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Dark deserts

Newspaper decline and its relation to government non-compliance with public records laws

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Abstract
This study tests the tenants of democratic theory by examining whether the loss of newspapers in the United States is related to greater government secrecy. Government documents were requested from state agencies, and compliance was recorded to create transparency measures. Analyses indicate that, on average, states with a lower density of newspapers demonstrate worse compliance with public record laws. Also, states with financially weak press associations also demonstrate less transparent government.

Keywords
freedom of information, government transparency, democratic theory, news deserts

Democratic theory assumes that citizens require information to adequately self-govern (Meiklejohn, 1948), and that journalists serve as a proxy to gather and disseminate that information, often through the use of freedom of information (FOI) laws (Blasi, 1977). Legacy media—and newspapers in particular—traditionally have carried out the role of acquiring public records and advocating for better laws, including aiding in the passage of the U.S. Freedom of Information Act (FOIA)

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in 1966 (Archibald, 1993; Martin & Lanosga, 2010; Uhm, 2005; "Open Meeting Statutes," 1962).

But what happens when journalists disappear—when their watchdog reporting and advocacy fade? Since 2005, the United States has lost 3,300 newspapers and 45,000 journalists, which comprises a loss of 60% to the news workforce (Local News Initiative, 2024). The precipitous decline in the legacy media's financial resources (Pew Research Center, 2023) has led to newsrooms stretched thin, and therefore less likely to aggressively cover local government (Jennings & Rubado, 2019), pursue public records (Klas, 2019) or sue for public records (Knight Foundation, 2016). Also suffering are journalism support groups, such as state press associations (Carey, 2017) and the American Society of Newspaper Editors (most recently named News Leaders Association), which aided the passage of FOIA but closed its doors on June 30, 2024 (News Leaders Association, 2024).

A growing body of research (Stearns & Schmidt, 2022) has quantified the impact of the loss of newspapers, or "news deserts," on civil society, finding that communities hardest hit by news layoffs suffer from more partisanship (Darr et al., 2018), lower voter participation (Hughes, 2020), higher municipal borrowing costs (Gao et al., 2018), declining civic engagement (Shaker, 2014), and more pollution through toxic emissions (Campa, 2018).

To date, no research has connected the dots, empirically, between the decline in journalism and increased government secrecy, even while the connection is assumed, based on anecdotes. "With fewer government reporters at work, meetings don't get covered and documents don't get scrutiny," former political journalist Mary Ellen Klas (2019) wrote for Nieman Reports. "One Florida political consultant told me he advises his clients not to worry about accurately filling out their financial disclosure forms because 'no one ever checks.'"

This study puts democratic theory to the test, to see whether or not newspapers matter in fostering transparent government, so that people may have the information they need to adequately self-govern. A national public records audit was conducted November 2023 through January 2024 in the United States to measure transparency of state governments. Then, that state-level transparency was compared with metrics measuring newspapers per capita and the budgetary strength of press associations. The study seeks to answer the question, is there a relationship between a weakening newspaper ecosystem and increased government secrecy?

Literature Review

Democratic theory suggests that citizens require information about their government to maintain control over the instruments they created (Meiklejohn, 1948), and that journalists serve an essential purpose in gathering and distributing public affairs news to the public (Blasi, 1977).

Similarly, under First Amendment theory, citizens in a democracy must be able to express themselves, and that "every individual is entitled to equal opportunity to share in common decisions which affect him" (Emerson, 1963, p. 880). To do so, Emerson wrote, "Successful operation of a democratic society and particularly the functioning of a system of free expression, depends upon members of the society having access to the information necessary for making decisions" (p. 954).

Government actions have been recorded by humans since at least the Greek states of the seventh-century BC (Martin & Lanosga, 2010). The first codified "right to

know" was introduced as Sweden's 1766 Freedom of the Press Act (Lamble, 2002; Ortenhed & Wennberg, 2017), and then through some U.S. states in the 1800s and the federal government in 1966, thanks in large part to journalists and the group formerly named the American Society of Newspaper Editors (Archibald, 1993; Uhm, 2005; "Open Meeting Statutes," 1962). To date, 140 nations have adopted such laws (The RTI Rating, 2024).

