



SUNSHINE WEEK 2009 SURVEY OF STATE GOVERNMENT INFORMATION ONLINE

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Most Americans can easily find videos of water skiing squirrels on the Internet but they'll have less luck finding out whether their children's school buses and classrooms are safe, or if neighborhood gas stations are overcharging.

The Sunshine Week 2009 Survey of State Government Information online found that while more and more government records are being posted online, some of the most important information is being left offline. And in some cases governments are charging taxpayers to access records that they already paid for, such as death certificates.

Teams of surveyors scanned government Web sites in every U.S. state to look for 20 different kinds of public records. The results were released today at the start of Sunshine Week 2009, which runs March 15-21. The study was developed by Sunshine Week, the American Society of Newspaper Editors' Freedom of Information Committee, the National Freedom of Information Coalition, and the Society of Professional Journalists' FOI Committee.

"Digital technologies can be a great catalyst for democracy, but the state of access today is quite uneven," said Charles N. Davis, executive director of the National Freedom of Information Coalition. "The future of Freedom of Information is online access, and states have a long way to go to fulfill the promise of electronic self-governance."

Using a standardized worksheet [*insert link*] surveyors rated each section on its usability, looking at factors such as whether the information was clearly linked, if full reports or only summaries were available, whether viewing and/or downloading was free, and whether the data were current.

The categories for the survey were selected for generally serving the overall public good — the kind of information people need for their own health and well-being and that of the community. The categories were: death certificates, financial disclosures, audit reports, project expenditures, department of transportation projects, bridge inspection reports, fictitious registration of business names, disciplinary actions against attorneys, disciplinary actions against medical physicians,

hospital inspection reports, nursing home inspection reports, child care center inspection reports, statewide school test scores, teacher certifications, school building inspections, school bus inspections, gas pump overcharges, consumer complaints against businesses, environmental citations, and campaign finance information.

Among the major findings:

- The information least likely to be found online were death certificates, found on the Web sites of only five states, and gas pump overcharge records, available online in eight. Also infrequently posted online were schools' building inspections and/or safety ratings, which are posted by only nine states, and school bus inspection reports, which only 13 states posted online. (See chart below.)
- Information most frequently found online were statewide school test scores and DOT projects/contracts, online in 50 and 48 states, respectively. Close behind was campaign data, reported in 47 of the 50 states; disciplinary actions against medical physicians, 47 states; and financial audits, 44 states. (See chart below.)
- Death certificates are apparently a revenue source for many states, as they charge relatives and "legitimately" interested parties for copies of the records, or farm out the work to a third-party service such as VitalChek. Some states provide historical access online to older death certificates, mostly prior to 1960, although there generally is a fee for hard copies.
- The only state found to provide information online in all the categories surveyed was Texas. New Jersey was a close second with 18. See a list of how each state fared in the table below.
- The state with the least information online was Mississippi. It posted only DOT contracts and projects, fictitious business name registrations, statewide school test scores, and political campaign contributions and expenses. Though it did have some information about hospitals and nursing homes, these were perfunctory lists, not inspection reports, or links to other sites.

"This study shows that, while a lot of government information is available online, many states lag in providing important information that people care about," said David Cuillier, Freedom of Information Committee chairman for the Society of Professional Journalists. "People should be able to find inspection records for their schools online. And the government shouldn't be charging people for death certificates and other records."

The Sunshine Week surveyors discovered some states that are doing a fantastic job of providing information to the public; some are outstanding only in certain categories. The survey teams also found some states weren't so good, and others that are working on getting better.

Further, many states are constantly putting more information online, making any kind of survey a moving target. In Alabama, a whole category that hadn't been online when the survey was conducted was up by the time this report was written just a few weeks later. In the wake of the resignation of a cabinet official over income from speaking fees, California Gov. Arnold Schwarzenegger just March 6 issued a memo to increase transparency and accountability of his

staff, agency secretaries and department directors by requiring that their financial forms, due April 1, be posted in the governor's Web site. And, in South Dakota, on March 11, the state legislature completed a thorough overhaul of public records laws, which included requirements for information to be posted and searchable online.

So although it's comprehensive, this report is only a snapshot of the nationwide situation. It's not a statistical dissection, and should be viewed as the subjective analysis that it is, explained Sunshine Week Coordinator Debra Gersh Hernandez. Is the information easy to find online? Maybe it's "yes" to me and "no" to you. In other cases, a simple "yes" or "no" answer doesn't really explain what's there. For example: Are contracts online? Well, maybe some are and some aren't. In each case we made our best judgment call based on information from the surveyors in the field. Generally (or perhaps generously), if some information was posted in a usable fashion, the state got credit for having something up.

