

Washington **Coalition for**
Open Government
washingtoncog.org

WCOG 2022

**ANNUAL
REPORT
2022**

“The people of this state do not yield their sovereignty to the agencies that serve them. The people, in delegating authority, do not give their public servants the right to decide what is good for the people to know and what is not good for them to know.”

Preamble to the PRA



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Welcome to the **2022 Annual Report**. The goal of annual reports is to provide a comprehensive look at how an organization or firm functions and to provide an update on the work and financials of the previous year. Our annual report is different in that it also seeks to give you an update on where government transparency stands in our state and our assessment of what challenges lie ahead in our mission to keep Washington government at all levels, the most transparent in the nation. As you read this report, you will see the same warning signs we see, the same ominous trends we fear, and we hope you will re-dedicate yourself to the cause of open government.

This report is a compilation of our work on behalf of our state's citizens right to access government meetings and records during a year filled with promise and optimism as the world emerged out of the darkness of the global pandemic, returning to a semblance of normalcy. But as hopeful as the year began, 2022 placed many challenges and obstacles in front of the ongoing mission to keep government open and transparent in Washington State.

We began the year looking forward to the Coalition's 20th Anniversary year and while the lingering effects of the pandemic caused us to move our major fundraising and awards program from September 2021, to March 2022, that turned out to be a good move so far. 2022 began with celebration in the air and ended with some storm clouds looming.

On February 23, the Coalition announced it had settled its lawsuit with the State Redistricting Commission.

Elements of the agreement include:

- The Open Public Meetings Act (OPMA) applies to the commission and its commissioners.
- The Commission and its commissioners violated the OPMA and the Commission's corresponding rules regarding transparency.
- A commitment to implement rules so that commissioners no longer negotiate in private.
- A stipulation that all future commissioners and staff shall complete open government training within thirty days of hiring or appointment.
- Before the Commission considers any motion to approve a final redistricting plan, the Commission shall make that plan publicly available, including any proposed Congressional or legislative district maps.
- The Commission shall open for public comment any motion to approve a final plan prior to voting on the motion.
- Penalties of \$500 per commissioner and payment of legal costs and fees for the plaintiffs.

While we are always happy to settle out of court and win concessions that will ultimately increase transparency, it saddens us the commission chose to operate outside the parameters allowing scrutiny by the public as required by their position. WashCOG President Mike Fancher pretty well summed up the attitude of the board regarding the results of this lawsuit.

““We concluded the Supreme Court and Legislature had no interest in invalidating the plan and maps so close to the 2022 elections. We took no position on maps, but pursued an outcome that ensures this Commission and future Commission will not repeat the same mistakes. We feel this outcome achieved that aim.”

2022 marked a change in our traditional event calendar. On Friday, March 18th, we opened our 20th Anniversary with the 2022 Sunshine Breakfast and Awards Program and you can read about that event and the 2021 awardees honored at that breakfast in this report. We had some surprising victories this year but things grew ominous toward the end of the year as we solicited input from other stakeholders and tried to anticipate where agencies might be headed in 2023. You will read about the victories we achieved in 2022 and the worries we have for the year ahead. We hope you will take this opportunity to read and consider our priorities as we go forward.

WashCOG board members continued the hard work on major Public Records Act (PRA) legal challenges, PRA requests, filing amicus briefs in important transparency cases, and helping citizens with PRA issues as they arise. We continue to answer questions on our website regarding PRA requests and are always willing and ready to help citizens with their PRA questions.

One of our core mission areas is to recognize those folks who went to extraordinary lengths to ensure your right to know. We continue to recognize unsung heroes with our Key Awards, presented throughout the year to those who have challenged secrecy and promoted openness. You can read about our Key Award winners as well as our Nixon, Andersen, and Bunting award transparency heroes from 2021 in the section on recognition.



MESSAGE FROM THE PRESIDENT



Michael Fancher—President of WashCOG

Last year was the 50th anniversary of the citizen initiative that was the foundation for our state’s laws governing public records, meetings and campaigns. And it was the 20th anniversary of the Washington Coalition for Open Government, itself. Our theme for the year was the same as it had been for the 1972 initiative: “The people have a right to know.”

The coalition’s year began with a sense of accomplishment and ambition. It ended with new and unexpected challenges. Throughout, there were reminders that the pressures against openness, transparency and accountability are unrelenting. The people’s right to know isn’t guaranteed and must be protected.