While some scholars note the negative ramifications of public record laws, such as the additional burden on government agencies (Scalia, 1982), weaponization through "vexatious" requests (Green, 2024; Rizzardi, 2015), politicization in science (Gardner, 2004) and their tendency to be reactive and adversarial (Pozen, 2017), some research has found practical benefits for society, such as cleaner drinking water (Bennear & Olmstead, 2008), lower sex-offender recidivism (Levenson & Cotter, 2005) and improving informed choices for parents choosing schools for their children (Palmaccio et al., 2022).

Journalists—those from newspapers, in particular—have long served as a proxy for citizens in acquiring public records, synthesizing the information and disseminating it for people to self-govern (Martin & Lanosga, 2010). Newspapers, in former days of financial strength, were instrumental in the passage of the U.S. FOIA (Archibald, 1993; "Open Meeting Statutes," 1962; Uhm, 2005), and in suing for public records (FOIA Project Staff, 2021). While journalists comprise a small portion of public records requests—often just 2% to 14%, depending on the agency (Coalition of Journalists for Open Government, 2006; Fink, 2018; Galka, 2016; Kwoka, 2016, 2021; Pozen, 2018; Tapscott & Taylor, 2005)—they tend to focus their attention on records of public importance (Silver, 2016). Stanford economist James Hamilton (2016) estimated that for every $1 spent by newspapers on public-records-based journalism, society benefits $287 in saved lives and more efficient government.

Research of late has attempted to quantify the impact of declining newspapers on society (Stearns & Schmidt, 2022). During the past 20 years, as the advertising-based media economic model foundered in the United States (Pew Research Center, 2023), newspapers have shuttered at a rate of about two per week, laying off 60% of the workforce (Local News Initiative, 2024). In all, 206 counties in the United States, out of 3,143, are now considered "news deserts"—devoid of any local news providers. As well, 1,561 are served by just one local news source, and 279 of those counties are on a "watch list," at risk of losing their remaining news outlet (Local News Initiative, 2024).

Scholars have suggested that the decline in journalism could negatively affect democracy (Jones, 2011; Koningisor, 2020), and that assumption has been tested by a number of empirical studies. For example, weak or nonexistent local news ecosystems have been found to be related to lower voter turnout (Baekgaard et al., 2014; Hughes, 2020), higher municipal bond rates (Gao et al., 2018), greater political polarization (Darr et al., 2018), decreased civic engagement (Shaker, 2014), fewer candidates on local ballots (Schulhofer-Wohl & Garrido, 2013), increased corporate misconduct (Heese et al., 2022) and citizens less likely to vote out corrupt officials (Larreguy et al., 2020).

So, what happens to government transparency, another fundamental element of democracy, when newspapers fold? Jennings and Rubado (2019) interviewed 30 newspaper reporters and editors to find that newsroom cuts have forced them to cut back on local government coverage, including less attendance at public meetings and more reliance on press releases, rather than proactively finding news through traditional reporting, such as public records requests. The days of investigative public affairs are over, said one reporter.

> *That is not the future of journalism, and we need to get used to most of us being general-assignment reporters, most of us having way too much on our plates, most of us having to play videographer and photographer and reporter and editors . . . there's not gonna be some magic solution to the problems of journalism. (p. 12)*

It may be no coincidence that the decline of newspapers in the United States has mirrored increasing government secrecy. A growing number of studies indicate declining compliance with public records laws at all levels of government (Cuillier, 2019; Koningisor, 2021). According to the U.S. Government Accountability Office, the use of exemptions to hide information has more than doubled during the past decade (Government Accountability Office, 2021). U.S. Department of Justice data show that backlogs at federal agencies have doubled since 2010, full release of documents has declined from 38% to 12%, and additional studies indicate secrecy on the rise at the state and local level (Cuillier, 2024).

