

**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

2019 Annual Report—12 Months  
 January to December 31, 2019



**2019  
 12 Month  
 Report**

**505** in 2019

- ◆ 279 -Mediation requests
- ◆ 226 -Other/"help-desk" inquiries

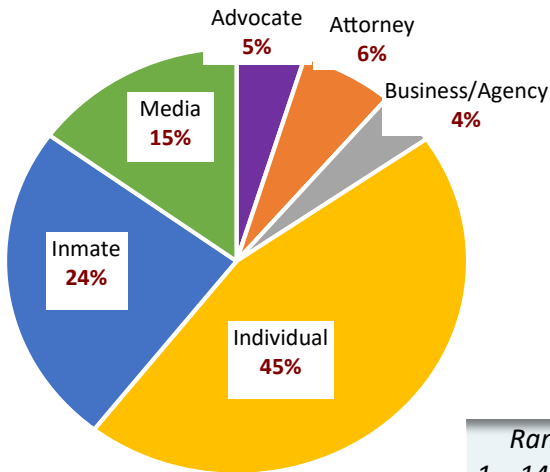
**The Big Picture: Mediation saves money**  
*Early resolution of disputes saves time and resources and increases public knowledge and awareness of the PIA process. For example, mediation is entirely voluntary, confidential, and in many cases doesn't require an attorney.*

Total Mediation Cases 2019	
Carry over from prior years	19
New/Incoming cases in 2019	279
<b>Total Number of Mediation cases</b>	<b>298</b>
Mediation cases currently open	46
Total Mediation cases Closed	252

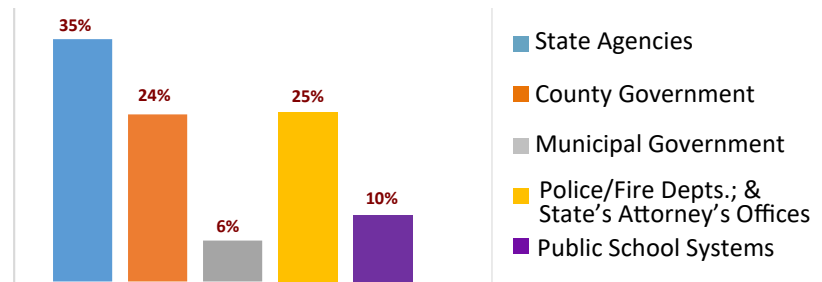
## The Agencies

**130** unique agencies participated in mediation matters with the PIA Ombudsman in 2019. Agency jurisdictions include state level, **15** different counties and Baltimore City, and **12** municipalities.

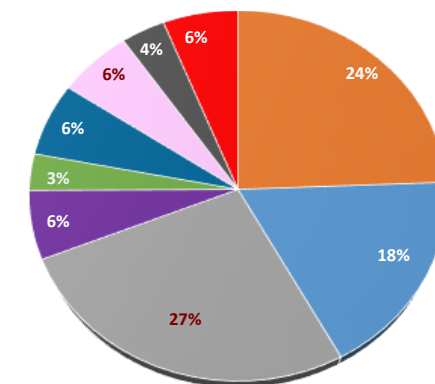
## The Requestors



## What Agencies are Participating in Mediation?

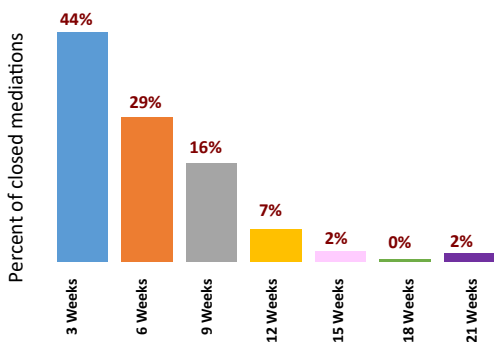


## What are the PIA disputes?



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

## How Long does Mediation Take?



Range: 1 – 141 days.  
**44%** of the cases are resolved within 3 weeks and **73%** by 6 weeks.

**Lisa Kershner**

200 St. Paul Place,  
 25th Floor  
 Baltimore, MD 21202

Phone: 410-576-6560  
 Email: pia.ombuds@oag.state.md.us  
 Twitter: @MPIA\_Ombuds

**Ombudsman's Website:**

<http://piaombuds.maryland.gov>

## Legislation & Court Opinions

- **SB 5** (2019) requires notification to “person-in-interest” when certain 911 records requested.