We were hopeful as the year began, and with good reason. We had just succeeded in winning a vital lawsuit against the Washington Redistricting Commission. WashCOG contended the commission did its work largely in secret, flagrantly violating state transparency laws. We sued to hold the commission accountable and seek remedies that prevent future commissions from similar violations. Thanks to board members Joan Mell and Casey Bruner for the legal victory.

The 2022 legislative session had one noteworthy accomplishment -- passage of House Bill 1329. It significantly updated the state Open Public Meetings Act. Among other things, the new law requires governing bodies to allow public comment at or before regular meetings at which final action is taken.

Among those who worked hard on the bill were former state Rep. Emily Wicks, state Rep. Gerry Pollet, a WashCOG board member, and Joe Kunzler, a longtime WashCOG supporter.

In March we met together in person for our first awards breakfast since the pandemic began. The venue at the Mariners 'T-Mobile Park was a perfect setting to honor President Emeritus Toby Nixon for his leadership of the coalition and dedication to our cause. We even renamed the annual achievement award in his honor. Thanks to Executive Director Juli Bunting and the Mariners organization for a memorable morning.

We celebrated our 20th anniversary in October with an Open Government Town Hall on the campus of Western Washington University. Co-sponsors included the League of Women Voters of Bellingham and Whatcom County, The Munro Institute at WWU, the Associated Students Office of Civic Engagement and the Department of Journalism at WWU. Special thanks to WashCOG board member Peggy Watt for making the event happen.

Peggy also led a major project of redesigning our coalition website and improving our newsletter, the WashCOG Watchdog. Technical work on the redesign was done by a team at Clark, Raymond & Company, whose executive professional is WashCOG Treasurer Ed Clark.

The website project was a key component of our aim to improve coalition communications. Other aspects of the communications effort included:

- Ramping up our social media connections, with board members George Erb and Robert McClure focusing on Twitter and Facebook, respectively.
- Board member Hannah Marley launched a podcast called Revealed, Putting Public Records in the Public Eye.
- And we worked to streamline our Helpline so that it is timelier and more responsive. Thanks to Juli Bunting and members of our Legal Committee, headed by Eric Stahl.

I note these various accomplishments to highlight the importance of all of our volunteers – lawyers, journalists, public officials, educators, civic activists – and our amazing executive director, Juli Bunting. You can see the full board roster here <https://www.washcog.org/board>.

My one admonition to board members is, “Where you see a void, fill it.” And, boy did they in 2022. It was a very good year.

But, as I said, the year was also full of reminders that our challenge is ongoing.

A consistent source of disappointment has been the unwillingness of the state Legislature to respect the work of the Sunshine Committee, a 13-member panel formed in 2007 to make recommendations for eliminating exemptions to disclosure. Lawmakers have been indifferent to the committee’s recommendations. As bad as things were in 2022, they are even worse in 2023. Kathy George, a WashCOG board member and premier open government attorney, resigned from the Sunshine Committee in frustration and there are calls for the committee to be disbanded.

Even more disturbing, leaders of the Washington state House of Representatives have asserted that legislators have a personal privilege to withhold documents from public disclosure.

The assertion came to light late in 2022 in response to records requests from members of the public and the news media. It claims that the legislators have protections from disclosure that fall outside the state’s Public Records Act and that fall, instead, under Article II Section 17 of the state constitution.

Under this expansive interpretation, legislators could withhold records of internal legislative discussion of proposed policies, positions, or legislation, including deliberations, recommendations, opinions, and advice.

WashCOG believes this is wrong legally and politically. It violates the spirit of Washington’s open government laws.

The situation in Olympia has gotten so bad that people are starting to talk about needing another citizen initiative. Which is to say, our work has never been more important.

Going forward, WashCOG will join with other open government advocates to explore how best to ensure public access to government information.

The people still have a right to know.

Michael R Fanebe

CORE MISSION: EDUCATION

There are two components to our educational outreach; community/civic organizations and students/young adults. We firmly believe the more the public is educated about good government; the more the public knows about transparency and openness, the better. It is always our mission and desire to impress upon our citizens the importance of open government. Any watchdog organization needs an educated populace and dedicated activism behind it. Our goal is to present this issue to Washington citizens in a straightforward manner that is clear, concise, and constant so we all understand we have a right to know what government does in our name.

