

CITY PROGRESS AMID SURGING REQUESTS

FIRST QUARTER IPRA
BACKLOG REDUCTION
REPORT

ONE
ALBUQUE
ROQUE

2024 (JULY 1ST -
SEPTEMBER 30)

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Introduction

The Inspection of Public Records Act (“IPRA”) is a state law that allows any person to request public records from public bodies such as the City of Albuquerque (“City”). See, NMSA 1978 §14-2-1 to 14-2-11. The City currently receives between 1,100 and 1,300 requests per month and received over 13,000 requests last fiscal year. This is a significant increase over the previous year and continues a trend of 10-30 percent increases in requests volumes each year. The City is not unique in experiencing significant growth in public records requests. Many public bodies are encountering growing amounts of requests, litigation, and the resulting staffing issues.

In general, upon receipt of an IPRA request by the records custodian, the records custodian must either make the records available immediately or send an acknowledgment letter and make the records available no later than fifteen (15) days after receipt. If the request is “excessively broad and burdensome,” the public entity may take “an additional reasonable period of time” beyond fifteen days to fulfill the request. What constitutes “an additional reasonable period of time” is context specific, and left ambiguous under IPRA.

For example, a request for tens of thousands of emails may take several years to fulfill. In short, IPRA does not require that public bodies fulfill all requests within fifteen days.

Because it is permissible for public bodies to take more than fifteen days to process a request, it is not clear what constitutes a “backlog” under IPRA, despite routine usage of this term. This report defines requests that are open for more than 30 days as the “backlog.”*



ETHAN WATSON, JD

In 2020, Ethan Watson was appointed City Clerk, transforming the public records request process by digitizing frequently requested documents for online access, earning the Dixon Award from the New Mexico Foundation for Open Government for his commitment to transparency. In 2021, he received the International Institute of Municipal Clerks' Program Excellence in Governance Award for delivering quality services to residents.

* There are two ways of measuring the impact our office has on the backlog: total open requests and the backlog itself. Both metrics have their limitations. Total open requests are also down.

“Backlog”

In July, the Office of the City Clerk reported to City Council that the City had approximately 1,500 requests older than thirty days. In August and September, this “backlog” decreased further and fluctuated between 1,142 and 1,385 requests. As of September 30, 2024 the backlog totaled 1,142. This decrease represents a positive development reflecting results of the initiatives outlined below.

Reduction Plan

The Office of the City Clerk has adopted a reduction plan by implementing a number of strategies over time to address the increase and the number of requests that take more than thirty days to fulfill. There are four specific elements to the City’s backlog reduction plan: staffing, large requester outreach, process improvement, and records digitization. This report will address each element of the plan in turn.

1) Staffing Levels

Staffing is a core component in reducing the City’s IPRA “backlog.” Processing requests in many instances is a question of workforce.

For some time now, the City Clerk’s Office has been adding more temporary contract and permanent staff to the City’s public records team. Most recently, in December 2023, the City Clerk’s Office received one time funds to add approximately a dozen additional contract staff to assist with processing requests (see pg. 8). These contract staff were hired between February and March 2024. Following a training period, the new staff began processing limited types of requests in March and April. The City Council approved additional funds starting July 1 to continue these contracts.

Although the number of personnel varies slightly with attrition and promotion, we currently have approximately between twenty-five and thirty employees processing requests for public records.* This staffing has had a significant impact on the backlog. The backlog has been steadily decreasing since the new contract staff completed their training and began to begin processing requests. As they continue to learn to process additional types of requests, they will continue to have an impact on our open requests older than thirty days.

* Various staff members outside the IPRA division also assist in fulfilling requests. For more information, see page 8.

2) Outreach to Large Requesters

Although most requesters submit one request per year, there is a small group of requesters – largely banks, insurance companies, lawyers, and consultants who account for a significant portion of the City’s requests annually. Within that small group, there are some requesters who submit as many as 500 requests or more in a given year (see pg. 9). Because of the significant impact these large requesters have on our workload, engaging with them and their relevant trade associations is critical to addressing the growth of requests.