What follows is an overview of survey results from 50 states. Many surveyors and other participants went deeper in their analysis, looking at additional state categories and local Web sites, as well as specialized federal agencies. Links to that information can be found at the end of this report [*insert link*].

In addition, there is a comprehensive related report by graduate journalism students at the University of Missouri, who analyzed content on federal government sites. [*insert link*].

The state government surveys were conducted by newspaper and broadcast journalists, journalism students, state press associations, and reporters and editors from The Associated Press. Several participants went the extra cyber-mile and helped complete surveys outside their own states.

In some cases where states did not post information directly, they provided links to other sites. This included linking to the state bar association for disciplinary action against attorneys, to the Better Business Bureau for consumer complaints, and to federal Medicaid sites for nursing home inspection reports. Surveyors, however, had mixed results in finding much information on these sites.

Several states posted information about how to file consumer complaints, get a teacher certification, or to take other actions, but they did not post reports about specific cases or proceedings.

"This is the first comprehensive survey of its kind," said ASNE FOI Committee Co-chair Andy Alexander. "It tells us that many states understand that digitizing public records is key to open government in the 21st century. But it also tells us that, with a few exceptions, states have a long way to go before they become truly transparent.

"We know that providing public records in digital form is the right thing to do for citizens. But it's also the smart thing to do," added Alexander, who is ombudsman for The Washington Post. "With state budgets under considerable stress, providing public records in digitized form is less costly because it doesn't require a human to process each request for information."

Selected State highlights

Results varied by state in many areas. In each of the categories analyzed, there was the opportunity for surveyors to comment. Some commentary from the field included:

- *Alabama:* At the time the survey was conducted in Alabama, the state did not provide an online database on expenditures. By the time this report was written a few weeks later, that information was available at www.open.alabama.gov.
- *California:* Some audit reports were available at the agency/department level, though officials' individual financial disclosure records were not. The California survey team analyzed online availability of those records for certain agencies, and those results are posted as an appendix to this report. [*insert link*]
- *Connecticut:* Anyone seeking financial disclosure reports from state officials in Connecticut must e-mail their requests, which are then considered for release at the discretion of the governor.
- *Colorado:* Bridge inspection reports in Colorado are considered public, but they are not published online. Anyone who wants to see the reports is advised to file an FOI request.
- *Delaware:* In 2008, legislation was introduced in Delaware that would have required "the creation of a searchable budget database Web site to allow taxpayers to access details of how their tax dollars are being spent." The measure died in committee.
- *Georgia:* Web sites reporting financial disclosure and audit reports received particularly high marks from the field for their usability and ease of navigation. They can be found at www.ethics.ga.gov/Reports/Financial/Financial_ByName.aspx and www.audits.state.ga.us/index.html, respectively.
- *Hawaii:* The state Ethics Commission Web site, <http://Hawaii.gov/ethics/findisc>, posts multiyear disclosure PDF files for state representatives, senators, the governor and lieutenant governor, members of the Board of Education, trustees and administrators of the Office of Hawaiian Affairs, department heads and their deputies, and judiciary administrators, but the courts do not post disclosures for judges.
- *Iowa:* The state auditor's office reportedly offers online more than 5,000 full reports of all its audits dating back to 2001. The audits are easily accessible from tabs on the main Web page, www.auditor.iowa.gov.
- *Kansas:* Members of the public who want information about school bus inspections in Kansas can find an inspection checklist online, but if they want the results, they have to make a request of the school transportation supervisor.

