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

Public Access Ombudsman
1st 12 Months
April 1, 2016 — March 31, 2017

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

The Requestors

<table>
<thead>
<tr>
<th>Type</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Media</td>
<td>18%</td>
</tr>
<tr>
<td>Advocate</td>
<td>12%</td>
</tr>
<tr>
<td>Attorney</td>
<td>7%</td>
</tr>
<tr>
<td>Business/Corp.</td>
<td>4%</td>
</tr>
<tr>
<td>Inmate</td>
<td>16%</td>
</tr>
<tr>
<td>Individual</td>
<td>43%</td>
</tr>
</tbody>
</table>

114 unique agencies participated in mediation matters with the PIA Ombudsman in the 1st twelve months of operation. Agency jurisdictions are state level, 19 different counties, 13 municipalities, and Baltimore City.

What Agencies are Participating in Mediation?

- State Agencies
- County Government
- Municipal Government
- Police/Fire Depts.; State's Attorney's Offices
- Public School Systems

Mediation April '16 – March '17

<table>
<thead>
<tr>
<th>Type</th>
<th>Number</th>
</tr>
</thead>
<tbody>
<tr>
<td>New/Incoming cases</td>
<td>228</td>
</tr>
<tr>
<td>between 4/1/16—3/31/17</td>
<td></td>
</tr>
<tr>
<td>Closed as of 3/31/17</td>
<td>175</td>
</tr>
</tbody>
</table>

How Long does Mediation Take?

- 34% of closed mediations
- 18% of closed mediations
- 13% of closed mediations
- 6% of closed mediations
- 6% of closed mediations
- 5% of closed mediations
- 3% of closed mediations
- 4% of closed mediations

Range 1 – 335 days. 34% of the cases are resolved within 3 weeks and 52% by 6 weeks.

What are the PIA disputes?

- No agency response, failure to produce
- Partial, nonresponsive, or incomplete response
- Misapplication of exemption
- Fees excessive
- Fee waiver request denied or ignored
- Redaction inappropriate
- Does not believe response
- Asked for explanation of response
- Other

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

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Ongoing Projects

- Systemic issues can be addressed through the PIA constituent community, including potential custodian/requestor working group(s).
- Training & Presentations
- New Website Coming Soon

MPIA Ombudsman on Twitter
@MPIA_Ombuds

Outreach 2017

Presentations, Workshops, Meetings

May
- Japanese Embassy March 9, 2017
- DHMH Training, March 17
- MMAA, May 4
- MSBA, May 5

Publications
- 12 Month Report. May, 2017
- 2016 Year End Report. February 2017 (9 Months)

PIA “Help Desk”
The office of the Ombudsman receives daily requests regarding a number of PIA matters, including:
- Questions about PIA process;
- Misdirected requests to Ombudsman are referred to the correct custodian; and
- Referrals to other resources, e.g., PIA Compliance Board Fee Issues.

PIA News & Notes

2017 Bills/Legislation

Passed
- HB0383/(SB1057) Public Information Act - Denials of Inspection - Explanation Regarding Redaction
- SB 44 Records Management and Preservation - State and Local Government Units - Responsibilities

Not Enacted/Keep on your watch list
- HB0767/(SB0970) Public Information Act - Inspection of Records From Body-Worn Digital Recording Devices
- HB0698/(SB0362) Public Information Act - Records Relating to Alleged Job-Related Misconduct by Law Enforcement Officers
- HB1241 Public Bodies – Use and Retention of E-Mail Requirements

PIA In The News
- MTA still won’t release or allow review of Mondawmin unrest footage two years later, claiming it would compromise security, Kevin Rector, The Baltimore Sun, April 27, 2017
- From $37 to $339,000: Why the Price of Public Records Requests Varies So Much, Governing, Liz Farmer, February 14, 2017
- Records Request to Frederick County Public Schools Returns Few Documents on Data Breach, Frederick News Post, January 20, 2017
- The Office of Government Information Services: FOIA Ombudsman, American Bar Association, Winter 2017
- State Report Finds Howard County Schools Violated Public Information Law in Some Cases, Howard County Times, December 31, 2016

RESOURCES/LINKS

  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.