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**IN THE APPELLATE COURT OF MARYLAND**

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No. ACM-REG-2271-2023

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**U.S. RIGHT TO KNOW,**  
*Appellant,*

v.

**UNIVERSITY OF MARYLAND, COLLEGE PARK,**  
*Appellee.*

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On Appeal from the Circuit Court for Prince George's County,  
No. CAL22-16942, Hon. Krystal Q. Alves

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**BRIEF OF AMICI CURIAE THE REPORTERS COMMITTEE FOR  
FREEDOM OF THE PRESS, THE ASSOCIATED PRESS,  
THE BALTIMORE SUN, SINCLAIR BROADCAST GROUP, INC.,  
THE E.W. SCRIPPS CO., AND NATIONAL FREEDOM OF  
INFORMATION COALITION**

**FILED PURSUANT TO COURT ORDER**

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April 21, 2025

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## STATEMENT OF INTEREST OF AMICI CURIAE

Amici are the Reporters Committee for Freedom of the Press (“Reporters Committee”), and news and media organizations with an interest in the rights to access records and gather news in the State of Maryland: The Associated Press, *The Baltimore Sun*, The E.W. Scripps Co. (WMAR-TV), National Freedom of Information Coalition, and Sinclair Broadcast Group, Inc. (together, “amici”). The Reporters Committee is an unincorporated nonprofit association founded by leading journalists and media lawyers to protect the First Amendment rights of journalists. It regularly files as amicus curiae in matters pending in Maryland courts. *See, e.g.*, Br. for Reps. Comm. & 15 Media Orgs. as Amici Curiae, *Balt. Police Dep’t v. Open Justice Balt.*, No. 20 (Md. Ct. of Appeals filed Dec. 2, 2022). Statements of interest for all amici appear in Appendix A.

Public records laws like the Maryland Public Information Act, Maryland Code, General Provisions Article (“GP”), §§ 4-101 *et seq.* (“MPIA”), are frequently relied on by members of the news media to gather information so they may inform the public about how the government is conducting the people’s business. Amici have a strong interest in ensuring that the fee waiver provisions of the MPIA are interpreted and applied in a manner that facilitates public access to government information, and that fee waiver applications for records requests made in the public interest are protected from arbitrary and capricious denials.

## INTRODUCTION

Public access to government records is essential to democracy; it prevents the government from operating in secret and allows the public to oversee the actions of agencies and officials. As this Court, quoting Maryland’s then-Attorney General, observed, “‘a government of the people, by the people and for the people must be open to the people.’” *Action Comm. for Transit v. Town of Chevy Chase*, 229 Md. App. 540, 555, 143 A.3d 640, 648 (Md. Ct. Spec. App. 2016) (emphasis in original) (quoting Office of the Attorney General, Maryland Public Information Act Manual, Preface of Attorney General Brian E. Frosh (14th ed., October 2015)). To effectuate this principle, the Maryland General Assembly enacted the Maryland Public Information Act (“MPIA”), GP § 4-103, which “establishes a public policy and a general presumption in favor of disclosure of government or public documents.” *Kirwan v. Diamondback*, 352 Md. 74, 80, 721 A.2d 196, 199 (1998). The “right” of access afforded under the MPIA was thus correctly described as “a cornerstone of democratic government.” *Action Comm. for Transit*, 229 Md. App. at 555.

In addition to the requirement that an agency must “construe[] [the MPIA] in favor of allowing inspection of a public record,” it must do so “with the least cost and least delay to the” requester. GP § 4-103(b). Accordingly, the MPIA authorizes records custodians to waive any fees associated with fulfilling a public records



request when, in view of “the ability of the applicant to pay the fee and other relevant factors,” a “waiver would be in the public interest.” GP § 4-206(e)(2)(ii) (the “Fee Waiver Provision”).

