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

- Advocate: 12%
- Attorney: 7%
- Business/Corp.: 4%
- Media: 18%
- Inmate: 21%
- Individual: 38%

How Long does Mediation Take?

- 34% of the cases are resolved within 3 weeks and 53% by 6 weeks.
- Range: 1 – 519 days.

What Agencies are Participating in Mediation?

176 unique agencies participated in mediation matters with the PIA Ombudsman since the beginning of the program. Agency jurisdictions are state level, 20 different counties, 18 municipalities, and Baltimore City.

What are the PIA disputes?

- Misapplication of exemption
- MIA: No Response
- Partial, nonresponsive, or incomplete response
- Fees excessive
- Fee waiver request denied or ignored
- Does not believe response
- Asked for explanation of response
- Redaction inappropriate
- Other

Mediation March ’16 – June ’18

- New/Incoming cases between 3/31/16—6/8/18: 514
- Closed as of 6/8/18: 485

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Ombudsman’s Website:
http://news.maryland.gov/mpiaombuds/
PIA News & Notes

2018 Legislation—Effective April 2018

- HB677/(SB477) - PIA Required Denials - Requires a PIA custodian to deny inspection of a distribution list that identifies an address, email, or telephone number.

2017 Legislation—Effective October 1, 2017

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

Ombudsman’s Blog

Open Matters

- Innovative Approach to Case Management Aids: Anne Arundel's Compliance with the PIA. 3/29/18. Written by Kemp Hammond, Assistant County Attorney in Anne Arundel County’s Office of Law

PIA In The News

- MD high court weighs if MPIA requires disclosure of supervisor’s notes. The Daily Record. 5/7/18
- Body camera footage after Det. Suiter’s death show Baltimore residents living under police watch. The Baltimore Sun. 4/30/18
- Maryland needs to stop forcing foster children to pay for their own care. Baltimore Sun. 4/2/18
- Consultant hired to watch for police body-camera misconduct. Baltimore Brew. 3/27/18
- Baltimore to spend $6.8 million more on police body cameras. The Baltimore Sun. 3/27/18

Recent Outreach 2017-2018

Presentations, Workshops, Meetings

2018
- Montgomery County Police, Records Section. April 17
- Office Of the Public Defender, Annual Conference. April 23
- Prince George’s County, State’s Attorney’s Office. May 17
- Maryland Municipal League, June 12

2017
- Charles County Sherriff’s Office, December 19
- Prince George’s County Attorneys, December 12
- Maryland State Bar Association, State and Local Government Section, November 30
- Joint Committee on Legislation, Information Technology and Open Government, November 8
- DHMH, Training, October 31
- Maryland Office of the Public Defender, Training, October 30
- Calvert County League of Women Voters, Presentation, October 26
- Maryland Association of Counties, Presentation, October 18

Publications

- Ombudsman Program - Summary Report, Program Operations Since Inception, March 30, 2016 - June 8 2018
- Fee Estimates, Flat Fees and Waiver of Fees. Office of the Public Defender, Post Conviction Newsletter, Spring 2018
- Advice for your MPIA Request from the Public Access Ombudsman, Office of the Public Defender, Post-Conviction Newsletter, Winter 2017

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.

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.