

Management summary

Federal, state, and local government agencies are increasingly turning to technology to solve key challenges related to public records disclosures granted under the Freedom of Information Act and state Sunshine and Open Records laws.

The right technology will improve public records disclosure processes by reducing delays and backlogs and delivering fast, thorough, and reliable results through validated workflows and consistent institution-wide practices.

These goals are best met by integrating a single technology platform into your agency's existing IT infrastructure that is specifically designed to complete the entire process, from the request's initial intake, through records collection, processing, review, redaction, all the way to secure public disclosure.

But, government officials face limited funds and resources, deep-seated resistance to change, and competing political agendas. You'll need a convincing argument to get the right technology.

This paper helps you develop that argument. It identifies 5 key areas of ROI supporting the adoption of an integrated technology platform and presents costs and savings projections for each. Through detailed cost-benefit analyses, you will find answers to questions like:

- Why is a single platform better than myriad alternative solutions?
- How can I determine the technology's ROI?
- What specific benefits does the technology bring to our public records disclosure processes?
- If we have to prioritize, which area should we focus on first?

After reading the paper, you will know whether a single technology platform is the best option for your agency. And, you will come away with the information you need to persuade your agency's decision-makers that you're right.

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Introduction: the rising tide

Every year, record-breaking numbers of public records requests (PRRs) are filed with local, state, and federal government agencies across the United States. And every year, agencies struggle even more to provide thorough, accurate responses within the established timeframes.

In many cases, failing to respond in time and fully to PRRs is caused by misplaced reliance on manual processes and inadequate technologies (if technology is used at all) to collect, process, review, redact, and disclose records.

Today, most records are created and stored electronically on local hard drives or system file shares. Many agencies don't have centralized storage among departments, nor standardized file naming or records identification practices. This makes it extremely difficult to find relevant records.

With the rise in the use of the internet, email, social media, texts, and IMs, the amount of data related solely to communications expands exponentially. These "new media" files, along with video and audio files such as police body cam footage and voice messages, are also difficult to access and process.

Chicago paid \$760,000 in 2016 over lawsuits

Nevertheless, the duty to disclose information the public has a right to know remains. As these headlines show, courts expect agencies to overcome these challenges or pay the price:

- Chicago paid \$670,000 in 2016 over lawsuits alleging open records violations¹
- \$9 Million Lawsuit Filed against Education Department for 232 Violations of IPRA Law²
- Gov. Rick Scott agrees to pay a Tallahassee lawyer \$700,000 in taxpayer money to settle seven public records lawsuits³
- The Washington Supreme Court has upheld a \$502,000 penalty for Public Records Act violations⁴

1 <https://www.chicagotribune.com/news/ct-chicago-foia-violation-lawsuits-met-20170101-story.html>

2 <http://nmbookcoop.com/IPRA-Lawsuit.pdf>

3 <https://www.miamiherald.com/news/local/article30417807.html>

4 <https://www.heraldnet.com/news/justices-uphold-502000-public-records-fine-against-state/>

Failing to adapt now will cost agencies even more in the future

Money spent defending actions and paying penalties is money NOT spent on citizens. Failures in disclosure processes destroy your agency's credibility, angers constituents, and causes severe business disruptions.

Agencies that receive ambiguous requests for "any and all communications related to X" (i.e., all agencies) must be able to locate and disclose every type of record available, no matter how complicated, to avoid earning a dreaded appearance in the headlines.

But, how? A single, integrated PRR technology platform fuels streamlined and automated processes that deliver fast, thorough, and reliable public records disclosures.

Agencies are relying on technology for FOIA improvements

Federal agencies are already relying on the type of technologies available in PRR platforms to improve records disclosure processes. They've discovered that one of the chief ways to save time and money is by automating repetitive processes such as deduplication, redaction, and categorization of records.



For example, the Department of Homeland Security relies on automation to find and remove duplicate copies of records from its FOIA responses. DHS chief FOIA officer, Sam Kaplan, said, “Hopefully, this will drastically reduce the time required on this necessary aspect of the FOIA processing. It will help assure consistency across our vast department.”

In its Summary of Chief FOIA Officer Reports, the federal Office of Information Policy reports that agencies are using technology tools to sort and deduplicate documents, provide shared platforms to facilitate collaboration, and improve search capabilities to reduce the time and labor needed to process requests.

