

2019 CHIEF FOIA OFFICER REPORT
to the
Office of Information Policy



**Office of the General Counsel
(OGC)**

Court Services and Offender Supervision Agency (CSOSA)

2019 Chief FOIA Officer Report

Sheila Stokes, General Counsel

Section 1: Steps Taken to Apply the Presumption of Openness

A. FOIA Leadership

1. The FOIA requires each agency to designate a Chief FOIA Officer who is a senior official at least at the Assistant Secretary or equivalent level. Is your agency's Chief FOIA Officer at or above this level?

Yes, the Court Services and Offender Supervision Agency (CSOSA) Senior Official designate is the General Counsel.

2. Please provide the name and title of your agency's Chief FOIA Officer.

Sheila Stokes, General Counsel

B. FOIA Training

3. Did your FOIA professionals or the personnel at your agency who have FOIA responsibilities attend any substantive FOIA training or conference during the reporting period such as that provided by the Department of Justice?

Yes, the FOIA professionals at the Court Services and Offender Supervision Agency (CSOSA) did attend training for Fiscal Year 2018 (FY 2018).

4. If yes, please provide a brief description of the type of training attended or conducted and the topics covered.

CSOSA's FOIA Office provided its New Employee Orientation staff with training. Also, the staff attended American Society of Access Professionals (ASAP) conference in 2018.

5. Provide an estimate of the percentage of your FOIA professionals and staff with FOIA responsibilities who attended substantive FOIA training during this reporting period.

CSOSA has two (2) full-time employees that are FOIA professionals. 100% of the FOIA professionals attended substantive training.

6. OIP has directed agencies to "take steps to ensure that all of their FOIA professionals attend substantive FOIA training at least once throughout the year." If your response to the previous question is that less than 80% of your FOIA professionals attended training, please explain your agency's plan to ensure that all FOIA professionals receive or attend substantive FOIA training during the next reporting year.

Not applicable.

C. Outreach

7. Did your FOIA professionals engage in any outreach or dialogue with the requester community or open government groups regarding your administration of the FOIA? Please describe any such outreach or dialogue, and, if applicable, any specific examples of how this dialogue has led to improvements in your agency's FOIA administration.

Yes, CSOSA's FOIA professionals engaged in dialog and collaborated with its requester community regarding written authorizations from the subject of the record before it can be released.

D. Other Initiatives

8. Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA. In 2016, the Department publicized FOIA-related performance standards for employees that have any role in administering the FOIA, including non-FOIA professionals. Please also indicate whether your agency has considered including FOIA-related performance standards in employee work plans for employees who have any role in administering the FOIA.

CSOSA's FOIA Office met with Leadership to develop bench marks for the program offices to include in their performance standards of their obligations under the FOIA.

9. If there are any other initiatives undertaken by your agency to ensure that the presumption of openness is being applied, please describe them here.

Not applicable.

Section II: Steps Taken to Ensure that Your Agency Has an Effective System in Place for Responding to Requests

1. For Fiscal Year 2018, what was the average number of days your agency reported for adjudicating requests for expedited processing? Please see Section VIII.A. of your agency's Fiscal Year 2018 Annual FOIA Report.

CSOSA did not expedite any FOIA requests for FY 2017.

2. If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, please describe the steps your agency will take to ensure that requests for expedited processing are adjudicated within ten calendar days or less.

Not applicable.

3. During the reporting period, did your agency conduct a self-assessment of its FOIA program? If so, please describe the methods used, such as reviewing Annual Report data, using active workflows and track management, reviewing and updating processing procedures, etc.

Yes. CSOSA did conduct self-assessment of the FOIA program. The Agency evaluated the work flow, communication with requesters, intake, search, review, processing times, and training modules. The self-assessment resulted creating an internal processing tracker, running daily/weekly reports, reduction in processing times, and revising the FOIA Program's Standard Operating Procedures.

