

# 2022 CHIEF FOIA OFFICER REPORT



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

**Court Services and Offender Supervision Agency**

**2022 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 the Assistant Secretary or equivalent level. *See* 5 U.S.C. § 552(j)(1) (2018). Is your agency's Chief FOIA Officer at this level?

**Yes, the Court Services and Offender Supervision Agency ("CSOSA" or "Agency") Senior Official designee 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. The FOIA directs agency Chief FOIA Officers to ensure that FOIA training is offered to agency personnel. *See* 5 U.S.C. § 552(a)(j)(2)(F). Please describe the efforts your agency has undertaken to ensure proper FOIA training is made available and used by agency personnel.

**The Chief FOIA Officer ensures that the FOIA professionals are provided a training budget and encourages each professional to attend FOIA training.**

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

**Yes, the FOIA professionals at the Agency attended training for Fiscal Year 2021 (FY 2021).**

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

**The Agency's FOIA Officer provided FOIA training to staff, consisting of an overview of FOIA exemptions, specifically, (b)(6), (b)(7)(C), and (b)(7)(E). The FOIA staff attended the following training: 2021 American Society of Access Professionals, Inc. (ASAP) Virtual National Training Conference. The conference provided a comprehensive overview of the FOIA and each of the 9 FOIA Exemptions.**

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

**The Agency's FOIA specialist and supervisors attended 100% of substantive FOIA training.**

7. 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.**

8. Did the personnel at your agency who have FOIA responsibilities attend training in federal records management during this reporting period?

**Yes, FOIA personnel attended federal records management training as required.**

### **C. Outreach**

9. 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 dialogue and collaborated with its requester community to answer procedural questions and to listen to the requesters' needs and concerns. The FOIA office specifically addressed the requirement of signed authorizations. This dialogue has reduced the number of un-perfected FOIA request(s) allowing the FOIA Office to process each request without delay.**

### **D. Other Initiatives**

10. Describe any efforts your agency has undertaken to inform non-FOIA professionals of their obligations under the FOIA. In particular, please describe:

- how often and in what formats your agency provides FOIA training or briefings to non-FOIA staff; and

**CSOSA's FOIA Professionals provide in person, virtually, or by phone, year round onboarding FOIA training to newly hired employees. FOIA Professionals routinely take part in communicating collaboratively with non-FOIA professionals regarding procedural guidance related to conducting searches for responsive records, as well as, meeting the FOIA statutory requirement to respond to FOIA request(s) within 20 business days, unless there are "unusual circumstances."**

- if senior leaders at your agency received a briefing on your agency's FOIA resources, obligations and expectations during the FOIA process?

**Yes, the FOIA office provides updates to senior leadership of the Agency's FOIA resources, obligations and expectations. Also, CSOSA's leadership developed benchmarks for the program offices that were included in the Associate Directors' performance standards concerning the program offices' obligations under the FOIA.**

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

**CSOSA routinely posts current policies, reports and guidance on the Agency's public website to maintain openness with the FOIA community, stakeholders and agency.**

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

## **Responding to Requests**

1. For Fiscal Year 2021, 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 2020 Annual FOIA Report.

**CSOSA did not expedite any FOIA requests for FY 2021.**

2. If your agency's average number of days to adjudicate requests for expedited processing was above ten calendar days, according to Section VIII.A. of your agency's Fiscal Year 2020 Annual FOIA Report, 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. The FOIA Improvement Act of 2016 required all agencies to update their FOIA regulations within 180 days. In 2016, OIP issued Guidance for Agency FOIA Regulations and the accompanying Template for Agency FOIA Regulations to assist agencies in updating their regulations in accordance with the statute. Has your agency updated its FOIA regulations in accordance with the FOIA Improvement Act of 2016? If not, what is your agency's plan to update your regulations?