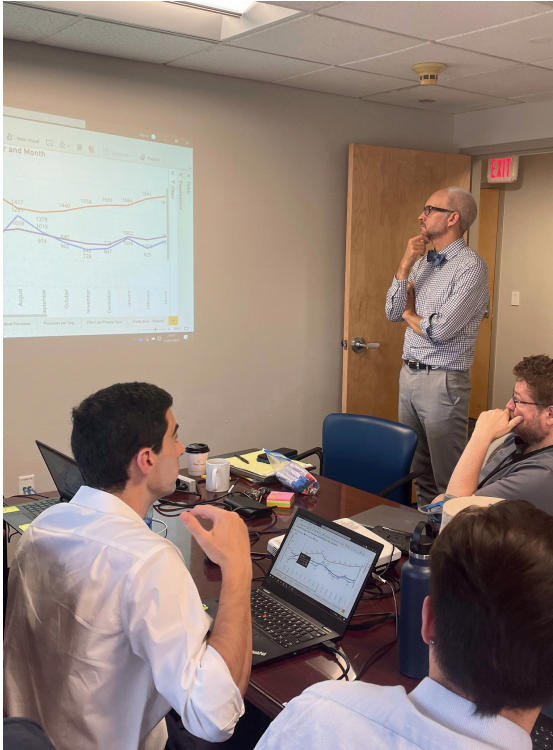
This engagement has taken many forms. In some cases, we have set up one-on-one meetings with the large requesters to assist them with clarifying and narrowing their requests. These discussions have generally been positive. For example, following one meeting, a large requester reduced the number of records they were seeking in each of their requests which has had a significant impact on our workload and allowed us to redirect resources to other requests. In other cases, we have presented at association conferences about best practices. In this most recent quarter, the City Clerk presented at the annual meetings of various groups of attorneys who include some of our most frequent requesters.

Specifically, the City Clerk presented at the Continuing Legal Education for the Albuquerque Bar Association and the annual continuing education event for the Law Office of the Public Defender regarding best practices to submit a records request.

"The number of requests that the City receives on an annual basis has nearly tripled since 2017." See page 6.

3) Improving the Process

In addition to adding staff and reducing volume through engagement, we have been working on improving the way that we process requests. This focus has included every aspect of our work, from our training program, to how work is distributed, to the way that we retrieve specific records. These efforts remain ongoing but have had a significant impact on our work. For example, it previously took us many months for an employee to complete basic training, now, employees complete our basic training in a matter of weeks.



Process Improvement Session: Team members collaborating on workflow enhancements and efficiency strategies aimed at streamlining IPRA request handling and reducing processing times.