Agencies reported improving FOIA efficiency in 2017 by using technology to:

- Set up internal shared drive web-links so that personnel can upload responsive emails and other records to one location where multiple users have access to review and redact documents;
- Streamline email searches across individual domains or even throughout all of an agency’s users;
- Suggest search terms and immediately report back to requesters on the search results, which narrows the scope of requests and, hence, reduces the number of documents for review.

The Department of Justice and Office of Information Policy performed a pilot program that pitted digital tools against conventional methods of processing records requests. They reported that for the cases using the digital approach, 4.7 million documents were initially collected.

Automatic deduplication removed 1.1 million documents from the collection. After date ranges and search terms were applied, 3,859 documents remained to be reviewed by FOIA professionals. They were also impressed with the accuracy and speed of the digital approach, which completed a search for records in less than a hour that took days to complete using conventional methods.

All of these capabilities and more are available through technology platforms that

- Find more relevant records using advanced search and smart record finding techniques
- Increase efficiencies in the review and redaction processes while
- Reducing errors and risks for accidental disclosures.

What about the alternatives?

The white paper “Take Control of Public Records Requests: A Maturity Model” discusses various approaches agency officials take in responding to PRRs. Those approaches that can be described as “ad hoc” and “managed tooling” fail agencies in today’s fast-paced, data-intensive environment.

Ad hoc

Agencies react rather than plan.

- Voicemails, blueprints, social media posts, online chats, body cam videos, etc. are excluded from disclosure or their manual review adds months-long delays.
- Duplicates and irrelevant documents are manually extracted during a tedious page-by-page review.
- Redactions of exempted and private information are made by hand.

Numerous staff waste a colossal amount of time and effort performing redundant activities ineffectively – from the clerk who performs the initial intake, to employees who manually search their email accounts and hard drives for records, to the IT specialist who is drawn away from his regular duties to assist, and beyond.

Yet, agencies are still exposed to legal, financial, and compliance risks because they fail to locate all the relevant records and their review and redaction procedures are time-consuming and prone to errors.

Managed tooling

Some agencies use a patchwork of provisional tools and point solutions to handle various aspects of preparing responses to PRRs. These may add some efficiencies. Too often, though, they also add to staff burdens and present many of the same risks as ad hoc approaches.

Searches still fail to locate relevant audio, video, social media, text messages, and other new media records.

Whether a record is found or not depends on the tool’s functionalities and the individual’s search skills.

Reviewing and redacting documents remain tedious and time consuming. Creating indexes and reports manually is prone to errors.

Request management technology

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Key areas for ROI

A single PRR technology platform that integrates with an agency's existing IT infrastructure eliminates costly redundancies, eases employee burdens, and reduces risks. In each of the 5 key areas that follow, the use of a PRR platform delivers significant cost savings.

ROI no. 1: improved request management and workflows

An end-to-end platform provides the much-needed framework for consistent management of every request from intake to disclosure. Relying on a single system to track and move requests forward reduces burdens on staff and reduces chances for requests to slip through the cracks.

- The status of each request is instantly recognizable by anyone who calls it up in the system.
- Agencies customize system-wide procedures, workflows, and reporting options that meet their specific needs.
- Referring requests to other agencies and consulting with others is coordinated seamlessly and securely.

Costs and savings projections

PRR platforms are available as software-as-a-service (SaaS) monthly, quarterly, or yearly subscription fees. Fees are typically based per user or per usage, making SaaS an ideal choice for agencies that experience fluctuations in the number of requests throughout the year or that want to introduce new technologies slowly into their daily lives.

Agencies complete responses an average of 50-60% faster

On-premises platforms are also available for a one-time upfront fee. Software updates are usually provided throughout the year. However, these systems are typically not updated when new versions or whole system upgrades are released.

Using a PRR technology platform achieves significant savings in time and effort. Requests stay on track, and agencies complete responses an average of 50-60% faster with fewer personnel involved. In addition, PRR platforms can include automated payment options that generate revenue. In 2017, federal agencies reported collecting FOIA fees that amounted to less than 1% of the total costs related to the government's FOIA activities. An integrated platform can collect fees automatically and securely.

