

To: San Diego City Council
Re: Item S404 Conduct of Closed Session Meetings
From: League of Women Voters San Diego
Date: March 29, 2004

The LWV runs a two-pronged operation. We devote considerable energy to voter services and voter information. And we advocate for political decisions and practices promoting good government and equitable benefits for the general public.

We're here today as advocates for good government. We join other concerned groups to object to the City Council's growing penchant to conduct important city business behind closed doors. This practice marginalizes the electorate and erodes the checks and balances meant to keep government honest and responsible. Silence isn't golden when it promotes public ignorance and eliminates public input into important city issues.

Fortunately, new voices are being heard from *inside* city hall questioning the paternalistic tendency toward unwarranted secrecy. When Councilmembers Atkins and Frye question the overuse of closed session they know first-hand what they're talking about, and their recommendations for opening up the system should be heeded.

In addition to these changes, the League has a very pertinent recommendation to make regarding objective record keeping of executive sessions.

Up till 2001, the city clerk was responsible for the essential task of recording the minutes of closed session actions. In March of that year, purportedly to stifle leaks of information, the Mayor and City Attorney decided to bar the city clerk from closed session meetings. Record-keeping responsibilities were taken over by the city attorney.

The League has regarded this change as an injudicious attempt to remedy a perceived problem. We regard any system in which an interested party, in this case the City Attorney, is responsible for creating, retaining, and interpreting the actions taken in closed door sessions, inevitably invites abuses of its own. The solution to a malady is not to infect the patient with an additional disease.

Today's hearing on closed session practices would be the right time to reverse the decision made three years ago by restoring the city clerk's role as the unbiased, neutral observer and note-taker in all executive sessions.