Metrics Handout
Office of the Public Access Ombudsman
Since Inception Report
March 30, 2016—June 30, 2021

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
291 unique agencies participated in mediation matters with the PIA Ombudsman since the beginning of the program, including agencies at the state, county and local levels.

What Agencies are Participating in Mediation?

The Agencies

How Long does Mediation Take?
33% of Ombudsman matters are closed within 3 weeks and 77% by 90 days.

What are the PIA disputes?

Misapplication of exemption 22%
Redaction inappropriate 3%
Entire Record withheld 19%
No Response in any form 26%
Partial, nonresponsive, or incomplete response 24%
Fees excessive 7%
Fee waiver denied or ignored 5%
Does not believe response 4%
Asked for explanation of response 6%
Other 5%

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

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

Lisa Kershner
200 St. Paul Place,
25th Floor
Baltimore, MD 21202
Phone: 410-576-6560
Email: pia.ombuds@oag.state.md.us
Twitter: @MPIA_Ombuds

The Agencies
291 unique agencies participated in mediation matters with the PIA Ombudsman since the beginning of the program, including agencies at the state, county and local levels.

What Agencies are Participating in Mediation?

Municipal Government
Public Safety and Law Enforcement Agencies
Public School Systems
State Agencies
County Government
Municipal Government

What are the PIA disputes?

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The Requestors
2147 since March 30, 2016
1308 - Mediation requests
839+ - Other "help-desk" inquiries

The Requestors
Aggregated Requestors:
Professional/Occupational categories make up 40% of requests for assistance and all individuals make up 60%.

How Long does Mediation Take?
33% of closed mediations
20% of closed mediations
14% of closed mediations
9% of closed mediations
6% of closed mediations
5% of closed mediations
3% of closed mediations
3% of closed mediations
8% of closed mediations
Percent of closed mediations

Mediations
March 30, 2016—June 30, 2021
New/Incoming cases between 3/30/16—6/30/21
Closed as of 6/30/21

Maryland Public Information Act (PIA)
The public’s right to information about government activities lies at the heart of democracy.
**2021 Legislative Session**

*House Bill 183 and Senate Bill 449* were introduced early in the 2021 legislative session. These bills were based on recommendations contained in the *Final Report on the Public Information Act* (Dec. 27, 2019), which was published jointly with the PIA Compliance Board. Broadly speaking, the bills provide for a more integrated extra-judicial dispute resolution process and expand the jurisdiction of the Board to resolve a wider variety of disputes. Both bills passed their respective chambers with unanimous support and HB 183 was enacted on May 30, thus becoming law. It takes effect on July 1, 2022.

Several other PIA-related bills were also introduced during the 2021 session, but only one passed and became law. *Senate Bill 178*, which will take effect on October 1, 2021, removes records related to administrative and criminal investigations of alleged police misconduct from the ambit of GP § 4-311’s mandatory exemption for personnel records. Additional analysis of 2021 Legislative Changes to the PIA can be found on the Ombudsman’s Blog, *Open Matters* at [news.maryland.gov/mpiaombuds/blog](http://news.maryland.gov/mpiaombuds/blog).

**FY 2021 Open Matters: Blog of the Public Access Ombudsman**

- [2021 Legislative Changes to the PIA (Pt. 2)-- H.B. 183](https://news.maryland.gov/mpiaombuds/blog/post/2021-legislative-changes-to-the-pia-pt-2-h-b-183): Open Matters Blog, posted 06/21/21
- [Ombudsman and members of the PIA Compliance Board unanimously support HB 183](https://news.maryland.gov/mpiaombuds/blog/post/ombudsman-and-members-of-the-pia-compliance-board-unanimously-support-hb-183): Open Matters Blog, posted 02/12/21

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**Resources/Links**

- [MD State Archives](http://msa.maryland.gov): is a resource for custodians’ record management and retention practices.
- [Federal FOIA (Freedom of Information Act)](https://www.foia.gov/)
- [PUBLIC ACCESS OMBUDSMAN](#)
  - *Interpretive Regulations*: [https://tinyurl.com/y2cuqp55](https://tinyurl.com/y2cuqp55)
  - [Virginia Freedom of Information Advisory Council](http://foiacouncil.dls.virginia.gov/foiacouncil.htm)

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**Outreach FY 2021**

*July 1, 2020 – June 30, 2021*

Presentations, Workshops, Trainings, and Other Outreach

*Due to the COVID-19 state of emergency, in effect throughout the entire FY21, the Public Access Ombudsman’s Office conducted all trainings and presentations by remote means.*

- Maryland Municipal Attorneys Association, *Legislative changes to the MPIA*, virtual briefing, May 6, 2021
- Carroll County Sheriff’s Office, PIA 101 for Law Enforcement, November 17, 2020.

**Select Publications**