Little empirical research has examined the connection between weakening journalism and government transparency. Some scholars have studied other correlates with government transparency, often focused on demographics or legal frameworks, conducted through "FOI audits." Such initiatives, employed in the United States since the 1990s, typically entail journalists or interested citizens fanning out through a state to systematically request public records, document responses from government agencies and then reporting the results to the public (FOI Toolkit, 2024). For example, the Open Society Initiative (2006) submitted 1,926 public records requests in 14 countries to find that journalists received records 26% of the time, more than double the rate for average citizens who were ethnic minorities (11%). Some records requests field experiments have found that legalistic letters result in better results than informal asks (Cuillier, 2010; Grimmelikhuijsen et al., 2018; Spac et al., 2018; Worthy et al., 2017). Wagner (2021) submitted more than 1,000 public records requests to local government agencies in nine U.S. states and then measured their compliance, finding that the least compliant states tended to be politically conservative and located in the Deep South. Michener et al. (2020) submitted 453 requests to Brazilian agencies to discover requesters being treated differently by apparent Googling of their names by custodians.

This study builds upon previous government transparency research by testing whether the health of a newspaper ecosystem is associated with greater compliance with public record laws—whether, as democratic theory posits, journalists' watchdog role is correlated with government openness. Given this is the first known study of its kind in testing this relationship, it will first examine whether the density of newspapers is related to greater compliance. Higher concentrations of newspapers in a state, adjusted for population, could result in (a) more reporters pursuing public records and (b) greater competition among newspapers to report high-impact records-based stories. Previous research has suggested that greater newspaper competition is related to higher quality reporting (Lacy, 1989; White & Andsager, 1990), and the closure of newspapers is correlated with greater government corruption (Matherly & Greenwood, 2021). Therefore, we ask:

RQ1:

Is higher newspaper density (newspapers per capita) related to greater government compliance with public record laws?

Similarly, previous research indicates that journalism support organizations, such as press associations, play a significant role in advocating for open government (Carey, 2017; Jones, 2011; Nordqvist et al., 2015). Most press associations employ lobbyists, or lobby themselves, for stronger state public record laws. Although, in recent years, press associations also have experienced budget problems, in line with their members, and some have reduced capabilities to monitor state legislation and advocate for FOI (Jones, 2011). In many cases, their resources have been focused on maintaining legal requirements for governments to purchase legal notice ads in their member newspapers (Reed, 2019). Therefore, we ask:

RQ2:

Is the financial strength of state press associations related to government compliance with public record laws?

Method

To answer the research questions, compliance with state public record laws was measured through an FOI audit, where the same seven records were requested from state-level agencies in the United States, and then the compliance recorded. Then, three state transparency measures (dependent variables) were compared with measures representing state newspaper vitality (independent variables).

Transparency Variables (Dependent)

The same seven records were requested from the same seven agencies common to all states:

1. Department of Education: All state-licensed educators and administrators who had their licenses suspended or revoked and the reasons why. Responses were deemed complete if the name, category of complaint (i.e., sexual misconduct), resulting disciplinary action and date of action were provided.
2. Secretary of State/State Board of Elections: The list of all registered voters who have had their registration suspended, revoked or canceled during the preceding 12 months. Responses were only deemed complete if names of voters were included.
3. Department of Corrections: The list of all prisoners who died in custody in state prisons during the preceding 12 months and their causes of death. Responses were deemed complete if agency provided both names and cause of death.
4. Department of Transportation: The names of any vendors that have been blacklisted from doing business with the state's Department of Transportation during the preceding 3 years. Responses were deemed complete if the name and duration of suspension for the vendor was included.
5. Department of Fish and Wildlife: The list of all recipients of fishing or hunting licenses during the past 12 months. The responses were deemed complete if all names were unredacted.

6. Department of Health/Medical Licensing: All licensed medical doctors who have had their licenses suspended or revoked during the preceding 12 months and the reasons why. Responses were deemed complete if the name, category of complaint (i.e., sexual misconduct), resulting disciplinary action and date of action were provided.
7. State Police/Highway Patrol: All disciplinary complaints filed against certified law enforcement officers or agents during the preceding 12 months. Responses were deemed complete if the name, category of complaint (i.e., sexual misconduct), resulting disciplinary action and date of action were provided.

