

Fourteenth Annual
Weltner Freedom of Information Banquet



honoring
Attorney General Sam Olens

Hosted by the Georgia First Amendment Foundation
September 17, 2015 • Emory Conference Center



AJC AD

Charles L. Weltner Freedom of Information Banquet

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The Agenda

Welcome

by Hyde Post, Past President, Georgia First Amendment Foundation

Introduction of 2015 Open Government Hero Nydia Tisdale

by Shawn McIntosh, President, Georgia First Amendment Foundation

Dinner

Introduction of Special Guests

by Hyde Post

GFAF – Where We’ve Been, Where We’re Headed

by Shawn McIntosh

Introduction of Honoree Attorney General Sam Olens

by Honorable Harris Hines, Georgia Supreme Court

Video Tribute

Dale Russell, WAGA-TV, board member, Georgia First Amendment Foundation

Presentation of 2015 Weltner Freedom of Information Award

by Betsey Weltner, daughter of Charles L. Weltner

Closing Remarks

Hyde Post

Acknowledgements

We sincerely thank our sponsors listed on page four. We would also like to thank Karen Daniel, Lauren Lopez de Azua, Mike Luckovich and Dale Russell.

❧ 2015 Weltner Banquet Committee ❧

Derek Bauer	Tom Clyde	Maryann Mrowca
Tom Budlong	Ken Foscett	Hyde Post
Peter Canfield	Hollie Manheimer	Dale Russell
Carolyn Carlson	Shawn McIntosh	Gerald Weber

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Special thanks to the Marietta Daily Journal Foundation for its very generous support of the 2015 Weltner dinner and the Georgia First Amendment Foundation. GEAF also thanks the Associated Press, Jim Baltzelle of the Associated Press, Carolyn Carlson, the Georgia Bar Foundation, the James M. Cox Foundation, Maryann Mrowca, and Hyde Post.

Caplan Cobb congratulates
Attorney General Sam Olens and
Nydia Tisdale for their courage in
protecting the freedom of speech and
open government.

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**11Alive Salutes Attorney General Sam Olens
and The Georgia First Amendment Foundation**





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keeping our government open and transparent
– as it must be.

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Dinner Menu

*Iceberg Wedge, Bacon, Crumbled Blue
Cheese, Tomatoes, Candied Pecans with
choice of two Dressings*



Entree

*BBQ Rubbed Salmon with Citrus Salsa
served with Smoked Cheddar Mashed
Potatoes*



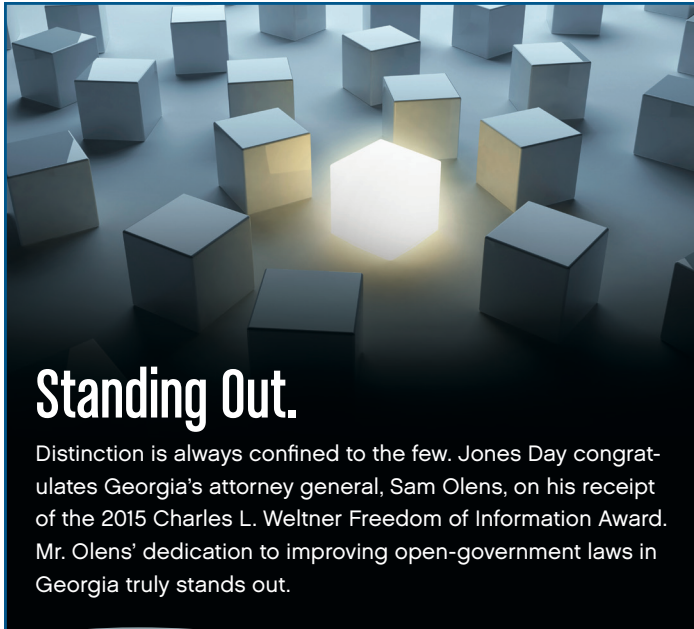
Chocolate Raspberry Cheesecake



**CNN is proud to support the work of
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CNN's World News Center in Atlanta.

