

# Minnesota Coalition on Government Information

Annual Report 2010

*Mission: The Minnesota Coalition on Government Information (MNCOGI) is a 501(c)(3) nonprofit organization committed to the promotion of public access to government information and transparency of government operations. Emphasis is on Minnesota state and local government information.*

MNCOGI is both young and old. Formally organized as a 501(c)3 organization in 2007, it has a history of freedom of information promotion going back to 1989. An ad hoc group of librarians and state officials planned the annual Freedom of Information Day celebration, still held each year on March 16, the birthday of President James Madison. The John R. Finnegan Freedom of Information Award recognizes the achievements of an individual or group in promoting access to government information.

MNCOGI impact is growing through its COGI-tations series of educational seminars and through the work of board members to promote government access issues.

## Legislative Activities

MNCOGI board members provide background on current government information issues to policymakers and citizens. MNCOGI was specifically named in a 2010 law (Chapter 383) as a co-chair for a work group to investigate the privacy implications of criminal intelligence databases, which came to be known as the SF 2725 Workgroup. Don Gemberling, who is appointed as a MNCOGI spokesperson at the Legislature, filled the position.



MINNESOTA COALITION  
ON GOVERNMENT INFORMATION

# Educational Events and Seminars, 2010

## Freedom of Information Day,

March 16, 2010

The keynote speaker, Minnesota Chief Justice Eric Magnuson, generated particular interest. He stepped down from that position days before FOI Day, and spoke publicly for the first time at the FOI Day celebration. The speech was broadcast online via TheUptake.com, and posted on YouTube.

The annual John R. Finnegan Freedom of Information Award was presented to Reed Anfinson. For 30 years he has been associated with the *Swift County Monitor-News* as a reporter, managing editor, and now publisher and owner. He has published frequent editorials and articles on open government, including articles on the state’s Data Practices Act, open meeting regulations and discussions of the impact of video and digital technology on public access.

## Fair Use and Social Media: A Primer

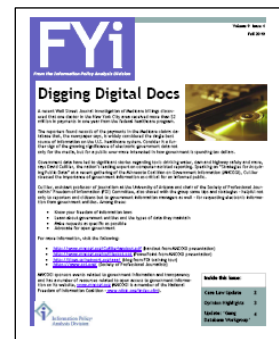
June 29, 2010

- Paul Hannah, Attorney, Kelly & Hannah, P.A.  
Paul Hannah, a media and first amendment lawyer whose clients include the *St. Paul Pioneer Press*, gave a presentation about how and when the legal concept of fair use applies in today’s online environment, including Facebook, Twitter, and blogs.

## From Officials’ Grubbies to the Web: How to Acquire Government Data and Post it Online

September 27, 2010

- Professor David Cullier, University of Arizona  
Professor Cullier’s practical advice was drawn from the book he recently co-authored with Charles Davis from the National Freedom of Information Coalition, *The Art of Access: Strategies for Acquiring Public Records*. To start, be in a data state of mind. Carry a flash drive. If an official claims the information is not in electronic format, ask to see the typewriter. His detailed handouts, which he shared on the MNCOGI website, include useful request letter templates for all situations – friendly, neutral, and the “legalistic threatening version.” Cuillier’s presentation was highlighted in the [Fall 2010 issue](#) of *FYI*, the newsletter of the Minnesota Department of Administration, Information Policy Analysis Division.



## Privacy vs Transparency: A Two-Part Seminar

November 17, 2010

### Part one: Prying Open State Government with the Data Practices Act

- Don Gemberling, MNCOGI Board member and former Director of the Information Policy Analysis Division of the Minnesota Department of Administration
- Real-life examples of how citizens can use Minnesota Data Practices law to obtain information from government agencies made the presentation relevant. Audience members related their data access difficulties, often involving police departments.

### Part two: Legislative Update

- Moderator: Eric Magnuson, Attorney and former Minnesota Chief Justice of the Supreme Court
- Senator Warren Limmer
- Representative Mary Liz Holberg

The hour-long discussion was wide-ranging, from the ability of the Legislature to handle issues sparked by technology, to the advisability of a Data Practices Commission, and whether the existing data practices law should be scrapped and rewritten. Rep. Holberg noted that many policy issues are linear, with political views at two extremes, but this is more of a circular issue, with members on both sides of the aisle approaching data practices from different vantage points. She feels there has been a general lack of legislative attention to data practices issues. Sen. Limmer commented that in crafting data privacy policy, it is difficult to understand and predict both the good effects and the dark side of any given change. Regarding privacy issues he said that transparency is important for government information, and privacy is important for information on individuals.

## And More...

MNCOGI was a co-sponsor of a Sunshine Week event held at the James J. Hill Reference Library on March 15. Journalists, librarians, and citizens heard a lecture by Jane Kirtley, Silha Professor of Media Ethics and Law at the University of Minnesota School of Journalism and Mass Communication, "Freedom of Information: Your Key to Open Government."

Art Hughes, writing as a member of the MNCOGI board, took the University of Minnesota to task in an opinion piece published in the *Star Tribune* on November 17, "U Search Leaves Public Out of Loop: Secretive Process Puts a Cloud Over Single U President "Finalist."

(excerpt) "The regents' decision to announce only a single finalist -- compounded by some members' sharp criticisms of the public access laws themselves -- shows contempt for the public and the employees of the institution. It sets a bad example for other hiring decisions within the university and at other public institutions. And it casts a cloud over Kaler as a choice before he even steps into the public light."

## Board Members

MNCOGI board members share a deep belief in unfettered access to government actions and records.

**Helen Burke**, Federal Depository Librarian, Minneapolis Central Library *Chair*

**John Borger**, Attorney, Faegre & Benson LLP

**Sue Campbell**, Senior Editor, Pioneer Press

**Kirsten Clark**, Government Information and Regional Depository Librarian, University of Minnesota

**Duchesne Paul Drew**, Managing Editor for Operations, Star Tribune

**Thom Fladung**, Editor, Pioneer Press

**Don Gemberling**, former Director of the Information Policy Analysis Division, Minnesota Department of Administration *Secretary*

**Gary Hill**, Director of Communications & Media Relations for Community Action Partnership of Suburban Hennepin County

**Art Hughes**, News Director, BringMeTheNews

**Jane Kirtley**, Silha Professor of Media Ethics and Law, School of Journalism and Mass Communication, University of Minnesota

**Robbie LaFleur**, Director, Minnesota Legislative Reference Library *Treasurer*

**Don Wyatt**, Senior Regional Editor / Midwest at Patch.com

See the MNCOGI website for board member biographies. [www.mncogi.org](http://www.mncogi.org)

## Financial

MNCOGI realized income of \$12,664, which included payment of a grant applied for in 2009, and contributions from individuals and organizations. Expenses totaled \$9,138. The year-end balance was \$6,506.

## For more Information

Available on the MNCOGI website: Nonprofit status documents, annual IRS filings, board member biographies, a historical list of all John R. Finnegan Freedom of Information Award winners, and more.

[www.mncogi.org](http://www.mncogi.org)