Request letters were generated through the same template provided by the Student Press Law Center website (https://splc.org/lettergenerator/). Requests were sent one of five different ways, depending on the preferences of the agencies as outlined on their websites: (a) a specific public-records email address, (b) a generic agency email address, (c) an online public records portal, (d) a PDF form provided by the agency to be filled out and emailed and (e) online "contact us" or "feedback" form on the agency's website. Requests were sent in waves from November 7, 2023, through January 10, 2024. The study excluded Washington, D.C., and the six states that require in-state residency for public records requests (Alabama, Arkansas, Delaware, Kentucky, Tennessee, and Virginia). Each agency was granted 45 days to complete the request, which is longer than allowed by law (the longest deadline allowed by law is in Maryland, with 30 days). The letters came from a student at a public university who identified himself only by his name and address. If pressed by agencies, the student identified himself as a researcher at a public university.

Request-based field experiments have employed different measures of "compliance" or transparency. Some have created a compliance measure of either "1" for providing the records in full or "0" for every other response (Cuillier, 2010). Some have created "accuracy" rates, labeling full or partial fulfillment of the request as "1" and everything else as "0" (Michener et al., 2016). Some have labeled a positive outcome as those that provided the records or provide records proactively online, negative for denied or no response and neutral for all other responses (Wagner, 2021). Some have created more nuanced 5-point scales and collapsed them into a dichotomous variable of "Make Public" versus everything else (Worthy et al., 2017). For the purposes of this study, three different criterion measures were employed, to compare the approaches and test a new eight-item scale to aid future researchers in advancing FOI audit methodology.

Measure 1: Denied

One of the most common measures in the literature for measuring compliance with public record laws is a simple dichotomous variable measuring whether the person got the information or was denied, ignored or told nothing relevant exists (Bagozzi et al., 2021; Bizzo & Michener, 2017; Cuillier, 2010; Lagunes & Pocasangre, 2018; Lewis & Wood, 2012; Michener et al., 2016, 2020; Peisakhin & Pinto, 2010; Rodriguez & Rossel, 2018; Selin & Butcher, 2024; Spac et al., 2018, 2025). This study will employ a similar dichotomous measure with a "1" indicating denied or no response (a "constructive denial") or "0" for any other response, such as providing the records.

Measure 2: Success Scale

To build on previous field experiments applying FOI audits, we also created a three-item ordinal "success scale," which distinguishes between full and partial compliance by government agencies (Hazell & Worthy, 2010). This 3-point scale, with the higher the number indicating greater transparency, designated a "3" for responses where all records were provided, a "2" for those in partial compliance and a "1" for all other responses.

Measure 3: Transparency Scale

A new 1 to 8 transparency scale was created in consultation with FOI experts to attempt to create a more detailed, precise measure of compliance. Two previous studies have attempted to use 5-point ordinal scales (Grimmelikhuijsen et al., 2018; Worthy et al., 2017), eventually collapsing them into dichotomous measures. No study could be found applying an eight-item ordinal scale. The scale was created with the help of the nonprofit MuckRock, which has aided people with more than 150,000 public records requests around the nation since 2010, coding outcomes of their requests into 12 different categories, of which eight were employed for this new Transparency Scale. The founder of MuckRock, Michael Morisy, was consulted in ranking eight of the outcomes from least compliant (no records provided) to most compliant (all records provided). Responses from the agencies were recorded for all of the requests (N = 308), categorized and then coded into an overall transparency scale, with a higher number indicating greater compliance and transparency:

1. No records were provided to the researcher, or the response said records were available online, but they weren't.
2. The agency did not respond to the records request.
3. The agency would not proceed with the request until a fee was paid.
4. The agency said there were no records applicable to the request.
5. The agency cited a specific legal statute that allowed the specific record requested to be exempt from disclosure, which was verified by the researcher (when in doubt, the decision sided with the agency).
6. The response provided some, but not all, of the requested records (partial compliance).
7. The requested records were available online to the general public proactively.
8. All requested records were provided to the researcher as requested.

Newspaper Vitality Variables (Independent)

Two measures were used to represent "newspaper vitality," the independent, or predictor, variables in this study.

