

COMMITTEE ON OPEN GOVERNMENT

STATE OF NEW YORK DEPARTMENT OF STATE

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COMMITTEE MEMBERS

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EXECUTIVE DIRECTOR

SHOSHANAH BEWLAY

DRAFT MINUTES

MEETING OF NYS COMMITTEE ON OPEN GOVERNMENT

October 19, 2022, 10 a.m.

Members Present:

Albany: Ian MacCallum (OGS), Peter Grimm, Amanda De Santis (Lt. Governor), Stephen Waters

New York City: Zoila Del Castillo (Secretary of State)

Buffalo: Hadley Horrigan

Quorum present.

Executive Director's Staff Present In-Person:

Shoshanah Bewlay, Christen Smith, Candace Watson

Executive Director's Staff Present Virtually:

Kristin O'Neill, Jake Forken

Welcome:

Introduction of Members and Director's staff.

Approval of Minutes:

On motion to discuss and approve the minutes of the September 15, 2022, meeting of the Committee, all were in favor with the ministerial correction of a typo and the minutes were approved. The approved minutes will replace the draft minutes posted on the Committee website.

Discussion of Draft Annual Report:

Algorithmic Accountability

Members reached consensus that algorithmic accountability is likely an imminent issue that is worthy of attention. All agreed that the annual report should identify the potential issue and recommend that it be studied in order to better judge the scope of the problem and potential remedies.

Need for Effective FOIL Oversight and FOIL data reporting

Members will review substantive edits to the existing section on this issue and comment on next draft. Members also discussed the New York Coalition on Open Government proposal that the Committee receive annual reports of certain FOIL statistics from agencies and use that collected information to formulate an overall recommendation regarding any need for FOIL amendments related to agency responsiveness. All were in favor of including a recommendation in the report that agencies submit or publicly post some form of annual report.

Need for: Additional Proactive Disclosure and Clarity Regarding Repeal of CRL § 50-a

Members will review substantive edits to existing sections on these topics and will comment on next draft.

Definition of Public Body

Members reached consensus that a section on this issue should be included in the annual report with a recommendation that the Legislature clarify its intent.

Mandate Live Streaming of Local Government Meetings

On a proposal made by the New York State Coalition for Open Government, after discussion of some of the barriers to mandating live streaming of all open meetings, members reached consensus that a discussion of the issue should be included in the report.

Public Comment:

The Committee heard comments from Paul Wolf and Michelle Allen of the New York Coalition on Open Government.

Other or New Business:

The Executive Director will propose possible dates for a meeting to be held in November 2022. She will circulate a draft report incorporating discussions and comments prior to the next meeting.

Adjourned at 11:22 am