

Open Records Request

Clear and Now: Leveraging Technology to Efficiently Satisfy Today's Open Data Demands



**Wherever the community
Whatever the problem,
GovPilot helps local government
operate at its full potential.**

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Summary

The 1966 passage of the Freedom of Information Act (FOIA) signaled the beginning of an era in which agencies at all levels of United States government are expected to operate transparently. Today's social mores and technological climate have heightened these expectations considerably.

Local governments are leveraging GovPilot and other tools to comply with open data laws and expectations in a manner that facilitates the free flow of information from government to constituent with unprecedented convenience, promoting a harmonious relationship between the two.

Key Points

- Today's Americans hold government agencies at all levels to an unprecedented standard of openness.
- Outdated data request processes inhibit local governments' ability to meet these legislated and informal expectations of government transparency.
- For a growing number of county and municipal administrations, tools, like GovPilot's government management platform, are an effective and convenient way to engage citizens and meet their data demands.

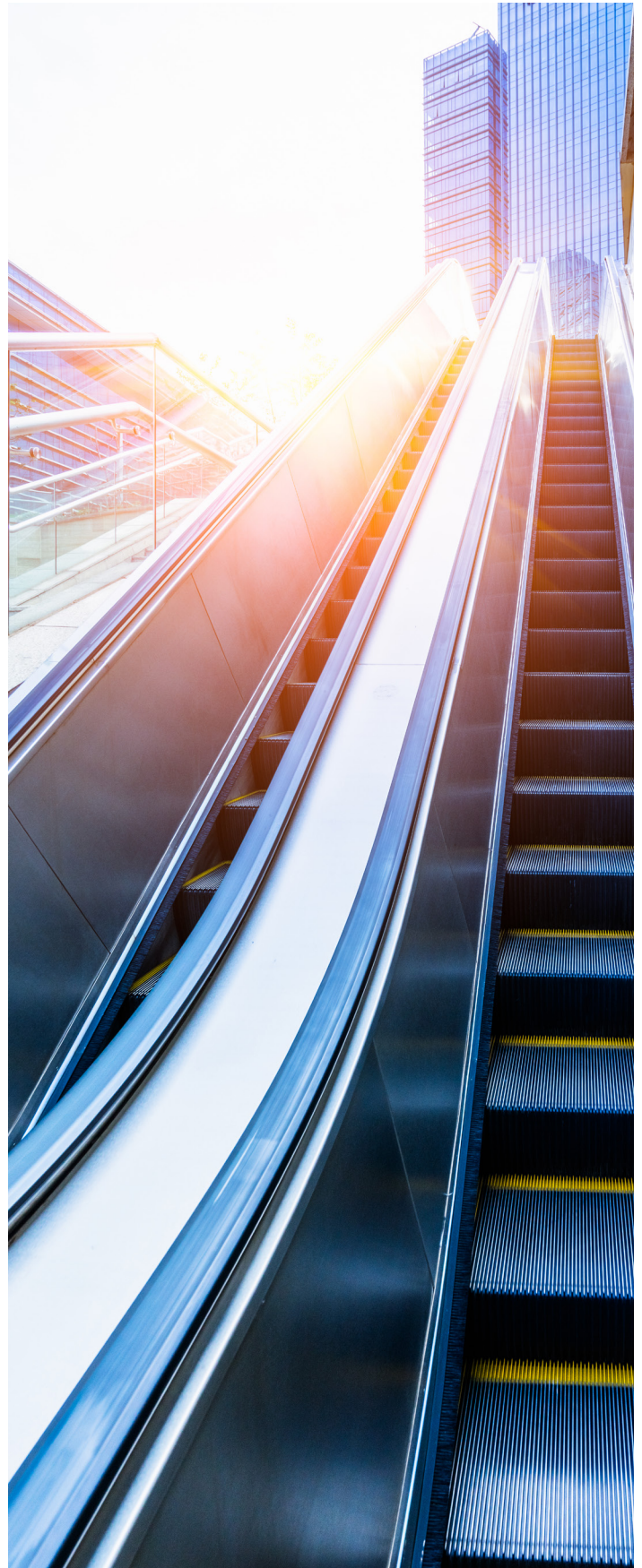


Thanks for Sharing

From watching a public figure's "private life" unfold on reality television to keeping tabs on coworkers' personal lives via social media, today's Americans expect to be in the know and services in all industries have adjusted accordingly. In the market for a used car? Check Carfax to learn the cars' histories. New restaurant opened in town? Read a customer's review on Yelp before booking that reservation.