Newspapers Per Capita

A database was provided by the Local News Initiative at Northwestern University's Medill School of Journalism, Media, Integrated Marketing Communications, from their "news deserts" research (State of Local News, 2024). The research launched a decade ago at the University of North Carolina at Chapel Hill, under the guidance of

Penelope Muse Abernathy, who published the first major research in "news deserts." The center moved to Northwestern University, where Abernathy serves as a visiting professor. The Local News Initiative provided its database of news outlets that it has identified in the United States. We summed the total number of newspapers for each state and then calculated a per capita rate (newspapers per every 100,000 people), providing a measure of newspaper density for each state, ranging from a low of 0.82 (Hawaii) to a high of 11.8 (South Dakota).

Press Association Strength

This measure represents the financial strength of state press associations, accounting for state population. Press associations represent local newspapers in their respective states and have historically served as the primary advocates for public record laws at the state level (Carey, 2017). States with well-funded press associations should have the capacity to monitor their legislatures for bills that could harm transparency and lobby against them. Many press associations have suffered from budget cuts as their member newspapers go out of business or retract. For this measure, a list of press associations was obtained from the nonprofit Newspaper Association Managers (https://www.nammembers.com/), which assists press associations. Then, the U.S. Internal Revenue Service "990" forms for the press associations were downloaded from ProPublica's Nonprofit Explorer (https://projects.propublica.org/nonprofits/), as well as the IRS website (https://apps.irs.gov/app/eos/), which include revenues for each year, going back at least 10 years. A 4-year average was calculated for each state press association, from 2019 through 2022, to account for annual variations. Average annual revenues ranged from $64,355 (Maine) to $1.1 million (California). A total of 13 state press associations reported no revenue to the IRS (Hawaii, Utah, Washington, Louisiana, Oregon, Connecticut, Idaho, New Hampshire, Rhode Island, Minnesota, Alaska, Vermont, Wyoming). We then calculated an annual revenue per 100 people to account for varying state populations.

Demographics

Demographic variables were collected at the state level to control for education, poverty, political ideology and other factors. They included:

1. Population. U.S. Census estimate of state populations for 2023.
2. Income. Median household income by state for 2022, according to the U.S. Census (2023) American Community Survey.
3. Education. U.S. Census educational attainment for 2022, bachelor's degree or higher. 3. Race. U.S. Census 2022 for non-Latino White.
4. Conservatism. Percentage of residents who say they are conservative, according to a Gallup 2019 poll.
5. Religiosity. Percent of residents who say they are very religious, Pew Research Center (2016).
6. Deep South: A binary option as to whether the state is in the Deep South. This is defined as states located in the East South Central and West South Central divisions, as designated by the U.S. Census. These eight states are Alabama, Arkansas, Kentucky, Louisiana, Mississippi, Oklahoma, Tennessee and Texas.

Experimental Ethics

Previous studies have recognized the ethical considerations of imposing work on record custodians, and ultimately costs to taxpayers, and to provide additional benefits to society beyond the specific research study (Ben-Aaron et al., 2017; Bizzo & Michener, 2017; Cuillier, 2010; Eldes, 2022; Grimmelikhuijsen et al., 2018; Michener et al., 2016; Open Society Initiative, 2006; Spac et al., 2018; Wagner, 2021; Worthy et al., 2017). Therefore, the records and data submitted by agencies were provided to faculty at a public university for training in news reporting and data analysis, as well as for public consumption on a university data website.

Results

Results were entered into Excel and SPSS for analysis.

Descriptives

Overall, about a quarter (24%) of the requests were complied with by the agencies and only 4% were outright denied. However, 21% of the requests were not responded to at all (see Table 1). This is typical of FOI audits, as cited previously in this article, which provides some level of validity for the method.

Compliance varied by type of record, with medical oversight agencies more likely to provide or refer to online records regarding revoked or suspended doctor licenses (61%), to police agencies least likely to provide complaints against officers (16%) (see Table 2.)

Response times varied from same-day compliance to 97 days and averaged about 12 days. In all, 23 agencies levied a fee for copies, search or redaction, ranging from $25 to $16,420, averaging $1,287 (see Table 3).

