

Public records should be just that

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Alison Bath's Watchdog installment Friday on bureaucratic foot dragging on requests for public documents elicits both blood pressure spikes and understanding from journalists.

Our "favorite" piece of evidence, recounted by a Louisiana Press Association spokeswoman, was when, during a seminar on public records, a speaker told public officials "you have 72 hours to respond (to a public records request), and try to take up the entire 72 because the reporter will forget about it."

The remark reveals:

A) The speaker clearly understands how busy most reporters are.

B) How pervasive it is for custodians of public records to approach that responsibility with an adversarial attitude.

What part of "public" did that speaker not understand?

The Watchdog makes a basic point that gets lost in the records' give and take: these records are the people's records, not the custodian's or the agency's. The assumption is that records are open for review. Right then — unless they aren't readily available. But the custodian has to offer documentation as to why, and then has three days to make them available for inspection.

Let's interject here that a whole lot of public employees are ready, if not always ecstatic, to help journalists out (they're often busy, too). It's much appreciated.

But others do get to be protective of their agencies or bosses or themselves, and sometimes they are just unsure about the law. Others decide they know best, and with a sense of arrogance — yes, that's the right word — will decide what the public should and should not see.

Bath's account of her difficulties in getting an accident report from the Bossier City police brings to mind another dispute with that agency over refusal to release an audio taped confession in a 1999 double-homicide case. Two years later a wrongful death lawsuit against Bossier City revealed that the audiotape that police said they had turned over to the family of the dead assailant had in fact been copied and kept by the department.

But where journalists have a bit of experience navigating — and sometimes being thwarted by — government bureaucracies, the average citizen often can get overwhelmed, ignored or stonewalled.

Just last week a young man called this office to complain about his inability to get a local police report and was unaware of his alternatives. A Times staffer took time to point him to an excellent resource on the Public Affairs Research Council Web site at la-par.org where he could find a review of the open records law and a helpful guide on how to file such a request. It's a Web site worth bookmarking.

And it's worth remembering that open government — both meetings and documents — are crucial to a healthy society.