

SECTION 8

**OPEN GOVERNMENT
REPORT CARD**

THE GEORGIA STUDENT SUNSHINE AUDIT 2009

EXECUTIVE SUMMARY

One-third of county and university agencies surveyed by journalism students across Georgia failed to comply with the state Open Records Law, according to a ground-breaking public records audit.

The 121 journalism students from eight universities participating in the Georgia Student Sunshine Audit found county commissions the most open and county police and sheriff's departments the most obstructionist in releasing information to the public.

They asked for 121 records of 81 record holders and received 79 of them from 55 record holders – a 65.3 percent overall compliance rate from 67.9% percent of the record holders.

The student public records effort was the first of its kind in the state and only the second records audit to be undertaken in Georgia. In 1999, professional journalists from 11 Georgia newspapers were involved in a statewide audit.

The students surveyed 10 counties and athletic departments and foundations at six state universities during a four-week period in October and November 2008. They reported their data and narratives to a central website.

The professors and universities participating in the Georgia Student Sunshine Audit were Judith Rosenbaum of Albany State University, Tony Morris of Armstrong Atlantic State University, Dale Cohen of Emory University, Steve Stepaneck of Georgia Southern University, Jeff Johnson of Georgia State University, Josh Azriel of Kennesaw State University, Jay Black of Mercer University, and Barry Hollander of the University of Georgia. Carolyn Carlson of Kennesaw State University served as faculty coordinator and trainer.

The Georgia First Amendment Foundation sponsored the public records audit. The National Freedom of Information Coalition and the James L. Knight Foundation provided funding.

THE GEORGIA STUDENT SHUNSHINE AUDIT

MAIN FINDINGS

1. Overall, one in three record-holders failed to comply with the law.
2. Obtaining public information can be time-consuming. Only 41 percent of the students obtained their records on first visits.
3. Most agencies charged \$10 or less for requested records, although a small number attempted to levy discouraging charges as high as \$150.
4. The problem area with counties was access to law enforcement information. Less than half of the police and sheriff's departments were in compliance.
5. Incident reports, traditionally open to daily inspection by journalists and the public, were refused more than 70 percent of the time.
6. Other law enforcement records that were difficult to obtain included complaints against the county sheriff for police brutality; the county jail log; and county sheriff's mug shots.
7. Other county agencies scored the highest compliance ratings in the survey. County commissions were 100 percent compliant in releasing meeting minutes. But copies of open records requests to county commissions were the most difficult to obtain.
8. Athletic departments at the University of Georgia, Kennesaw State University, Georgia State University, Georgia Southern University, Armstrong Atlantic State University and Albany State University were in compliance almost 70 percent of the time.
9. Fifty percent of the athletic departments failed to release lists of full or partial scholarship-holders and revenues and expenditures for men's basketball programs.
10. Foundations at the above universities scored a 75 percent compliance rating.

COMPLIANCE OF SURVEYED AGENCIES BY SCHOOL

- Albany State University – 9 of 11 (81.8 %)
- Armstrong Atlanta State University – 11 of 16 (68.75%)
- Emory University – 1 of 5 (20 %)
- Georgia Southern University – 24 of 31 (77.4%)
- Georgia State University – 5 of 11 (45.5%)
- Kennesaw State University – 12 of 20 (60%)
- Mercer University – 5 of 8 (62.5%)
- University of Georgia – 12 of 19 (63.2%)

Total surveys: 79 of 121 (65.3%)