



## NAVAJO NATION HUMAN RIGHTS COMMISSION

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### **NNHRC obtained public records from San Juan County of Utah officials finally**

ANETH, Utah—The San Juan County Clerk of Utah finally released public meeting records to staff members of the Navajo Nation Human Rights Commission on February 21, 2012 at approximately 1:30 p.m., at the county clerk's office in Monticello, Utah.

On February 15, 2012, NNHRC Executive Director Leonard Gorman and NNHRC Policy Analyst Lauren Bernally-Long were denied immediate access to obtain all public records and recordings of San Juan County commissioners meeting in spite of repeated references to Utah's Government Records Access Management Act. At that time, San Juan County Clerk Norman Johnson explained a San Juan County attorney would need to assess the recordings before releasing them.

To add to the official record of San Juan County, Gorman attended the San Juan County commissioner meeting on February 21, 2012 at 10:20 a.m., in Monticello, Utah, with the NNHRC Public Information Officer Rachele Todea. Both were equipped with a NNHRC recording device and set each device on the table when Gorman testified about the incident when San Juan County Clerk Norman Johnson denied immediate access to all public records requested and the audio recordings of commissioner meetings, and to inquire about the process to obtain public information.



NNHRC Executive Director Leonard Gorman testifies during public input at the San Juan County commissioners meeting on Monday, Feb. 21, 2012, in Monticello, Utah.

Prior to adding to the record, Johnson approached Gorman and in hushed tones explained he had prepared CDs for NNHRC. Gorman designated a 1:00 p.m., meeting time to receive the information.

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Because immediate access to public records remained a critical issue to address, Gorman proceeded to add NNHRC's concerns to the official record at the February 21, 2012 commissioner meeting. NNHRC staff members were aware of the violation made against public record access.

There was no clear indication from the county commissioners about the process.

"As a matter of fact the county commissioners began to ask me about the process," said Gorman.

On February 16, 2012, Gorman met with NNDOJ attorneys Michelle Begay and Dana Bobroff, and NNHRC attorney Naomi L. White to discuss the incident when NNHRC staff members were denied access to public records. As a result of that meeting, NNHRC initiated the second request and asserted their right to public records asserting the Open Meetings procedures and GRAMA.

### **The 1 o'clock meeting follow-up**

When the NNHRC PIO asked Johnson how he arrived at the juncture to provide the public records, Johnson provided two reasons: NNHRCs written request utilizing Utah's GRAMA and having learned from his state colleagues who are also state clerks that public records from public meetings should be made readily available to the public as soon as possible. Johnson also noted that he never consulted the county's attorney, which was the main reason he refused to allow Gorman immediate access to county records on February 15, 2012.

### **Media professionals chimed in**

During the lunch hour break, Gorman learned media professionals were asked at the beginning of the commissioners meeting on February 21, 2012 to refrain from recording the meeting.

He also learned that media professionals asserted their rights.

After listening to the recorded material later, Gorman said, "Media personnel certainly realized the violation by raising their concerns that the sacredness of the public's access to government records must be upheld."

One community member asked whether county commissioners had cleared that request with the Utah Attorney General.

Commissioner Chairperson Bruce B. Adams stated he hadn't.

Commissioners then allowed for personal recording devices.

Said Gorman, "When it comes to NNHRC's access to information request, the request doesn't impact us only. There are processes and procedures that must be complied with."

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