

Public records: The lifeblood of
investigative reporting

Public records

- Sunlight is the best disinfectant
- You paid for it. It's yours... ish.
- Journalism is about holding the powerful accountable for their actions.

Public records

- Your access to public records and public meetings is a matter of the law.
- As a journalist, it is your job to know this law better than most lawyers.
- Which law applies depends on which branch of government you are asking.

Public records

- The Federal Government is covered by the Freedom of Information Act, or FOIA.
- FOIA is not a universal term. Do not use it if you are not talking to a federal agency.
- FOIA is a beacon of openness to the world.
- FOIA is deeply flawed and frustrating.

Public records

- There is no real timetable with FOIA. Requests can take months, even years.
- As a journalist, you can ask that your request be expedited. *
Guess what? That requires review. More delays.
- Exemptions are broad. National security, personal privacy, often overused.

Public records

- Denied? You can appeal. More delays.
- The law was enacted in 1966, but it's still poorly understood by most federal employees.
- Post 9/11, the Bush administration rolled back many agency rules. Obama ordered a "presumption of openness" but followed it with some of the most restrictive policies ever seen.
- Result? FOIA is in trouble.

Public records

- States are generally much more open.
- Some states, like Florida and Texas, are very open. Others, like Virginia and Pennsylvania, are not.
- Nebraska? Somewhere in the middle. Better than some, worse than others.

Public records

Under Nebraska law:

- You are entitled to see and copy public records.
- They can charge you a fee for those copies.
- They do not have to give you records in a format different from what they keep them in.

Public records

- With a written request, Nebraska public officials have four days to respond.
- If Nebraska public officials deny your request, they must do so in writing specifying their reasons.
- If it will take more than four days, they must tell you, in writing, why and how long it will take.

Asking for records

Asking for records

- Please and thank you will get you more records than any lawyer or well written request.
- When requesting data, you are going to scare the press office and you are going to confuse the agency lawyer. Request to have their data person on the phone.
- Be. Nice.

Asking for records

Hunting for records is like any other kind of reporting -- you have to do research. You have to ask questions.

- What records do you keep? For how long?
- A good source of info? [Records retention schedules](#).

May I Have Your Attention Please?

The records request project

- Throughout the semester, you are going to have to request and acquire a dataset from the state government that is not online.
- You will have all semester long to do this.
- You must document everything you do, each answer you get from the agency, what you ultimately end up with.
- You will submit your data and give a lightning talk about your experience on Nov. 30.
- DO NOT BLOW THIS OFF. Failure to get something is an F. This may take you a week. This may take you all semester.