4. The FOIA Improvement Act of 2016 requires additional notification to requesters about the services provided by the agency's FOIA Public Liaison. Please provide an estimate of the number of times requesters sought assistance from your agency's FOIA Public Liaison during FY 2018 (please provide a total number or an estimate of the number).

Requesters sought assistance from CSOSA's FOIA Public Liaison approximately once (1) every three months, which is approximately four (4) times a year. We do not normally get requesters seeking assistance from our Public Liaison. The FOIA team strives to provide our FOIA requesters with excellent customer service at the beginning of the acknowledgement letter and throughout the processing of the request, keeping them updated along the way until the final determination and closing.

5. Please describe the best practices used to ensure that your FOIA system operates efficiently and effectively and any challenges your agency faces in this area.

CSOSA engage and reach out to our requester community routinely to confirm the records sought and provide guidance as it relates to the FOIA and policy. The agency also runs a daily report of the status of FOIA requests, which provides the agency with updated information regarding outstanding records requests that are pending. These reports help CSOSA minimize processing times. At times, due to the mission of the agency, program staff are sometimes in the field, which may cause challenges in receiving records right away.

Section III: Steps Taken to Increase Proactive Disclosures

1. Provide examples of material that your agency has proactively disclosed during the past reporting year, including links to the posted material

Examples of materials that CSOSA has proactively disclosed during the past reporting year are quarterly reports, annual reports, regulations, and Chief FOIA Officer Reports. The link is as follows: <https://www.csosa.gov/foia-reports/>.

2. Please describe how your agency identifies records that have been requested and released three or more times (and are therefore required to be proactively disclosed pursuant to 5 U.S.C. § 552(a)(2)(D)).

A majority of CSOSA's FOIA requests are first-party requests (approximately 99%), which are not required to be posted online; however, the database utilized to process CSOSA's FOIA requests does have a method of pulling up prior records for identical first-party requesters.

In order to identify if other records are frequently requested a keyword search is conducted in CSOSA's database within the file cabinet for document management.

3. Beyond posting new material, is your agency taking steps to make the posted information more useful to the public, especially to the community of individuals who regularly access your agency's website?

A majority of CSOSA's FOIA requests are first-party requests or third party requests made on behalf of an individual (approximately 99%), which are not required to be posted online. CSOSA currently provides our posted documents in Adobe PDF readable format, and we continuously update our software to make this information available in the most useful format.

4. If yes, please provide examples of such improvements.

Not applicable.

5. Please describe the best practices used to improve proactive disclosures and any challenges your agency faces in this area.

99% of our disclosures cannot be proactive as the records requested are sensitive offender files and requesters must present an authorization for its disclosure.

Section IV: Steps Taken to Greater Utilize Technology

1. Is your agency leveraging technology to facilitate efficiency in conducting searches, including searches for emails? If so, please describe the type of technology used. If not, please explain why and please describe the typical search process used instead.

Yes, CSOSA is technology driven and uses technology to conduct search for records, not limited to searches for emails. The majority of CSOSA's FOIA requests are first-party requests or third party requests made on behalf of an individual (approximately 99%), which are searched electronically. The agency uses computer software to run a search on the agency's database, which typically stores the records sought.

2. OIP issued guidance in 2017 encouraging agencies to regularly review their FOIA websites to ensure that they contain essential resources and are informative and user-friendly. Has your agency reviewed its FOIA website(s) during the reporting period to ensure it addresses the elements noted in the guidance?

Yes, CSOSA has reviewed its FOIA website to ensure it addresses proactive disclosures, instructions for submitting FOIA requests or inquiring about a request, and information about the agency's administration of the FOIA.

3. Did your agency successfully post all four quarterly reports for Fiscal Year 2018?

Yes, CSOSA has successfully posted all four quarterly reports for Fiscal Year 2018.

4. If your agency did not successfully post all quarterly reports, with information appearing on FOIA.gov, please explain why and provide your agency's plan for ensuring that such reporting is successful in Fiscal Year 2019.