This case arises from a request submitted to the University of Maryland, College Park (“UMD”) by Appellant non-profit organization U.S. Right to Know (“Appellant”), which researches and publishes on public health topics, including how industry interest groups influence scientific research. The request at issue sought certain communications to or from a University of Maryland entomology professor who has been prominent in research and public policy. Appellee’s Br. at 7. UMD did not deny Appellant’s request, but it estimated that the total cost of responding to it would be nearly \$100,000. *Id.* Appellant sought a fee waiver, arguing that the estimated fee was prohibitively expensive for a nonprofit and that the information sought is in the public interest. *Id.* at 7–8. The University denied Appellant’s request, claiming that granting a fee waiver would not serve the public interest because the University reviewed a portion of responsive documents, and it did not believe that the documents supported the requester’s “theory that [the professor’s] research about honeybees may be compromised by influence from the pesticide industry.” Appellee’s Br. at 1–2.

In response to this Court’s Order on supplemental briefing, amici write in support of Appellant and to provide the Court with information on the widespread

impact arbitrary and capricious fee waiver denials—like UMD’s here—have on the press and public. Access to public records allows for reporting about local and state government activity, which informs the public and can be a catalyst for public debate and reform. Public university records are no exception. Reporting based on university records can help shed light on the work and research of state university systems, which are often one of the largest employers in the state and a huge driver of research and scholarship that can in turn, shape public policy. University records squarely fall under the MPIA, and fee waivers should be granted when the stated criteria are met.

UMD’s arguments, if accepted, would threaten the ability of the press and public to pursue access to public records in Maryland and to inform Marylanders about matters of significant public concern. Such a result would run counter to the General Assembly’s intent in enacting the MPIA. Therefore, for the reasons herein, amici respectfully urge the Court to reverse the order of the Circuit Court and hold that UMD’s denial of the fee waiver request was arbitrary and capricious.

## **ARGUMENT**

### **I. The MPIA ensures access to government records, including university records, for the benefit of the public.**

The MPIA is “based on the enduring principle that public knowledge of government activities is critical to the functioning of a democratic society.” *Action Comm. for Transit*, 229 Md. App. at 555. Journalists covering Maryland routinely

rely on the access to government records afforded by that statute to report out stories that the public might not know or fully understand without the information and data contained in public records. See, e.g., Jessica Calefati, *Maryland Recorded an Alarming Rise in Child Deaths from Abuse and Neglect. No One Noticed*, Balt. Banner (Feb. 3, 2025), <https://www.thebaltimorebanner.com/politics-power/state-government/maryland-child-abuse-deaths-PGXZT2RWEFHTLKUC7D3T3CED3Y> (reporting on child abuse trends derived from information obtained via public records requests); Katie Mettler, *How A ‘Climate of Chaos’ Went Unchecked at Maryland’s Max-Security Psych Hospital*, Wash. Post (Oct. 15, 2024), <https://www.washingtonpost.com/dc-md-va/2024/10/15/perkins-maryland-mental-hospital/> (reporting on dangerous conditions at a state-run hospital based on public records); Brooke Conrad and Tricia Bishop, *Vendor Paid Millions by Baltimore Schools has History of Overcharging, Underperforming*, Balt. Sun (Mar. 24, 2025), <https://www.baltimoresun.com/2025/03/24/concentric-baltimore-schools-history-overcharging-underperforming/> (reporting on a contractor’s alleged overcharging for services provided to Baltimore schools).

In Maryland as elsewhere, there is widespread interest in the operations of public universities, including the work conducted and activities that take place there. The University System of Maryland, which operates twelve institutions across the state, is the subject of a significant amount of reporting by Maryland journalists. In

fact, coverage of the University System and other state colleges is so important to the public that some news organizations have reporters assigned specifically to report on higher education. See e.g. Ellie Wolfe, Balt. Banner, <https://www.thebaltimorebanner.com/author/ellie-wolfe> (last visited Feb. 18, 2025); Dan Rosenzweig-Ziff, Wash. Post, <https://www.washingtonpost.com/people/dan-rosenzweig-ziff/> (last visited Feb. 18, 2025).

