, promote upcoming Coalition events, and always include a reminder about joining the Coalition and supporting its work financially.

Facebook: Recognizing that many supporters of open government use social networking sites, the Coalition decided to establish a presence on Facebook. The Coalition’s page, at <http://www.facebook.com/washingtoncog>, was launched on November 30 with an email to WCOG members and the Citizens Network, and already has over 195 “fans”. We’re using our Facebook page to promote Coalition events, post news releases and op-ed articles, send “Calls To Action” (especially during the heat of the legislative session) and post links to news articles and editorials from sources throughout the state and nation regarding open government issues.



Open Government Leadership Institute Cancelled; Statewide Conference Planned: Faced with sharp declines in revenues, many government agencies severely cut back on non-essential expenses in 2009, including training and conferences. Unfortunately, this led to a shortfall in registration for WCOG’s planned Open Government Leadership Institute in spring 2009, and the Coalition decided to cancel the event (we may try it again once the economy recovers). Our generous grant funders **National Freedom of Information Coalition** and **Norcliffe Foundation** agreed to allow us to repurpose the grants they had made for OGLI to organize a statewide one-day conference on open government, to coincide with the beginning of the 2010 legislative session. As 2009 drew to a close, the conference was coming together nicely, with commitments from the **Society of Professional Journalists** and the **University of Washington School of Communication** to be co-presenters, several sponsors, and expert speakers, including addresses by **Washington Attorney General Rob McKenna** and **Heather Brooke,** whose use of the new Freedom of Information Act in the United Kingdom led to discovery of a major scandal regarding expense accounts for members of Parliament, leading to the resignation of the Speaker of the House of Commons. The results of the conference will be included in our 2010 Annual Report.



Online Help Line: The WCOG online Help Line (and telephone help service) continued to answer many inquiries from citizens needing assistance dealing with agencies on open government issues, including questions regarding videotaping of

fire district board meetings, access to lists of professional license holders, reuse of state-produced information on a newspaper web site, filtering by a county attorney of all communications sent to county commissioners, whether conference calls with members of Congress that include county commissioners must be open to the public, access to investigative records of old murder cases, the legality of “whiting out” parts of documents without disclosing the nature or justification for the redactions (i.e., as opposed to using black lines, which are obvious on photocopies), and transparency requirements for the superior court Guardian Ad Litem committee – among many others. Grant funds from **Best of the West** were used to post instructions for how to reach the Help Line and answers to frequently asked questions on the WCOG web site in Spanish, Chinese, Russian, and Tagalog, in addition to the basic materials already available.

Hedrick Smith Event: WCOG co-sponsored, with the **University of Washington Department of Communication**, a luncheon featuring Pulitzer Prize-winning New York Times investigative reporter **Hedrick Smith** on November 2.

Local Email Lists: In addition to our statewide email lists for WCOG members, WCOG established local email lists to help members communicate and coordinate with each other regarding hot issues in their communities. Initially, lists were established for WCOG members in the city of Seattle, and members in King, Pierce, Thurston, Snohomish, Skagit, Whatcom, Yakima, Spokane, Adams, and Whitman counties. Additional lists can be established at any time by request of members in an area.

Government and Policy Initiatives

Legislation Tracking: During the legislative session WCOG published frequent updates of its Bill Status Report, analyzing and tracking the progress of all bills identified as having an impact on the Public Records Act (RCW 42.56), Open Public Meetings Act (RCW 42.30), the Public Disclosure Act (RCW 42.17), the Records Preservation Act (RCW 40.14), and other open government laws, and recommending WCOG positions and possible amendments. We examined all **2,661** bills introduced during the 2009 session, and tracked and reported to our members the progress of **101** bills that had potential impact, positive or negative, on the public’s right to know, particularly regarding access to public records and public meetings.

