



HART: Sunny days ahead for gov't

March 14, 2010

I always enjoy the annual observance of Sunshine Week because it's all about your right to know what your government is doing with your money, your trust and your authority.

Trust me, this observance is about much more than whiny media types complaining about being overcharged for copies of public records (though that can be a serious problem in these tight budgetary times for most of us).

The press is afforded no special privileges regarding access to government meetings and records that aren't also granted to you the citizen, and at the end of the day, the most important check on government is not the media, but the private citizens who go to the polls and select those who will govern us.

Granted, we in the media do play a unique role by providing an important check through our reporting on government happenings, which is why a free and independent press represents a fundamental building block of this country as established through the genius of the founding fathers.

Keep light shining

As noted in today's Daily News Journal front page story on Susan Allen as well as on today's Opinion page, The DNJ will be observing Sunshine Week this week with a series of stories and editorials highlighting some of the local issues surrounding open records and open meetings during the past year.

Just this past week, I was pleasantly surprised while watching a television replay of Thursday night's County Commission meeting as commissioners debated the pros and cons of going into executive session — a closed meeting with legal counsel — regarding a proposed payment of legal fees to settle a lawsuit between longtime election administrator Hooper Penuel and GOP members of the Rutherford County Election Commission.

Though county commissioners ended up voting to go behind closed doors to ask the county attorney questions about the settlement, multiple commissioners expressed deep reservations about discussing the matter privately, stressing the importance of citizens being able to hear their elected representatives debate such an issue openly.

Then there was Susan Allen coming before the commission that same night as president of the nonpartisan Rutherford Neighborhood Alliance, speaking out against the county paying the \$32,000 for the legal fees and backing up that objection with research into local and state laws supporting the grass-root group's position.

The RNA is a perfect example of engaged citizens recognizing their responsibility in a government of, for and by the people. Government must always be as transparent as possible, otherwise abuse runs rampant, distrust bubbles up and at some point our government becomes so dysfunctional that nothing of importance gets done.

So I encourage you to speak out and contact your elected officials when you see any attempts by government to do public business secretly or erect unnecessary barriers to public access to the goings-on of government.

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For example, a troubling trend of late has been attempts by **local governments** to get legislation passed that would allow public notices to be placed on government-owned Web sites rather than being published through traditional media.

Advocates cite the supposed cost **savings** to taxpayers as well as the explosion in the Internet's popularity as justification. I think they are sorely missing the point.

The most important benefit of requiring public notices in the media is that because the media exist as independent, constitutionally protected entities, they represent a critical and necessary check on government compliance with properly notifying the public in a timely manner.

You can't put a price on that accountability, and a government that tries to circumvent that accountability is a government that foolishly believes that it can police itself. History is littered with tragic examples of such flawed thinking. I encourage you to keep an eye out for such legislation and call your representatives in strong opposition.

Meanwhile, The DNJ will continue to use open records requests and open meetings law to keep the sun shining on local government. We welcome your feedback, which can be e-mailed to news@dnj.com.

Reach Executive Editor Jimmy Hart at 615-278-5150 or via e-mail at hart@dnj.com.

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