Of all the sectors, it is most important that government meet today's standard of open information. Open data is not a formality or public relations move, but a practice that offers just as much to government as it does the governed. Recent legislation and technological breakthroughs have cleared the path to mutually beneficial transparent government operations.

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SIDEBAR: A Process by Any Other Name

In Massachusetts, it's a "bubbler". In New Jersey, it's a "water fountain". Different regional dialects use different words and phrases to refer to similar things.

Legislation is no different. Each U.S. state has its own form of Freedom of Information Act (FOIA) legislation. Presenting a rundown of how different state governments refer to their open data policies:

■ CORA - Colorado Open Records Act

Those working under Colorado Secretary of State, Wayne W. Williams, must comply with CORA requests within 3 days of receipt.

■ FOIL - New York's Freedom of Information Law

New Yorkers seeking specific information must file a request with the Comptroller's Office. Requests may be denied if they fall under the exempt category. If their investigation has been foiled, inquiring New Yorkers are welcome to file an appeal.

■ OPRA - New Jersey's Open Public Records Act

The Garden State's Government Records Council (GRC) maintains that there are 25 exemptions from disclosure that curious constituents should be aware of before filing an OPRA request.

■ ORR - Georgia, Kansas, Kentucky, Parts of Texas and Wisconsin's Open Records Request Act

An act as straightforward as its name, constituents can request government information by verbally asking the government agent responsible.

■ PIA - Maryland and Parts of Texas' Public Information Act

PIA requests are accepted via both email and traditional mail.

■ PRA - California's Public Records Act

The state where it all started continues its commitment to Freedom of Information with PRA law.

■ RTK - Pennsylvania's Right to Know Law

Pennsylvanians have the right to know government information and officials have the responsibility to fulfill their requests.

■ Sunshine Requests - Missouri's Open records Law

Missouri offers templates to help constituents effectively word requests.



CALLOUT BOX/PAGE: Common Knowledge

In 2014, nonprofit organization, Reinvent Albany, estimated the annual expense of New York City's paper-based FOIL fulfillment protocol and offered an alternative, automated approach. Presenting a summary of Reinvent Albany's findings, recommendations and benefits:

Findings

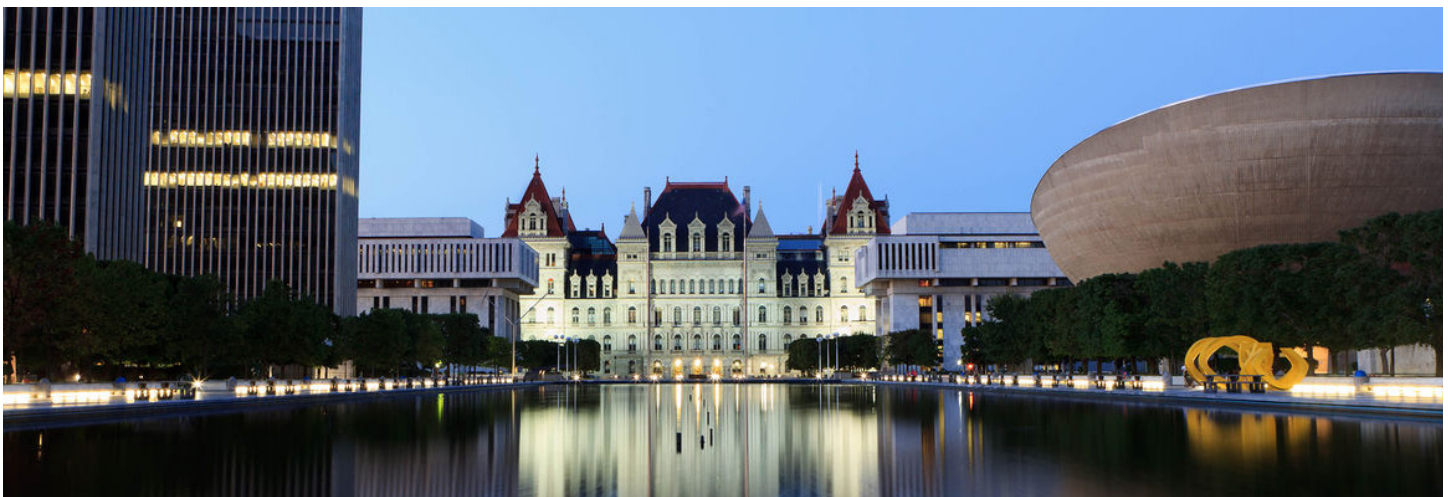
- Approximately 130 New York City agencies are subject to FOIL.
- New York City agencies collectively receive approximately 50,000 FOIL requests over the course of an average year.
- New York City is estimated to spend at least \$400 processing the average request.
- The request fulfillment process is paper-based.