## Ombudsman’s Blog — Open Matters

- **Highlights From The PIA Compliance Board’s Opinions.** 8/14/19
- **Ombudsman and PIACB Seeking Comments on Research Project.** 8/1/19
- **Where Are My Records?** 7/12/19
- **Assessing Fees for PIA Requests,** 7/03/19
- **Public Access Ombudsman Adopts Regulations,** 6/18/19
- **Tips for Agency Transparency in the PIA Process,** 4/15/19
- **Proposed Regulations Noticed – Ombudsman Operations,** 3/29/19
- **Let the Sun Shine In: Maryland Public Access Ombudsman Program,** 3/15/19
- **Proactive Disclosure Saves Time and Money, and It’s the Law,** 1/28/19

## Ombudsman’s Selected Tweets — 2019

- ♦ **Maryland public records board needs teeth.** Opinion The Baltimore Sun. 11/13/19.
- ♦ **Stewards of Maryland’s public records law seek greater authority to adjudicate disputes** The Baltimore Sun. 11/6/19.
- ♦ **Should charter schools be subject to open-record laws?** The Washington Post. 10/9/19.
- ♦ **Maryland agencies lack consistent policies, struggle to comply with public records requests, surveys show.** The Baltimore Sun. 10/8/19
- ♦ **Did you miss the PIACB Annual Meeting.** No worries. Here is a link to the audio. It’s like you were there. 08/29/19

## Outreach 2019

### Presentations, Workshops, Trainings, and Other Outreach

2019

- PIA Compliance Board, Discussion of PIA Research Report, December 17
- PIA Compliance Board, Discussion of Preliminary Findings for PIA Research Report, November 5
- Maryland Association of Counties, County Attorneys, November 13
- Maryland Association of Counties, Winter Conference, November 20
- Wicomico County Public Schools, October 17
- Maryland State Bar Association, October 25
- Local Government Insurance Trust, October 31
- Veterans of Jessup Correctional Institution, September 25
- Maryland Municipal Clerks Association, September 19
- Open Government Advocacy Network meeting hosted by the ACLU, September 19
- PIACB Annual Meeting Presentation on PIA Research Report, August 19
- Maryland Association of Counties, Summer Conference, August 14
- Veterans of Jessup Correctional Institution, July 10
- Bowie Police Department, June 11
- Harford Co. State’s Attorney’s Office, June 7
- MDDC Press Association, May 10
- Prince George’s County Law Office. April 25
- Wicomico County State’s Attorney’s Office, April 5
- Stakeholder Survey, Online and via Post, February –March 2019
- Town of Boonsboro. February 7

### Select Publications

- **Final Report on the Public Information Act.** Submitted by the PIA Compliance Board and the Public Access Ombudsman and pursuant to Committee Narrative in the Report on the Fiscal 2020 State Operating Budget and the State Capital Budget. December 27, 2019
- **Report on the Public Information Act. Preliminary Findings and Recommendations.** Submitted by the PIA Compliance Board and the Public Access Ombudsman. November 6, 2019
- **Where Are My Records?** Office of the Public Defender, Post Conviction Newsletter, Summer 2019
- **Public Access Ombudsman’s Interpretive Regulations:** <https://tinyurl.com/y2cuqp55>, June 2019
- **Ombudsman comments, included as an Appendix to the 2019 Annual Report of the PIA Compliance Board.** September 2019
- **HB 1105 Report:** *Ombudsman’s Report Concerning the Howard County Public School System’s Handling of Requests Under the Public Information Act.* December 30, 2016

## RESOURCES/LINKS

- ♦ **PIA Manual 14<sup>th</sup> Edition:** [http://www.marylandattorneygeneral.gov/OpenGov%20Documents/PIA\\_manual\\_printable.pdf](http://www.marylandattorneygeneral.gov/OpenGov%20Documents/PIA_manual_printable.pdf). Including: List of Public Record Custodians: Appendix “J”; and 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.
- ♦ **Federal FOIA (Freedom of Information Act):** <https://www.foia.gov/>
- ♦ **PUBLIC ACCESS OMBUDSMAN**
  - \* **Request for Mediation Form:** <https://news.maryland.gov/mpiaombuds/request-mediation>
  - \* **Interpretive Regulations:** <https://tinyurl.com/y2cuqp55>

