



VIA EMAIL

September 6, 2016

Chairman Ed McBroom and Committee Members  
House Oversight and Ethics Committee  
House Office Building Room 326  
Lansing, MI

RE: Thursday, September 8 hearing on FOIA Amendment to prohibit public bodies from preemptively filing civil suits against entities making FOIA requests.

Dear Chairman McBroom and Committee Members:

The Michigan Coalition on Open Government strongly supports this proposed amendment to the Freedom of Information Act.

The fact that a newspaper in Montcalm County became the defendant in what could be called a "reverse FOIA lawsuit" for requesting public records on disciplinary actions involving two sheriff's officials vying for the sheriff's job in a primary race is appalling in itself. The further fact that a circuit judge initially allowed the suit for a declaratory judgment to proceed, at least for a short time, is even worse.

This proposed amendment addresses the potential chilling effect that would inevitably occur if public bodies are allowed to sue citizens and other entities, like the news media, for exercising the fundamental rights of citizens to seek information on the acts and actions of public bodies and their elected officials and employees. That is precisely what a government of the people, by the people and for the people should hope for and welcome from their citizens.

The Michigan Coalition for Open Government is a tax exempt, Michigan nonprofit corporation founded to promote and protect transparency and accountability in the governments of the people, by the people and for the people at the local, state and federal levels.

Thank you for your consideration.

Sincerely,

A handwritten signature in black ink that reads "Jane Briggs-Bunting". The signature is fluid and cursive, with a large loop at the beginning and a horizontal line at the end.

Jane Briggs-Bunting  
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