Recommendations

- Reinvent Albany recommends that New York City automate all 130 agencies' FOIL request receipt and fulfillment process.
- The organization urges the city to make highly sought after data sets accessible to the public via an online portal.

Benefits

- Automation will streamline FOIL processing and provide government with insight into which information is in high demand.
- The online publication of commonly sought datasets would reduce request volume by at least 20%.
- This would save New York City an estimated \$3.5 million in annual processing costs. The organization supports this claim by pointing to the 60% decrease in requests that the US Secretary of Defense's office experienced after adding a "Frequently Requested Documents" section to its website.
- Migrating FOIL request processing to an online setting would improve government productivity as well as citizen engagement.



Government Opens Up

“Freedom of Information” (FOI) is a general term that refers to the laws and principles that govern the American public’s right to access government records. Though it aligns with the democratic values the United States of America was founded on in 1776, the concept of Freedom of Information is a relatively new one. In fact, it was not signed into law until the nation was on the cusp of its bicentennial.

The first, faint cries for open information could be heard in the early 1950’s. Cold War paranoia was at fever pitch and classifying government data was the prevailing protocol. This practice did not sit well with many journalists, citizens and some government officials, most notably, Democratic California Senator, John E. Moss. Senator Moss believed that the public could not truly participate in democracy without having knowledge of government leaders’ actions and decision-making process.

Shortly after arriving in Washington D.C., Senator Moss earned a reputation as an outspoken advocate of government transparency. In 1955, the Democrats regained control of Congress and established a Committee on Government Operations subcommittee to investigate several high-profile cases of federal agencies withholding information. Senator Moss was appointed chairman, solidifying his role as leader of the open information movement.



For over a decade, Senator Moss and his supporters conducted investigations, held hearings and otherwise fought for the passage of a federal open data law. On July 4, 1966, President Lyndon B. Johnson finally and reluctantly signed the Freedom of Information Act (FOIA).

Senator Moss’ legacy lives on. Today, all fifty states and the District of Columbia have FOI laws granting public access to government records. Though most are based at least in part on the federal FOIA, the particulars—who can issue requests, which department is required to provide access to its records, the formalities a request must meet—vary.

FOI’s myriad incarnations provide a multitude of case studies of both successful and unsuccessful enactments. As the following examples illustrate, the most effective open data policies—the ones that improve relations between government and constituents—make use of the widening array of technology that streamlines the information request and delivery process.

In 2003, the world was still adjusting to the open data expectations and possibilities widespread, high speed Internet access enabled. This may explain, if not excuse, one Texas public school district’s widely-criticized reaction to a request filed under the state’s Public Information Act (PIA).



That year, Dianna Pharr filed multiple requests for information regarding the spending and operations of Austin's Eanes Independent Public School District (ISD). The parent of a student, Pharr, was concerned about talk of a financial crisis amid budget redistribution. In accordance with PIA law, Texas provided Pharr with her desired documents, but Eanes was unwilling to help Pharr publicize the data. The school district denied Pharr's request to publish the open information on its official website, an action condemned by state Attorney General, Greg Abbott, who maintained that:



The public's right to know is vital to an accountable, citizen-centered government. Simply put, we are entitled to be fully informed, with an open and accessible government, at all levels, in virtually all circumstances. Government is not created independent of the people. Rather, it is founded on the people's authority and exists for their benefit. That ideal is reinforced in the Texas Public Information Act, which says that the people "do not give their public servants the right to decide what is good for the people to know and what is not good for them to know." Instead, people have the right to know what their government is doing.

With Attorney General Abbott's support, Pharr and other parent volunteers established the website, Keep Eanes Informed, on which the school district details Pharr obtained in 2003 can still be found. Pharr assures visitors that Texas citizens, "have the right to inspect public information in the care, custody and control of Eanes ISD, a public school district funded by [resident] tax dollars."

Exemplifying how critically important it is for state agencies to uphold local FOI law, the 2003 Eanes case initiated a dialogue about open data in the Digital Age. The decade that followed saw many technological and sociocultural changes that further tipped the scale in favor of online FOI processing. A 2014 study conducted by government transparency advocacy non-profit, Reinvent Albany, adds weight.

Entitled, "Beyond Magic Markers: Faster, Less Expensive Freedom of Information Law in New York City", the study claims that New York City government spends approximately \$20 million per year processing FOIL requests. Reinvent Albany attributes the high cost of processing to a large volume of requests (around 50,000 per year) combined with the city's reliance on a convoluted, paper-based order of operations that includes the use of magic marker to redact select information. Reinvent Albany admits that such estimates were difficult to come by, as New York City also fails to record basic data regarding the volume and nature of requests received or even the cost of fulfillment.

