

## Courier editorial: Dangers for Treasurer Davenport hinge on secretiveness, not openness

By Catherine Dominguez, cdominguez@hcnonline.com Published 9:05 pm, Saturday, December 16, 2017

In a speech before the American Newspaper Publishers Association in 1961, President John F. Kennedy stated: "The very word 'secrecy' is repugnant in a free and open society; and we are as a people inherently and historically opposed to secret societies, to secret oaths and to secret proceedings. We decided long ago that the dangers of excessive and unwarranted concealment of pertinent facts far outweighed the dangers which are cited to justify it."

More than half a century later, those sentiments hold just as true and our elected officials should heed JFK's message in regard to an open and transparent government.

Montgomery County Treasurer Stephanie Davenport's agenda item for Tuesday's Commissioners Court to "Consider and discuss office policies and procedures and potential disclosure of same" should be of interest to every county resident, especially voters. This will be a great barometer to determine whether our elected officials have learned anything over the past couple of years since some secretive communications led to indictments of three members of the court and, coincidentally, political consultant Marc Davenport, our county treasurer's spouse, on a charge of conspiring to circumvent the Texas Open Meetings Act.

While a visiting district judge ruled that portion of TOMA to be unconstitutional and thus dismissed the charges, the ruling is on appeal, and the future of the criminal case hinges on the outcome of the appeal. One commissioner, Jim Clark, agreed to testify against the others in exchange for his immunity and his charge recently was dropped.

Stephanne Davenport, appointed treasurer in 2013 by Commissioners Court and re-elected while running unopposed in 2014, is facing her first contested race after drawing a challenger in the March 6, 2018, Republican primary election. That challenger, Melanie Bush, who is president of the Conroe ISD school board and owner of a successful bookkeeping business, filed an open records request with the county Dec. 1 seeking the Treasurer's Office policy and procedure manual.

As reported by Catherine Dominguez in the Sunday edition of The Courier, Mrs. Davenport has forced Bush into a cat-and-mouse game regarding the release of that information over the past two weeks, with Davenport finally telling the County Attorney's Office to request an Attorney General's opinion, even though the recommendation from County Attorney J D Lambright's office was to release the documents. This could delay the release by up to 60 days -- basically around the time early voting starts in mid-February.

It appears clear to us, the County Attorney's Office and the public that this is public information and should be released.

What has muddied the waters in Davenport's eyes is that the manual she created in 2014 apparently includes user names, passwords and bank account information. While it seems irresponsible to include this proprietary information in a manual that government deems a public document, the simple solution is to redact that private information and release the documents; then rewrite the manual excluding the protected details.

This is listed as a discussion item on Tuesday's agenda, even though the initial draft agenda sought a resolution from commissioners deeming the treasurer's procedures of her department proprietary. Commissioners should recognize there is no need for debate on this topic: It's simple and straight forward. This is a public document; release it and remove the protected information.

Any hedging or waffling by members of Commissioners Court would raise more doubts about their recognition of and respect for an open and transparent government. For those up for election in 2018, including members of Commissioners Court and the county treasurers, the dangers of fighting to withhold this information from the public far outweigh the dangers of any potentially damaging information that could be found in the treasurer's manual.