Not applicable.

5. The FOIA Improvement Act of 2016 requires all agencies to post the raw statistical data used to compile their Annual FOIA Reports. Please provide the link to this posting for your agency's Fiscal Year 2017 Annual FOIA Report and, if available, for your agency's Fiscal Year 2018 Annual FOIA Report.

The link for CSOSA's posting for the agency's Fiscal Year 2017 and FY 2018 is available at the following links: https://www.csosa.gov/wp-content/uploads/File_Manager/FY2017-CSOSA-FOIA-Raw-Data.xlsx

https://www.csosa.gov/wp-content/uploads/File_Manager/FY2018-CSOSA-FOIA-Raw-Data.xlsx

6. Please describe the best practices used in greater utilizing technology and any challenges your agency faces in this area.

CSOSA is technology driven and currently uses the most updated version of FOIAXpress which generates all FOIA Annual reports. CSOSA has no challenges in this area.

Section V: Steps Taken to Improve Timeliness in Responding to Requests and Reducing Backlogs

A. Simple Track

1. Does your agency utilize a separate track for simple requests? If your agency uses a multi-track system beyond simple, complex, and expedited to process requests, please describe the tracks you use and how they promote efficiency.

Yes, CSOSA uses a separate track for simple requests. CSOSA does not use a multi-track system beyond simple, complex, and expedited.

2. If your agency uses a separate track for simple requests, was the agency overall average number of days to process simple requests twenty working days or fewer in Fiscal Year 2018?

25.3 days

3. Please provide the percentage of requests processed by your agency in Fiscal Year 2018 that were placed in your simple track.

96.13%

4. If your agency does not track simple requests separately, was the average number of days to process all non-expedited requests twenty working days or fewer?

Not applicable.

B. Backlogs

BACKLOGGED REQUESTS

5. If your agency had a backlog of requests at the close of Fiscal Year 2018, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2017?

Yes, the Agency backlog decreased by 92%, which was a total of 52 backlogged requests in FY17. The number reduced to 4 in FY18 and currently with no backlog.

6. If not, did your agency process more requests during Fiscal Year 2018 than it did during Fiscal Year 2017?

Not applicable.

7. If your agency's request backlog increased during Fiscal Year 2018, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog.

Not applicable.

When doing so, please also indicate if any of the following were contributing factors:

- An increase in the number of incoming requests.
- A loss of staff.
- An increase in the complexity of the requests received. If possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase.
- Any other reasons – please briefly describe or provide examples when possible.

8. If you had a request backlog please report the percentage of requests that make up the backlog out of the total number of requests received by your agency in Fiscal Year 2018. If your agency has no request backlog, please answer with “N/A.”

CSOSA had a backlog of a total of four (4) requests, which was only .009% of requests received.

BACKLOGGED APPEALS

9. If your agency had a backlog of appeals at the close of Fiscal Year 2018, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2017?

Not applicable.

10. If not, did your agency process more appeals during Fiscal Year 2018 than it did during Fiscal Year 2017?

Not applicable.

11. If your agency’s appeal backlog increased during Fiscal Year 2018, please explain why and describe the causes that contributed to your agency not being able to reduce its backlog. When doing so, please also indicate if any of the following were contributing factors:

- An increase in the number of incoming appeals.
- A loss of staff.
- An increase in the complexity of the requests received. If possible, please provide examples or briefly describe the types of complex requests contributing to your backlog increase.
- Any other reasons – please briefly describe or provide examples when possible.

Not applicable.

12. If you had an appeal backlog please report the percentage of appeals that make up the backlog out of the total number of appeals received by your agency in Fiscal Year 2018. If your agency did not receive any appeals in Fiscal Year 2018 and/or has no appeal backlog, please answer with "N/A."

Not applicable.

