

**Mississippi Center for Justice and Mississippi Free Press
Will Appeal Ethics Commission Decision and Call on Legislature to
Amend Open Meetings Act to Clearly Include Itself Within the Act's Requirements**

*Ethics Commission Wrongly Concludes
that the Legislature is Exempt From the Open Meetings Act*

The Mississippi Center for Justice (MCJ) and the Mississippi Free Press (MFP) announced they are appealing today's decision by the Mississippi Ethics Commission concluding, by a 5-3 vote, that the legislature is not covered by the Open Meetings Act and that the House Republican Caucus can hold its meetings in secret even when it is discussing and deciding public business.

The decision came in a case in which MCJ represented MFP before the Ethics Commission and argued that the Open Meetings Act required the House Republican Caucus to open its meetings when they included a majority (a "quorum") of House members. In its ruling, the Ethics Commission said that while the Open Meetings Act covers most committees of the legislature, the legislature itself is not covered and therefore the House Republican Caucus is not covered even when its meetings include a quorum. The Commission pointed out that under the Mississippi Constitution, the House and the Senate must generally keep their doors open while in session.

"While we will appeal this decision, we also call on the legislature to amend the Act so it is clear that it is subject to all of the transparency required of all other public bodies in Mississippi," said Donna Ladd, editor and CEO at the Mississippi Free Press, a statewide nonprofit newsroom. "The public and the press have a right to know, and there is no reason the legislature should be held to a lesser standard than every city council and board of supervisors throughout the state. Any notion that a Legislature full of elected officials is not a public body is a strike against public transparency."

"Although the Constitution requires the legislature to keep its doors open when in session, the Open Meetings Act is even more comprehensive and would require that other meetings of legislators, like the Republican Caucus, be open to the public when they constitute a quorum and are discussing public business," said Rob McDuff, the MCJ lawyer who represented the MFP in this case. "We are appealing because we believe the Ethics Commission got it wrong, but the legislature could easily fix this by requiring itself to live up to the standards it requires of other public bodies."

The House Republicans' secret deliberations stand in stark contrast to the actions of the Mississippi Senate Republican Caucus, which has declined to close its meetings to the public.

"We are pleased to represent the Mississippi Free Press and stand with those who understand that we need more transparency in government, not more secrecy. The future of Mississippi should not be decided behind closed doors," said Vangela M. Wade, President and CEO of MCJ.

MCJ's appeal for the MFP will be filed in Hinds County Chancery Court.

Of the 122 members of the Mississippi House, 77 are Republican. When they gather in caucus meetings, their number far exceeds the majority of House members necessary to form a quorum. This triggers the requirement of the Open Meetings Act that any discussion of public business by the quorum of a legislative body be open to the public.

The Mississippi Center for Justice is dedicated to dismantling the state's culture of inequity and injustice. Supported and staffed by attorneys and other professionals, the Center pursues strategies to combat discrimination and poverty statewide.

The Mississippi Free Press is a statewide nonprofit newsroom practicing accountability and solutions journalism across Mississippi