2. Records collection

A PRR platform integrates directly with your current IT and records management systems such as Office 365, Exchange, SharePoint/OneDrive, and many others. All records are collected, including records that were previously difficult or impossible to locate or access.

- Electronic records are collected directly from their original source, and important metadata is preserved with them.
- Every file is made searchable, including paper records, audio files, videos, images, and newer types of media files (texts, IMs, body cam video, etc.).
- All records are preserved in a single, centralized repository.

With a centralized, PRR platform, a single employee can perform in mere minutes the collection activities that used to take several employees days, weeks, even months to complete. And the results are much more reliable and thorough.

Costs and savings projections

You're ready to review documents in a matter of minutes, saving a significant number of employee hours. For example, eliminating the need for an IT specialist to become involved during collection resulting in these potential savings:

1. Collecting 100GB of data manually may take 5-10 hours, depending on your IT infrastructure and assuming there are no disruptions. Divide the total amount of data you have to collect by 10. (700GB divided by 10 = 70)
2. Multiply the result by the hourly rate of your IT staff: $70 \times \$50 = \$3,500$. This is the dollar amount you save on collections.

As you can see, the amount can grow to be quite substantial when dealing with extensive records collections.

If you outsource the records collection process, simply include the annual cost in your yearly savings projections.

3. Processing and culling records

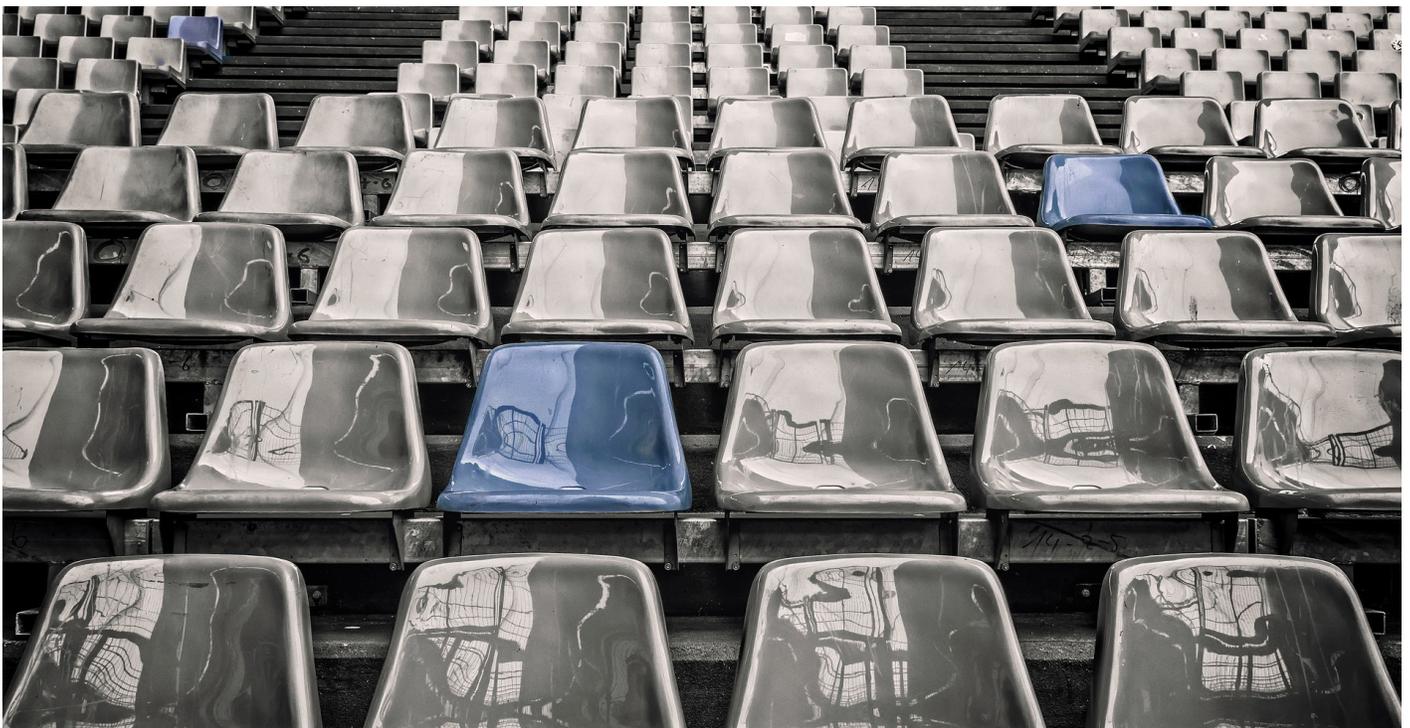
During processing and culling, data is analyzed in order to cut as many records as possible from the set of documents that remains for review and redaction (the “review set”). The smaller the review set, the fewer hours and less effort it takes to review, redact, and disclose them.

