



**Arkansas Pro Chapter  
Society of Professional Journalists**

September 9, 2023

House Speaker Matthew Shepherd  
House Republican Leader Marcus Richmond  
House Democratic Leader Tippi McCullough

Senate President Pro Tempore Bart Hester  
Senate Republican Leader Blake Johnson  
Senate Democratic Leader Greg Leding

CC: Rep. David Ray, HB 1003 sponsor  
Sen. Scott Flippo, SB 7 sponsor

Honorable leaders of the Arkansas General Assembly:

As citizens of Arkansas and affiliate members of state and national journalism groups, we must express our gravest concerns over House Bill 1003 and Senate Bill 7 that you will be considering in next week's special legislative session.

The Arkansas Freedom of Information Act has stood as a bulwark against overreaching and secrecy-driven officials for 56 years. Despite numerous amendments we believe have weakened it over time, it remains one of the strongest guarantees of government openness and transparency in the nation.

Now, you are being asked by some of your colleagues and the governor to create several new exemptions to the law that will shatter citizens' protection and violate the law's presumption in favor of disclosure and transparency.

If passed and enacted into law as written, the bill will lock critical elements of state government in a black box, away from the people who have a right to know what the government does in their name and how it spends their money.

Arkansas' Freedom of Information Act was passed under Gov. Winthrop Rockefeller, who broke Democrats' grip on the statehouse by running as a reformer — when just 11% of the state was Republican. Transparency in government was and still is a Republican mantra. In part, the FOIA's promise to the public is what made Republican governance possible in Arkansas. Forgoing that pledge breaks a bond with your constituents and destroys that legacy.

The proposed legislation also purports to be about protecting the security of the governor, the governor's family and other state officials, but it goes well beyond security issues. There are legitimate concerns about revealing security planning and protocols, which we believe existing law addresses. Hiding information about executive branch travel and its costs from the public is a bridge too far.

Similarly, creating a new exemption for the "deliberative process" would sweep up information vital to citizen self-governance. A working papers exemption already exists for the governor's office, attorney general, legislators and Supreme Court and Appeals Court justices and judges. That should suffice.

Preventing the public from knowing "how the sausage is made" and what executive branch agencies are doing violates the spirit and legal precedent of the FOIA. The overly broad exemptions created by this bill all but guarantee the demise of Arkansas as a beacon of transparency. Democracy dies in darkness, as the saying goes.

In an era of declining trust in our institutions and officials, I hope you will agree with us that more, not less, transparency is a good thing and that it is a nonpartisan issue. We ask that you reject this overreach on the part of the governor's office.

Sincerely,

Sonny Albarado

Vice President, Arkansas Pro Chapter of the Society of Professional Journalists and past national president of SPJ (2012-13)

Gina Holland Shelton

President, NWA SPJ Pro Chapter

Kristin Netterstrom Higgins

President, Arkansas Press Women

Jennifer Ellis

Region 12 Coordinator, Society of Professional Journalists

David Keith

President, Arkansas College Media Association

Ron Sitton

Director, Arkansas College Media Association

Bret Schulte

Freelancer, board member, NWA SPJ Pro Chapter

Other Co-signers:

Arkansas SPJ Pro: President Brenda Lepenski, Secretary Wendy Miller Jordan, Treasurer Rob Moritz, Past President Steve Listopad, board members Karen Steward, Terrance Armstard, Jack Webb

Arkansas Press Women: Treasurer Richard Plotkin, Secretary Debbie Miller, Northwest District Director Catherine Nolte and Central District Board member Tammy Keith

University of Arkansas Student SPJ Chapter