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Standing Out.

Distinction is always confined to the few. Jones Day congratulates Georgia's attorney general, Sam Olens, on his receipt of the 2015 Charles L. Weltner Freedom of Information Award. Mr. Olens' dedication to improving open-government laws in Georgia truly stands out.



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Attorney General Sam Olens

Following eight years as chair of an unusually transparent Cobb County Commission, Sam Olens decided to run for attorney general in 2010 on a promise to overhaul Georgia's sunshine laws and particularly beef up the enforcement powers within the law for the attorney general's office.

Not only did he lead the first major revision of the Georgia Open Records Act and the Georgia Open Meetings Act in more than a decade, but he also aggressively enforced the two laws since, even successfully suing the City of Cumming and its mayor for violating the Open Meetings Act.

For his championing of Georgia's open government laws and efforts to advance government transparency, Sam Olens is being honored with the 14th annual Charles L. Weltner Freedom of Information Award. The



Attorney General Sam Olens and Nydia Tisdale.

award is named for the distinguished former chief justice of the Georgia Supreme Court and Fifth District Congressman Charles L. Weltner, who fought for transparency and ethics in government. The award is sponsored by the Georgia First Amendment Foundation.

After his initial election in 2010, Olens followed through with his campaign commitment. He worked with multiple stakeholders, such as media companies, local government officials and representatives of the Georgia First Amendment Foundation to develop the new sunshine laws. They included substantial enhancements, including a strong preamble declaring the Legislature's support for transparency, a much improved section on computer records and data, and the stronger enforcement provisions and penalties for violators.

The Cumming case stemmed from a 2012 City Council meeting that citizen journalist Nydia Tisdale attended in which she tried to videotape the proceedings. Mayor H. Ford Gravitt ordered her to stop recording, even though the Open Meetings Act specifically says that video recordings are allowed. Olens won the case, with Judge Robert Adamson ordering the defendants to pay \$12,000 in penalties, the highest amount possible under the law, plus attorney fees. The case is still under appeal.

At the time of the Adamson ruling, Olens said: "This ruling is a major victory for government transparency. Georgians deserve a government that operates openly and honestly. The essence of our democracy is that elected officials are held accountable to the citizens and that citizens are allowed to exercise their rights granted by the First Amendment.

"My office takes very seriously our responsibility to enforce the Open Meetings and Open Records Acts," Olens added. "The actions by the mayor in this circumstance were egregious, and it is essential that he be held responsible for his actions."

Olens' office has pursued a number of complaints and violations by state and local governments in the years since the law was updated.

The city of Milledgeville recently paid a \$2,500 fine as part of a settlement of a case pursued by the Attorney General's Office after the City Council met in closed session to discuss business that did not fall under an exemption to the Open Meetings Act.

In another case, the city of Fort Oglethorpe had refused to honor an open records request for settlement agreement documents in a lawsuit filed by some former city employees. After the attorney general's office filed a complaint, the city released the documents.

Olens was elected to a second term of office in 2014. As attorney general he is currently chair of the Southern Region of the National Association of Attorneys General. In addition to co-chairing the federalism/preemption committee, he serves on the organization's committees on energy and the environment, substance abuse, human trafficking, law enforcement and prosecutorial relations, Internet safety/cyber privacy and security.

In addition to his work on the sunshine laws, Olens has worked with lawmakers to strengthen penalties against sex trafficking, and to protect Georgia's rights and natural resources.

Olens was chair of the Cobb County Board of Commissioners from August 2002 through March 2010. He graduated from Emory University School of Law in 1983. He is a registered mediator/arbitrator with the Georgia Office of Dispute Resolution.

He and his wife Lisa have two children, Lauren and Jonathan. 🏠



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2015 Open Government Hero Nydia Tisdale

Blogger and citizen journalist Nydia Tisdale is the recipient of the 2015 Open Government Hero Award from the Georgia First Amendment Foundation.