Legislative Effectiveness: Of the 101 bills tracked by WCOG, **19** were considered “priority” bills to which the Coalition paid particular attention, including testimony during hearings and repeated contact with legislators. These included bills allowing agencies to obtain injunctions blocking public records requests by prisoners deemed to be “harassing” an agency (**SB 5130/HB 1181**), allowing injunctions to be obtained against any request including non-prisoners (**HB 1316**), prohibiting prisoners from making public records requests for any reason (**HB 2259**), studying the feasibility of creating an open government enforcement board (**HB 1017/SB 5339**), giving enforcement power for open records and meetings laws to the Public Disclosure Commission (**HB 1784**), restoring the attorney-client communication privilege to its historical more narrow interpretation (**HB 1105**), eliminating the ability for an agency to seek an injunction against release of a record (**HB 1106**), preventing government liability insurance programs from threatening to cancel insurance of agencies that voluntarily release records that would be otherwise exempt (**HB 1107**), exempting from disclosure personal information of all government employees held by any agency (**HB 1317**), exempting disclosure of any personal information of criminal justice employees (**HB 2259**), exempting recordings of executive sessions from disclosure and allowing courts to require agencies who intentionally abused executive session to make such recordings, and requiring Open Public Meetings Act training (**HB 1676**), increasing the default charge for copies of records from 15 to 25 cents per page (**SB 5250**), allowing agencies to charge requesters for copies made on their behalf even if they didn’t ask for them (**SB 5251**), allowing agencies to withhold records if the requester hasn’t paid for previous the copies they didn’t want (**SB 5249**), implementing unanimous recommendations of the Sunshine Committee (**SB 5295**) as well as its non-unanimous recommendations (**SB 5294**); and, eliminating the Sunshine Committee (**SB 5119, HB 1497, SB 5588**). **Of these priority bills, only one passed: SB 5130**, allowing agencies to obtain injunctions blocking public records requests by prisoners deemed to be “harassing” an agency. This bill was, in fact, rushed through the legislature within the span of three days and signed by the Governor the same day it passed, so that it could be used to block requests by a particular inmate at a court hearing the following week. **Through the efforts of WCOG and other organizations concerned about government transparency and accountability, many damaging bills failed to pass.** Unfortunately, as is often the case, many good bills also failed.



Legislative Priorities: The Coalition once again prepared a legislative agenda and priorities for the upcoming 2010 legislative session, to inform legislators and the public of open government issues of greatest importance. The priorities this year focused on nine issues: restoring the original intent of the **attorney-client communications** exemption, expanding access to **legislative and court records**, exempting **recordings of executive sessions** from disclosure, creating a **non-judicial process** for review of PRA and OPMA disputes, requiring **open government training** for government employees and elected officials, improving preservation and access to **electronic records**, requiring agencies to **scan paper records into electronic form** if requested, preventing arbitrators or judges from ordering **destruction of public records** contrary to law, and **preserving the Sunshine Committee**. The legislative priorities were provided to all coalition members and subscribers to our citizen network email list, all legislators and statewide elected officials, and media outlets statewide.

Candidate Questionnaire: WCOG prepared a questionnaire asking for the positions of candidates for public office on many of the priority issues on the WCOG legislative agenda. The questionnaire was sent to **2,621** candidates, most of them running for local office. Over **360** responses were received, tabulated, and posted on the WCOG web site, and a news release sent out encouraging editorial boards to question candidates about their responses or lack thereof. As a 501(c)(3) charitable organization, WCOG cannot endorse or support any candidates, and thus the information we provided did not indicate which answers were “right” or “wrong” and we did not rate candidates in any way. Nevertheless, candidate responses to the questionnaire did become an issue in some races during the 2009 campaign, and some victorious candidates have followed-up and asked for WCOG’s help in implementing their open government campaign pledges.

Government Consultation and Advocacy: WCOG increased our presence and strengthened our voice in local government issues during 2009, and many officials reached out to WCOG for our advice as an important stakeholder and expert on open government issues. A few examples of our involvement in local government issues include the following: the Coalition sent a letter providing detailed advice on promoting open government to the **Seattle City Council**; we testified before the **Monroe City Council** on open government legislation; we provided comments on proposed public records legislation being considered by the **King County Council**; we advised a member of the **Lake Washington School District** board about whether meetings of the Executive Committee of the State Board of Education are subject to the Open Public Meetings Act; we advised a member of the **Monroe School District** board regarding the district’s recurring failure to properly formally notify the media and board members of special meetings of the board; we advised the supervisor of public affairs at **Energy Northwest** (a publicly owned nuclear power generator) regarding requirements for board member participation in public meetings by teleconference; and, we advised the staff of the **Washington State School Directors Association** regarding their training materials on open public meetings and public records. WCOG board members continued to serve on the **Sunshine Committee** and testified on most every issue considered, advocating for expansion of open government. We served on an **Open Government Task Force** convened by the Attorney General and State Auditor to consider non-judicial mechanisms for resolving public records and public meeting disputes. We testified before the **Public Disclosure Commission** on several rulemaking matters. And WCOG board members participated in a **Public Records Act Workgroup convened by the Board of Judicial Administration** to consider how the PRA should be applied to court records. As these contacts increased, we started a new section on the WCOG web site to archive correspondence to government agencies, so that WCOG members are aware of our activities.