OUTREACH: COMMUNITIES

The increasingly hostile climate to transparency in the legislature has made it

even more critical to bring the message to the public that citizens have a right to know what government does with their money and in their name. Post pandemic trends (the continuation of working remotely and fewer work place gatherings) have changed the landscape of community outreach. Zoom meetings replaced the civic club luncheon and company information conferences. But while opportunities to speak to a large



audience were not there, we made big strides this year in getting our message out.

Communications Director George Erb has done a tremendous job of increasing our presence on social media and continues to move us into the modern world regarding our communications.

We were involved in several high profile issues this year and feel good about our messaging.

Our annual breakfast was another success in reaching out to the community. We had an audience of 120 supporters and friends who helped us raise some money, honor some transparency advocates, and celebrate the return of in-person gatherings.

In 2023 we will be seeking more opportunities to return to the public speaking circuit and spreading the word about the importance of transparency in a democracy. We began to emerge from two years of a sequestered existence, we welcomed the opportunity to bring our message to the public. As a part of that, our members participated in a few appearances that started cropping up and we held our big annual event in March.

An exciting new element to bringing our message to a broader audience is the development of “Revealed,” the public interest podcast produced by WashCOG board member Hannah Marclely.

There are seven episodes in the series which has a focus on good government.

As we begin 2023, WashCOG will use innovation and technology, the desire for interesting video content, and the ongoing necessity of virtual engagements to get our message to the community. Please see the message from our stellar communications director, George Erb on page 11.



OUTREACH: COLLEGE CAMPUS

WashCOG joined with other civic and student organizations to host an Open Government Town Hall at Western Washington University in Bellingham on Oct. 9, 2022.

Presentations included a panel discussion, “Informed citizens are engaged citizens,” addressing how open government and civic education strengthen democracy; and a report by WWU alumni Asia Fields and Erasmus Baxter on their use of the Public Records Act in their investigative reporting. As journalism students, the two received a Key Award in 2018 for their PRA research on the university’s handling of sexual assault complaints.

Joining WashCOG in the event were the League of Women Voters of Bellingham and Whatcom County, the Munro Institute at WWU, the Associated Students Office of Civic Engagement and the Department of Journalism at WWU. The town hall was scheduled to follow the annual conference of the Washington Newspaper Publishers Association in Bellingham that weekend, and some of those attendees also came to the Town Hall.

The event also celebrated the 20th birthday of WashCOG and the 50th anniversary of the passage of Initiative 276, which became the Public Records Act. WashCOG hopes to organize other Town Hall events at other Washington colleges.

- For more information on the Town Hall and access to a recording of the event, check our website: <https://www.washcog.org/in-the-news/open-government-town-hall-examines-access-in-bellingham>



*George Erb – Secretary/
Communications Director*

COMMUNICATIONS MILESTONES

WashCOG in 2022 continued to raise its profile on the civic landscape, thanks in large part to the growing number of egregious open-government violations by state and local agencies.

The coalition last year was cited in more than a dozen news and opinion articles by such media outlets as The Seattle Times, Crosscut, The Tri-City Herald and Axios. Many of those stories were about WashCOG’s successful lawsuit against the state Redistricting Commission and the resulting settlement, which imposed needed reforms on the agency.

The coalition extended its reach on social media in 2022. WashCOG for years has been active on Facebook and Twitter. Last year we extended our social media presence to Mastodon and Instagram. WashCOG also opened an account, inactive for now, on Post.News. The coalition is now connected to

thousands of people on social media. As a result, we have been able to build a virtual network of allies and advocates.

WashCOG board member Hannah Marcley in 2022 launched her “Revealed” podcast, which tells stories about people using public records to find out what their government is doing. Marcley’s eight episodes are available on Apple Podcasts and Spotify, and she frequently cites the coalition.

The coalition also used the entire calendar year to mark its 20th anniversary. Its message was simple: WashCOG has been at work for a generation, and the coalition is in it for the long haul. We will be here, year after year, working in the public interest for transparent, accountable government

CORE MISSION: LEGISLATION

In December of 2019, the Washington State Supreme Court ruled the Washington legislature is subject to the Public Records Act, thus codifying a long time goal of WashCOG. Because of COVID-19, many of our priorities for 2021 remained the same in 2022. Below is a discussion of our priorities for last year and the results. Again, the 2022 priorities look very similar to the priorities for 2021. The Coalition encourages our members and concerned citizens throughout Washington to contact members of the Legislature and ask for their support of these priorities.