Tisdale has become well known for filming government meetings and candidate forums with a Sony video camera that was a gift from her husband. She calls the videos “Nydeos” and posts them on her blog, AboutForsyth.com. Mostly she focuses her attention on Northern Georgia, although sometimes she’ll venture into other Georgia communities.

She first became a government watchdog when she started attending zoning meetings on behalf of her employer, a land investor, who owned property near a proposed landfill in Forsyth County. She became concerned over the landfill and joined an active group opposing it, and fought to have the permit denied.

Since then she’s filed a number of complaints as she reported on government activities. She’s protested meetings held without proper notice to the public and raised concerns about improper candidate financial disclosures. She filed a lawsuit against the city of Cumming, which she lost on a technicality at the Georgia Court of Appeals, for what she thought was an illegal land deal.

But she is probably best known for a situation that arose in 2012 when she was videotaping a Cumming City Council meeting. After striking the gavel and commencing the meeting, Major H. Ford Gravitt announced: “We don’t allow filming inside City Hall here.” He ordered the police chief to escort her out. She objected, pointing out that the Open Records Act allowed her to video record the meeting.

Tisdale filed a complaint with the attorney general’s office, and Sam Olens brought a suit against the city that he eventually won. The case is still on appeal. Meanwhile, Tisdale also filed a federal lawsuit against the city. The city eventually settled the case for \$200,000.

“My lawsuit sent a message that government has to be accountable to the citizens,” she said.

In a separate incident of civic engagement, she attended a public GOP political rally in Dawsonville in 2014. Shortly after some speaker’s negative comments about Michelle Nunn, organizers wondered aloud why Nydia was videotaping. Then she was told by an unidentified, off-duty sheriff’s deputy to stop recording the event. She protested that the rally had been advertised to the public and the property owner had given her permission to record it. But Capt. Tony Martin forcibly removed her from her seat in the front row of the rally, frogmarched her into a barn and arrested her.

She was arrested on a felony charge of obstructing an officer and criminal trespassing, charges that are still pending.

During the 2014 rally, which featured many of GOP political candidates, Attorney General Sam Olens publicly objected to the treatment of Tisdale.

“Let me be possibly politically incorrect here a second,” Olens told the crowd. “If we stand for anything as a party, what are we afraid of with the lady having a camera, filming us? What are we saying here that shouldn’t be on film? What message are we sending? That because it’s private property, they shouldn’t be filming? What is the harm?”

“Who’s the winner in the long run? Not a good move,” the attorney general finished.

Tisdale recently gave notice that she intends to sue to Dawson County Sheriff’s Office, several officers and various other people associated with the event. She is seeking dismissal of the charges against her, as well as a declaration that her constitutional rights had been violated. 🏠

The Weltner award, presented to Attorney General Sam Olens tonight, was established by the Georgia First Amendment Foundation and is named for distinguished former chief justice of the Georgia Supreme Court, member of Congress from Atlanta's Fifth District, lawyer, and Superior Court Judge Charles Weltner. He fought for transparency and ethics in government.

"Our court has breathed life into some old words that have been dormant within our Constitution for most of their century-old existence," Weltner wrote in his last court opinion in 1992 before dying of cancer. "The words are: 'Public officers are the trustees and servants of the people and are at all times amenable to them.'"

The Georgia First Amendment Foundation was incorporated in 1994. Its executive director since 1996 is Hollie Manheimer. Its board of directors is made up of Georgia leaders in the Associated Press, broadcast, public interest law, libraries, journalism, education, media law, and newspapers. Shawn McIntosh is president of GFAF.

Georgia First Amendment Foundation is located at 150 E. Ponce de Leon Avenue, Suite 230, Decatur, Georgia 30030, 404-525-3646, www.gfaf.org, info@gfaf.org

Please *follow* GFAF on **Twitter** (twitter.com/GA1stAmendFound) and *like* us on **Facebook**. These new features will allow all of us to more quickly communicate the latest news and connect with more people about the state of open government in Georgia.