- *Louisiana*: "We have a problem with the legality of it," a Louisiana Department of Transportation official told the survey reporter who called the office after failing to find bridge inspection reports online. Calls to other Louisiana agencies after finding neither hospital or nursing home inspections, nor environmental citations online yielded otherwise unlinked URLs for information.
- *Maine*: Despite the fact that under state law Maine officials are required to file personal financial disclosure reports — and post them on the Web — the Secretary of State's office, which collects the information, does not post it. Reportedly, by 2010 the Maine Commission of Governmental Ethics and Elections Practices will handle the data, including posting it online.
- *Maryland*: Nursing home information, mhcc.maryland.gov/consumerinfo/nhguide, got high marks for facilitating online search and for allowing users to "compare data in a variety of ways."
- *Minnesota*: Although state spending information is not available online in Minnesota, legislation was introduced in January 2009 requiring the finance commissioner to "maintain a Web site with a searchable database with information on state contracts, state appropriations, state expenditures and state tax expenditures." In addition, the state's Department of Human Services says it expects corrections orders and licensing sanctions, not currently posted, to be online "in the near future."
- *New Mexico*: Campaign contributions and expense reports in New Mexico are posted online, but in some cases don't provide much information. "The state does not have adequate enforcement of filing deadlines or disclosure of key, required data in campaign reports. Candidates sometimes file completely blank reports." And, the system cannot accommodate users with Mac computers.
- *North Carolina*: Online school test data, posted under "Public Schools of North Carolina" includes not only data and statistics, but also student enrollment information and SAT scores.
- *Oklahoma*: Hospital inspection reports are said to be "confidential by statute" and would not be disclosed publicly unless there was a case involving a licensing question or revocation/suspension of a license. Also in Oklahoma, survey reporters found that although gas pump overcharge records had been available online in 2008, "it has since been removed [as] the elected official on whose page the data was linked failed to win re-election."
- *Pennsylvania*: Surveyors found the state's school reporting sites — www.paayp.com and www.pde.state.pa.us — very handy for looking at district and school comparisons, "once you know how to look for it."
- *Rhode Island*: Rhode Island posts an online database of statewide expenditures, <http://controller.admin.ri.gov/index.php>. But you have to be a state employee to look at it.

- *Utah:* The Utah Office of the Legislator General, www.le.state.ut.us/olag.htm, which houses audit reports, was called "probably one of the easiest Web sites to navigate in Utah state government" by its survey reporter. Although it has extensive audit information on a variety of projects and initiatives, the pages of the agencies audited, however, rarely link back to the main audit page.
- *Virginia:* While the state government does not post officials' financial disclosure reports, a non-profit organization called The Virginia Public Access Project is said to post the information in a searchable database.
- *Washington:* Washington's online database for audit reports and expenditures, created only a year ago by the state legislature, <http://fiscal.wa.gov>, is reportedly an "exhaustive" and "almost tedious" collection. The Web site for state DOT projects and contracts, www.wsdot.wa.gov also received high marks for being easy to use and detailed; "Clearly the site was designed to bring projects to the public from concept design to completion and aftermath."

STATE LISTINGS BY NUMBER OF CATEGORIES VIEWED FOR FREE ONLINE:

- | | |
|------------|------------|
| 1. TX: 20 | 26. HI: 11 |
| 2. NJ: 18 | 27. KY: 11 |
| 3. NC: 17 | 28. LA: 11 |
| 4. NY: 16 | 29. MO: 11 |
| 5. UT: 16 | 30. TN: 11 |
| 6. CO: 15 | 31. IA: 10 |
| 7. MI: 15 | 32. IL: 10 |
| 8. OH: 15 | 33. NM: 10 |
| 9. VA: 15 | 34. OK: 10 |
| 10. AZ: 14 | 35. VT: 10 |
| 11. FL: 14 | 36. WI: 10 |
| 12. GA: 14 | 37. CT: 09 |
| 13. KS: 14 | 38. MA: 09 |
| 14. NV: 14 | 39. ME: 09 |
| 15. WA: 14 | 40. DE: 08 |
| 16. AL: 13 | 41. ID: 08 |
| 17. AR: 13 | 42. NH: 08 |
| 18. MD: 13 | 43. RI: 08 |
| 19. MN: 13 | 44. SD: 08 |
| 20. ND: 13 | 45. WV: 08 |
| 21. PA: 13 | 46. IN: 07 |
| 22. AK: 12 | 47. MT: 07 |
| 23. CA: 12 | 48. OR: 07 |
| 24. NE: 12 | 49. WY: 07 |
| 25. SC: 12 | 50. MS: 04 |