**Yes, CSOSA FOIA regulations are updated as required by the FOIA Improvement Act.**

4. Standard Operating Procedures (SOPs): having SOPs can improve the consistency and quality of an agency's FOIA process. SOPs can also serve as a significant resource for incoming FOIA professionals and a way to preserve much of the agency's institutional knowledge on administering the FOIA from how to handle requests from start-to-finish, to identifying and making proactive disclosures, to maintaining a FOIA website. Does your agency have up-to-date internal SOPs for your FOIA administration?

**Yes, the FOIA office has up to date SOPs that cover operational procedures for handling FOIA requests.**

5. If not, please provide a timeline for when your agency plans to develop or update its SOPs.

**Not applicable.**

6. Has your agency established alternative means of access to first-party requested records outside of the FOIA Process?

**Yes, a first party requester can also request records outside of the FOIA process.**

7. If yes, please provide examples. If no, please explain if such opportunities exist at your agency and whether there are any challenges in establishing alternative means of access.

**The agency will allow a first party requester to obtain their own records through the subpoena process. Also, the agency will permit an offender who has completed supervision to request a copy of a Letter of Completion of Supervision directly from the Offender Processing Unit with valid proof of identification and applicable release forms.**

8. Did your agency conduct a self-assessment of its FOIA administration during the reporting period? If so, please describe the self-assessment methods used, such as analyzing Annual Report or raw data, using

active workflows and track management, reviewing and updating processing procedures, etc. In addition, please specifically highlight any data analysis methods or technologies used to assess your agency's FOIA program.

**Yes, CSOSA conducted a self-assessment of the FOIA program this reporting period. The Agency evaluated the workflow, communication with requesters, intake, search, review, processing times, and training modules. The self-assessment resulted in creating an internal processing tracker, running daily/weekly reports, reduction in processing times, and updating the FOIA Program's Standard Operating Procedures.**

9. 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 2021 (please provide a total number or an estimate of the number).

**Requesters sought assistance from the Agency's FOIA Public Liaison an estimated 4 times during FY2021.**

10. Has your agency reviewed its FOIA-related staffing capabilities to identify resources needed to respond to current and anticipated FOIA demands?

**Yes, the agency, on a monthly basis, reviews its FOIA program to include staffing capabilities and to identify resources needed for current and anticipated FOIA demands. The agency also remains agile in conducting reviews on an as needed basis in addition to the monthly reviews.**

11. Optional -- Please describe:

- Best practices used to ensure that your FOIA system operates efficiently and effectively

**The Agency continues, during COVID-19, to process each request without incident. As a best practice, the agency is engaged in an agency wide initiative to store most, if not all, records electronically. This practice allows the FOIA program to operate efficiently and effectively.**

- Any challenges your agency faces in this area.

**The only challenge that our Agency faces at this time is that, if some records are too large to email, we have to alternatively mail or meet the requester in person to provide the responsive records. During COVID-19 this can create a challenge.**

### **Section III: Steps Taken to Increase Proactive Disclosures**

1. Please describe what steps your agency takes to identify, track, and post (a)(2) proactive disclosures.

**The Agency continues to review ways to enhance open government by identifying and posting information that can be released to the public by posting information to the Agency's website.**

2. Provide examples of any material that your agency has proactively disclosed during the past reporting year, including records that have been requested and released three or more times in accordance with 5 U.S.C. § 552(a)(2)(D). Please include links to these materials as well.

**Examples of materials that CSOSA has proactively disclosed during the past reporting year are policies, quarterly reports, annual reports, and planning reports. The hyperlinks are as follows: FOIA Reports – CSOSA, Reports – CSOSA and Guidance – CSOSA.**

3. Does your agency disseminate common types of material outside of FOIA, including in online databases where the public may access them? If yes, please provide examples and, if applicable, statutory authority.