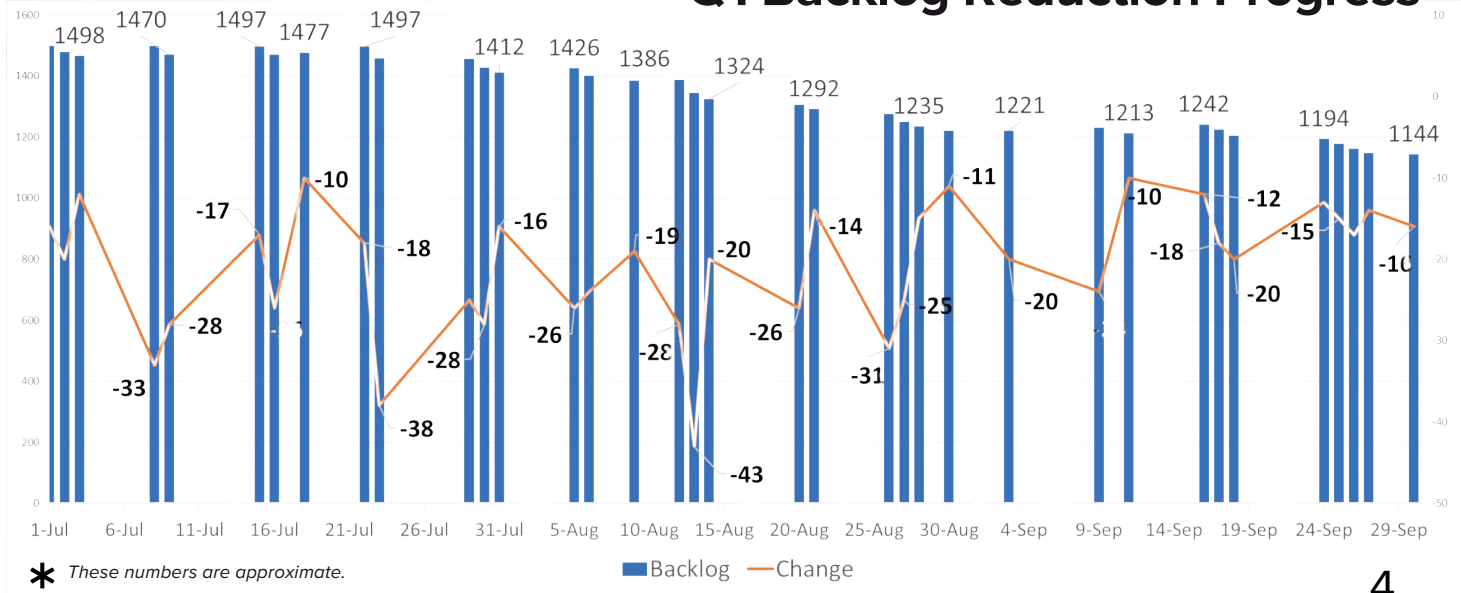
4) Records Digitization

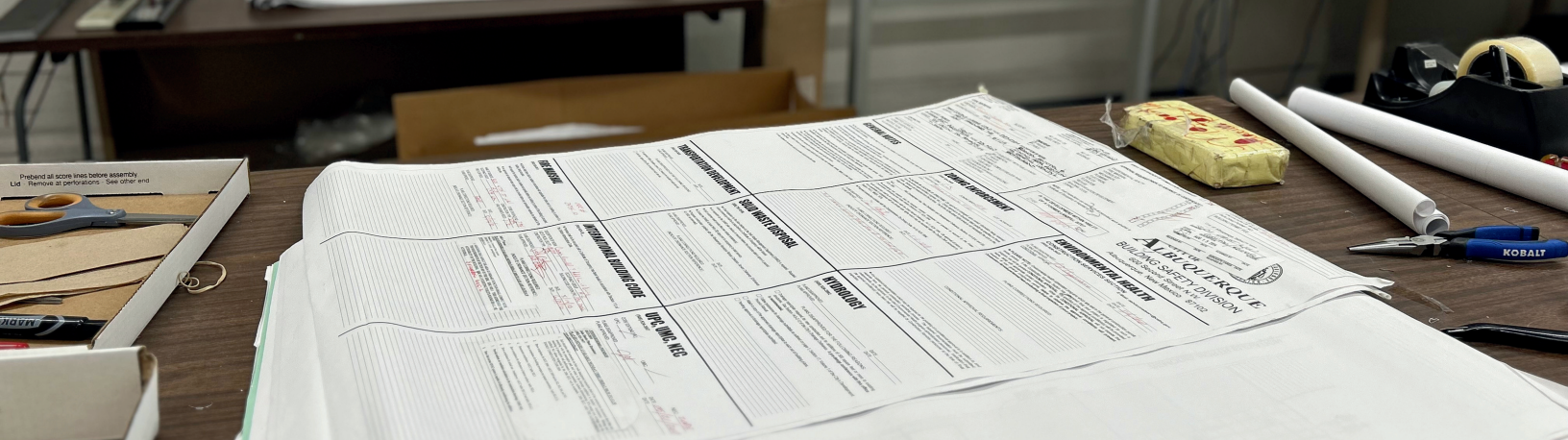
Finally, we continue to work with all City departments to digitize commonly requested paper records or records that will make departments more efficient. These digitization projects have spanned a wide range of activities and remain ongoing (see pg. 10). For example, we have digitized over 18,700 APD microfilm case reports. Digitizing these records will greatly increase the speed with which we are able to make these records accessible to requesters.

Conclusion

The City Clerk’s Office continues to study and implement best practices in an effort to address the growing number of requests. We will update our plan as we continue to review other entities efforts and our impact on the backlog.

