



Offices of the New York State Inspector General Government Transparency Initiative October 2021

To support and expand upon Governor Hochul's pledge to usher in an era of greater transparency and accountability in New York State government, the Offices of the New York State Inspector General (OIG)¹ propose the following plan, which balances the confidentiality inherent in the offices' investigations with enhanced government transparency.

As a matter of course, complainant and witness information is often redacted or anonymized in office records to encourage state employees and members of the public to report fraud, waste, abuse, criminal activity, and conflicts of interest without the fear of retaliation or other negative consequences. Similarly, when OIG is unable to substantiate an allegation, the Office often redacts and/or anonymizes the identity of the target in consideration of their privacy. OIG also redacts and/or withholds records and/or information from public disclosure when mandated pursuant to state or federal statute.

Making additional information available to the public on the Inspector General's website, or using social media and/or other media, while upholding the State's commitment to language access:

Social Media: The Offices of the Inspector General have not historically utilized social media as a communications and outreach tool, while most other state agencies have used these platforms to improve interactions with the public. OIG will establish and begin using a single Twitter and Facebook account. The Deputy Inspector General for Public Affairs will be the publisher and manager of social media accounts. Topics will include:

- The core functions and missions of the Offices
- How to contact the Offices to file complaints
- The services provided by the Offices
- Best practices for organizations/agencies
- Announcing news releases
- Highlighting current and historical reports of significance
- Amplifying important state news (Coronavirus testing/vaccine, criminal justice reforms, emergency announcements, etc.)
- Office logistics messages (e.g., scheduling appointment to appear in-person)
- "Did you know" and other trivia items of note that are tailor-made for social media (e.g., history of the office, NYS facts, etc.)
- Recognizing OIG employee milestones, events, celebrations

Letters to Agencies: The Offices of the Inspector General regularly issues letters to state agencies and authorities outlining relevant findings and recommendations of matters that are referred to the office. These letters have not been previously publicly available but are subject to FOIL and are frequently disclosed as part of this process.

¹ The Offices of the New York State Inspector General include:

- Office of the Inspector General
- Office of the Welfare Inspector General
- Office of the Workers Compensation Fraud Inspector General
- Gaming Inspector General

OIG will begin posting all letters to agencies and authorities online (retroactive to January 1, 2020) with appropriate redactions to address confidentiality considerations discussed above in the second paragraph of this plan. Additionally, OIG will issue a standard weekly press release summarizing any letters sent with hyperlinks to actual copies of the letters.

Complaint Statistics: OIG publicize statistics related to complaints received in its annual reports², which are submitted to the Governor and the Legislature.

OIG will begin publishing the following statistics on a monthly basis on its public website, and will concurrently post the same data sets on Open Data NY:

- Number of complaints received each month
- How they are received (email, fax, mail, phone, etc.)
- State agency/authority involved in each complaint
- Classification of each complaint (theft, misuse of state resources, ethics, etc.)

OIG will work with Open Data NY to ensure timely and accurate posting of data sets.

Enhancing Language Access: The Offices of the Inspector General will enhance compliance with Executive Order 26.1 by translating its complaint forms into the top ten languages and posting each version online. OIG will also make these forms printable for those who lack internet access and for distribution at public events.

OIG will also review the current automated message on its complaint hotline to improve the intake process for people with limited English proficiency to file a complaint.

Additionally, OIG will evaluate its current list of important/significant documents, particularly posters and pamphlets provided to jurisdictional agencies and authorities, to determine if these documents need to be updated and if the list should be expanded to include additional materials.

Ensuring the timely preparation of legally mandated reporting and identify ways to make useful information available to the public:

The Offices of the Inspector General will continue to ensure that statutorily required Office of the Welfare Inspector General, Workers Compensation Fraud Inspector General, and Gaming Inspector General Annual Reports are prepared, distributed and posted online each year prior to their statutory deadlines.

OIG will also use social media platforms to increase public awareness of these annual reports and as a mechanism to share important programmatic statistics, case summaries, and training/outreach opportunities.

Ensuring use of the Project Sunlight database in accordance with the Public Integrity Reform Act of 2011:

² Office of Inspector General 2020 Annual Report:

<https://iq.ny.gov/system/files/documents/2021/06/inspectorgeneral2020annualreportfinal.pdf>

Workers Compensation Fraud Inspector General 2020 Annual Report:

<https://iq.ny.gov/system/files/documents/2021/03/wcfig2020annualreport.pdf>

Office of Welfare Fraud Inspector General 2020 Annual Report:

<https://iq.ny.gov/system/files/documents/2021/03/owig2020annualreport.pdf>

OIG will evaluate its list of staff with assigned credentials to enter appearances into the Project Sunlight database and determine if additional user credentials should be requested from and/or deleted by the Office of General Services (which maintains the Project Sunlight database).