The news coverage of universities is as diverse as one might expect about institutions with multiple critical missions, funded by taxpayer dollars, and defined by a range of faculty, administration, and student voices. College campuses have long been the place for controversial policy debates and activism, as well as the literal home for thousands of students who live in campus housing. See e.g. Ellie Silverman, *Judge Sides with U-Md. Pro-Palestinian Group, Clears Way for Oct. 7 Vigil*, Wash. Post (Oct. 1, 2024), <https://www.washingtonpost.com/education/2024/10/01/university-maryland-vigil-ruling/> (reporting on lawsuit brought by Students for Justice in Palestine against UMD); Brianna Scott et. al., *Student Protesters Reflect on the Legacy of Campus Activism During the Vietnam War*; NPR (Apr. 29, 2024), <https://www.npr.org/2024/04/29/1247770751/student-protesters-reflect-on-the-legacy-of-campus-activism-during-the-vietnam-w> (reporting on historic college activism and media coverage thereof); Jenn Abelso, *A Dangerous Delay*, Wash. Post (May 16, 2019), <https://www.washingtonpost.com/news/na>

[tional/wp/2019/05/16/feature/university-of-maryland-mold-adenovirus/](#) (explaining how UMD failed to timely respond to mold outbreaks in university dorms, causing illness in students).

Additionally, the state and federal funding universities receive is both a reason the public feels obligated to remain informed and a subject of stories itself. The University of Maryland system has a \$3.32 billion budget for 2026, even after an over \$100 million budget cut. Ellie Wolfe, *University System of Maryland Faces \$111 Million Cut in Gov. Moore's Budget*, Balt. Banner (Jan 16, 2025), <https://www.thebaltimorebanner.com/education/higher-education/maryland-college-budget-cuts-5PWJ2TSRTNAKLBTE5IZFDN5L6Q/>. It is a major employer and economic driver in the state. See Univ. Sys. of Md., LinkedIn, <https://www.linkedin.com/company/university-system-of-maryland/> (last visited Apr. 18, 2025) (“[USM] employs more than 40,000 faculty and staff across all [12] USM institutions” and 3 regional education centers.); *University System of Maryland: Maryland's Most Powerful Economic Engine*, Univ. Sys. of Md., <https://www.usmd.edu/USMjobs> (last visited Apr. 18, 2025) (“With approximately 176,000 students and 42,000 graduates each year, USM is the most significant producer of talented workers and educated citizens in Maryland. USM institutions, faculty, students and graduates attract billions of federal and privately funded research dollars to the state that support thousands of jobs.”); Dwight A. Weingarten,

*Year in Review: Who were 2022's Biggest Employers Across Maryland*, Herald-Mail (Jan. 4, 2023), <https://www.heraldmillmedia.com/story/news/state/2023/01/04/the-10-biggest-employers-in-maryland-for-2022/69741502007/> (ranking University system as state's second largest employer other than k-12 public schools and local government). As with any public institution that must remain accountable, universities and the people who work there receive both criticism and praise for how they spend the state and federal dollars they receive and which projects they choose to fund. See Natalie Weger, *UMD Community Urges University to Reconsider Ties with Maryland Prison Labor System*, Diamondback (Apr. 2, 2024), <https://dbknews.com/2024/04/02/umd-prison-labor-ties/> (covering campus protests over UMD spending \$8.6 million on products produced with prison labor).

Potential conflicts of interest by government employees are commonly the subject of news coverage. See, e.g., Stephen Neukam, *Maryland Gubernatorial Candidate's Financial Connections Pose Conflict Problems*, Capital News Servs. (Apr. 29, 2022), <https://cnsmaryland.org/2022/04/29/maryland-gubernatorial-candidates-financial-connections-pose-conflict-problems/> (reporting the gubernatorial candidate Wes Moore's financial connections to the cannabis industry). Where university researchers, particularly those at influential, public institutions, obtain their funding is undoubtedly a topic of legitimate public concern and sometimes raises the question whether a funding source may have influenced

the research itself. See e.g., Nicholas Florko, *NYU Professors Who Defended Vaping Didn't Disclose Ties to Juul, Documents Show*, STAT (May 6, 2024), <https://www.statnews.com/2024/05/06/juul-vaping-advocates-nyu-professors-non-disclosed-conflict-interest/>. ProPublica and the Chronicle of Higher Education, for example, jointly investigated how universities fail to disclose conflicts of interest between their researchers and outside groups with interests in their research and the potential harm that can arise when these disclosures are not made public. Annie Waldman and David Armstrong, *Many Public Universities Refuse to Reveal Professors' Conflicts of Interest*, Chron. of Higher Educ. (Dec. 6, 2019), <https://www.chronicle.com/article/many-public-universities-refuse-to-reveal-professors-conflicts-of-interest/> (reporting on an 18-year-old who died following a gene-therapy clinical trial in which one of the main investigators held shares in the company owning the right to the therapy). ProPublica maintains a database of select universities and interested members of the public may use it to search for professors and learn their potential conflicts of interest and the sources of their additional funding. Sisi Wei et al., *Dollars for Profs*, ProPublica (Dec. 6, 2019), <https://projects.propublica.org/dollars-for-profs>. The database has a page dedicated to University of Maryland employees at the Baltimore campus. *Id.*, Univ. of Md. Balt., <https://projects.propublica.org/dollars-for-profs/disclosures/university-of->