The Georgia First Amendment Foundation is a nonprofit 501(c)(3) organization that works to educate lawyers, public officials and the public on Georgia's Open Records and Meetings laws. Contributions to GFAF are tax deductible and encouraged. In many cases, we are able to secure matching funds, so please help us make your dollars go further. You can conveniently contribute online at our website at gfaf.org

We congratulate

Attorney General Sam Olens on his receipt of the Charles L. Weltner Freedom of Information Award and Nydia Tisdale on her receipt of the Open Government Hero Award.



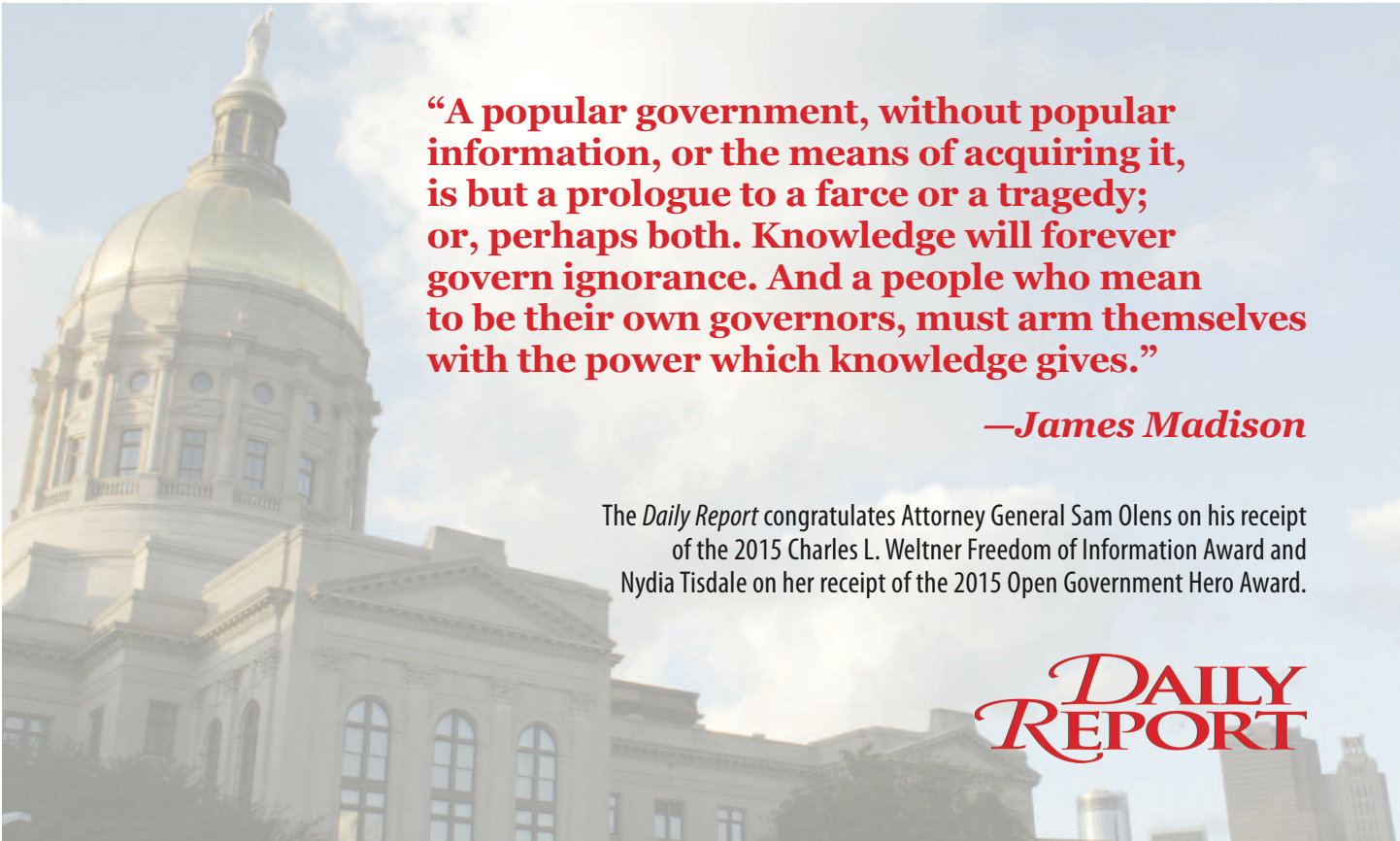
For his outstanding commitment to government service and transparency, Troutman Sanders salutes Attorney General Sam Olens, 2015 Weltner Freedom of Information Award Honoree.



