Public Access Ombudsman

Since Inception (34 mo.)
March 30, 2016 — December 31, 2019

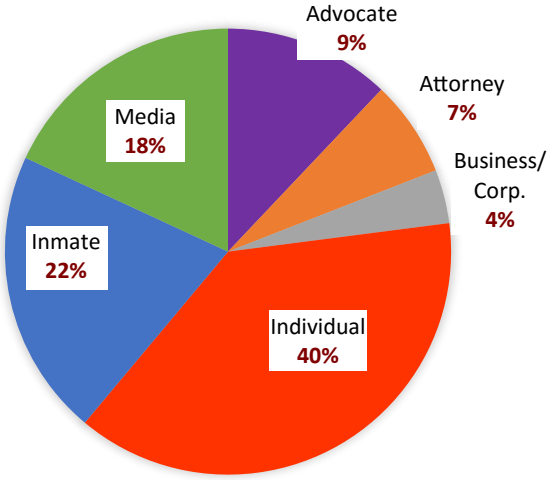
Since Inception - 45 Months

Maryland Public Information Act (PIA)
The public's right to information about government activities lies at the heart of democracy.

1410 *since March 30, 2016*
- 903- Mediation requests
- 507+ - Other /"help-desk" inquiries

The Big Picture: Mediation Matters!
Early resolution of disputes saves time and resources and increases public knowledge and awareness of the PIA process. Mediation is entirely voluntary, confidential, and in many cases doesn't require an attorney.

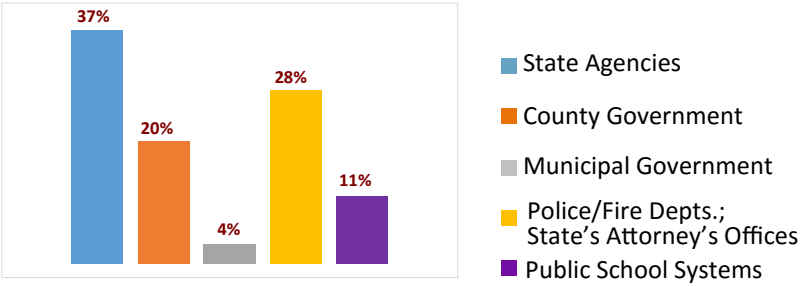
The Requestors



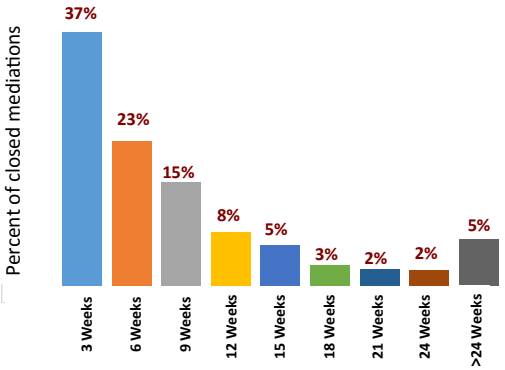
The Agencies

248 unique agencies participated in mediation matters with the PIA Ombudsman since the beginning of the program. Agency jurisdictions are state level, 19 different counties, 23 municipalities, and Baltimore City.

What Agencies are Participating in Mediation?

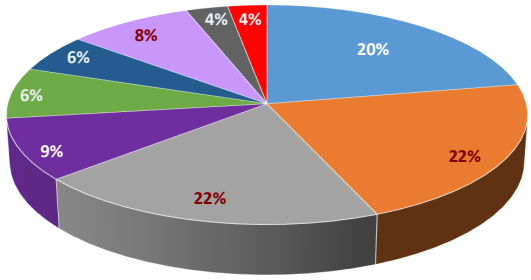


How Long does Mediation Take?



Range: 1 – 519 days. 37% of the cases are resolved within 3 weeks and 60% by 6 weeks.

What are the PIA disputes?



Disputes are presented as framed by the requestor. Characterizations are based on how the requestors describe the issues. These are not findings.