INFORMATION CATEGORIES VIEWABLE FREE ONLINE BY REGION

	Far West	Mid-Atlantic	Midwest	Northeast	South	West
statewide school test data (50)	NV, AZ, CA, AK, WA, OR, HI	PA, NC, WV, MD, DE, VA	IN, OH, WI, MO, KS, MN, MI, NE, IL, IA	ME, MA, RI, CT, NH, NJ, NY, VT	AL, SC, MS, TN, KY, LA, GA, AR, FL	UT, OK, WY, ND, TX, ID, MT, CO, SD, NM
DOT projects and contracts (48)	NV, AZ, CA, AK, WA, OR, HI	PA, NC, WV, MD, DE, VA	IN, OH, WI, MO, KS, MN, MI, NE	ME, MA, RI, CT, NH, NJ, NY, VT	AL, SC, MS, TN, KY, LA, GA, AR, FL	UT, OK, WY, NM, ND, TX, ID, MT, CO, SD
political campaign contributions and expenses (48)	NV, AZ, CA, AK, WA, OR, HI	PA, NC, WV, MD, DE, VA	OH, WI, MO, KS, IA, MN, MI, NE, IL	ME, RI, CT, NH, NJ, NY, VT, MA	AL, SC, MS, TN, KY, LA, GA, AR, FL	UT, OK, NM, ND, TX, ID, MT, CO, SD
disciplinary actions against medical physicians (47)	NV, AZ, CA, AK, WA, OR, HI	PA, NC, WV, MD, DE, VA	OH, WI, MO, IA, MN, MI, NE, IL	ME, MA, RI, CT, NH, NJ, NY, VT	AL, SC, TN, KY, LA, GA, AR, FL	UT, OK, WY, ND, TX, MT, CO, SD, NM, ID
audit reports (45)	NV, AZ, WA, OR, HI	PA, NC, WV, MD, DE, VA	IN, OH, WI, MO, KS, IA, MN, MI, IL	ME, RI, CT, NH, NJ, NY, VT	AL, SC, TN, KY, GA, AR, FL, LA	UT, OK, WY, NM, ND, TX, ID, MT, CO, SD
disciplinary actions against attorneys (38)	NV, AZ, CA, WA, OR	PA, NC, MD, DE, VA	OH, WI, MO, KS, IA, MN, MI, NE, IL	ME, MA, NJ, NY, VT	SC, TN, KY, LA, GA, AR	UT, OK, WY, ND, TX, ID, MT, CO
environmental citations/violations (37)	NV, AZ, CA, AK, WA, OR	PA, NC, MD, DE, VA	OH, KS, IA, MN, MI, NE, IL	ME, MA, RI, CT, NH, NJ, NY	AL, SC, TN, LA, GA, AR, FL	OK, WY, TX, MT, CO
teacher certifications (34)	NV, CA, AK, WA, HI	NC, WV, VA	OH, WI, KS, IA, MN, MI, NE, IL	ME, MA, RI, NJ, NY	AL, SC, TN, KY, LA, GA, AR, FL	UT, NM, ND, TX, CO
fictitious business name registrations (30)	NV, AZ, AK, WA, HI	PA, NC, MD, VA	OH, MO, IA, MN, MI, NE, IL	NH, VT	AL, MS, TN, LA, AR, FL, KY	OK, WY, ND, TX, SD
nursing home inspection reports (29)	NV, AZ, AK, WA, CA	PA, NC, MD, DE, VA	IN, OH, MO, KS, IA, MN, MI	MA, CT, NJ, NY	AL, SC, LA, AR, FL	UT, TX, CO
database of expenditures (28)	NV, AK, WA, HI	PA, WV, VA, MD	WI, MO, KS, MI, NE	ME, MA, NJ, NY	AL, SC, KY, GA, FL	UT, OK, ND, TX, CO, SD
consumer complaints (24)	NV, AZ, CA, HI	NC, VA	IN, OH, MO, KS, MI, IL	CT, NH, NJ, NY, VT	GA, FL	UT, ND, TX, ID, CO
bridge inspection and safety reports (23)	AZ, CA, AK, WA	PA, NC, MD, VA	OH, WI, KS, MN, MI, ME	NJ, NY	TN, GA	NM, ND, TX, CO, SD
child care center inspection reports (23)	AZ, AK, WA	PA, NC, MD, VA	OH, MI, NE	NJ, NY, VT	SC, LA, AR, FL	UT, OK, TX, ID, CO, NM
personal financial disclosure reports (22)	NV, AK, HI		IN, WI, KS, IA, MN, NE, IL	RI, NJ, NY	SC, TN, KY, GA, AR	UT, NM, TX, CO
hospital inspection reports (17)	AZ, CA, WA	PA, NC, MD	IN	CT, NJ, NY, VT	AL, AR	UT, NM, TX, CO
school bus inspections (12)	NV	NC	MO, KS, MI, MN	NJ, NY	AL, GA, FL	UT, TX
school inspection/safety records (11)	CA, HI	NC	KS	NJ	AL, KY, FL	UT, TX
gas pump overcharge records (8)	AZ	NC, VA	OH	NJ	GA	ND, TX
death certificates (5)		WV	OH			UT, ND, TX

Northeast: CT, ME, MA, NH, NJ, NY, RI, VT // *Mid-Atlantic:* DE, MD, NC, PA, VA, WV // *South:* AL, AR, FL, GA, KY, LA, MS, SC, TN
Midwest: IA, IL, IN, KS, MI, MN, MO, NE, OH, WI // *West:* CO, ID, MT, NM, ND, OK, SD, TX, UT, WY // *Far West:* AK, AZ, CA, HI, NV, OR, WA