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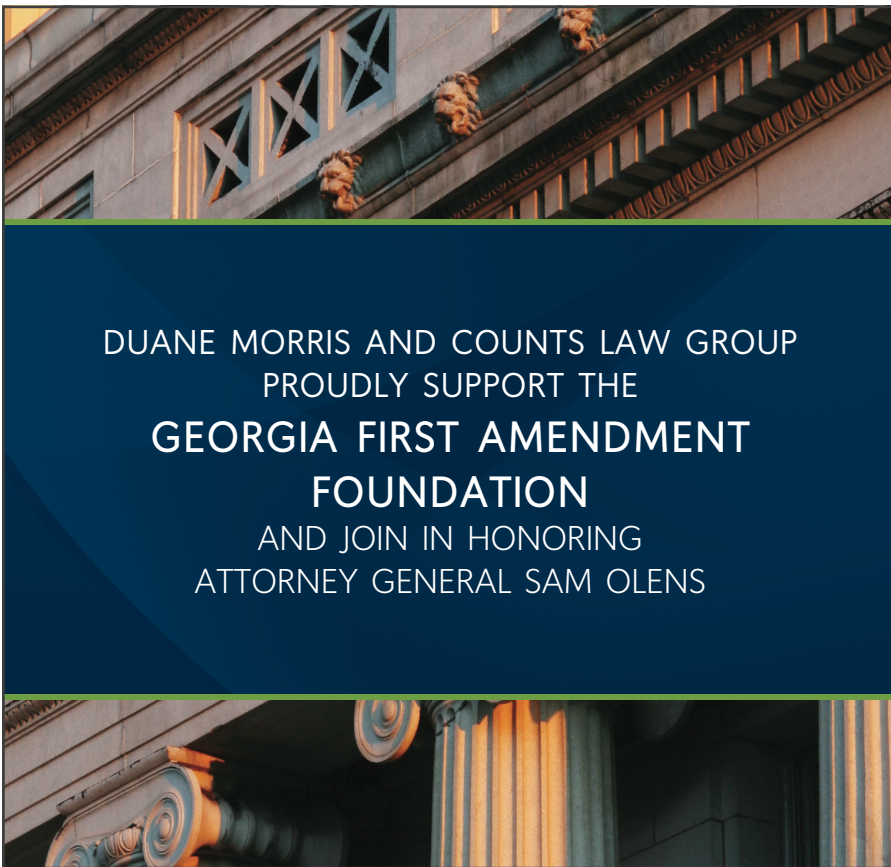


“A popular government, without popular information, or the means of acquiring it, is but a prologue to a farce or a tragedy; or, perhaps both. Knowledge will forever govern ignorance. And a people who mean to be their own governors, must arm themselves with the power which knowledge gives.”

—James Madison

The *Daily Report* congratulates Attorney General Sam Oles on his receipt of the 2015 Charles L. Weltner Freedom of Information Award and Nydia Tisdale on her receipt of the 2015 Open Government Hero Award.

**DAILY
REPORT**



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Today, Kilpatrick Townsend is proud to join the Georgia First Amendment Foundation in saluting **Georgia Attorney General Sam Olens**, this year's Charles L. Weltner Freedom of Information Award winner, and we applaud the Foundation's efforts to guarantee open government and freedom of information to all our citizens.

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