OIG will ensure that all administrative staff receive appropriate training that will enable them to properly enter appearances into the database.

Additionally, OIG will work with OGS, OITS, and GOER to provide updated Project Sunlight training to all executive staff (Deputy Inspector Generals, Chief of Investigations, Chief of Complaint Management Unit, Director of Digital Forensics, and other program managers).

OIG staff will review all flagged calendar appointments and log any relevant appearances into the database on a monthly basis.

Improving response time for all Freedom of Information Law requests, including by tracking monthly backlogs of outstanding requests and new requests, and by proactively posting frequently requested information or completed requests online:

The Offices of the Inspector General's FOIL process and backlog has dramatically improved over the past three years:

- In calendar year 2019, OIG received 123 total FOIL requests.
- In calendar year 2020, 23 of the 2019 FOIL requests carried over, in addition to receiving 69 new FOIL requests.
- At the onset of calendar year 2021, there were 13 FOIL requests carried over from previous years.
- As of October 18, 2021, there have been 41 additional FOIL requests received. In total, only three requests remain active/unfulfilled and there is no backlog.

In addition to posting all reports and letters on the OIG website, OIG will begin posting its FOIL log online, detailing the types of records requested (with redactions to protect personal privacy), the date each request is received, and the status of each request.

On a monthly basis, OIG will review its FOIL requests and, if appropriate, proactively post frequently requested records and popular investigative files. OIG will continue to evaluate the types of records requested under FOIL and make these records publicly available as part of the offices' proactive disclosure initiative.

Complying fully with E.O. 8.95 "Using Technology to Promote Transparency, Improve Government Performance and Enhance Citizen Engagement" regarding Open Data NY:

As discussed in Complaint Statistics subsection, the Offices of the Inspector General will work with OITS and the Open Data NY team to create and populate data sets reflecting the number, type and classification of complaints received by the offices.

OIG will also review existing agency data sets on a monthly basis to determine if any additional information should be submitted to Open Data NY.

Posting documents required for meetings open to the public at the same time the agenda is posted to the extent practicable

As the Offices of the Inspector General does not typically hold public meetings, this item is not applicable to the agency. However, if OIG does hold any information session,

public meeting, or public hearing to solicit input from the public, offer training or outreach, the office will comply with the relevant provisions of state Open Meetings Law to ensure electronic and hard copies of the agenda and associated materials are publicly accessible prior to such event.

Reducing or eliminating the costs associated with providing data or records

The Offices of the Inspector General rarely charges members of the public for compiling, reviewing and issuing records in response to FOIL requests. OIG will continue to digitize records and proactively post materials online to make information readily available to the public and reduce the number of FOIL requests received by the office.

Updating records retention policies, including ensuring the timely transfer of pertinent records to the State Archives

In 2020, OIG began an agencywide records management initiative, which involves a comprehensive review of existing retention schedules and an evaluation of the types of records transferred to off-site storage and to the State Archives.

OIG recently designated a new agency Records Management Officer who is working with administrative staff and the agency archivist to update the agency's records retention policy, schedules, and training modules.

As part of this effort, OIG is collaborating with similarly situated agencies (MTA IG, NYSP, and OMIG) to compare their retention schedules for investigative files.

Increasing participation of agency personnel in community events and town meetings and providing new avenues for public participation in government decision-making

The Offices of the Inspector General plans to conduct a "state agency tour" where certain staff meet with general counsels and senior leadership at each jurisdictional state agency and authority to discuss OIG's roles and the respective agency's duty to report allegations of wrongdoing to the office.

Agencies with criminal investigative or law enforcement functions will also be educated on recent amendments to OIG's enabling statute that expressly convey jurisdiction to OIG involving law enforcement misconduct cases, including claims of excessive force.

OIG will also continue to meet and collaborate with district attorneys and law enforcement agencies across the state to ensure they understand OIG's role and partnership in investigating cases.

OIG will also continue to collaborate with Departments of Social Services at localities across the state as part of the Welfare Fraud Inspector General's outreach.

Other suggestions aimed at improving transparency and accountability

The Offices of the Inspector General, in addition to taking the steps outlined in this plan, will continue to publicly issue and post investigative reports and accompanying press releases on its web site to inform the public of significant developments and cases originating from the Offices.

OIG will continue to seek additional ways in which to improve transparency and accountability to the people of the State of New York.