

Good evening.

On behalf of Right to Know New Hampshire (RTKNH), I wish to thank the Nackey S. Loeb School of Communications and the First Amendment Committee for this First Amendment Award.

Right to Know NH had humble beginnings in 2013 when 6 citizens from across the state met for the first time in the dining room of a small Bed & Breakfast to brainstorm ways to correct deficiencies in the Right-to-Know law. Since that first meeting, our nonprofit, nonpartisan coalition of citizen volunteers work on our mission by focusing on 3 things:

**ONE:** We educate the public and public officials about the letter and spirit of the RTK Law.

**TWO:** We Help citizens identify and resolve RTK violations.

**THREE:** We advocate for legislation which strengthens a citizen's Right to Know. Each of the last 2 years we have authored several bills which have been signed into law. This year we have authored 7 bills. These bills are outlined on our Blog.

Through these efforts, we continue to be at the forefront of defending and improving your right to know.

While many people have contributed to our progress and achievements over the last several years, I would like to especially thank David Taylor and Harriet Cady for their hard work and dedication to our mission. They truly are the core of our Brain Trust.

As James Madison himself explained centuries ago: “The right of freely examining public characters and measures, and of free communication among the people, is the only effectual guardian of every other right”

The public’s right to know is our right to the truth, even when our government would prefer hiding the truth from us.

In 2015, the [Center for Public Integrity rated all 50 states](#) on Public Access to Information. New Hampshire received an F rating and had the second lowest grade in the nation. A key factor determining that rating was the lack of any formal mechanism for appealing an agency’s rebuff of information requests. In such cases, a citizen’s only recourse is to go to court.

Costs and legal complexities associated with filing a petition in court is a financial and emotional burden, and for some it’s simply prohibitive.

For years WE have been fighting to establish a less costly process to file grievances through the establishment of an independent arbiter. During the past legislative session, we drafted bill HB178 which was passed and signed into law. It establishes a study commission tasked with the goal of recommending less burdensome and less costly ways to resolve RTK grievances as an alternative to going to court.

Earlier today, as a member of that study commission, I spent several hours deliberating how an independent arbiter may be established to reduce the burden and costs of filing RTK complaints. I am optimistic that the study commission will accomplish its goal. The commission's report is due November 1<sup>st</sup>.

Records of our government belong to the people and a citizen should not be charged fees to look at any record. Charging citizens a fee to access records gives public agencies the ability to construct toll booths along the information highway on route toward the truth. Many citizens would run out of money long before they reached their destination.

It took several years of effort, but last year HB606 was signed into law which states that 'no fee shall be charged to make a governmental record available for inspection'.

However, getting a bill passed which improves the law is just the first step in our fight to improve your right to know.

When School Administrative Unit (SAU) 55 decides that inspection of records at no cost means charging the citizen \$7.49 for a USB device to deliver a single email message instead of simply forwarded the message via email to the requestor at no cost, we will continue our fight.

When the town of tuftonboro chooses to sue one of their own citizens because they filed a RTK request and then the town spends \$20,000 of taxpayer's money for legal fees in a vain attempt to charge the citizen 25 cents per page to inspect records even though the law states "no fee shall be charged for the inspection or delivery of governmental records" we will continue the fight.

A group of Sunapee residents sought advice from our Assistive Services Committee when they objected to the Sunapee School Board holding a 'retreat' at a local restaurant in which there was insufficient public notice and no accommodation made for the public to attend. As long as there are citizens hindered from attending a public meeting, we will continue the fight.

Sunlight is said to be the best of disinfectants. Sometimes that sunlight comes easy. Other times citizens are forced to keep fighting the darkness until it bleeds daylight.

Right To Know NH is fighting the darkness and we are making a difference. Please join us in the fight to make your government more open, accessible, and accountable.

Take the first step by visiting our blog at [RightToKnowNH.org](http://RightToKnowNH.org).

Thank-you.