

NEWS FROM THE FLORIDA DEMOCRATIC PARTY

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Contact: Mark Bubriski or Alejandro Miyar, 850.222.3411

Open Government or Empty Promises? Empty Chair Charlie Sunshine Commitment Questioned

TALLAHASSEE - There is rhetoric, and there is reality. For all his ability to wield the former like a maestro, Empty Chair Charlie Crist needs to cut the cheap talk and come clean about how he conducts business as governor.

The Office of the Governor today issued a press release lauding the Governor's creation last year of the Office of Open Government. The release details Crist's celebration of the First Amendment and his appreciation of state employees and agencies for adhering to "plain talk" principles, even daring to say that "the people of Florida are our boss, and it is our responsibility to make government accessible and transparent to them." [Office of the Governor press release, 3/25/08]

But Florida's part-time governor fails to mention that when it comes to open government, he doesn't walk the walk. Crist's increasing disregard for the Sunshine Law has caught the eye of some media outlets who question his backroom deals and lackadaisical attitude when it comes to state agencies that drag their feet in their duty to public open records laws.

A conservative columnist last week noted: "Like so much greenhouse gas, Charlie Crist's utterances about Florida's Sunshine law don't pass the smell test. The governor says he's committed to open records and open meetings, but talk is cheap... He went behind closed doors to negotiate a Vegas-style casino deal with the Seminole Tribe, and then, going back on his word, refused to present it to the Legislature for public debate. For this double-dealing, Crist has been sued in court. His odds aren't good: Five other governors tried this ploy; all five lost.

"Crist gambles with the public's trust in other ways. Since his 2006 campaign was bankrolled by every facet of Florida's development industry, the governor has made no secret of his disdain for grassroots attempts at curbing out-of-control growth... The governor is entitled to his (and his corporate cronies') opinions. But when the state's chief executive officer turns a blind eye to arbitrary and capricious behavior by public officials, Florida's Sunshine turns black...

"These are not frivolous concerns. Tallying petitions - like counting votes - lies at the foundation of free government. If officials cannot, or will not, do their jobs according to the law, then democracy in Florida is a fraud." [TCPalm.com, 3/19/08]

The Florida Democratic Party launched www.EmptyChairCharlie.com in February to show how Governor Crist worked less than half the time in the first month and a half of 2008. The Governor's office responded not by disputing the charges but by avoiding the point: Crist only spent two days out of the state with John McCain, his

office said. Well, then what was he doing the other two and half weeks he wasn't working for the People???

Crist's blunders are either becoming more blatant or perhaps the media honeymoon is coming to an end. Last week outrage followed his appointment of the wife of his general counsel - both Republican insiders - to a state post for which she was clearly unqualified. When Sara Gonzalez rescinded her application in the wake of the controversy - led by current board members - Crist refused to admit he had made an ethical mistake. Some have now speculated that general counsel Jason Gonzalez may follow suit and leave for a more profitable job after his wife's six-figure compensation package was nixed.

"Charlie Crist can thank the Bush brothers for altering government in such a profound way that it demands more scrutiny more than ever before," Florida Democratic Party spokesman Alejandro Miyar said. "The Governor's lip service about open government doesn't match reality, and the people won't be fooled."

COMPARING THE RHETORIC TO REALITY

Read the full editorial from TCPalm.com columnist Kenric Ward and the press release from the Office of the Governor below.

MUST READ: The governor's cheap talk devalues the state's commitment to open government

By Kenric Ward - Wednesday, March 19, 2008

<http://www.tcpalm.com/news/2008/mar/19/kenric-ward-governors-cheap-talk-devalues-states-c/>

Like so much greenhouse gas, Charlie Crist's utterances about Florida's Sunshine law don't pass the smell test.

The governor says he's committed to open records and open meetings, but talk is cheap. Actions are what count. So what's Crist done lately?

He went behind closed doors to negotiate a Vegas-style casino deal with the Seminole Tribe, and then, going back on his word, refused to present it to the Legislature for public debate. For this double-dealing, Crist has been sued in court. His odds aren't good: Five other governors tried this ploy; all five lost.

Is litigation what Crist means when he says "The role of Florida's government is to serve the people of Florida and open government gives the people the tools they need to hold their elected officials accountable"?

Crist gambles with the public's trust in other ways. Since his 2006 campaign was bankrolled by every facet of Florida's development industry, the governor has made no secret of his disdain for grassroots attempts at curbing out-of-control growth.

The governor is entitled to his (and his corporate cronies') opinions. But when the state's chief executive officer turns a blind eye to arbitrary and capricious behavior by public officials, Florida's Sunshine turns black.