**The Agency provides planning reports, policies, and various guidance materials outside of FOIA which can be found at the following links: Reports – CSOSA and Guidance – CSOSA.**

4. 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 for sensitive personal information (approximately 99%), which is not permitted to be posted online.**

5. If yes, please provide examples of such improvements. In particular, please describe steps your agency is taking to post information in open, machine-readable, and machine-actionable formats, to the extent feasible. If not posting in open formats, please explain why and note any challenges.

**Not applicable.**

6. Does your proactive disclosure process or system involve any collaboration with agency staff outside the FOIA office? If so, describe this interaction.

**Yes, the FOIA Office collaborates with various program offices within the Agency. Specifically, if the information being requested originated with the program office, communication with the program office(s) is valuable as they provide subject matter expertise and build partnerships.**

Optional -- Please describe:

- Best practices used to improve proactive disclosures

**CSOSA's best practice used to improve proactive disclosures is to continue communication with program offices and to ensure new and updated information is posted and available on the agency's website.**

- Any challenges your agency faces in this area

**The Agency has not faced any challenges in this area.**

#### **Section IV: Steps Taken to Greater Utilize Technology**

1. Has your agency reviewed its FOIA-related technological capabilities to identify resources needed to respond to current and anticipated FOIA demands?

**The Agency continues to review its FOIA-related technology capabilities and works with Office of Information Technology and the AINS FOIAXpress Team to ensure we have the most current software to be able to process each request proficiently.**

2. Please briefly describe the types of technology your agency began using during the reporting period to support your FOIA program.

**CSOSA currently uses the most updated version of FOIAXpress. CSOSA's Records office ensures that the record retention schedules are followed and therefore, records are maintained in compliance to national standards thereby assisting in maintaining records as per their life-cycle in a digital environment that allows for easier and quicker access. The Agency is now also interoperable with the National FOIA Portal.**

3. 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.**

4. Did your agency successfully post all four quarterly reports for Fiscal Year 2021?

**Yes, CSOSA has successfully posted all four quarterly reports for Fiscal Year 2021.**

5. 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 2021.

**Not applicable.**

6. 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 2020 Annual FOIA Report and, if available, for your agency's Fiscal Year 2021 Annual FOIA Report.

**The link for CSOSA's posting for the agency's Annual reports are:  
[FOIA Reports – CSOSA](#)**

7. Optional -- Please describe:

- Best practices used in greater utilizing technology

**CSOSA currently uses the most updated version of FOIAXpress which generates all FOIA Annual reports.**

- Any challenges your agency faces in this area

**CSOSA has no challenges in this area.**

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

## A. Simple Track

Section VII.A of your agency's Annual FOIA Report, entitled "FOIA Requests – Response Time for All Processed Requests," includes figures that show your agency's average response times for processed requests. For agencies utilizing a multi-track system to process requests, there is a category for "simple" requests, which are those requests that are placed in the agency's fastest (non-expedited) track, based on the low volume and/or simplicity of the records requested.

1. Does your agency utilize a separate track for simple requests?

**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, according to Annual FOIA Report section VII.A, was the agency overall average number of days to process simple requests twenty working days or fewer in Fiscal Year 2021?

**Seven (7) days was the Agency overall average number of days to process simple requests.**

3. Please provide the percentage of requests processed by your agency in Fiscal Year 2021 that were placed in your simple track. Please use the following calculation based on the data from your Annual FOIA Report: (processed simple requests from Section VII.C.1) *divided by* (requests processed from Section V.A.) x 100.

**32%**

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 2021, according to Annual FOIA Report Section XII.D.2, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2020?

**CSOSA did not have a backlog at the close of FY20 nor FY21.**

6. If not, according to Annual FOIA Report Section XII.D.1, did your agency process more requests during Fiscal Year 2021 than it did during Fiscal Year 2020?

