

OFFERED BY COUNCILOR KENZIE BOK



CITY OF BOSTON IN CITY COUNCIL

ORDER FOR A HEARING TO DISCUSS CITY PROTOCOLS FOR PROVIDING PUBLIC RECORDS

- WHEREAS,** The Boston City Council voted unanimously on August 18, 2020 to approve a 17F request seeking information about the City of Boston's protocols for and responsiveness to public records requests, prompted by media reports about delayed and uneven responses and a series of lawsuits filed against the City by the Attorney General and several media companies to compel records release; *and*
- WHEREAS,** On August 27, 2021, the Council received a partial reply showing that hundreds of public records requests remain unfilled, including not only highly-publicized media requests related to the Boston Police Department, but also a number of press requests relevant to the ongoing mayor's race which the Administration had chosen not to answer in advance of the impending preliminary election; *and*
- WHEREAS,** As discussed in the August 18 City Council meeting, the withholding of relevant public records past the statutory date in the midst of a municipal election season breaks a key mechanism of democratic accountability, since voters cannot hold local elected officials accountable at the polls without relevant information; *and*
- WHEREAS,** Further correspondence provided by a member of the public shows that the City was repeatedly cited by the State's Supervisor of Records over the course of this summer for its failure to provide public records, yet remained unresponsive; *and*
- WHEREAS,** While the Administration has not provided a detailed response to the Council's inquiry about its public records protocols, it appears that, although the Records Access Officer may help identify responsive records, city departments including the Mayor's Office generally control the ultimate decision to release records and therefore can hold such records indefinitely for vetting; *and*
- WHEREAS,** Additional public records staff, as announced by the Administration on August 26, will not solve the problem of unresponsiveness if the reason for delay lies with the Mayor's Office and the departments; ***NOW, THEREFORE BE IT***
- ORDERED:** That the appropriate committee of the Boston City Council hold a hearing to discuss the City's current practices and protocols regarding public records in the interest of increased transparency and accountability, and that representatives from the Acting Mayor's Administration and the public be invited to testify.

Filed on: September 10, 2021