Legal Activities

Amicus Briefs: The Coalition, either separately or in conjunction with other organizations supporting open government, submitted amicus briefs in support of open government principles to the appellate courts regarding a number of cases, including **Rousey v. Indigo Real Estate** (regarding deleting the name from Superior Court computer records of a person named in an unlawful detainer lawsuit that was later dismissed), **Ameriquest v. Washington State Attorney General** (regarding whether the Attorney General can turn over records, whether federal banking privacy laws supercede state disclosure laws, and whether agencies are required to notify persons named in a record), **Yousoufian v. Sims** (regarding factors to be used in determining penalties in public records cases), and **Koenig v. Pierce County** (regarding which records are covered by the attorney work product privilege). We’ve also been working hard to bring together a consensus of all amici in **O’Neill v. Shoreline**, regarding disclosure of electronic records and email metadata. The Coalition deeply appreciates the many hours of legal work contributed by attorneys on our legal committee and friends of the Coalition on these projects.

Direct Litigation: The most prominent public records case in Washington state in 2009 was *Protect Marriage Washington v. Reed*, in which the proponents of Referendum 71 – a referendum to overturn the state’s new “everything but marriage” domestic partnership law – sought to block the disclosure of the names, address, and signatures on the referendum petition forms, claiming that to do so would constitute an infringement of an alleged 1st Amendment right of individuals to anonymously petition the government, and that release of the names would enable harassment of the signers and squelch participation in future initiative and referendum petitions. The Coalition took the position that signers of initiatives and referenda are acting in the capacity of legislators, that proposing to make, change, or repeal laws should not be done anonymously, and that the people have a compelling interest in knowing who is making such propositions and in confirming the accuracy of the Secretary of State’s signature verification process. The Coalition submitted a request for disclosure of the petition to establish standing in the case, and then requested to intervene as a party; this request was granted by the federal district court. The Coalition, represented by **Witherspoon Kelley Davenport & Toole** (the law firm of WCOG Legal Committee chair **Duane Swinton**), submitted briefs and argued our position during hearings in both district court and the Ninth Circuit Court of Appeals. The district court in Tacoma enjoined the state from releasing the petitions. The Coalition joined the state of Washington in appealing the decision, and the Ninth Circuit overturned the lower court rendering a strong opinion in favor of transparency. *PMW* appealed to the U.S. Supreme Court, which stayed the Ninth Circuit’s order to release the documents and accepted the case. Briefs are now being prepared, and we expect to argue before the U.S. Supreme Court in April 2010.



Impact Fund: Pursuing a case in the U.S. Supreme Court is, of course, an expensive proposition, even when the legal work is done *pro bono* as **Witherspoon Kelley Davenport & Toole** has generously done in the *Protect Marriage Washington v. Reed* case. The Coalition is seeking to raise the money needed for the out-of-pocket costs, including the costs of publishing the Supreme Court briefs in the expensive form demanded by the Court. The Coalition has therefore created an IMPACT Fund, a separate contribution fund to be used for legal expenses. Initially, the fund will be used for the *PMW* appeal, but the Coalition intends to continue raising money for the IMPACT Fund to help with costs of future legal actions in pursuit of open and accountable government. We have made fundraising solicitations for the Fund in the Coalition newsletter and on our web site and Facebook page, and have also submitted grant applications.

Continuing Legal Education Seminar: The Coalition presented a day-long continuing legal education seminar in Seattle in September, with the dual purpose of providing quality education on public records and open public meeting laws as well as raising revenue for Coalition projects. Sessions at the seminar included basics of the Public Records Act and the Open Public Meetings Act, an update on the Sunshine Committee and open government legislation, handling PRA requests from an agency perspective, access to electronic records, and PRA litigation procedures and issues. Presenters included Coalition board members **Duane Swinton**, **Scott Johnson**, **Toby Nixon**, and **William Crittenden**, former board members **Michele Earl-Hubbard** and State Archivist **Jerry Handfield**, state Open Government Ombudsman **Tim Ford**, Seattle City Attorney **Tom Carr**, and **Steve Dixson** of Witherspoon Kelley Davenport & Toole. The event was held at the Washington State Convention Center in conjunction with the Coalition’s annual Madison-Andersen Award event. Over 30 people attended the seminar (in addition to the presenters), who each received 5.5 hours of CLE credit. The Coalition netted over \$2,500 in proceeds from the event; we also built a substantial mailing list and a compilation of high-quality materials that can be used for similar events in the future. The seminar received very high ratings, with the overall program rating being 97%. The Coalition will pursue additional CLE seminars in the future, including offerings in other cities in Washington.

Survey of Public Records Information: The Coalition employed generous grant funding from the **National Freedom of Information Coalition** to conduct an email and online survey of agencies across Washington. WCOG polled over 1,150 agencies for information on their procedures and practices for handling public records requests, procedures expected to be followed by citizens submitting records requests, and fees associated with records requests. The responses from over 300 agencies were compiled into a database and posted on the Coalition web site to assist citizens in their quest for government information.

