

Highlights from the 2003 Annual Report

The Office of Information Practices *Annual Report 2003*, currently being distributed, is also available on the OIP's web site at www.hawaii.gov/oip/reports.html.

This report to the Governor and the Legislature describes the work of the OIP in implementing the State of Hawaii's public records law, chapter 92F, Hawaii Revised Statutes, known as the Uniform Information Practices Act (Modified), and the open meetings law, Part I of chapter 92, Hawaii Revised Statutes, from July 1, 2002, to June 30, 2003. Here are some highlights from the report.

◆ From the Director's Message

During FY 2003, the OIP embarked on an aggressive effort to significantly reduce the number of pending matters, with the goal of eliminating the backlog of pending investigations and requests by the end of FY 2005. Given its present resources, the OIP must continue to develop new and creative solutions to resolve issues relating to the State's government records law and open meetings law.

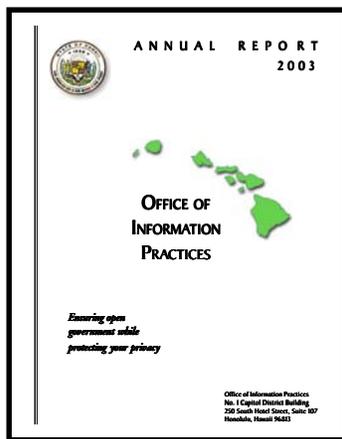


In the near term future, the OIP will continue its efforts to provide more meaningful and timely assistance to members of the public and government agencies.

As part of that effort, the OIP will also look to increase the number and types of training programs to better educate both the public and government agencies, continue to expand the OIP's web site, migrate the records report system, a system on which government agencies report the types of records they maintain, from a Wang computer-based system to an Internet-based system, and develop more user-friendly informational materials.

The OIP is optimistic that such efforts will result in more transparency, will provide greater guidance to the public and government agencies, and will reduce the number of issues that are referred to the OIP.

The OIP is committed to protecting the public's right to know. The OIP is confident that, with the innovative



changes intended to reduce the pending backlog, and with a dedicated staff, it will be able to meet the challenge of continuing to ensure, as mandated by the Legislature, that "the formation and conduct of public policy – the discussions, deliberations, decisions, and action of government agencies – [are] conducted as openly as possible."

◆ From the Executive Summary

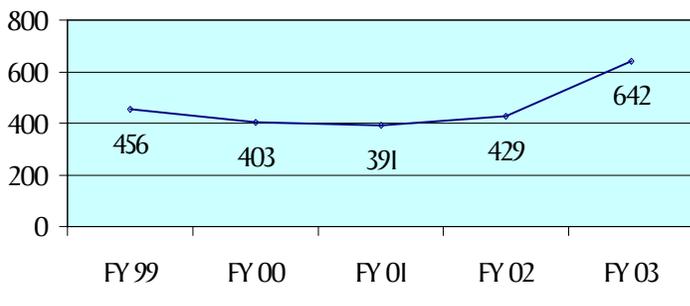
Enforcement: The OIP opened **14 new investigations** into the actions of govern-

ment agencies in FY 2003 (see pages 12-16). Some of these were opened following complaints made by members of the public and others were opened at the OIP's initiative.

The OIP tracks **litigation** to monitor the issues and concerns under the UIPA and the Sunshine Law that are not resolved through the OIP. In certain circumstances, the OIP may intervene in the lawsuit.

In FY 2003, the OIP tracked five new cases relating to access to government records in the courts, and six

New Cases Opened



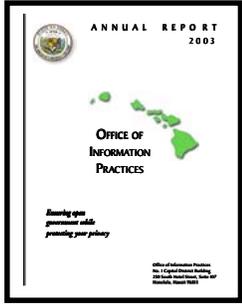
continuing cases. The OIP also monitored three cases related to the Sunshine Law.

Implementation: The OIP assists members of the public and government agencies regarding the UIPA and the Sunshine Law. A majority of the requests for assistance come through the "Attorney of the Day" program, where

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the OIP staff attorneys provide the caller with general advice. Other, written requests are addressed through case files, which sometimes result in formal opinions.



In FY 2003, the OIP received **808 telephone inquiries**. Information about these inquiries – who's calling and which government agencies are involved – appears on pages 22-31. Summaries of 11 of these telephone inquiries, beginning

on page 33, represent the types of calls received by the OIP and show how the OIP provides assistance.

In FY 2003, the OIP issued **19 formal opinion letters**. Of these, 12 involved UIPA issues and seven involved Sunshine Law issues. Summaries of the OIP's formal opinion letters for FY 2003 begin on page 38.

In the 2003 session of the Legislature, the OIP reviewed and monitored **279 legislative initiatives** affecting government's information practices, public access to government records and meetings, and the privacy rights of individuals.

The OIP staff attorneys and Director appeared frequently at the Legislature to testify about bills insofar as they related to these subjects (see pages 48-51).

Another part of the UIPA, section 92F-18(b), Hawaii Revised Statutes, mandates a **public report of records** maintained by all agencies. State and county agencies have reported 33,649 sets of records on the Records Report System ("RRS") (see pages 52-53).

The RRS was developed as a Wang computer-based system at a time when Wang computers were common in State agencies. The OIP, with substantial assistance from the Information and Communications Services Division of the Department of Accounting and General Services, began work in 2003 to migrate the RRS to an Internet-based system, accessible to government agencies and members of the public.

As of July 1, 2003, the OIP was beginning to test the new system and prepare it for State and county agencies to update their reports.

Informing the Community: The OIP's publications play a vital role in the agency's ongoing efforts to inform the public and government agencies about the UIPA, the open

New Year's Wishes



As a new year arrives throughout the world, and last of all in Hawaii, all of us at the Office of Information Practices send you warm holiday wishes from the islands.

To our colleagues and their loved ones, to our neighbors in downtown Honolulu, to all of those with whom we interact throughout the year – government employees, members of the public, and those in the private sector – and to our many readers near and far, we say mahalo for your interest and support during the past year, and we wish you a happy, healthy, and prosperous New Year!

Leslie H. Kondo

Carlotta Dias

Jennifer L. Brooks

Susan R. Kern

Gindy Yee

Adrienne Dacuag

Michael Little

meetings law, and the work of the OIP (see pages 54-57).

In FY 2003, the OIP continued its traditional **print publications**, including the monthly *Openline* newsletter and the *Office of Information Practices Annual Report 2002*. In addition, the OIP expanded and improved the **web site** that it launched on the Internet in April 1998. The site has grown into a major source of information regarding access to State and county records, as well as the Sunshine Law.

The OIP has also prepared, and makes available, **model forms** that agencies and members of the public may use to follow the procedures set forth in the OIP's rules for making, and responding to, record requests (see page 57).

Each year, the OIP makes presentations and provides **training** in information practices and the Sunshine Law. The OIP conducts this outreach effort as part of its mission to inform the public of its rights and assist government agencies in complying with the law. For details of the OIP's work in this area, see pages 58-59. 📄

Openline is a monthly publication of the Office of Information Practices, State of Hawaii.

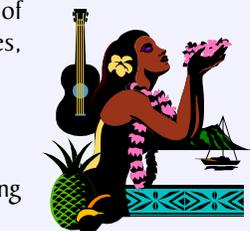
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