In the days following Feb. 1, when the Secretary of State's office announced the Florida Hometown Democracy amendment wouldn't make the ballot this year, Crist's office received several complaints. Correspondence obtained by this newspaper alleged serious procedural glitches at local and state levels. Among them:

-Petitions were denied equal treatment. Some were counted as late as Feb. 1; others, submitted as early as Jan. 2, were not counted.

-Signatures of "inactive" or "purged" voters were tossed, in violation of Division of Elections rules.

-For seven months, the state did not divulge problems it was having with its petition-tallying database, and stopped posting online updates in January. (Ironically, Crist brags about making state Web sites "more accessible to the citizen's of Florida.")

-Administrative orders issued without notice or public hearing created chaos. On Dec. 31, Sarah Jane Bradshaw, state assistant division of elections director, informed county officials, "Today is the deadline for petitioning groups to submit petitions to you." Yet the law set Feb. 1 as the deadline.

Ion Sancho, Leon County's election supervisor, told Fred Grimm of the Miami Herald, "Hometown thought it was playing on one board while the game was secretly moved to another board."

Attempting to shine a light into the shadows, FHD President Lesley Blackner sent public-records requests to all 67 supervisors of elections last month. Only a handful have complied, said Blackner, a Palm Beach attorney. To date, no one at the state can say precisely how many petitions were filed, how many were rejected, or for what reasons.

These are not frivolous concerns. Tallying petitions - like counting votes - lies at the foundation of free government. If officials cannot, or will not, do their jobs according to the law, then democracy in Florida is a fraud.

Alas, Crist is incommunicado, relying on his staff to send out patronizing, boilerplate responses to anxious constituents. One stock reply advised: "You may wish to write to your senator or representative." The buck stops where, Guv?

"We don't know what was submitted to the counties. We have no idea," Sterling Ivey, then a spokesman for the secretary of state, admitted on Feb. 1. Ivey has since moved up to the governor's office, and a former functionary with the Florida Chamber of Commerce - FHD's chief opponent - has taken his place. That's open government, Crist-style.

OFFICE OF THE GOVERNOR PRESS RELEASE

FOR IMMEDIATE RELEASE
MARCH 25, 2008

Governor Crist Celebrates Open, Transparent Government

~ Releases annual report of Plain Language Initiative's progress in effective communication ~

TALLAHASSEE - Governor Charlie Crist today joined news reporters, newspaper editors and other members of the media at the First Amendment Foundation's annual legislative luncheon. He spoke of the importance of Florida's public records laws to the democratic process. Later this evening, he will host a reception at the Governor's Mansion to recognize student winners of the 2008 Sunshine Week Essay Contest.

"Government must continue to honor the people we serve by remembering Abraham Lincoln's charge that our government is 'of the people, by the people, and for the people,'" Governor Crist said. "The people of Florida are our boss, and it is our responsibility to make government accessible and transparent to them."

In one of his first official acts as Governor, Charlie Crist issued Executive Order 07-01 on January 2, 2007, and created the Office of Open Government and the Plain Language Initiative. Both are designed to help Floridians access information about state government and ensure that government's actions are always transparent and accountable to taxpayers.

Governor Crist also announced improvements made in communication strategies by state agencies since the creation of the Plain Language Initiative. The comprehensive 2007 annual report released today outlines both the history of the initiative and the activities of the Executive Office of the Governor and 25 state agencies. The activities are evidence of the state's commitment to ensuring open, transparent government.

"I applaud our employees for their effort and enthusiasm for the Plain Language Initiative and ensuring that the people of Florida have uncomplicated access to the information they need," said Governor Crist. "Our commitment to communicate clearly and concisely is not only a one-year project. Instead, understandable communication is vital to our mission to embrace a culture of high quality customer service within state government."

The Plain Language Initiative annual report includes summaries of each agency's efforts to train employees in using plain language principles and strategies for ensuring effective communication in all correspondence, printed materials and on Web sites. In 2007, more than 21,000 employees throughout the state received training in plain language communication strategies. Approximately 12,500 documents produced by state agencies were reviewed or revised for clarity. Plans were also established to train new or transferred employees within some of the agencies. Others are scheduled to implement such training in the coming year.

In 2008, agencies will continue to train existing employees, review and revise more documents, and spread the culture of plain language through the work force around the state. Smaller agencies will solidify gains and ensure new employees are instructed on the importance of speaking with customers in language anyone can understand.

For more information about the Office of Open Government, please visit www.flgov.com/og_home. The annual report of the Plain Language Initiative can be accessed through the Governor's plain language Web page at http://www.flgov.com/pl_home.

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