[maryland-baltimore-arif-hussain-nih-1141](#) (reporting on professors in several departments with potential conflicts of interest).

This kind of reporting, while sometimes uncomfortable for the people and companies referenced, is the kind of journalism that the MPIA was intended to ensure. University professors funded with public dollars frequently influence public policy, both at the state and national level. Indeed, the professor whose communications are at issue in this case often consults with Maryland government officials on policy matters involving the use of pesticides and their effects on bee populations. *See* Appellee Br. at 5–6. Nor is this unusual: Professors at public universities often testify in front of state legislatures and Congress, serve on quasi-public advisory boards, present on panels in their capacity as state employees, lobby state and federal agencies, and give media interviews about the subjects they study. *See, e.g.,* Elizabeth Shwe, *Nominees to Education Reform Oversight Panel Named*, Md. Matters (Sept. 1, 2021), <https://marylandmatters.org/2021/09/01/nominees-to-education-reform-oversight-panel-named/> (nominating interim dean of UMD’s College of Education to Maryland’s accountability board for education reforms); Megan Clarke, *Maryland Medical Panel Shares Concerns Ahead of July 1 Recreational Marijuana Legalization*, ABC 7 (June 27, 2023), <https://wjla.com/news/local/maryland-marijuana-weed-legal-legalization-rules-july-1-general-assembly-regulation-cannibas-shop-medical-panel-university->



[professor-doctors-research-health-development](#) (reporting on UMD doctors warning that more research should be done related to marijuana legalization); Liz Bowie and Greg Morton, *Transit Nightmare: Thousands of Baltimore Kids Can't Get to School on Time*, Balt. Banner (Feb. 18, 2025), <https://www.thebaltimorebanner.com/education/k-12-schools/baltimore-city-school-buses-HF3HHWC67ZF7BCRJ66WMB3VWDI/> (featuring interviews with professors from several public universities).

The public has a right to know what is happening at major government institutions, including universities, and what, if any, outside sources of funding may be impacting university research and thereby influencing debate on important public policy issues. It is the right and the job of journalists to obtain that information, and the MPIA protects that right.

## **II. MPIA's Fee Waiver Provision is essential to the statute.**

The MPIA's Fee Waiver Provision is an essential component of the statutory scheme, in which the presumption "in favor of disclosure of public records is unmistakable." *Mayor & City Council of Baltimore v. Burke*, 67 Md. App. 147, 153, 506 A.2d 683, 686 (Md. Ct. Spec. App. 1986). Under the MPIA, an agency may grant a fee waiver when, "after consideration of the ability of the applicant to pay the fee and other relevant factors, the official custodian determines that the waiver would be in the public interest." GP § 4-206(e)(2)(ii). A fee waiver under the MPIA

is to be “liberally construed in favor of the media or other requesters who will provide broad public dissemination of the information sought.” *Burke*, 67 Md. App. at 156.

The statute does not define “public interest,” but this Court has taken note of examples offered by the Office of the Attorney General such as, “‘a public controversy about official actions,’ or on ‘an agency’s performance of its public duties.’” *See Action Comm. For Transit, Inc.*, 229 Md. App. at 557 (quoting 81 Op. Att’y Gen. 154, 157–58 (1996)).