**Not applicable as CSOSA did not have a backlog at the close of FY20 nor FY21. With that said, CSOSA processed less requests in FY21 than in FY20. In FY20 CSOSA processed a total of 207 requests and in FY21 CSOSA processed a total of 99.**

7. If your agency's request backlog increased during Fiscal Year 2021, 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:



**Not applicable.**

- 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.
- Impact of COVID-19 and workplace and safety precautions
- 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 2021. Please use the following calculation based on data from your Annual FOIA Report: (backlogged requests from Section XII.A) *divided by* (requests received from Section V.A) x 100. If your agency has no request backlog, please answer with “N/A.”

**Not applicable.**

### **BACKLOGGED APPEALS**

9. If your agency had a backlog of appeals at the close of Fiscal Year 2020, according to Section XII.E.2 of the Annual FOIA Report, did that backlog decrease as compared with the backlog reported at the end of Fiscal Year 2020?

**Not applicable.**

10. If not, according to section XII.E. of the Annual FOIA Report, did your agency process more appeals during Fiscal Year 2021 than it did during Fiscal Year 2020?

**Not applicable as CSOSA did not have a backlog at the close of FY 2020. With that said, the agency processed a total of two (2) appeals in FY 20 and four (4) appeals in FY21.**

11. If your agency’s appeal backlog increased during Fiscal Year 2020, 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:

**Not applicable.**

- 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.
- Impact of COVID-19 and workplace and safety precautions.
- Any other reasons – please briefly describe or provide examples when possible.

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 2021. Please use the following calculation based on data from your Annual FOIA Report: (backlogged appeals from Section

XII.A) *divided by* (appeals received from Section VI.A) x 100. If your agency did not receive any appeals in Fiscal Year 2020 and/or has no appeal backlog, please answer with "N/A."

**Not applicable.**

### **C. Backlog Reduction Plans**

13. In the 2021 guidelines for Chief FOIA Officer Reports, any agency with a backlog of over 1000 requests in Fiscal Year 2020 was asked to provide a plan for achieving backlog reduction in the year ahead. Did your 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 2021?

**Not applicable.**

14. If your agency had a backlog of more than 1,000 requests in Fiscal Year 2021, please explain your agency's plan to reduce this backlog during Fiscal Year 2022. In particular, please also detail how your agency developed and plans to execute your backlog reductions plans.

**Not applicable.**

### **D. Status of Oldest Requests, Appeals, and Consultations**

#### **OLDEST REQUESTS**

15. In Fiscal Year 2021, did your agency close the ten oldest pending perfected requests that were reported in Section VII.E. of your Fiscal Year 2019 Annual FOIA Report?

**Not applicable.**

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 2020 Annual FOIA Report. If you had fewer than ten total oldest requests to close, please indicate that.

**Not applicable.**

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

**Not applicable.**

#### **TEN OLDEST APPEALS**

18. In Fiscal Year 2021, did your agency close the ten oldest appeals that were reported pending in Section VII.C.5. of your Fiscal Year 2020 Annual FOIA Report?

**Yes.**

19. 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 2020 Annual FOIA Report. If you had fewer than ten total oldest appeals to close, please indicate that.

**Not applicable.**

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

**CSOSA Appeals team worked expeditiously reviewing all responsive records to ensure the appeal was responded to in a timely manner.**

#### **TEN OLDEST CONSULTATIONS**

21. In Fiscal Year 2021, did your agency close the ten oldest consultations that were reported pending in Section XII.C. of your Fiscal Year 2020 Annual FOIA Report?

**Not applicable.**

22. 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 2020 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**

23. Briefly explain any obstacles your agency faced in closing its ten oldest requests, appeals, and consultations from Fiscal Year 2020.

**Not applicable.**

24. 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.**

25. 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 2022.

**Not applicable.**

#### **F. Success Stories**

Out of all the activities undertaken by your agency since March 2020 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, but should not be something that you have reported in a prior year. 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.

**Since the COVID-19 pandemic, the Agency continues open communication with the requester community. The Agency's electronic storage of records has been beneficial as it allows the Agency's FOIA program to run smoothly during COVID-19. This allows the Agency to provide responsive information and continue FOIA operations without delay or any backlog.**