



749 E. Industrial Park Dr. Manchester, NH 03109 / www.pressnh.org / info@pressnh.org

New Hampshire Press Association Supports House Bill 481

The New Hampshire Press Association supports House Bill 481 as a significant improvement to the resolution of Right-to-Know law conflicts.

During an era when public faith in government is challenged, openness and transparency in the execution of public affairs has never been more important. That trust is built on the laws and principles that shape our democracy, none of which is more important here in New Hampshire than the Right-to-Know law.

The creation of a Right-to-Know ombudsman would improve the Right-to-Know law by making it more accessible and responsive to the requests of everyday citizens for the information that affects their daily lives and futures.

A key failing in the resolution of Right-to-Know law conflicts in New Hampshire is that anyone denied access to records or meetings must file a lawsuit in Superior Court. That's a cumbersome and expensive process that dissuades many people who do not have the resources or confidence to engage the legal system.

An ombudsman establishes an affordable and less inhibiting path for citizens to have their Right-to-Know disputes adjudicated.

As you know, this not the first go-around for this proposal, but it is the best version and the version most deserving of passage because it will achieve several important milestones.

It will encourage the resolution of Right-to-Know Law conflicts directly between citizens and public agencies.

It will reduce the burden of costs of Right-to-Know complaints on the courts.

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It will facilitate more timely resolutions to Right-to-Know conflicts.

Over the long term, it can increase awareness and compliance with the Right-to-Know law and hopefully reduce violations.

Now of course, the ombudsman's rulings do not carry the weight of law and so there is no guarantee that Right-to-Know disputes won't end up in the courts anyway, but this bill provides a needed opportunity to prevent that from happening.

And while an ombudsman’s findings carry no legal weight on appeal to the courts, they are part of the appeal record and establish findings of fact for judicial consideration. That alone could act as a deterrent to those who would seek to obstruct the process.

In 2017 the New Hampshire Legislature recognized a problem when it established a commission to study the process of resolving right-to-know complaints so as to “maintain trust between the people and their government.”

House Bill 481 is true to that goal and deserves passage.

The New Hampshire Press Association

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