

# American Press

## **OPINION: Governor, let sun shine in**

*Lake Charles American Press*

*Published: March 19, 2009*

Gov. Bobby Jindal campaigned heavily about transparency and accountability in state government, but it appears they don't apply to him.

Jindal pushed for increased disclosure from legislators and lobbyists, but defended the exceptions to the state's public records law for the governor's office.

As a result, those seeking some public records, especially those from the governor's office, are hitting brick walls.

The result: Louisiana ranks among the worst in the nation in yet another category — access to public records, especially those from the governor's office.

This week is the national observation of Sunshine Week, a national initiative that highlights the importance of open government and freedom of information.

Louisiana law exempts the governor from having to release documents that are commonly accessible in other government offices. Extra wording added by the Legislature last year means the exemption potentially can be extended to any other office's document that the governor reviews.

State law allows the public — you — to have access to a wide variety of records, documents and recordings of public governmental bodies, except for those specifically exempted by the Legislature.

For many years, Section 5 of state Public Records Law, R.S. 44:1 et seq., stated: "This Chapter shall not apply to any of the books, records, writings, accounts, letters, letter books, photographs, or copies thereof ordinarily kept in the custody or control of the governor in the usual course of the duties and business of his office."

However, at Jindal's request, lawmakers added the following: "... to those having been used, being in use, or prepared, possessed, or retained for use by or on behalf of the governor in the usual course of the duties and business of his office."

That change went into effect on Jan. 1.

Before the additional exemption of records was added, the Florida-based Citizen Access Project called the state's public records law for the governor's office the "darkest sunshine law in the nation."

The nonprofit Public Affairs Research Council of Louisiana (PAR) recently issued a report listing five recommendations that will "thrust Louisiana forward as a leader in transparency."

# American Press

Jim Brandt, president of PAR, said some of the recommendations will require changes in state law, while others can be done by Jindal through executive order or policy changes.

Among the recommendations are:

- Minimize and clarify exemptions to the public records law.
- Provide a pre-trial mediation process for public records disputes with the state Attorney General's Office handling appeals.
- Expand online access to live or archived meetings.

Dr. Monteic A. Sizer, president and CEO of the Baton Rouge-based nonprofit Louisiana Family Recovery Corps, said it is imperative for Jindal, and even President Obama, to give Americans a transparent government.

“This will allow American citizens to make important decision regarding the future of their elected officials based on facts and accomplishments rather than relying on secretive campaigns cloaked by rhetoric, spin and empty promises,” said Sizer.

“When outcomes and opportunities provided for people are demonstrated and freedom of information matches the many other freedoms enjoyed by our citizens, America will then enjoy a truly open, transparent government.”

The governor should rethink his position on the state's too-restrictive public records law. Let the sun shine where it may.