- Misapplication of exemption 20%
- MIA: No Response 22%
- Partial, nonresponsive, or incomplete response 22%
- Fees excessive 9%
- Fee waiver denied or ignored 6%
- Does not believe response 6%
- Asked for explanation of response 8%
- Redaction inappropriate 4%
- Other 4%

Mediation March '16 –August 2019	
New/Incoming cases *between 3/31/16—12/31/19*	903
Closed *as of 12/31/19*	859

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Ombudsman's Website:
http://piaombuds.maryland.gov

MPIA Ombudsman on Twitter
@MPIA_Ombuds

2019 Legislation & Court Opinions

- ***SB 5*** *(2019) requires notification to "person-in-interest" when certain 911 records requested. Awaiting*

Ombudsman's Blog — *Open Matters*

- ***Highlights From The PIA Compliance Board's Opinions. 8/14/19***
- ***Ombudsman and PIACB Seeking Comments on Research Project.*** 8/1/19
- ***Where Are My Records?*** 7/12/19
- ***Assessing Fees for PIA Requests***, 7/03/19
- ***Public Access Ombudsman Adopts Regulations,*** 6/18/19
- ***Tips for Agency Transparency in the PIA Process, 04/15/19***
- ***Proposed Regulations Noticed – Ombudsman Operations,*** 03/29/19
- ***Proposed Regulations Noticed – Ombudsman Operations,*** 03/29/19
- ***Let the Sun Shine In: Maryland Public Access Ombudsman Program,*** 03/15/19
- ***Proactive Disclosure Saves Time and Money, and It's the Law***, 1/28/19

Outreach 2019

Presentations, Workshops, Trainings, and Other Outreach

2019

- PIA Compliance Board, Discussion of PIA Research Report, December 17
- PIA Compliance Board, Discussion of Preliminary Findings for PIA Research Report, November 5
- Maryland Association of Counties, County Attorneys, November 13
- Maryland Association of Counties, Winter Conference, November 20
- Wicomico County Public Schools, October 17
- Maryland State Bar Association, October 25
- Local Government Insurance Trust, October 31
- Veterans of Jessup Correctional Institution, September 25
- Maryland Municipal Clerks Association, September 19
- Open Government Advocacy Network meeting hosted by the ACLU, September 19
- PIACB Annual Meeting Presentation on PIA Research Report, August 19
- Maryland Association of Counties, Summer Conference, August 14
- Veterans of Jessup Correctional Institution, July 10
- Bowie Police Department, June 11
- Harford Co. State's Attorney's Office, June 7
- MDDC Press Association, May 10
- Prince George's County Law Office. April 25
- Wicomico County State's Attorney's Office, April 5
- Stakeholder Survey, Online and via Post, February –March 2019
- Town of Boonsboro. February 7

Select Publications

- **Final Report on the Public Information Act**. *Submitted by the PIA Compliance Board and the Public Access Ombudsman and pursuant to Committee Narrative in the Report on the Fiscal 2020 State Operating Budget and the State Capital Budget*. December 27, 2019
- ***Report on the Public Information Act:. Preliminary Findings and Recommendations.*** *Submitted by the PIA Compliance Board and the Public Access Ombudsman.* November 6, 2019
- ***Where Are My Records?*** Office of the Public Defender, Post Conviction Newsletter, Summer 2019
- **Public Access Ombudsman's Interpretive Regulations: https://tinyurl.com/y2cuqp55**, June 2019
- **Ombudsman comments, included as an Appendix to the 2019 Annual Report of the PIA Compliance Board.** September 2019
- **HB 1105 Report**: *Ombudsman's Report Concerning the Howard County Public School System's Handling of Requests Under the Public Information Act*. December 30, 2016

Resources/Links

- **MD Office of the Attorney General—PIA Manual** *14th Edition*: http://www.marylandattorneygeneral.gov/OpenGov%20Documents/PIA_manual_printable.pdf
  All of the resources below can be found in the PIA Manual.
  - List of Public Record Custodians: Appendix "J"
  - Overview of the Public Information Act: Appendix "I"
- **MD State Archives: http://msa.maryland.gov** is a resource for custodians' record management and retention practices. **Records Management Guide: http://msa.maryland.gov/msa/intromsa/html/record_mgmt/pdf/nagara/making_mgmtsuccess.pdf**
- **Office of Government Information Services** *(OGIS – FOIA)* **https://www.archives.gov/ogis**
- **Federal FOIA (Freedom of Information Act) : https://www.foia.gov/**
- **PUBLIC ACCESS OMBUDSMAN**
  *** Request for Mediation Form: https://news.maryland.gov/mpiaombuds/request-mediation**
  *** Interpretive Regulations: https://tinyurl.com/y2cuqp55**
- **DC Office of Open Government: https://www.open-dc.gov/office-open-government**