



# *Monroe County Legislature*

**WILLIE J. LIGHTFOOT**  
LEGISLATOR - DISTRICT 27

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July 9, 2007

To the Honorable  
Monroe County Legislature  
407 County Office Building  
39 West Main Street  
Rochester, New York 14614

**Re: Guaranteeing FOIL Rights of Citizens and Public Officials**

Honorable Legislators:

In March 2007 the Democrat and Chronicle ran a series entitled "Sunshine Week: Your Right to Know," which outlined public frustrations with a poorly executed Freedom of Information (FOIL) process at the local government level. While in recent years there have been significant strides to broaden public access to government, loose interpretations of FOIL statues have fostered the use of various deliberate roadblocks to information by bureaucrats.

This Honorable Body must do everything within our power to guarantee that a government "for the people" is accessible "by the people," and that the flow of information and ideas between government and the governed remains open and constant.

New York State's Freedom of Information Law (FOIL) boldly states that "a free society is maintained when government is responsive and responsible to the public, and when the public is aware of governmental actions. The more open a government is with its citizenry, the greater the understanding and participation of the public in government." As it currently exists, the Monroe County FOIL process is cumbersome and time-consuming, seemingly designed to hamper rather than foster access. In order to increase and expedite public access to County records, the County's FOIL system must become more citizen-friendly and the processing timeline must be shortened.

In order to establish a better, more efficient FOIL disclosure system, we propose this Honorable Body enact a local law amending the Monroe County Charter to include a new provision guaranteeing FOIL rights of citizens and public officials in Monroe



County. Enacting this legislation will improve public access to County government information.


**The specific legislative actions required are:**


1. Schedule and hold a public hearing on the proposed local law.
2. Enact a local law amending the Monroe County Charter, as attached.


This proposed local law will have no impact on the revenues and/or expenditures of the 2007 Monroe County Budget.

We recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.


Respectfully Submitted,

  
Willie Joe Lightfoot  
Legislator - District 27

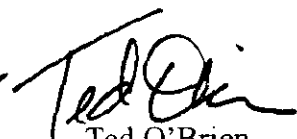
  
Carla M. Palumbo  
Democratic Leader

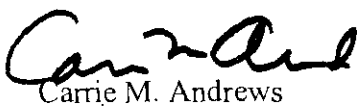
  
Calvin Lee, Jr.  
Assistant Democratic Leader


  
Harry B. Bronson  
Assistant Democratic Leader

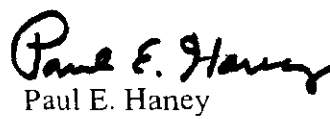
  
Travis R. Heider  
Legislator - District 14

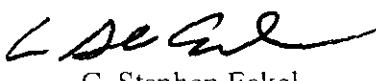
  
Stephanie Polowe Aldersley  
Legislator - District 16

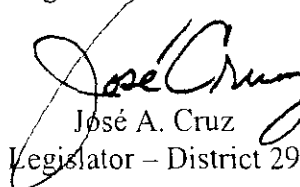
  
Ted O'Brien  
Legislator - District 17

  
Carrie M. Andrews  
Legislator - District 21

  
Glenn Gamble  
Legislator - District 22

  
Paul E. Haney  
Legislator - District 23

  
C. Stephen Eckel  
Legislator - District 26

  
José A. Cruz  
Legislator - District 29

By Legislators \_\_\_\_\_ and \_\_\_\_\_

Intro. No. \_\_\_\_\_

LOCAL LAW NO. \_\_\_\_\_ OF 2007

**A LOCAL LAW ENTITLED " AMENDING MONROE COUNTY ADMINISTRATIVE CODE AND CHARTER RELATING TO GUARENTEEING FOIL RIGHTS OF CITIZENS AND PUBLIC OFFICIALS"**

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. Section §C6-4(B)(8) of the Monroe County Charter is hereby amended to read as follows:

**§C6-4(B)**

(8) To administer and manage, as the County's records access officer, also referred to as the public information officer, the Freedom of Information procedures and laws of the State of New York. All FOIL requests shall be executed within 20 days, as set in New York State Public Officers Law § 84-90.

a. The records access officer shall be required to submit an annual report to the Monroe County Legislature, disclosing the number of submitted FOIL document requests, the average time in response to FOIL requests, the number of responses exceeding the mandated 20 day period, and all other information deemed pertinent by the Legislature.

b. The records access officer shall be required to publish all FOIL document requests and responses on the Monroe County website within the 20 day period.

File No. 07-0 \_\_\_\_\_ .LL

ADOPTION: Date: \_\_\_\_\_ Vote: \_\_\_\_\_

ACTION BY THE COUNTY EXECUTIVE

APPROVED: \_\_\_\_\_ VETOED: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

EFFECTIVE DATE OF LOCAL LAW: \_\_\_\_\_

Added Language is underlined

Deleted Language is ~~stricken~~