The organization maintains that the city could reduce processing costs and obtain useful tracking information by moving FOIL on-line. Automation software, Reinvent Albany insists, can perform the tracking and analysis required to help government agencies identify frequently FOILED datasets.

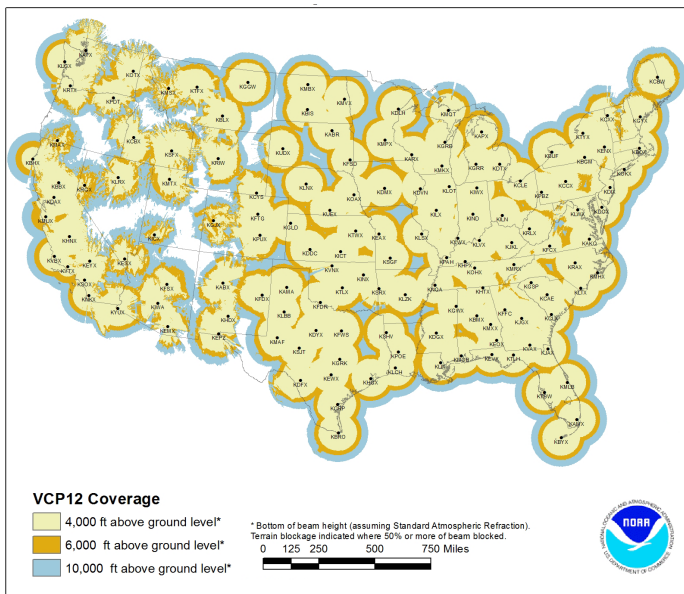
If New York City were to upload such frequently FOILED documents to publicly accessible data portals, Reinvent Albany estimates that the city could reduce FOIL requests by at least 20%, resulting in \$3.5 million and countless keystrokes saved annually. In addition to saving government time and money, automation will also streamline the processing of less common requests, improving New York City residents' access to public information and ensuring that each request is treated with equal importance.

Public Information Fuels Private Sector Innovation

During his tenure, President Obama passed legislation to promote government transparency, citing open data's potential to boost the economy, among other benefits. Indeed, many innovators have found inspiration in open government data.

Once released to the public, these government data sets sparked innovation that led to mass job creation:

NEXRAD Coverage Below 10,000 Feet AGL



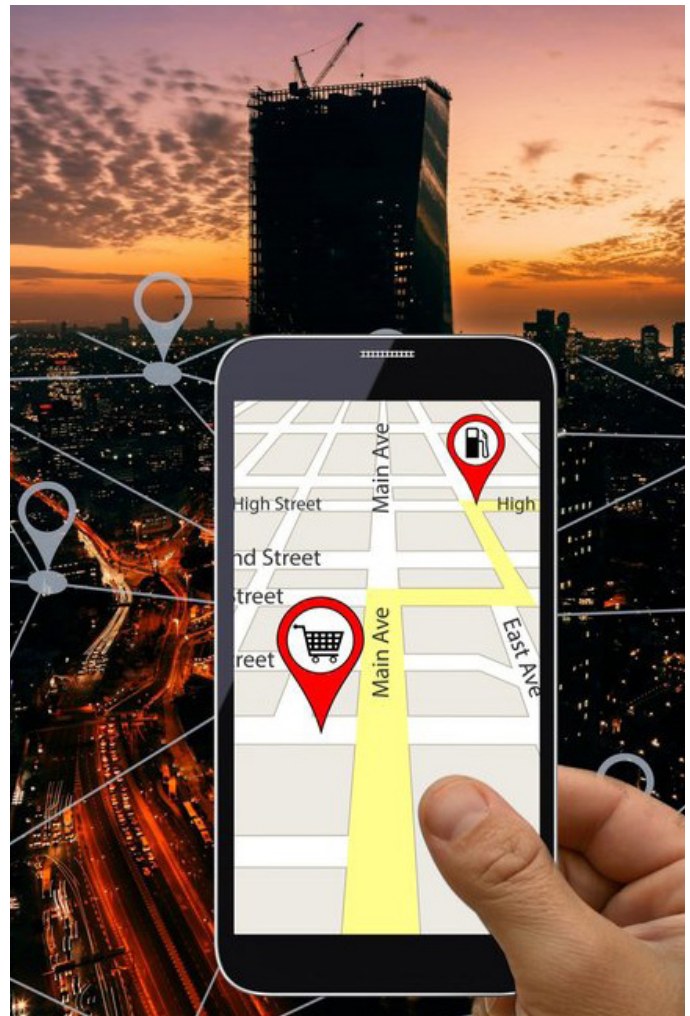
Weather

It's raining jobs! The public release of weather data collected by government satellites and ground stations spawned an entire economic sector that includes the Weather Channel as well as a wealth of commercial agricultural advisory and insurance services.