And although an agency has discretion to deny a fee-waiver request, it cannot do so arbitrarily and capriciously. *Id.* at 559. Yet that is what UMD did here when it determined what it believed to be Appellant’s thesis, decided for itself based on a review of a portion of responsive documents that the records did not prove that assumed thesis, and then concluded that the content of Appellant’s publications would not be in the public interest. Appellee’s Br. at 6. But this Court has rejected similar efforts to deny fee waivers based on disagreement with content, such as in *Action Comm. for Transit, Inc.*, where this Court explained:

[A] significant factor, if not the primary factor, in the Town’s decision to deny ACT’s request for a waiver was that the organization had previously criticized the Town officials for their opposition to the Purple Line. ... [But] the First Amendment’s guarantee of free expression of speech protects persons from the imposition of financial burdens based upon the content of their speech.

229 Md. App. at 563–64 (citing *Rosenberger v. Rector and Visitors of Univ. of Va.*, 515 U.S. 819, 828 (1995) (“[T]he government offends the First Amendment when it imposes financial burdens on certain speakers based on the content of their expression.”)). In that case, this Court held that a fee waiver denial “decision based upon such unconstitutional considerations is clearly arbitrary and capricious.” *Id.* at 564. There can be no doubt, based upon Appellee’s own arguments, Appellee’s Br. at 6, that the Circuit Court’s decision here similarly fails the standard.

Reducing or eliminating financial barriers to obtain public records has never been more necessary for those who disseminate information to the public. Few news outlets can afford to pay tens of thousands of dollars in fees to obtain access to public records for newsgathering purposes—or to pursue legal action to challenge arbitrary and capricious fee-waiver denials—and the financial ability of news organizations to bear such costs has diminished significantly in the past decade. See Clara Hendrickson, *Local Journalism in Crisis: Why America Must Revive Its Local Newsrooms*, Brookings Inst. (2019), <https://perma.cc/8AV8-6W25>. Between 2008 and 2018, newspaper advertising revenue dropped 68 percent. *Id.* at 2. As a result, 2.5 papers closed each week in 2023, with over 43,000 newspaper journalists losing their jobs. David Bauder, *Decline in Local News Outlets is Accelerating Despite Efforts to Help*, Associated Press (Nov. 16, 2023), <https://apnews.com/article/local-newspapers-closing-jobs-3ad83659a6ee070ae3f39144dd840c1b>. And, between

2004 and 2024, more than 3,000 weekly and nondaily news outlets shut down completely. *State of Local News Outlook*, Local News Initiative, <https://localnewsinitiative.northwestern.edu/projects/state-of-local-news/exploration/#/localnewslandscape> (last visited Mar. 25, 2025). The 165-year-old Montgomery Sentinel, a local weekly newspaper serving the one million residents of Montgomery County, Maryland, is but one example of a news outlet that was forced to close in 2020 due to declining revenue. Penelope Muse Abernathy, *News Deserts and Ghost Newspapers: Will Local News Survive?*, Ctr. for Innovation & Sustainability in Local Media, at 9, 16–17 (2020), <https://perma.cc/4PSK-3QUY>.

As many newsrooms face substantial budget shortfalls, the prospect of paying unpredictable and—for smaller, local news organizations, in particular—potentially unattainable fees to obtain access to public records hinders their ability to report on matters of vital public concern. Reducing or eliminating financial barriers to obtaining access to public records that are being sought to inform the public serves the policy goals underlying the MPIA, and is essential if the press is to be able to carry out its role as a “surrogate[] for the public” by obtaining and disseminating information necessary for public oversight of government activities. *Richmond Newspapers, Inc. v. Virginia*, 448 U.S. 555, 573 (1980); *see also Saxbe v. Wash. Post Co.*, 417 U.S. 843, 863 (1974) (Powell, J., dissenting) (“[The press] is the means

by which the people receive that free flow of information and ideas essential to intelligent self-government.”).

