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**Statement on behalf of the American Civil Liberties Union of the District of Columbia
before the
D.C. Council Committee of the Whole
by
Alicia Yass
April 22, 2025**

Chairman Mendelson and members of the Council:

Good afternoon. My name is Alicia Yass, and I am Supervising Policy Counsel for the American Civil Liberties Union of the District of Columbia (ACLU-D.C.). Thank you for the opportunity to speak today on behalf of our over 14,000 members in all 8 wards, about the Open Meetings Clarification Amendment Act of 2025.

Public access to government meetings is a cornerstone of democracy. And open meetings requirements ensure visibility to the decision-making processes of government bodies and promote transparency and accountability for decisions that impact the daily lives of all D.C. residents. The D.C. Open Meetings Act¹ (OMA) is a key component to promoting transparency in government. While exceptions may be prudent and necessary, it is important that any changes are specific and deliberate.

As an initial matter, it is certainly within the Council's purview to amend OMA or enact other open meeting related legislation, and that should be done without interference from the federal government. Additionally, we do commend the Council for swiftly moving to have a public hearing on the Open Meetings Clarification Amendment Act of 2025, after there was no opportunity for public comment on the Open Meetings Clarification Emergency Amendment Act of 2025.²

Knowledge and transparency are at the very core of American democracy. Without access to accurate knowledge of public decision making, there may be an erosion of trust in government. Political science scholars consistently report that it is critical for citizens to be informed in order to prevent democracy from backsliding.³

If a quorum of council members meets to discuss ideas, even if no action is taken, that is by definition a meeting of the Council and should be subject to OMA. An informed electorate

¹ D.C. Code § 2-575, <https://code.dccouncil.gov/us/dc/council/code/sections/2-575>.

² Bill B26-0199, Open Meetings Clarification Emergency Amendment Act of 2025, <https://lims.dccouncil.gov/Legislation/B26-0199>.

³ Jennifer McCoy et al, "U.S. democracy is under attack. Here are some lessons for democracy's defenders," Good Authority (March 25, 2025), <https://goodauthority.org/news/us-democracy-is-under-attack-lessons-for-democracy-defenders/>.

needs to know what their elected representatives are saying in discussions and what is influencing their decisions. Making it easier for official business to be conducted in private invites the appearance of corruption and makes it more difficult for constituents and voters to know what positions their representatives hold.

Changing open meetings rules will have long-term consequences for the D.C. community and their access to government. Balancing this with the limited need for the Council to speak privately, we urge the Council to more narrowly tailor the Open Meetings Clarification Amendment Act of 2025 before considering it. Open meetings should be the default and the norm, with the exceptions being infrequent and necessary. It is not clear that the act, as introduced, will accomplish this goal and keep the D.C. community well informed.

Thank you for your time and attention.