For example, the Climate Corporation draws data from the National Weather Service's Nexrad (Next Generation Radar), a network of 159 Doppler radar stations that scans weather data in two million locations and 60 years of crop-yield statistics from the U.S. Department of Agriculture to adequately insure and consult the nation's farmers.

Global Positioning System (GPS)

The current ubiquity of car navigation systems and location-based apps make it hard to believe that GPS was once reserved for military use. The government's decision to make the technology available to the public has been credited with contributing tens of billions of dollars to the US economy each year.



Further Clarification

In the years since Reinvent Albany’s study, the US has come closer to embodying Senator Moss’ vision. The Obama administration has passed legislation to promote open data amongst federal agencies and local government is under mounting pressure to follow suit. Fortunately, the GovPilot government management platform has revolutionized the FOI request process.

GovPilot offers over 100 customizable digital templates of everyday government processes. Built with the input of subject matter experts, GovPilot processes simplify and centralize data collection, streamline communication and automate routine tasks. Many New Jersey clients have leveraged the GovPilot platform to upgrade their state-mandated Open Public Records Act (OPRA) compliance process.

Digital forms are a main component of the GovPilot OPRA process. Instead of requiring constituents to write and send a formal letter, GovPilot clients share a digital OPRA request form on their official website. The form can be completed via desktop, laptop or mobile device for optimal convenience.

Upon submission, the requestor and designated government employee both receive a notification. This is the first of many transparent steps in the OPRA process, as managed by GovPilot’s automated workflow. Automation eliminates miscommunication, information barriers and other common impediments to progress. Turnaround time is minimal and transparent operations eliminate mystery to cut the frequency of phone calls and unannounced visits to city hall.

Union Township, NJ knows the benefits of GovPilot’s OPRA process firsthand. Since upgrading operations, the clerk’s office has saved significant time and resources responding to OPRA requests, even as the convenience of digital forms causes the volume of requests to skyrocket.

RMC/CMC/Municipal Clerk, Eileen Birch, says that GovPilot has, “streamlined the entire process and it is easier to keep track of the requests. The best part is no paper!”

The enhanced tracking capabilities Birch speaks of help government gauge which data is in high demand. Administrations looking to further convenience employees and constituents can opt to publish the most sought-after data sets on a GovPilot map. In its most basic form, GovPilot’s geographic information system (GIS) parcel map illustrates layers of weather and traffic information aggregated from public domains such as FEMA and Google. Clients often add custom layers that harness commonly sought information from internal databases. Displayed on the client’s website, the public-facing map becomes a reliable and easily digestible source of information for citizens.

The Future’s Open Wide

Much has changed since Senator Moss and his supporters first began crusading for open government data in the 1950s. In today’s sociocultural climate, the American public expects full and fast disclosure from all levels of government. Automation platforms, like GovPilot, help government manage and track requests, analyze trends and adjust operations to ensure that requests for information are met in a way that conveniences and satisfies both government and constituent.

The screenshot shows a web browser displaying the 'Freedom of Information Act (FOIA) Request for Records' form for the 'Village of Your Town'. The form is titled 'Request for Records' and includes contact information for the village: '123 Main Ave, Yourtown NJ 60162', '(708) 449-6450 / (708) 236-5110', and 'www.yourtowntown.us'. The form is divided into two main sections: 'Requestor Information' and 'Record Request Information'. The 'Requestor Information' section contains fields for 'First Name', 'Last Name', 'Business Name (if applicable)', 'Address', 'City', 'State', 'ZIP', 'Phone Number', 'Fax Number', and 'Email'. The 'Record Request Information' section includes a dropdown menu for 'Is this request a general request or a police request?' (set to 'General'), a text area for 'State your Request', and a note: 'Requests for "any and all" are generally considered too broad and may be returned for clarification. Be as specific as possible in your description.'

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GovPilot is a web-based Management Platform developed exclusively for local government. GovPilot optimizes workflow and revenue streams by replacing antiquated paper processes with digital automation. GovPilot unifies fragmented data and facilitates communication between employees and departments to promote informed decision-making. The platform offers 100+ templated processes, which can be used “off the shelf” or modified to fit a department’s specifications. GovPilot grants unlimited users the ability to manage and share data 24/7, from the office, the field, or the comfort of home.