

May 2, 2018



Positions taken by the Colorado Freedom of Information Coalition do not necessarily represent the positions of each individual member or member organization.

Mr. Dino Ioannides
Independent Ethics Commission
1300 Broadway #240
Denver, CO 80203

Re: IEC proposed rules

Dear Mr. Ioannides:

On behalf of the organizations that represent Colorado's newspapers and radio and television stations, as well advocates of open government and public records, we are again writing to oppose the Independent Ethics Commission's (IEC) proposed rules concerning access to information.

There is absolutely no reason that the IEC should not be subject to the FULL Colorado Open Records Act (CORA). Absent a court decision expressly finding that the IEC is not an entity covered by the CORA, we believe the IEC is subject to CORA. The fact that IEC is housed in a judicial branch building does not exempt it from CORA, and the judicial branch's own rule governing access to that branch's administrative records makes that abundantly clear.

Beyond that, it is completely inappropriate for the IEC to attempt to create its own open records rules regardless of their content. The fact that the proposed rules allow the IEC to restrict access to information beyond what is authorized to other governmental bodies under CORA would offend public sensibilities regardless of what entity is involved. It seems particularly offensive, and ironic, that an entity established to address ethical issues in state government, and thereby foster greater public trust in governmental institutions, should be subject to less public access than other governmental entities in Colorado.

We again urge you to withdraw these proposed rules, and to abide by the CORA.

Sincerely,

A handwritten signature in black ink, appearing to read "Jeff Roberts".

Jeff Roberts
Executive Director
Colorado Freedom of
Information Coalition

A handwritten signature in black ink, appearing to read "Jerry Raehal".

Jerry Raehal
CEO
Colorado Press
Association

A handwritten signature in black ink, appearing to read "Justin Sasso".

Justin Sasso
President and CEO
Colorado Broadcasters
Association