We established the following priorities for legislative action during the 2022 session.

- 1, Treat All Legislative Records the Same as Other Public Records. The Washington State Supreme Court ruled in *Associated Press et al v. Washington State Legislature et al* that records held by individual legislators are subject to disclosure under the Public Records Act. Now it is time to make the PRA apply to all legislative records, including those of legislative staff and agencies of the legislative branch. We must make the state legislature as

accountable to the people as every local legislative body in the state, with appropriate exemptions that are in the public interest.

2. Stop Abuse of Agency Notice to Parties Named in Records. Many agencies delay release of records by abusing the ability to notify persons named in a record. The amount of time allowed for such parties to obtain a court order blocking release of records should be limited to two weeks or less from the date of the agency's initial response to the request.

3. Agencies should be required to identify the exemption under which a record could be withheld when providing notice.

4. Requesters who successfully defend against a lawsuit filed by a third party to block release of records should be able to recover their attorney fees and court costs from that party, or from the agency if the agency acted in bad faith by inviting the lawsuit.

5. Codify Rules for Public Records and Public Meetings During Declared Emergencies. In response to the COVID19 pandemic, the governor suspended portions of the Public Records Act and the Open Public Meetings Act and prohibited use of various parts of them because of social distancing requirements. While stakeholders were consulted on these actions, they have not been subject to the full deliberative legislative process. The legislature should convene a stakeholder process to craft PRA and OPMA amendments to address their operation during declared emergencies so such proclamations and suspensions would not be required in the future, including emergencies such as major fires, floods, earthquakes, and volcanic eruptions in addition to pandemics.

6. Advisory Committee Meetings Must be Open to the Public. Public agencies often create boards, committees, task forces, or other groups to analyze policy alternatives and make recommendations. Too often these advisory groups meet outside the public eye, so people can't see what options were considered and understand why some were excluded. All this work should be open to the public, with meeting times and places announced in advance. Let's stop developing policies in secret.

The following additional items of concern to open government advocates were also supported:

- Require all special purpose districts to hold elections using the same schedule and mechanism as other jurisdictions, and to be fully subject to the Open Public Meetings Act.

- Clarify that agencies cannot escape PRA penalties by leaving a request open indefinitely, and that litigation to force release of records can start as soon as access to a record is denied even if the request is not “closed.”
- Provide voluntary alternative dispute resolution for PRA and OPMA cases that is faster and less expensive than superior court, without impairing a plaintiff’s ability to choose to file a suit or receive penalties if they prevail.
- Require disclosure exemptions to be contained within or referenced from RCW 42.56.
- Create a private right of action under the PRA for improper or premature destruction of public records.
- Prevent agencies from initiating litigation against public records requesters such as for declaratory judgment.

One positive observation from both the 2021 and 2022 sessions is that the legislature did not immediately seek to overturn the Supreme Court’s decision that most legislative records are subject to disclosure under the PRA. We continued our vigilance in the 2022 session of moves to close off access to legislative records. Thank you all for contacting legislators during the session! It really does make a difference in the outcome. WashCOG encourages you to continue to hold local and state agencies accountable.

CORE MISSION: LITIGATION

AMICUS BRIEFS AT A GLANCE

“The legal term amicus curiae is a Latin phrase that literally means ‘friend of the court.’ The term is used to refer to a legal brief, called an amicus brief that may be filed with an appellate court, including a supreme court, by a party not involved with a current case, but in support of one side or another on the legal issue at hand.”

Our goal at WashCOG is not to take agencies to court. Our goal is to ensure governmental agencies are following the law and not operating in secret. And while litigation is not our goal, we are not shy about supporting PRA lawsuits and we are not shy about taking agencies that violate the law to court. In 2022, WashCOG filed amicus briefs in support of several new and ongoing lawsuits. Some of the top PRA/OPMA lawyers in the state serve on our board and they are always busy. Throughout the year, our board members have scrutinized, evaluated, and acted on worthy litigation seeking to hold lawmakers accountable for their actions.