Unfortunately, at a time when newsrooms are facing increasing financial hardships, states have been imposing higher fees for public records. *See, e.g.,* Melody Simmons, *Maryland’s New Fee to Access Public Land Records Sparks Backlash*, Balt. Bus. J. (Mar. 27, 2025), <https://www.bizjournals.com/baltimore/news/2025/03/27/maryland-archives-fee-deed-search-land-records.html>; Laura A. Bischoff, *DeWine Signs Bill Allowing Fee Increases for Public Video Records, Including from Police*, Columbus Dispatch (Jan. 2, 2025), <https://www.dispatch.com/story/news/state/2025/01/02/dewine-signs-bill-allowing-police-to-charge-more-for-public-records/77238965007/>; Annmarie Timmins, *Sununu Signs Bill to Allow Fees for Public Records – With Exceptions*, N.H. Bulletin (June 17, 2024), <https://newhampshirebulletin.com/briefs/sununu-signs-bill-to-allow-fees-for-public-records-with-exceptions/>. A survey by MuckRock found that the median fee for public records in Maryland in 2023 was \$100 per request. Albert Serna Jr., *MuckRock Survey of FOIA Fees Points to Uneven Picture Across the U.S.: From \$2 in Washington State to \$431 Per Request in Idaho*, MuckRock (Dec. 20, 2023), <https://www.muckrock.com/news/archives/2023/dec/20/muckrock-survey-of-foia-fees-points-to-uneven-picture-across-the-us/>. Not only is a single fee of \$100,000 seemingly impossible for any member of the news media to pay, repeated fee

charges of \$100 can add up and quickly become a challenge for all newsrooms, no matter their size, making protection of the fee waiver for public interest reporting vital.

**III. Protecting the Fee Waiver Provision is in the public interest and not contrary to any legitimate privacy interests, which are already protected within the MPIA.**

Appellee conjures a parade of horrors should it be required to comply with the law, but the MPIA was written to strike a balance between the competing interests in government transparency and accountability on the one hand and personal privacy on the other, and thus already protects certain categories of information from disclosure. Specifically, the statute has safeguards in place to ensure that certain personal information of university professors does not get released. For example, a public employee's "home address, personal telephone number, or personal e-mail address" are protected from disclosure. GP § 4-331. Similarly, certain personnel records such as "application[s], performance rating[s], or scholastic achievement information" are exempt under the MPIA. GP § 4-311(a). The purpose of the personnel records exemption is to "preserve the privacy of personal information about a public employee that is accumulated during their employment." *Balt. Action Legal Team v. Off. of State's Att'y of Balt. City*, 253 Md. App. 360, 265 A.3d 1187, 1199 (Md. Ct. Spec. App. 2021) (internal brackets omitted). These provisions are construed narrowly as the public policy of the MPIA

creates “a general presumption in favor of disclosure of government or public documents.” *Lamson v. Montgomery County*, 460 Md. 349, 360, 190 A.3d 316, 323 (Md. Ct. App. 2018).

Information about where professors obtain additional sources of funding does not fall within these recognized privacy concerns. Revealing which companies, organizations, or other entities fund a professor’s research does not constitute an invasion of privacy for the professor nor does it inhibit their academic freedom. *See Ohio ex rel. Thomas v. Ohio State Univ.*, 643 N.E.2d 126 (Ohio 1994) (finding that the release of names and work addresses does not harm privacy or academic freedom of animal research scientists at The Ohio State University). While public university professors may be permitted to accept funding from outside sources, they do not have the right to completely shield their communications from the reach of the MPIA or insulate themselves from criticism that their research has the potential to be biased based on the funding sources, where a valid exemption does not otherwise apply. And as explained above, information of this kind will help the public assess the independence and outcome of research. Reporting on these issues can also help lawmakers understand whether a professor who seeks to guide public policy may be unduly influenced by outside interests. *See e.g., Renae Merle, How A Payday Lending Industry Insider Titled Academic Research in its Favor*, Wash. Post (Feb. 25, 2019), <https://www.washingtonpost.com/business/2019/02/25/how-payday->

[lending-industry-insider-tilted-academic-research-its-favor/](#); *Violations of Academic Freedom, Faculty Governance, and Academic Integrity: An Analysis of the Charles Koch Foundation*, UnKoch My Campus (June 2016, republished Dec. 2018), <https://static1.squarespace.com/static/5400da69e4b0cb1fd47c9077/t/5c0f636b758d46ceef9bb12a/1544512365745/Academic+Violations.pdf> (highlighting instances in which the Koch Foundation funds academic institutions and research).

