



**LEAGUE OF WOMEN VOTERS
OF TENNESSEE**

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Ann Butterworth, Open Records Counsel
State of Tennessee, Comptroller of Treasury
James K. Polk State Office Building
505 Deaderick Street, Suite 1700
Nashville, TN 37243-1402
via email delivery

Re: Comments on Proposed Best Practices & Guidelines and Model Public Records Policy

Dear Ms. Butterworth:

The League of Women Voters thanks you and your team for your work on the first draft of the Proposed Best Practices and Model Public Records Policy. We also appreciate the opportunity to offer some comments.

The League of Women Voters believes that democratic government depends upon informed and active participation at all levels of government. The League further believes that governmental bodies must protect the citizen's right to know by giving adequate notice of proposed actions, holding open meetings and making public records accessible.

A public records policy that facilitates citizens' ability to access public records is important to improving the transparency of our government. Tennessee's public records law recognizes the importance of providing citizens access to their government and its public records. So the League appreciates the many efforts in the proposal that seek to emphasize the state law, such as an emphasis on the statutory requirement to respond promptly to requests.

However, the League of Women Voters of Tennessee shares the concerns expressed by the Tennessee Coalition for Open Government in its comments on the draft policy. In particular, the League is concerned about draft language in the proposal that seems to encourage restrictions and rules that can be abused to block, hinder and unreasonably delay a citizen's rightful access to public records rather than facilitate citizen access to public records. (See TCOG's comment section regarding rules and restrictions.)

The League suggests encouragement of practices that enable citizen access to records such as use of websites for commonly requested information such as meeting notices, agendas, draft minutes, reports, etc. It also makes common sense to encourage that records likely to be requested be maintained in such a way as to make redaction easy. When redaction is necessary, the use of non-lawyers should be encouraged to reduce the cost to the citizen making the request.

In addition, records should be offered in electronic format when possible. Electronic format likely saves the government entity as well as the citizen time, reduces the cost of paper used and allows easier use by the citizen requesting the information. At a minimum, citizens should be able to take pictures with their own electronic device as well as use their own copying equipment subject to appropriate concerns for the protection of fragile documents.

Again, the League thanks you for your efforts on this draft and looks forward to further discussion by the Advisory Committee on Open Government.

Sincerely,

Vivian Shipe
League of Women Voters of Tennessee ACOG representative

CC: Marian Ott
LWVTN President