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Thursday, March 16, 2017

Commentary: In recognition of Sunshine Week. When the government won't talk to you, the documents will. Eventually.



"We are always secretive. It's part of being a legislator."

Those unapologetic words this week from Hawaii House Speaker Joe Souki show the Aloha State still has a long road ahead in making government more transparent. The quote, reported by both the [Star-Advertiser](#) and [Civil Beat](#), couldn't have been timelier, coming in the middle of Sunshine Week.

Launched in 2005, Sunshine Week has grown into an "enduring annual initiative to promote open government and push back against excessive official secrecy," according to its [website](#). It's sponsored by the American Society of News Editors and Reporters Committee for Freedom of the Press, with support from John S. and James L. Knight Foundation and The Gridiron Club and Foundation.

Considering everything happening on the federal level, it's easy to see why Sunshine Week is more important than ever. But access to government doesn't stop in Washington, D.C.

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Not just the media, but everyday citizens have a right to ask for, and receive, government documents. They have a right to ask -- no, demand -- that their government work in the open, in the sunlight of public scrutiny. They have a right to know how taxpayer money is spent.

Yet, more and more, government is drawing a screen over that important access. Government, at the state, national and local level, seeks to provide the public only the information, or in some cases, misinformation, that it wants the public to know about.

Our leaders need to be reminded that sunshine is the best disinfectant, that citizens are more likely to understand and trust the workings of government if they can see it at work and that there is no embarrassment exemption in the Freedom of Information Act.

I have encountered resistance at the county, state and federal level as a reporter for a small daily newspaper, way out in the middle of the Pacific. Here's my story.

It took five years for the federal Transportation Security Administration to respond to my FOIA request for a list of items confiscated during a 12-month period at our five major airports. By the time I received them, they were literally old news.

On Oct. 17, 2013, I requested copies of tsunami inundation maps created for the state Emergency Management Agency by the state university. Yep. Still waiting. The state claims the maps will "confuse" the public if they're released. My appeal is being considered by the overworked and under-staffed [Office of Information Practices](#).

In another case, it took five years of regular requests for records of our county mayor's taxpayer-paid purchasing card. Once someone apparently outside official channels finally provided me a document, I discovered the card was used for such personal expenses as hostess bars, where young attractive hostesses sit on your lap in exchange for overpriced drinks.

Our mayor was ultimately indicted by a grand jury for what turned out to be a continuing practice of using the card for private expenses -- a surfboard, a bicycle and lots of hefty bar tabs. He was cleared of theft charges by a jury after he proved he repaid the expenses, so there was no intent to steal. Funny thing though, many of the repayments came just after FOIA requests were submitted.

A [study](#) of more than 300 of those who seek (or provide) public records, released March 12 by the John S. and James L. Knight Foundation, found half of those surveyed said access to public records has deteriorated over the past four years, and nearly nine of 10 predicted access will continue to get worse under our new president, according to "Forecasting Freedom of Information," by David Cuillier of the University of Arizona School of Journalism and Eric Newton, of Arizona State University, as consulting editor.

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[88-Year-Old Texas Woman Dies in 3-Vehicle Crash in Hilo](#) - An 88-year-old San Antonio, Texas woman died following a 3-vehicle crash Wednesday afternoon (March 15) in Hilo. She was identified as Thelma J. McLamore. ...

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After encountering so many roadblocks trying to get my questions answered, I've adopted a new mantra: "When the government won't talk to you, the documents will."

I'm adding this caveat: "Eventually."

Posted by Nancy Cook Lauer at 5:40 PM

Labels: [House Speaker Joe Souki](#), [Office of Information Practices](#), [public records](#), [Sunshine Laws](#), [Sunshine Week](#)

Reactions: funny (0) interesting (0) cool (0)

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About Me



Nancy Cook Lauer

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Nancy Cook Lauer, the curator/publisher of All Hawaii News, is an award-winning 25-year journalist who covered state politics in Florida. Lauer moved to Hawaii in 2005, and has been actively involved in state news coverage since. She's vice president of the Hawaii SPJ chapter and holds a master's degree in library and information science from Florida State University.

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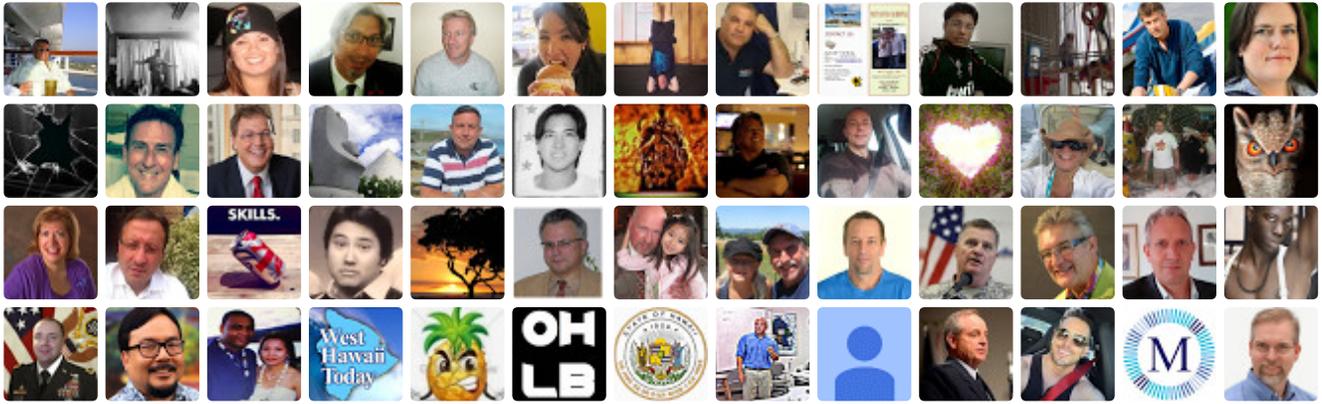
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