

THE BAKER CITY HERALD

Column by Editor, Ted Kramer

Keep public's business public

"Knowledge will forever govern ignorance, and a people who mean to be their own governors, must arm themselves with the power knowledge gives. A popular government without popular information or the means of acquiring it, is but a prologue to a farce or a tragedy or perhaps both." -- James Madison

Our nation's founding fathers knew the importance of having an informed public. They'd dealt with repression and secrecy far too long.

They framed our Constitution, and its original amendments, in such a way that freedom and an informed citizenry would be at the heart of this great nation.

That foundation has stood the test of time. But things are changing. Efforts are being made at all levels of government to limit what the public is allowed to know.

As Peter Bhatia, president of the American Society of Newspapers Editors, wrote recently, "ever has freedom of information been under greater siege. The open hostility to the Freedom of Information Act flows from Washington and the Department of Justice. The actions in our nation's capital are mimicked more and more on a state and local level."

Sept. 11, 2001, struck the biggest blow to freedom in this country. A review of what information should be made public was in order. But the fallout has gone too far.

Congress quickly framed and overwhelmingly passed in a bipartisan manner _ the Patriot Act, which has restricted public access to information and changed the nature of due process for people charged with crimes that might be linked to terrorism.

Freedom isn't what it once was in this country. Citizens' access to information no longer is what it should be.

A public records audit conducted earlier this year and released this week by the Oregon Associated Press Newspaper Executives and the Society of Professional Journalists showed that citizens' access to information isn't always easy to come by.

Although the government entities contacted in Union County were far more amenable to the law than those in most counties, including Wallowa, the state of accessing public records in Oregon isn't good.

Nearly half of the 178 public records requested by volunteer auditors in Oregon's 36 counties were denied. These weren't records that could prove useful to terrorists. The citizens requested city budgets, city manager expense reports, superintendent contracts, concealed weapons permits and the most recent DUII charges.

What was most alarming was the reaction these citizens got when they requested information _ especially in sheriffs' offices. Some of the citizen auditors left in tears, others shaking. Even in Union County, which eventually provided the information requested, the auditor said she had never felt so intimidated _ as if she were a criminal because she had asked for the information.

Perhaps it's a sign of the times. Perhaps it is due to ignorance of the law on the part of the people who handle the records. Or a lack of public relations skills. But the fact

remains that Oregonians don't have the access to records that the 1973 Oregon Public Records Law intended, or that the 1966 Freedom of Information Act guaranteed.

Perhaps there's a link between Americans growing dissatisfaction with government and government's increasing tendency to keep things secret.

There's not a lot that we, as citizens, can do to ensure that the federal government adheres to its own laws, except let our senators and representatives know they should support the OPEN Government Act of 2005. Sens. John Cornyn, R-Texas, and Patrick Leahy, D-Vt., have introduced the act to "enhance the FOIA of 1966" and "substantially enhance and expand the accessibility, accountability and openness of the federal government."

But we can make it clear to our state and local officials that open government is at the heart of our democracy.

Citizens deserve to know what their governments are doing, whether that be the local cemetery district, city government, county government or the state.

Without access to records, a citizens' group would have never uncovered the fraud that existed in the Union-Baker Education Service District and The Observer would not have been able to divulge the contents of an investigative audit. Although the loss of jobs and programs that has occurred since the fraud was discovered is disheartening, to know that the program was built on deceit is worse.

In Bend, the public would not have known the reason for the abrupt removal of the city manager had it not been for The Bulletin's efforts to get records made public _ at a five-figure cost to the citizens of Bend because of the city's attempt at secrecy.

In Medford, the public would not know the contents of police dispatch recordings related to a chase that resulted in a double-fatal crash if the Mail Tribune had not pursued and won _ just this week access to the information.

Citizens have the right to be informed. They need to be able to access information about public business.

After watching the workings of government for more than a quarter of a century, I believe that the better informed people are and the more they know about their government, the better they will feel about their government.

That can only happen if the government has nothing to hide.

The public has a right to know.