It is the general policy of WashCOG to not participate at the trial court level in any such actions. However, we may decide to seek intervenor or amicus status for PRA/OPMA issues pending before Washington appellate courts. The criteria to be used in selecting cases for amicus participation may include some or all of the criteria used to file a suit ourselves, plus the following: Whether amicus participation will increase the likelihood of a favorable outcome for the party which has sued to obtain public records or access to public meetings; Whether amicus participation will help produce an appellate court decision to resolve ambiguities or conflicts in the area of PRA/OPMA laws among the divisions of the courts of appeal; Whether our participation is likely to enhance or promote the acceptance of an appellate case in an PRA/OPMA action.

Any decision to authorize amicus participation by WashCOG may be made by the President, with a recommendation from the Legal Committee.

In making a determination to institute litigation, the WashCOG Legal Committee has established certain criteria, which will guide it in recommending the commencement of any such litigation to the full board, which must approve any final decision regarding the commencement of litigation. This criteria may include some, or all, of the following criteria, or other criteria that may be relevant to a determination in an individual case:

- It is unlikely a private litigant could or would bring the case.
- The case under consideration must have a strong legal basis, indicating a high likelihood of ultimate success on the merits.
- Any judicial decision resulting from the litigation must be intended to preserve and protect the rights of ordinary Washington citizens to have the fullest access as allowed by law to the workings of government either through public meetings or public records.
- A significant public interest in the records sought must be present; WashCOG will not advance litigation to further narrow private interests.
- The case raises unique legal questions that suggest the case could help resolve existing ambiguities in Washington law or further the development in Washington law in the areas of access to public records and public meetings.
- The agency withholding records has a pattern of abusing Washington's public records or public meetings acts.
- The case ultimately presents a compelling reason to fight against unjust illegal withholding of public records by public agencies.

CORE MISSION: RECOGNITION

WashCOG has always subscribed to the principle that people who dedicate themselves to good government, people who speak up when they're denied access, people who do not take no for an answer, and journalists who inform the public should be rewarded for those efforts. We recognize people from all walks of life, in all sorts of circumstances who take remarkable action to ensure all of us can have access to government meetings, decisions, and records

KEY AWARDS:

WashCOG presents Key Awards throughout the year to people and organizations that do something notable for the cause of open government. The word "key" is a reference to people who use public records to unlock information for the benefit of the community.

Journalists at Seattle-based Crosscut spent months poring over such documents as spending resolutions, budgets and audit reports to find out how enormous sums of federal relief money are moving through Washington state.

Their reporting laid the foundation for numerous news stories, which Crosscut posted online under the heading Washington Recovery Watch. The news nonprofit, a unit of Cascade Public Media, also posted documents and databases so readers could explore for themselves. Crosscut's document library is online at <https://crosscut.com/WA-Recovery-Watch/Follow-the-funds>.

WashCOG President Mike Fancher, a retired journalist, said, "This isn't just reporting, it's civic democracy in action. Very impressive work."

In August, at Crosscut's initiative, the news site held a free public workshop that explained the newsroom's reporting as well as state and federal public records laws. WashCOG was a co-presenter for the online event. More than 50 people attended.

Crosscut used public records to inform residents about the consequential actions of their government, and the news site did so in a spirit of public service by making its information freely available to all.

For those reasons, WashCOG's board on Sept. 9 deemed Crosscut worthy of a Key Award.

NIXON, ANDERSEN, BUNTING AWARDS: *Change comes to our celebration.*

The Madison Andersen Awards Breakfast has always been our time to greet our supporters, family and friends, and break bread as we honor and celebrate those who have gone the extra mile for transparency. For many years, the breakfast was in September at the Washington Athletic Club. While those were always special celebrations, after having gone virtual due to COVID in 2020 and then having to postpone the September 2021 event, we opted for a fresh start at a new venue. So in March 2022, we gathered in the First Base Terrace Club at T-Mobile Ballpark, renamed the event the Sunshine Breakfast and Awards Program and renamed our top service award in honor of Toby Nixon.