Additionally, any concerns that professors may be “doxed” will not be resolved through the imposition of high fees on nonprofit organizations seeking to inform the public about the work of a university professor. Professors and the institutions that employ them often publicize some information about themselves and ways they may be contacted by members of the public. For example, the staff profile page of the professor whose records are sought here provides his university email address, office phone number, and office location. With respect to a professor’s personal information, such as personal email address and home address and phone number, the MPIA itself provides protection to such private information. *See* GP § 4-311; § 4-331. This kind of private information is typically redacted from the records when produced, regardless of whether a fee waiver is granted. Therefore, any concern of potential doxing of a university professor is not a legitimate concern nor a legitimate basis to impose high fees on records requesters.



## CONCLUSION

For the foregoing reasons, amici respectfully urge the Court to reverse the holding of the Circuit Court for Prince George's County that UMD's denial of U.S. Right to Know's fee-waiver requests was not arbitrary and capricious.

Dated: April 21, 2025

Respectfully submitted,

/s/ Lisa Zyberman

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## APPENDIX A STATEMENTS OF INTEREST OF AMICI CURIAE

**The Associated Press** (“AP”) is a news cooperative organized under the Not-for-Profit Corporation Law of New York. The AP’s members and subscribers include the nation’s newspapers, magazines, broadcasters, cable news services and Internet content providers. The AP operates from 280 locations, including in Maryland, in more than 100 countries. See <https://apnews.com/hub/maryland>. On any given day, AP’s content can reach more than half of the world’s population.

**The Baltimore Sun**, founded in 1837, is the largest daily newspaper in Maryland. It publishes the stories that matter most, including Pulitzer Prize-winning journalism. The Sun owns the Capital Gazette and the Carroll County Times. It is headquartered in Baltimore.

**The E.W. Scripps Company** is the nation’s fourth-largest local TV broadcaster, operating a portfolio of 61 stations in 41 markets, including ABC affiliate WMAR-TV in Baltimore. Scripps also owns Scripps Networks, which reaches nearly every American through the national news outlets Court TV and Newsy and popular entertainment brands ION, Bounce, Grit, Laff and Court TV Mystery. The company also runs an award-winning investigative reporting newsroom in Washington, D.C., and is the longtime steward of the Scripps National Spelling Bee.

**The National Freedom of Information Coalition** is a national nonprofit, nonpartisan organization of state and regional affiliates representing 45 states and the District of Columbia. Through its programs and services and national member network, NFOIC promotes press freedom, litigation and legislative and administrative reforms that ensure open, transparent and accessible state and local governments and public institutions.

**The Reporters Committee for Freedom of the Press** (the “Reporters Committee”) is an unincorporated nonprofit association. The Reporters Committee was founded by leading journalists and media lawyers in 1970 when the nation’s news media faced an unprecedented wave of government subpoenas forcing reporters to name confidential sources. Today, its attorneys provide pro bono legal representation, amicus curiae support, and other legal resources to protect First Amendment freedoms and the newsgathering rights of journalists.

**Sinclair Broadcast Group, Inc.**, a Maryland corporation, is a diversified media company and leading provider of local news and sports. The Company owns, operates and/or provides services to 185 television stations in 86 markets; is a leading local news provider in the country; owns multiple national networks; and has TV stations affiliated with all the major broadcast networks and owns and/or operates 21 RSN brands. Sinclair’s content is delivered via multiple-platforms, including over-the-air, multi-channel video program distributors, and

digital and streaming platforms. Sinclair, either directly or through its venture subsidiaries, makes equity investments in strategic companies. Sinclair Broadcast Group, Inc. was founded in 1986, went public in 1995 and is traded on the NASDAQ Global Select Market under the ticker symbol SBGI.

**CERTIFICATE OF WORD COUNT  
AND COMPLIANCE WITH RULE 8-112**

1. This brief contains 3,881 words, excluding the parts of the brief exempted from the word count by Rule 8-503.
2. This brief complies with the font, spacing, and type size requirements stated in Rule 8-112.

*/s/ Lisa Zycherman*

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## MARYLAND RULE 1-313 CERTIFICATION

Pursuant to Md. Rule 1-313, I hereby certify that I am a member in good standing of the Bar of Maryland.

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## CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of April, 2025, a copy of this Brief of Proposed Amici Curiae was served via MDEC on, and two paper copies were mailed by first class mail, postage prepaid, within one business day to:

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