



Washington Coalition *for*
Open Government
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FROM: WASHINGTON COALITION FOR OPEN GOVERNMENT

TOPIC: Lawsuit Filed Against UW Regents on 45th Anniversary of OPMA

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Seattle, Wash. – Today marks the 45th anniversary of the landmark Open Public Meetings Act taking effect. In order to fulfill the law’s promise of transparent decision-making, the Washington Coalition for Open Government today filed a lawsuit in King County Superior Court against the University of Washington (UW) Board of Regents and eight of its members. The lawsuit alleges that the regents chose a new university president outside of a public meeting, and then held a sham public vote confirming a decision already made.

The Open Public Meetings Act took effect on August 9, 1971, promising to shine a light on the government’s decision-making process. Yet in the 45 years since then, there has never been a published court opinion assessing a fine against a governing body member for conducting the public’s business in secret. This is because, in order to enforce the penalty provision, a citizen plaintiff must prove that the board or council member knowingly violated the open meetings requirement.

In the lawsuit filed today, the Washington Coalition for Open Government (WCOG) is arguing that eight UW regents had the “knowledge” necessary for penalties. Less than six months before the Board of Regents picked a UW president in a closed meeting on October

7, 2015, the Board was rebuked by a King County judge for repeatedly violating the open-meetings law from 2012 to 2014. WCOG believes that, because of that prior ruling and the mandatory OPMA training law that has been in effect since 2014, the UW regents should have known better. WCOG is bringing the lawsuit both to hold the UW regents accountable and to breathe vitality into the OPMA's penalty provision, so that the public will be better protected from secret decision-making in the future.

"There is simply no excuse for repeat offenses, especially when it comes to hugely important decisions such as hiring a university president," said Toby Nixon, WCOG president. "This case illustrates the importance of a penalty provision that has real teeth."

WCOG is a non-partisan, non-profit organization dedicated to promoting and defending the public's right to know about government. For more information, see washingtoncog.org.

Join WCOG and help in the non-partisan fight for transparent government and open public participation. WCOG was founded in 2002 by a group of individuals representing organizations with a broad spectrum of opinions and interests but all dedicated to the principles of strengthening the state's open government laws and protecting the public's access to government at all levels. WCOG stands for the principle that transparency and public participation are essential building blocks of good government.

Membership is open to the public. For more information contact WCOG at 6351 Seaview Avenue NW, Seattle, WA 98107-2664, on the web at www.washingtoncog.org, or call (206) 782-0393