

RESOLUTION 2020-06

Whereas “the Oklahoma Constitution recognizes and guarantees [that] all political power is inherent in the people. Thus, it is the public policy of the State of Oklahoma that the people are vested with the inherent right to know and be fully informed about their government” (Oklahoma Constitution Article 2, Section 1; 51 O.S. Section 24A.2);

Whereas “It is the public policy of the State of Oklahoma to encourage and facilitate an informed citizenry's understanding of the governmental processes and governmental problems” (25 O.S. Section 302);

Whereas “The purpose of [the Open Records Act] is to ensure and facilitate the public's right of access to and review of government records so they may efficiently and intelligently exercise their inherent political power (51 O.S. Section 24A.2);

Whereas the Oklahoma Evidence Code presumes that “There is no privilege . . . [a]s to a communication between a public officer or agency and its attorney unless the communication concerns a pending investigation, claim or action and the court determines that disclosure will seriously impair the ability of the public officer or agency to process the claim or conduct a pending investigation, litigation or proceeding in the public interest.” (12 O.S. Section 2502(D)(7));

Whereas the federal Freedom of Information Act requires federal agencies to disclose records unless they fall under one of nine limited exemptions (5 U.S.C. Section 552);

Whereas the U.S. Constitution and the Oklahoma Constitution both prohibit any law that would restrain or abridge freedom of the press (U.S. Constitution Amendment I; Oklahoma Constitution Article 2, Section 22); and

Whereas these constitutional and statutory provisions reflect the philosophy that “The government is us; we are the government, you and I” (President Theodore Roosevelt).

Now therefore we, Town of Luther, *resolve* that:
(name of governmental entity)

1. We acknowledge citizens' political power and right to know and be fully informed;
2. We embrace the public policy of transparency expressed and guaranteed in the founding documents and laws of our State and Nation, and
3. We join the American Society of News Editors, Freedom of Information Oklahoma, hundreds of other organizations and government entities, and the citizens of Oklahoma to celebrate Freedom of Information Day, March 16, 2020, and Sunshine Week, March 15-21, 2020.