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Citizens take note of FOIA

Open records law allows public to watch government

Associated Press

GREENVILLE—Edward "Ned" Sloan fights the government. And often wins.

Tacked to the wall of his Greenville office are copies of 15 checks, mostly for attorney's fees to pay for his fight to get public records and keep the bidding process for government contracts fair.

"Everybody should have to follow the law. That includes governments too," said Sloan, who takes on all corners from the local school board's building plans to the Legislature's attempts to pack a number of unrelated items into popular bills.

The former president of an Upstate road-paving firm has been taking on the government for more than three decades. It started when officials would tell him he wasn't following government policy.

"It was intimidation. But I got tired of bureaucrats telling me I was violating some regulation and a copy of it wasn't available," Sloan said.

Sloan is like many people who use the state Freedom of Information Act laws to ask for government records when their initial requests are rejected.

More on the Freedom of Information Act. 8A, 1B

The law "isn't just for reporters. It's for everyone," said South Carolina Press Association Executive Director Bill Rogers.

"It gives the watchdog eyes," Rogers said. "Without the FOI, the watchdog — whether it's a citizen or the media — would be blind."

Sloan has been retired from construction for more than 20 years. He's picked up a few hobbies, but "more recently, I love just suing the government," he said with a laugh.

The open record and open government initiatives aren't just for people like Sloan who can afford lengthy and expensive court fights.

The law helps others, too, like Brenda Bryant, who became a government watchdog a decade ago when she used open records to get better water for her Lexington County neighborhood.

Bryant was initially angry the private utility providing well water to her neighborhood charged exorbitant rates. So she filed an open records request with the Department of Health and Environmental Control to get the company's records.

DHEC didn't answer Bryant within the 15 business days given under the law. So she went to the agency's office herself and threatened to bring in the media if she didn't get the records. She walked out with them within minutes.

"It wasn't until I got into the records that I found out there had been high levels of radiation in the water," said Bryant, who also found out through the records the water was discolored and had been making people sick.

The wells were shut down. Now Bryant uses the FOIA laws all the time.

"It's very impressive as a citizen, to know we have the ability to get information that most people wouldn't think about getting," Bryant said.

One problem many people run into is exorbitant charges for information, said John Crangle, the executive director of Common Cause.

The law allows governments to charge a fee, but it cannot "exceed the actual cost of searching for or making copies of records."

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