A list of the states is provided in Table 4, ranked from greatest to least on the transparency scale (1–8), with a high of 6.57 for Alaska and Massachusetts, and a low of 3.29 for Louisiana. In comparing the rankings with previous studies, some anomalies were noted. For example, Washington state generally garners high transparency ratings in some studies (Cuillier, 2019; Wagner, 2021), but was near the bottom in this research. Other states that demonstrated lower compliance, contrary to previous research, included New York, Arizona and Florida. However, some rankings matched previous studies, such as high-ranking Rhode Island, Maryland, Idaho and Pennsylvania. When examining correlations between dependent transparency variables and state demographics, no statistically significant relationships were found.

Analysis

To answer the research questions, correlational analysis was conducted for the dependent and independent variables, and then multiple regression was applied to control for demographic variables (see Table 5).

Table 1
Frequencies for Responses to Requests ($N = 308$)

Code	*Response*	*n*	*Percent*
1	Denied	12	4
2	No response (constructive denial)	65	21
3	Fee levied	24	8
4	No records responsive to request	53	17
5	Withheld, as allowed by law	19	6
6	Partial compliance	27	9
7	Referred to records online	34	11
8	Complied fully	74	24

(Created a Transparency Scale, 1–8, higher indicating better compliance).

Table 2
Compliance by Record Type: Provided or Referred to Website ($n = 44$ for Each Record Type)

Record	*n*	*Percent*
Medical: Revoked or suspended doctor licenses	27	61
Education: Revoked or suspended educator licenses	22	50
Fishing and hunting licenses	17	39
Prisoners who died in custody	17	39
Contractors blacklisted by transportation department	10	23
Voter registrations suspended or revoked	8	18
Police disciplinary complaints	7	16

R1: Newspapers Per Capita

Correlational analysis indicates that states with more newspapers per capita demonstrate a lower denial rate ($r = -.38$, $p < .05$), and that relationship is maintained in multiple regression when controlling for education and political conservatism ($\beta = -.35$, $p = .03$) (see Table 5). Newspaper density also was found to be positively correlated with the transparency scale ($r = .33$, $p < .05$), but that relationship did not remain in regression analysis, controlling for education and political conservatism ($\beta = .26$, $p = .12$). No relationship was found between newspapers per capita and the success scale. In conclusion, to answer the first research question, some evidence was found to suggest that states with fewer newspapers per capita demonstrate more difficulty in obtaining public records through denials and responses of "we have no records responsive to your request."

Table 3
Descriptives for Days, Fees and Disposition Variables ($N = 308$)

Variable	*N*	*Minimum*	*Maximum*	*M*	*SD*
Transparency Scale	308	1	8	4.91	2.39
Success Scale	308	1	1	2.31	.54
Denied	308	0	1	.31	.46
Days	243	0	97	12.47	15.11
Days	23	$25	$16,420	$1,287	$3,520

R2: Press Association Strength

The second research question asked if states with financially strong press associations, accounting for population, would demonstrate greater transparency. When applying correlational analysis, a statistically significant relationship was found between press association revenues per 100 population and the transparency scale ($r = .35$, $p < .05$) and the relationship was maintained when controlling in regression analysis for education and political conservatism ($\beta = .39$, $p = .04$). A similar relationship was found with the success scale ($r = .39$, $p < .05$; $\beta = .43$, $p = .03$). No relationship was found with the denied variable (see Table 5).

In addition to addressing the two research questions, we conducted post hoc analysis, at the suggestion of an astute reviewer, on whether greater density of other forms of media would be related to greater compliance with public record laws. Because the news desert data we received included a field for digital-only news outlets (552 nationwide), we conducted the same analysis by calculating a density rate by state. This is particularly relevant today as independent online news organizations begin filling the gap of newspaper closures, particularly through the aid of the Institute for Nonprofit News and Local Independent Online News Publishers. We found no relationship between digital news outlet density and the transparency scale ($r = -.13$, $p = .41$), or any of the other measures.