C. Backlog Reduction Plans

13. In the 2018 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1000 requests in Fiscal Year 2017 was asked to provide a plan for achieving backlog reduction in the year

ahead. Did you agency implement a backlog reduction plan last year? If so, describe your agency's efforts in implementing this plan and note if your agency was able to achieve backlog reduction in Fiscal Year 2018?

Not applicable.

14. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2018, what is your agency's plan to reduce this backlog during Fiscal Year 2019?

Not applicable.

D. Status of Oldest Requests, Appeals, and Consultations

OLDEST REQUESTS

15. In Fiscal Year 2018, did your agency close the ten oldest requests that were reported pending in your Fiscal Year 2017 Annual FOIA Report?

Yes.

16. If no, please provide the number of these requests your agency was able to close by the end of the fiscal year, as listed in Section VII.E of your Fiscal Year 2016 Annual FOIA Report. If you had fewer than ten total oldest requests to close, please indicate that.

Not applicable.

17. Of the requests your agency was able to close from your ten oldest, please indicate how many of these were closed because the request was withdrawn by the requester. If any were closed because the request was withdrawn, did you provide any interim responses prior to the withdrawal?

Not applicable.

18. Beyond work on the ten oldest requests, please describe any steps your agency took to reduce the overall age of your pending requests.

CSOSA reached out to the FOIA requesters to confirm the records sought, and in some instances, this resulted in the requester seeking fewer records which made a difference in reducing the overall age of pending requests.

TEN OLDEST APPEALS

19. In Fiscal Year 2018, did your agency close the ten oldest appeals that were reported pending in your Fiscal Year 2017 Annual FOIA Report?

Not applicable.

20. If no, please provide the number of these appeals your agency was able to close by the end of the fiscal year, as listed in Section VII.C.(5) of your Fiscal Year 2017 Annual FOIA Report. If you had fewer than ten total oldest appeals to close, please indicate that.

Not applicable.

21. Beyond work on the ten oldest appeals, please describe any steps your agency took to reduce the overall age of your pending appeals.

Not applicable.

TEN OLDEST CONSULTATIONS

22. In Fiscal Year 2018, did your agency close the ten oldest consultations that were reported pending in your Fiscal Year 2017 Annual FOIA Report?

Not applicable.

23. If no, please provide the number of these consultations your agency was able to close by the end of the fiscal year, as listed in Section XII.C. of your Fiscal Year 2017 Annual FOIA Report. If you had fewer than ten total oldest consultations to close, please indicate that.

Not applicable.

E. Additional Information on Ten Oldest Requests, Appeals, and Consultations & Plans

24. Briefly explain any obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2018.

Not applicable.

25. If your agency was unable to close any of its ten oldest requests because you were waiting to hear back from other agencies on consultations you sent, please provide the date the request was initially received by your agency, the date when your agency sent the consultation, and the date when you last contacted the agency where the consultation was pending.

Not applicable.

26. If your agency did not close its ten oldest pending requests, appeals, or consultations, please provide a plan describing how your agency intends to close those “ten oldest” requests, appeals, and consultations during Fiscal Year 2018.

Not applicable.

F. Success Stories

Out of all the activities undertaken by your agency since March 2018 to increase transparency and improve FOIA administration, please briefly describe here at least one success story that you would like to highlight as emblematic of your agency’s efforts. The success story can come from any one of the five key areas. As noted above, OIP will highlight these agency success stories during Sunshine Week. To facilitate this process, all agencies should use bullets to describe their success story and limit their text to a half page. The success story is designed to be a quick summary of key achievements. A complete description of all your efforts will be contained in the body of your Chief FOIA Officer Report.

CSOSA collaborated with the requester community regarding referrals, processing times, and the FOIA regulations. The meeting was very successful. We were able to provide informative information on the FOIA process and agreed to continue to have future

meetings. CSOSA also reduced the backlog by 92%, which was a total of 52 backlogged requests in FY17. The number is now down to zero (0) in FY 19.