Because of the transition to presenting these awards in March, you will notice the award section of this report is the same as last year ... the difference being the 2021 awards were given in 2022. Previously the 2021 awards would have been presented in September 2021, but the COVID epidemic prompted us to postpone our first annual Sunshine Breakfast and Awards to March 18 of 2022. Here are the original announcements:

THE 2021 MADISON/NIXON AWARD:

On March 18, 2022 at T-Mobile Park in Seattle, long-time WashCOG president, Toby Nixon, was honored by the board with the 2021 Toby Nixon Award, formerly the James Madison Award. There has not been a stronger or more dedicated soldier in the war on secrecy than Toby. He joined WCOG 15 years ago. Two years later, he was elected president and 13 years later stepped away from that post to devote time to many of the other worthy causes he champions. Toby's commitment to transparency is

demonstrated by his vast knowledge of the Public Records Act/Open Public Meetings Act, his extensive legislative background, his love of public service, and his willingness to serve us now as President Emeritus, lending his expertise, his helpful nature and his guidance moving forward.

THE 2021 JAMES ANDERSEN AWARD

Ed Clark is a former Key Award recipient in recognition of his success in unlocking government secrets related to the improper regulation of the accounting profession in the State of Washington. He has been involved with WashCOG ever since and currently serves as Treasurer of the Coalition. Ed dedicates his time and energy to

keeping WashCOG on sound financial footing. He develops and maintains relationships with major donors and provides pro-bono accounting services for the organization.



THE 2021 KENNETH F BUNTING AWARD

The Seattle Times

The Washington Coalition for Open Government presented its 2021 Bunting Award to the staff of The Seattle Times for aggressively reporting on the city of Seattle's mishandling of public records and for holding public officials to account – to the point of suing City Hall.

The Bunting Award recognizes journalists and media outlets for work that uses or advances Washington state's open government laws, or educates citizens about them. The award honors the memory of the late Ken Bunting, an executive editor and associate publisher with the Seattle Post-Intelligencer who helped found WashCOG in 2002.

During the tumultuous street protests of 2020, the city of Seattle abandoned its East Precinct and allowed the formation of the Capitol Hill Organized Protest zone. Times reporters were among the journalists and others who filed dozens of public records requests for documents that would more fully explain the city's actions. Among other things, Times reporters asked for text messages between public officials, including Mayor Jenny Durkan.

Then, in May of 2021, an investigation prompted by a whistleblower complaint disclosed that months of the mayor's text messages were missing and her office had mishandled public records requests.

The revelation wasn't the end of The Times' reporting; it was only the beginning. Over the next eight weeks The Times published an additional five news stories, an editorial and a column on the city's flawed public records operation. The news stories broke new ground, while the opinion pieces provided interpretation and meaning.

The coalition presented the Bunting Award to The Seattle Times at its annual Sunshine Breakfast March 18, 2022 at T-Mobile Park in Seattle.

Judging for the 2021 Bunting Award was exceptionally competitive. Finalists for the award, in alphabetical order, were:

Erica C. Barnett, PubliCola, for using public records to shed light on the city of Seattle's performance on a several issues, including the homeless crisis. Her reporting showed that the city, at one point, essentially spent \$2,618 per room per night to house the homeless at a downtown Seattle hotel.

Joy Borkholder, InvestigateWest, who used public records and data analysis to show that voters with Hispanic-sounding names in eight Washington counties were far more likely to have their ballots rejected because of mismatched signatures. Borkholder's analysis was cited in a voting-rights lawsuit filed against three of the counties.

Jim Brunner and Lewis Kamb, The Seattle Times, for using public records, interviews and shoe leather to uncover the story about Pierce County Sheriff Ed Troyer needlessly confronting a Black newspaper carrier before dawn, inviting a massive police response that could have ended tragically.

Wilson Criscione, The Inlander, who repeatedly used public records to document missteps by government agencies. In one piece, Criscione told the story of a man wrongfully arrested for a deadly assault in Spokane Valley; authorities later declined to prosecute the suspected assailant.

Josh Farley, Kitsap Sun, for using the federal Freedom of Information Act to get records about a 1982 arson fire that destroyed a peace pagoda not far from Naval Base Kitsap-Bangor. The records suggest whoever set the fire may have been connected with the military base.

Brian Kelly, The Leader, who used a series of public records requests to tell his community about the numerous missteps behind a financial meltdown at the Fort Worden Public Development Authority in Port Townsend. As a result, the city tightened its oversight and on June 30 the development authority's entire board resigned.