Conclusion

A bevy of research has documented the connection between strong journalism and better democratic self-governance, such as increased voter turnout, lower corruption, more efficient spending and greater civic engagement. This study adds another benefit to the list: greater government transparency. This preliminary study provides some evidence that journalistic vitality is associated with greater compliance with public record laws at the state level in the United States, supporting the tenants of democratic theory. While causation should be cautioned given the nature of this data, this is the first empirical study to lend some support to previously expressed concerns that the declining local news ecosystem in the United States could be associated with increased government secrecy (Jones, 2011; Klas, 2019; Koningisor, 2020).

Table 4
State Rankings by Transparency Scale (N = 308)

State	*Transparency*	*Success Scale*	*Denied*	*Avg days*	*Avg fee*
Alaska	6.57	2.71	0.00	6.29	
Massachusetts	6.57	2.71	0.29	8.50	
North Dakota	6.43	2.57	0.00	3.00	
Rhode Island	6.43	2.43	0.00	11.57	
Maryland	6.29	2.71	0.29	16.40	
Montana	6.29	2.71	0.14	19.00	$5,000
Idaho	5.71	2.57	0.43	6.60	
Oregon	5.71	2.43	0.14	14.00	
Pennsylvania	5.57	2.57	0.43	26.20	
New Mexico	5.43	2.43	0.29	15.00	
South Carolina	5.43	2.29	0.29	26.33	
New Jersey	5.29	2.43	0.29	10.40	
Wyoming	5.29	2.29	0.29	7.50	
Illinois	5.14	2.29	0.29	7.33	
Kansas	5.14	2.43	0.29	7.20	
Nebraska	5.14	2.29	0.29	5.33	$70
Georgia	5.14	2.43	0.14	5.33	$68
Indiana	5.00	2.29	0.29	24.67	
Missouri	5.00	2.14	0.14	4.29	
Vermont	5.00	2.29	0.29	7.83	
Minnesota	4.86	2.14	0.43	11.50	
Mississippi	4.86	2.29	0.14	15.29	$84
Nevada	4.86	2.29	0.29	11.20	
New Hampshire	4.86	2.29	0.43	10.80	
Oklahoma	4.86	2.43	0.43	8.50	
South Dakota	4.86	2.29	0.00	8.57	$100
Michigan	4.71	2.14	0.14	16.43	$65
Texas	4.71	2.29	0.29	15.50	$674
Wisconsin	4.71	2.43	0.29	10.60	
Florida	4.57	2.29	0.14	13.50	$193
Ohio	4.57	2.43	0.43	12.00	
California	4.43	2.29	0.43	29.40	
West Virginia	4.43	2.29	0.43	10.20	
Maine	4.29	2.14	0.29	32.40	$1,500
North Carolina	4.29	2.14	0.43	9.00	
Arizona	4.14	2.14	0.29	12.67	$508
Connecticut	4.14	2.29	0.43	12.75	$108
Hawaii	4.00	2.14	0.43	16.50	
Utah	3.86	1.86	0.57	6.83	
Colorado	3.71	2.00	0.57	2.80	
Washington	3.71	2.14	0.57	27.33	
Iowa	3.43	2.00	0.57	5.25	$16,420
New York	3.43	2.00	0.71	15.25	
Louisiana	3.29	2.00	0.43	14.60	$3,390

Table 5

Correlations and Regression for Transparency Variables With Predictor Variables ($N = 308$)

Predictors	*Correlation*	*B*	*SE B*	β
Newspapers Per Capita				
Transparency Scale	.33*	-.09	.06	.26 ($p = .12$)
Success Scale	.15	.02	.01	1.12
Denied	-.38*	-.02	.01	-.35*
Press Association Strength				
Transparency Scale	.35*	.02	.01	.39*
Success Scale	.39*	.01	.00	.43*
Denied	-.24	-.00	.00	-.19

*$p < .05$.

In Newspapers per Capita and Press Association regression models, applying conservatism and education in the second block (population already accounted for). In the News Desert regression model, population is added as a control variable in the second block.

As U.S. newspapers continue to close at a rate of two per week (Local News Initiative, 2024), and cut back public affairs coverage (Jennings & Rubado, 2019), fewer reporters will be asking for public records and fewer outlets will sue governments to enforce public record laws (Knight Foundation, 2016). What happens if most, or nearly all, local newspapers go dark in an "Extinction-Level Event" (Farhi, 2024)? Government officials may feel emboldened to ignore public records requests, knowing that few people will litigate. Perhaps they already feel that way, which may explain the findings from this study.

