



Public Record Media

Public Record Media Annual Report — 2011

2011 was the second full year of operations for Public Record Media (PRM). The end of the year brings with it reflections, and some changes.

PRM began with a vision of providing in-depth information on public affairs topics, coupled with a non-partisan editorial voice in favor of transparency and constitutional balance in government. In addition, PRM has committed itself to vigorously pursuing government data through the Freedom of Information Act and other legal mechanisms. We see our data disclosure work as a benefit to civil society at large, and as a supplement to similar work undertaken by the press and advocacy communities. Through the regular pursuit of government data, PRM hopes to keep our nation's open records laws robust, and our government agencies responsive and accountable.

Freedom of information

Uncovering and presenting government documents was one of PRM's central undertakings throughout 2011. We sought and obtained a wide variety of materials: radiation monitoring reports from the Minnesota Department of Health, the document retention schedule and e-mail records policies of the Pawlenty administration, Saint Paul police records related to license plate recognition (LPR) technology, and many more.

We also pursued several other document batches through the administrative appeals process, including CIA files documenting the military service of Hmong and Laotian veterans. Most recently, we filed an appeal related to the Office of Legal Counsel's denial of our FOIA request for legal opinions pertaining to the use of armed UAV drones against U.S. citizens – both here and abroad. Some of these appeals are ongoing, while others have ended without a clear opportunity for future court action.

A snapshot of information transparency

While much of PRM's document-focused mission helps to provide information to the broad public, our pursuit of government data also seeks to encourage agency compliance with open records laws. Each year gives us a snapshot of some the most - and least - compliant actors during that particular period.

This past year, the fastest state-level data response belonged to the Saint Paul Police Department, which turned around a complex request for LPR data in fourteen days. Also notable was the fact that the Minnesota Bureau of Criminal Apprehension responded rapidly and thoroughly to multiple requests for criminal investigative data.

The slowest state-level responder was the Ramsey County Sheriff's Office, which took seven months to respond to a request for files related to former Sheriff Bob Fletcher's tenure in office. Responses were only obtained after PRM began an opinion-seeking process from the Minnesota Department of Administration.

At the federal level, the fastest response came from the Office of Legal Counsel (OLC), which responded to our request for legal opinions related to the use of unmanned aerial drones within

23 days, although they denied the request in its entirety. Interestingly, the OLC was also the year's slowest responder, taking over twelve months to respond to a request for opinions about the expired federal assault weapons ban.

Our slowest responder to date has been the U.S. Coast Guard, which has not yet provided documents related to our July 24, 2010 request for contracts signed with security vendors working near the "BP oil spill" in the Gulf of Mexico. Months after we filed an administrative appeal, we received a response indicating that our initial request had been internally misplaced. We are currently pursuing additional options to obtain these documents, should they exist within the Coast Guard.

Original articles and editorials

PRM developed and published original news stories and opinion pieces during 2011. We looked back at the last decade of blogging in Minnesota, and provided in-depth coverage of the shoot-out that took the life of Ham Lake, Minnesota resident Ted Kowalzek. We were the only media organization to obtain the complete police photos and video of the scene.

Our document archive contains all of the photos made public in the BCA's initial document disclosure, but we did not post photos that we received through our subsequent requests, out of deference to Mr. Kowalzek's family. In keeping with PRM's policy regarding the publication of personally sensitive materials, we only used these records to corroborate story details.

Open government advocacy

When proposals related to open government arise at the state or federal level, PRM stands ready to advocate on behalf of transparent, non-partisan solutions. Early in 2011, we submitted written comments to the working group that oversaw the re-writing of the Minnesota Senate's media access rules. The Senate adopted new rules on March 3rd, based upon the recommendations of the working group.

Media production

In the early part of 2011, we released the first episode of *Open Source*, a pilot program for a television series on public affairs issues. Thanks to the staff and management of Minnpost.com, reporter and political commentator Eric Black acted as the host of the discussion segment. Episode number one focused on citizen activism at the Minnesota legislature, and featured a broad range of guests, including citizen-lobbyists Rich Neumeister, Daryl Paulsen, Nicolle Villavicentio, Reko Howard, and Joseph Olson. Other guests included Dai Tao from Take Action Minnesota, Twila Brase from the Citizens' Council on Health Care, activist Elizabeth Dickinson, and Representative Tom Rukavia.

Public installation

PRM hosted its first public event in 2011 – a month-long installation project focused on the Bill of Rights and its challengers. The "Civil Liberty" installation hung at the Midtown Global Mar-

ket in Minneapolis through September – the month of Constitution Day. The installation’s panels are archived on our site, and are available for public display upon request.

Documentary archive

The content of PRM’s “Civil Liberty” installation was drawn from over a decade of documentary and journalistic work undertaken by PRM’s Matt Ehling. PRM’s on-line archive of this work grows on a monthly basis. We are continually transcribing and uploading programs and interviews from our documentary collection. High-profile additions from this past year include writer Nat Hentoff, former CIA chief Stansfield Turner, and Shelly Parker, a plaintiff in the early litigation that led to the Supreme Court’s 2008 Second Amendment Case, *District of Columbia v. Parker*.

Upcoming projects

During the coming year, PRM will focus on our government records mission, as well as on maintaining a regular on-line posting presence. We anticipate that some of our government data requests may see court action in 2013. As always, we will be creating, disseminating, and posting original articles and commentaries – both on PRM’s site and elsewhere.

During the 2012 Minnesota legislative session, PRM will also provide technical and production support to *Capitol Conversations* - the on-line legislative review program hosted by Marty Owings and Ahndi Fridell. The upcoming season of “Capitol Conversations” will stream live from the Minnesota Capitol starting on January 23, 2012.