Culling is an area many new PRR platform technology users focus on first because it’s simple yet incredibly effective. During initial culling, duplicates and irrelevant system files are flagged for removal by the system, which makes the review set significantly more manageable as well as relevant.

To clear the way for “deep” processing, records are extracted from containers such as ZIP, PST, and MSG files and indexed. Audio and video files, images, and “new media” files are indexed based on their contents. Emails are organized by thread into single, cohesive narratives.

Costs and savings projections

- Processing and culling can reduce review sets by up to 90%.
- Initial processing and culling easily reduces 10GB of data to 5GB. Additional deep processing can then reduce the 5GB to 1GB.
- Savings are calculated by multiplying the saved GBs by the hourly rate to review a GB.



For example: A reviewer may average the review of 50 documents per hour. The next section provides the average number of documents in various file types.

- Email files contain, on average, 5,000 documents per GB.
- 10GB = 50,000 documents = 1,000 hours to review = \$25,000 for a reviewer paid \$25 per hour

But, by reducing the review set to 1 GB, you get:

- 1G = 5,000 documents = 100 hours to review = \$2,500 for a reviewer paid \$25 per hour.
- \$22,500 is the resulting savings.

Additionally, a chief cause of costly appeals and lawsuits – incomplete disclosures due to the inability to access myriad file types – is significantly reduced through deep processing.

4. Review and redaction

If PRR platforms used magical elves, you would find them hard at work auto-redacting and auto-classifying. These automated processes protect privileged and confidential information and organize records into logical review sets.



PRR platforms automatically redact sensitive data such as social security numbers and can be taught to recognize and redact other exempted information. During review, exemptions and their reasons are tracked and an index can be automatically created.

Consider all the time and effort spent doggedly reviewing piles of records, page by page, with a black marker in hand. Automation lifts that tedious, tiresome burden off the shoulders of agency staff.

Costs and savings projections

Review and redaction are the most time-consuming and costly activities in the disclosure process, which means they are also where we find the most ROI.

The average number of documents per GB for various file types are:

- Microsoft Word files: 3,500
- Email: 5,000
- PDF: 2,000
- PPT: 700
- XLS: 2,500

If a person reviews 400 documents a day (50 per hour), then reviewing 1GB requires anywhere from 5 days (for 5,000 documents) up to 62.5 days (for 25,000 documents).

Of course, the number and complexities of the decisions required for each document and the speed of the document reviewers will vary.

But none compare to the speed and ease of automation, which handles numbers like these in a matter of minutes, sometimes seconds, and never suffers from fatigue, stress, or information overload.

Plus, the potential for reputation damage from releasing private or exempt information is significantly reduced.

5. Assisted review for large complex requests

Technology-assisted review (TAR) digs even deeper into your data using technologies such as machine learning and natural language processing along with advanced text mining to deliver phenomenal search capabilities.

TAR is a powerful tool when searching for relevant information on complex issues. It goes beyond finding exact matches to your search terms and identifies documents containing similar phrases and concepts. It expands search results by revealing important records that are relevant, but that you didn't know the exact search terms to use to locate.

Records are sorted by concepts, phrases, search terms, dates, and many other variables, which makes it easy to determine the disposition of entire sets of records without labor-intensive, manual review of each document.

Example: All records containing X and Y are relevant. But all records containing X, Y, and Z are exempt from disclosure and can be removed from the review set.

Ironically, TAR finds a higher number of relevant documents than other computerized search processes while simultaneously reducing the number of records for manual review.

