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February 3, 2021

Hon. Paul G. Pinsky, Chair
Education, Health, and Environmental Affairs Committee
2 West, Miller Senate Office Building
Annapolis, Maryland 21401

SUBJECT: SB 449 - Favorable

Dear Senator Pinsky:

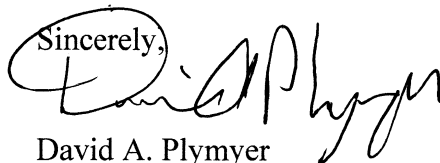
I urge favorable consideration of SB 449. It is a superb bill based on recommendations made to the General Assembly by the Public Information Act Compliance Board and Public Access Ombudsman after extensive study and consideration. It will substantially improve access to public records by Maryland citizens without significantly increasing the administrative burdens on local and state agencies.

The proposal to establish an administrative remedy for resolving disputes over access to public records is long overdue, and it makes absolute sense to give that role to the Compliance Board. The body of law on interpretation of the MPIA is relatively small and lends itself perfectly to resolution by an administrative panel.

Not only will there be a tremendous savings in time and money to applicants *and* custodians, over time there will be a collection of reported decisions to guide applicants and custodians. And hopefully the new process will dissuade government agencies from denying meritorious applications in the knowledge that few applicants can afford to go to court to compel compliance, an unfortunate practice by some agencies.

As to the record keeping and reporting requirements of the bill, they are indispensable to accountability. I retired as Anne Arundel County Attorney in 2014 after a long career in local government. I learned to appreciate that openness and transparency are not secondary concerns - ***they are part of the core mission of government***, an essential check and balance promoting accountability of government officials. Without transparency there is no accountability, and without accountability performance inevitably suffers.

Thank you very much for considering my written testimony in support of SB 449.

Sincerely,

David A. Plymyer