

The Public Ought to Know: LIC firehouse closure shows need to reveal data

By Corey Bearak

04/08/2004



Corey Bearak

The Mayor's Management Report released this past winter demonstrates the need for an independent entity to prepare this document used to evaluate the state and effectiveness of city government. The City Charter intended the Mayor's Management Report and...

The Mayor's Management Report released this past winter demonstrates the need for an independent entity to prepare this document used to evaluate the state and effectiveness of city government.

The City Charter intended the Mayor's Management Report and the Preliminary Mayor's Management Report, both prepared by the Mayor's Office of Operations, to be useful tools for agency hearings, the mayor, the Council, other officials, the press and the public to review city government and municipal agency performance.

When a state Assembly report had to gather the information that shows longer fire and medical emergency response times as a result of the city's closing of firehouses, including Engine Company 261 in Long Island City, the need for routine disclosure of important data on city agency performance becomes glaring.

Reports during the previous administration started a dangerous precedent when they failed to include important benchmarks to compare the data from one fiscal year against the next. The Independent Budget Office, or IBO — an agency not controlled by City Hall — should prepare these reports.

The Queens Civic Congress platform advocates this reform, which can be achieved by amending the City Charter. An earlier column noted its recommendation to past Charter Revision Commissions. It gained early elaboration in testimonies I prepared for Mayor Rudy Giuliani's Charter Commissions later excerpted in the Citizens Union's Ethics in Government survey published in the Gotham Gazette in 2001.

Since its establishment, the Independent Budget Office has resulted in a new level of independent analysis of city government operations and service delivery functions. The Mayor's Office of Operations responds to the needs of the administration it serves and not the city as a whole when it prepares its current and often inadequate report.

Reassigning the preparation of the management and preliminary management reports to the Independent Budget Office injects needed independence — and certainly maintains professionalism — in the collection, presentation and analysis of data on city services.

To paraphrase Supreme Court Justice Louis Brandeis, sunlight remains the best disinfectant. An MMR and a PMMR prepared independently and professionally should result in information being more fully disclosed and better scrutinized. Ample precedent exists for this approach. In fact, the Congressional Budget Office prepares similar reports at the federal level.

Too often, mayoral administrations manage information solely to promote their own ends and hinder, if not block, disclosure of even routine information that might show it in a bad light. Under the theory, “information is power,” city administrations deprive the public, or limit disclosure, of vital information and documentation concerning government operation. Contradicting Fire Department testimony, fire and emergency response times increased after firehouse closings.

Those who seek data, reports and program parameters must rely on their knowledge of the Freedom of Information Law, or FOIL, which requires government respond to public information requests. Through roadblocks or elongated time periods for information release to the point of uselessness, city administrations compromise this objective.

In one agency, relatively routine information requests took months. The information requested ought to exist for the agency’s ability to manage its own operations. If the agency is not routinely collecting this data, it suggests a degree of mismanagement or worse; if the agency has the information, the delays in its disclosure suggest a fear of bad news.

FOIL should be a last resort; core information should be routinely available. The process of going to court requires sophistication and funding sources beyond the reach of most constituents. Therefore, average citizens, who were intended to be the most protected by the law, are actually the most deprived.

Sunlight on decisions introduces accountability. Absent mandated full disclosure of basic information about government performance, city administrations remain free to avoid accountability. Needed changes may never see the light of day.

Mayor Michael Bloomberg banked his financial success employing the latest technology. Routinely available information on service delivery and agency performance gives the public the ability to go to the agencies, their community boards, their associations and elected officials armed with information that details why a bad condition exists and where resources may be redeployed. Look at the MMR and PMMR on the Internet at www.nyc.gov and you judge what information

you might like to see.

Open government to the public by requiring agencies to report basic information that allows the public to evaluate how each agency adequately provides services. The reporting should occur across municipal government in agencies involved in everything from public safety to strategic planning to environment and infrastructure to education and human services.

Government and members of the public can use agency data to refocus and redirect resources at the source and make government work at the neighborhood level. Data reporting enables government to employ surveys on service delivery to inform government on its responsiveness and effectiveness on a borough and neighborhood basis.

Corey Bearak is an attorney and adviser on government, community and public affairs. He is also active in Queens civic and political circles.

©Times Ledger 2004