Awards and Recognitions

Fifth Annual James Madison Award: The James Madison Award, the Coalition's highest honor, is presented each year to an individual or organization whose commitment to the cause of open government has been demonstrated through exemplary words or deeds. This year, the award was presented to **Denny Heck** and **Stan Marshburn**, founders of TVW, the non-profit statewide public affairs television network. TVW, founded in 1995 as the first such statewide public affairs cable network in the country and often called the "C-SPAN of Washington State," was the brainchild of Heck, a former legislator, chief clerk of the state House of Representatives and chief of staff for Gov. Booth Gardner; and Marshburn, a veteran Olympia insider and budgeting guru with long stints at the Office of Financial Management and the Department of Social and Health Services. TVW's live broadcasts of legislative committee meetings and floor action as well as year-round coverage of public policy conferences and government meetings, which are available to over half of the state's population (those with cable TV), has greatly improved citizen awareness of the activities of state government. Using TVW as a model, many cities and counties throughout Washington now provide coverage of their meetings on local cable channels and webcasts. TVW often records WCOG Forums and meetings, makes the recordings available on the TVW web site, and broadcasts them repeatedly.

Third Annual James Andersen Award: The James Andersen Award is given annually to an individual or organization that has done something extraordinary to advance the efforts of the Washington Coalition for Open Government. The award this year was presented to **State Auditor Brian Sonntag**, a founding member of the Coalition board, whose commitment to government transparency and accountability has been a hallmark of his more than three decades of service as an elected public official. Sonntag, a Tacoma native, is serving his fifth term as Washington State Auditor, a job that gives him a unique position to take a proactive stance on open government laws, and he takes that stance consistently. His office routinely audits state and local government agencies for compliance with open meeting and open records laws. He gives priority to working with governments to make sure they are aware of and understand their obligations under these laws. Sonntag frequently speaks at WCOG Open Government Forums, requests legislation to improve open government, and testifies on open government bills in the legislature.



WCOG President Toby Nixon, Madison Award recipient Denny Heck, Andersen Award recipient Brian Sonntag, and Madison Award recipient Stan Marshburn

Key Awards: The Key Award can be awarded by the Coalition Board of Directors at any time to an individual or organization in honor of a good deed in advancement of open government. The name of the award recognizes the "key contributions" of the award recipients, and the symbolism of the "key" to unlocking of public records and government information. The award includes a special "Key Award" lapel pin and certificate, a free year of membership in the Coalition, and recognition on the Coalition web site and in a news release. Honorees this year included **Sam Taylor**, a reporter for the Bellingham Herald who frequently uses the Public Records Act and blogs on open government issues; **Heather Brooke**, a graduate of the University of Washington and journalist now based in London, England, whose use of the new Freedom of Information Act in the United Kingdom led to discovery of a major scandal regarding expense accounts for members of Parliament, leading to the resignation of the Speaker of the House of Commons; **Meredith Mechling**, a citizen in Monroe who persisted in requesting access to emails of city council members and obtained a court decision that will be a strong precedent for access to such records in the future; **Pat McCarthy**, Pierce County Executive, who established a policy requiring automatic archiving for a minimum of six years of all emails sent and received by county employees, which should serve as an example to all jurisdictions in the state; **Ira Appelman**, a citizen activist in Mercer Island who has frequently uses the Open Public Meetings Act and Public Records Act to hold the Mercer Island government accountable, including using personal funds to mail copies of disclosed records to thousands of Mercer Island citizens; and **Ed Clark**, a certified public accountant in Redmond who used the Public Records Act effectively to show that the state Board of Accountancy was unfairly applying its rules and enforcement processes.



Annual Awards Event: The Coalition's annual Madison-Andersen Awards event was held at the Washington State Convention Center in Seattle on September 18, during Constitution Week. It included presentation of the James Madison Award and the James Andersen Award. This year, we had a luncheon rather than a breakfast, and scheduled the luncheon during a break in the WCOG Continuing Legal Education seminar being conducted the same day at the same venue so that seminar attendees could participate in the award event. We did not invite a separate celebrity

emcee or keynote speaker this year; WCOG President **Toby Nixon** emcee'd the event, and the award recipients' remarks constituted the keynote addresses, which streamlined the program and help to keep it on schedule. Attendance was a bit lower than previous years (76 people attended), which we attributed to the program being held midday rather than before the work day started; we will revisit the question of breakfast versus lunch for the 2010 event. The event netted over \$1,500 in revenue for WCOG programs. TVW recorded the event and rebroadcast it several times statewide.