The results also suggest that states with financially strong nonprofit state press associations demonstrate more transparent state government. This underscores the importance of nonprofit support organizations that provide training for local journalists and advocate on their behalf in legislatures for stronger public record laws. Press associations continue to struggle financially, tied to the economic decline of legacy media and they have few partners in promoting government transparency. Roughly three dozen of the states have active nonprofit coalitions for open government, and many have no budgets and rely solely on volunteers (Fettig & Cuillier, 2021).

This study supports initiatives focused on saving local journalism, including exploration of alternative forms, such as online independent news outlets, citizen journalism and publicly funded information providers. A consortium of philanthropic foundations, led by the Johns S. and James L. Knight Foundation, has launched the "Press Forward" campaign (https://www.pressforward.news/) to double-down on saving local journalism, potentially dedicating $500 million or more to the cause. Attention should be paid to organizations, activities and solutions dedicated to fulfilling local accountability public-records-based journalism that is quickly disappearing into the news desert abyss. That includes a focus on empowering everyone, not just journalists, in acquiring public records, and advocating for better public record laws. If journalists won't be there to defend democracy, who will?

Our results indicate that density of digital-only media outlets does not appear related to better public records request compliance—that there could be something special about newspapers, in particular. This could be because newspapers historically have shouldered the burden for submitting public records requests and litigating denials, and in getting the FOIA enacted in the first place (Archibald, 1993; Martin & Lanosga, 2010; Uhm, 2005; "Open Meeting Statutes," 1962). Newspapers have traditionally held a special power positions in communities, where publishers wielded clout among local and state policymakers, who learned to not pick fights with those who buy their ink by the barrel. Also, newspaper newsrooms still tend to be larger and better resourced than digital-only startup news organizations that may average just a few reporters. Efforts should be taken to help digital-only news outlets build influence and pressure on government officials, to fill the gap left by newspaper closures. Funders, such as through the Press Forward initiative, might bolster legal support and records training for members of the Institute for Nonprofit News and Local Independent Online News Publishers.

This study, like most, has its limitations. It is likely that seven records requests cannot reliably and consistently predict a single state's overall compliance with public records laws. That is a lot to ask of an *N* of seven per state. It was clear that some states in this study "had a bad day." Washington state, for example, had four agencies not even respond to the requests, another agency said they had nothing, one provided some information and only one provided what was asked. That is not typical, based on previous research, for a state that has relatively stiff penalties for noncompliance. That said, many of the state responses did mirror previous research, and the final data still indicated reasonable findings. Statistically significant results were noted even with such a small sample. Future studies should attempt to acquire more requests from each state, perhaps including local jurisdictions, and expanding the Wagner (2021) study from nine states to all 50.

Another limitation was the exclusion of six states that require requesters to be in-state residents. This likely hurt the statistical power of the study, reducing an already small sample of 50 to 44. Also, many of the states omitted, such as Alabama, Arkansas, Kentucky and Tennessee, have been found to be more secretive than most, in previous research (e.g., Cuillier, 2019). Having their responses included would have likely improved the statistical power of the study. Future research could employ in-state residents to carry out the requests.

Future research could derive additional measures of journalistic vitality at the state level and explore the different types of transparency measures used in FOI audit field experiments. This study explored three measures and found all to provide some benefits. The 8-point scale—new to the field—is intriguing and could use further refinement and expert input. This measure should continue to be compared and refined, perhaps providing more precision than the more commonly used dichotomous measures (compliance vs. noncompliance) and three-item scales (full compliance, partial compliance, noncompliance).

This study provides some evidence that journalism matters in a democracy. States with a higher density of newspapers demonstrate better compliance with public record laws. Also, states with financially strong press associations demonstrate more transparent government. As the local news ecosystem continues to founder, fewer watchdogs will pursue public records, and government agencies may continue to gravitate toward secrecy. Additional attention should be given toward this troubling "dark desert" trend to ensure government is accountable to the people, and that journalists and others may serve as a check on secrecy, corruption and ultimately, tyranny.

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