Melissa Santos, Crosscut, for filing more than 100 public records requests – the adjective that comes to mind for the effort is “heroic” – that documented 183 law enforcement officers statewide with credibility issues who, nonetheless, remain employed. She continues to report on officers' performance and accountability.

The staff of TVW, which covered all of the state Legislature's hearings, floor action and meetings after the pandemic closed the Legislative Building to the public. TVW also covered the governor's press conferences and shared its footage with the press.

Shawn Vestal, The Spokesman-Review, who used his columns to show the wide gap between the aspirations of the Public Records Act and the actions of the Spokane Regional Health District, which

has yet to give the public a clear and convincing explanation about how and why the agency fired its health officer.

Richard Walker, The Anacortes American, for using public records to show that a city of Anacortes cleanup project was costing far more than initially estimated. Walker reported that the city's decision to outsource the project management made the cleanup less transparent not only to the public, but also to the community's elected officials.

OFFICE OF THE EXECUTIVE DIRECTOR

For 20 years, this state has been a model for transparency and open government and now forces are at work to roll that progress back.

Let us get this message out: If a public official whether appointed or elected is complaining about excessive public records requests, they need to stand down. If a public official claims public records requests are keeping them from their agency's "core mission" then let me suggest re-evaluating priorities. Because giving information and access to the citizens of this state about their work IS ALWAYS A PART OF THE CORE MISSION.

If a public agency cannot figure out how to record, retain, and release public records, then that agency needs to get its act together and stop blaming the requesters. Stop blaming the citizens of this state for THESE failures.

And when a state lawmaker claims a magical "privilege" to keep information from the citizens of this state, then perhaps elected office just isn't their thing. We're in a real fight here, folks, and I feel like it could get worse before it gets better. And if it takes a citizen's initiative to right the ship, then so be it. But that means all hands on deck so I'm pleading with you today to dig deep and know that at this time and this place there may not be a more worthy cause than saving our democracy. Let's start in this very room. Help us spread the word and convince people that citizens seeking information they are entitled to are not the bad guys here; the folks in government who do not understand the importance of transparency are.

My goals for 2023 are to increase our communications with members, donors, supporters, and partners so we can continue our quest to keep Washington one of the most open and transparent states in the country. To do that, we need to be ever vigilant against those who seek to water down the PRA/OPMA or seek to enact loopholes allowing secrecy in government. Thank you for your support. It is a pleasure to serve with such honorable and dedicated individuals.

Juli Bunting, Executive Director

BOARD DEVELOPMENT

The Board of Directors is the governing body of the Coalition and we are a diverse and dynamic group of concerned citizens from all over the political spectrum and professions. We have attorneys, journalists, media executives, academicians, elected officials, and activists. Although we strongly disagree with each other on major political issues, we come together to work on this one issue we can all agree on and that is that knowing what government is doing in our name is one cornerstone of our democracy.



The WashCOG Board of Directors welcomed Stephanie Olson back to the board in 2022. Stephanie is an attorney who served on the board from 2018 to 2019 and has now returned to Seattle and has accepted a three-year term on the board.

Stephanie grew up in the Woodinville area and graduated with honors from the University of Washington School of Law where she served as an editor of the Harvard Journal of Law and Public Policy as well as the Washington Journal of Law and Technology. She worked as a paralegal before beginning her practice of law. She left Washington for an opportunity to work at the U.S. Commerce Department in the general counsel's office, where she eventually rose to become the deputy general counsel for litigation. Following that appointment, Stephanie moved to Reno, Nevada, where she clerked at the Ninth Circuit District Court.

Stephanie joined the law firm of Perkins Coie in its Boise office, but it turned out most of her work and focus was centered in Seattle, so she is now at the Seattle office of Perkins Coie.

*Thank you to the board for
another productive year*

OUR FINANCIALS

We have always operated on a shoestring budget and 2022 was no different. Denied our major fundraising event of the year meant a substantial hit to our budget. We are hopeful our donors and supporters will join us at T-Mobile Park on March 17, 2023 and help us make up that deficit. The Coalition continues to operate with very little overhead and by keeping expenses to a minimum. But as the threats to our democracy and transparency in government continues, we will need to ramp up our fundraising efforts as we go forward. Please see Addendum B for a full picture of our financials at the end of 2022.