Example: You have to disclose a final version of a document. Multiple drafts leading to the final are included in the review set. TAR recognizes which records are drafts. You then remove them from the review set and disclose only the final

Because TAR performs so much of the work of finding relevant documents behind the scenes, the human reviewer doesn't need to be an expert in the request's subject matter. One person can do the work of many, and department personnel aren't interrupted from their daily work to perform individual searches to find relevant records for disclosure.

Costs and savings projections

Assisted review reduces data sets by another 50% to 90%.

100GB of potentially responsive documents that have already been through processing and culling is cut, by the most cautious estimate, to 50GB.

Calculate your savings by multiplying the saved GBs by the hourly rate to review a GB as shown above.



PRR platforms: the technology that keeps on giving

PRR platforms introduce access and flexibility in your records management systems that many public officials have desired for years. Additional benefits that make them even more attractive include:

Bring the same improvements to other records-related processes in the agency

A PRR platform is an all-inclusive tool that can be leveraged to enhance internal investigations, responding to subpoenas, and other document-intensive processes throughout an agency.

Additionally, a PRR platform provides the foundation for the centralization and standardization of all agency records. It is an integral step toward meeting the records management recommendations in initiatives such as the Managing Government Records Directive (M-12-18) and the Federal Electronic Records Modernization Initiative.

A platform's range of customizable features also allows federal agencies to preserve records and their metadata in compliance with the National Archives & Records Administration's guidance for when they transfer permanent electronic records for archival.

The incalculable price of data security

A government agency's data needs the highest level of protection. Managing all disclosure processes on a single platform helps ensure records remain secure because:

- *Fewer employees are involved;*
- *Records remain free from the risks of exposure that comes with transferring data among systems;*
and
- *The correct records are released through a secure online portal.*

Many organizations opt for SaaS technologies because they are monitored 24/7 using the most up-to-date security measures available.

Compelling cases for greater savings

The arguments here present a compelling case for the use of a technology platform that eliminates the issues preventing timely and complete responses to PRRs. A PRR platform solves today's PRR disclosure challenges and brings greater security and savings to the table than other available options.

Of course, there's nothing like seeing how technology has worked in real life to demonstrate its real value. In "A Practical Approach to Managing Public Records Requests," the city attorney for the City of Scottsdale, Arizona shares how multiple departments of the City Attorney's Office use a PRR technology platform to work together and efficiently respond to approximately 15,000 public records requests each year.

Components of your ROI model

PRR component	Benefit	Cost
Request Management and Workflow	Improved workflows and reporting capabilities help maintain compliance. Generate revenue with payment technologies.	SaaS subscription fees per user or per usage. Or: one-time cost of an on-premises platform.
Records and Data Collection	Save on collection cost: Outsourced: Annual cost for vendors who perform collections. In-house: Number of GBs collected divided by 10 hours, then multiplied by your hourly IT rate.	Included in SaaS and on-premises solutions for most collection locations. Potential small fee for rare collection location. Special collectors can be developed by 3rd parties using open APIs. Cost are then a few thousand US\$ per collector.
Processing & Culling (shallow)	Automatically removes duplicate, irrelevant data; reduces review sets by 50% Multiply the number of GBs removed by the average hourly cost of a reviewer.	Few US\$ per GB
Processing & Culling (deep, including OCR and analytics)	Removes additional irrelevant data; reduces review sets by 40% Multiply the number of GBs removed by the average hourly cost of a reviewer.	Depends on exact volume of OCR, Image Classification, Audio Search, and Languages.

PRR component	Benefit	Cost
Review and Redaction	Removes additional irrelevant data; reduces review sets by 40% Multiply the number of GBs removed by the average hourly cost of a reviewer.	Depends on exact volume of OCR, Image Classification, Audio Search, and Languages.
Hosting for Review	90% of review set eliminated through processing & culling. Multiply the number of GBs removed by the average hourly cost of a reviewer.	A few US\$ per GB in a SaaS solution and included in on-premises solutions.
Assisted Review	Assisted Review ultimately saves your organization another 50%-90%. Multiply the saved GBs by the hourly rate to review a GB.	For a small fee, assisted review is included in SaaS and on-premises platforms.



Agencies across the nation have been using ZyLAB's FOIA solution for efficient and cost-effective public records requests. With easy to use features such as auto-redaction, auto-identification of sensitive information and workflow management you can significantly save time, resources and costs associated with the burdens of responding to information requests.



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