

The Public Ought to Know: Boro residents need easy access to government info

By Corey Bearak

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Having passed the 40-column milestone last week, now seems appropriate to share the rationale for The Public Ought to Know and at the same time lend support efforts to save a City Charter-mandated agency established to protect the public's right to know. In an era when the Internet eases our access to information, Queens residents ought to easily access information about government policies and action.

In addition to asking me to provide actual column copy, the publisher and managing editor asked two things of me: a column title and a photo headshot. Mike Favilla, then working as an aide for Councilman Jim Gennaro (D-Fresh Meadows), took the photo; that was the easy part.

A title required thought. I sought out suggestions. Some corny titles played on my first or last names: Corey's Convictions, Bearak Believes and Corey's Conscience (I had edited Hofstra Law School's student publication, "Conscience"). Two music titles came to mind. Reflecting an Aristotelian golden mean, "A Question of Balance" was a Moody Blues album that included my favorite song, "Question," by that band.

Since I worked for more than two decades in government, I was partial to "From the Inside," the title of my favorite band's fourth album, which also included my favorite POCO song, "Bad Weather." I kept coming back to The Public Ought to Know, despite press maven John Del Cecato's admonishment it sounds too (policy) wonkish; he's right. I followed my instinct.

After all, "The Public Ought to Know" comes from an unreleased policy paper on making sure the public gets access to information to hold government accountable. That's my goal every time I offer a column.

The Public Ought to Know certainly reflects my belief that providing the public full disclosure prevents abuses of power and bares incompetence.

I take no credit for the name. In a meeting at then Borough President Fernando Ferrer's office with Allen Cappelli, then director of communications (but in my view, chief of staff on all things substance), and the late Hy Frankel, then special counsel and director of policy and budget, we discussed policy proposals and legislation that called for disclosure of government data, not reported widely then nor today.

Recently, in doing some research on Freedom of Information laws for a client, I reviewed what material my computer contained. I found a document that answered a 2001 questionnaire on open government. The survey was put together by New Immigrant Community Empowerment, a Jackson Heights non-profit organization that “uses advocacy and public education to ensure that new immigrants are influential in civic, governmental and public affairs,” according to its Web site.

The survey included a question about the role of the Commission on Public Information and Communication, or COPIC, an important agency established by the 1989 City Charter reforms. Reviewing the answer that excerpted “The Public Ought to Know” draft piqued my curiosity about the commission. To my surprise, a search of the www.nyc.gov Web site revealed no such entity.

That set me thinking because COPIC’s mission includes reviewing city information policies and the use of new communications technologies for the city as well as issuing advisory opinions on open meetings and Freedom of Information requests. The Charter made the public advocate chair of this commission.

City Charter Chapter 47 governs “public access to meetings and information” and established the Commission on Public Information and Communication. Section 1061 requires it to “hold at least one public hearing each year on city information policies and issue at least one report each year with such recommendations as the commission deems advisable.”

We already know how the Internet and cable provide opportunities to open government and allow the greater citizenry access to information and programs. The key is making government provide the information. The commission could look at documents released by the Office of the Mayor and other agencies to determine where additional opportunities exist to expand public access.

As usually is the case with sound reforms, the Commission on Public Information and Communication has not been funded since 1991 and had rarely met in the previous administration. When I could not find an agency listing, I looked at the site for the public advocate and it included no reference to COPIC.

I checked with Ramon Martinez, senior advisor for Public Advocate Betsy Gotbaum, and learned the Bloomberg administration followed the Giuliani administration’s lead and provided no funding for the Commission on Public Information and Communication. Ramon, who is from Queens and started in Queens politics, also advised his office was working closely with Councilwoman Gale Brewer (D-Manhattan), chair of the Council Committee on Technology.

Under Gotbaum’s predecessor, Gale had served as the public advocate’s

Commission on Public Information representative. Her office noted plans to press the mayor to convene the commission and Brewer advised that she sent a letter with the public advocate to urge the mayor to provide the needed funding. If the mayor fails to include funding in the executive budget, the Council speaker ought to ensure the commission gets the resources it needs.

This episode also makes clear the need to amend the City Charter to set the Commission on Public Information's budget by statute at an appropriate level, in much the same manner the Independent Budget Office receives its funding.

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