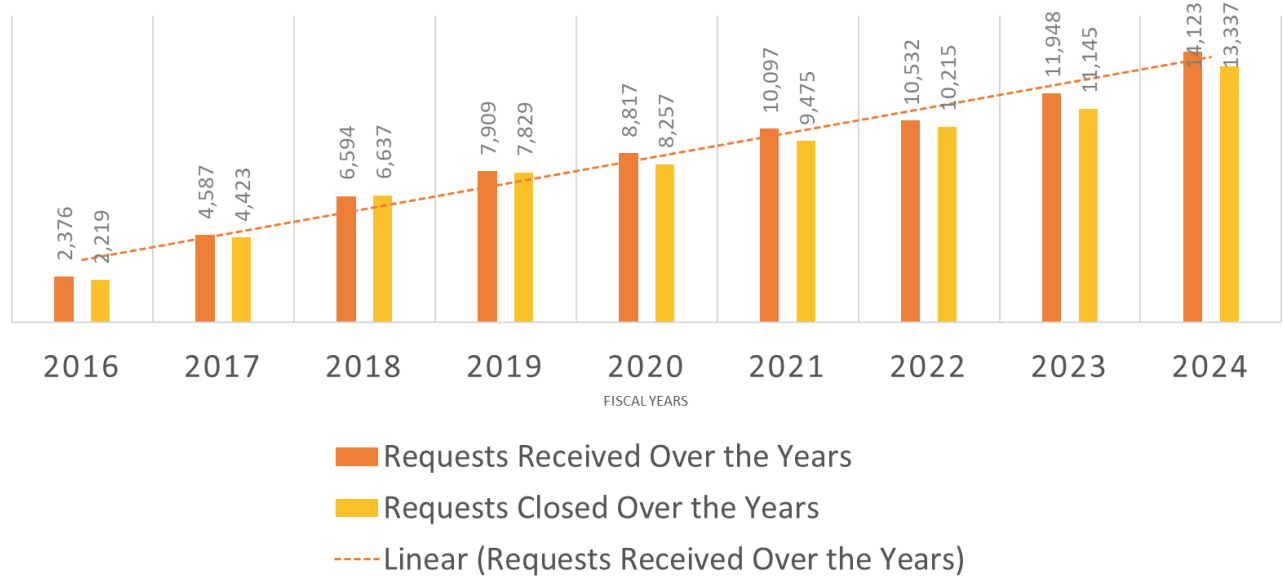
Q1 Backlog Reduction Progress





Statistical Data

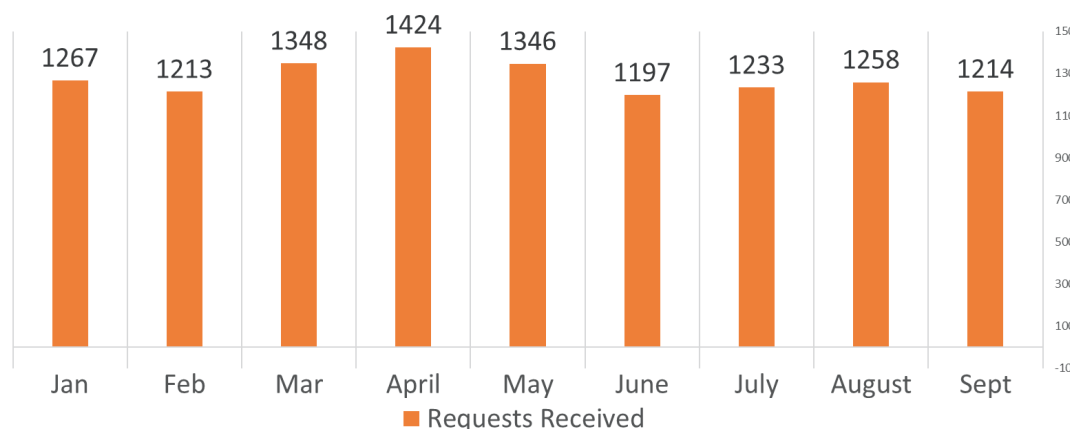
Request Open and Closed in Fiscal Years



The number of requests that the City receives on an annual basis has nearly tripled since 2017. In 2017, the City received approximately 4,500 requests. Seven years later, in FY 2024, the City received over 13,000 requests.

In FY 2024, we observed a notable 18% increase in requests over FY 2023. Despite the overall growth in IPRA requests, our office has managed to keep pace with the increased demand and closes more and more requests each year.

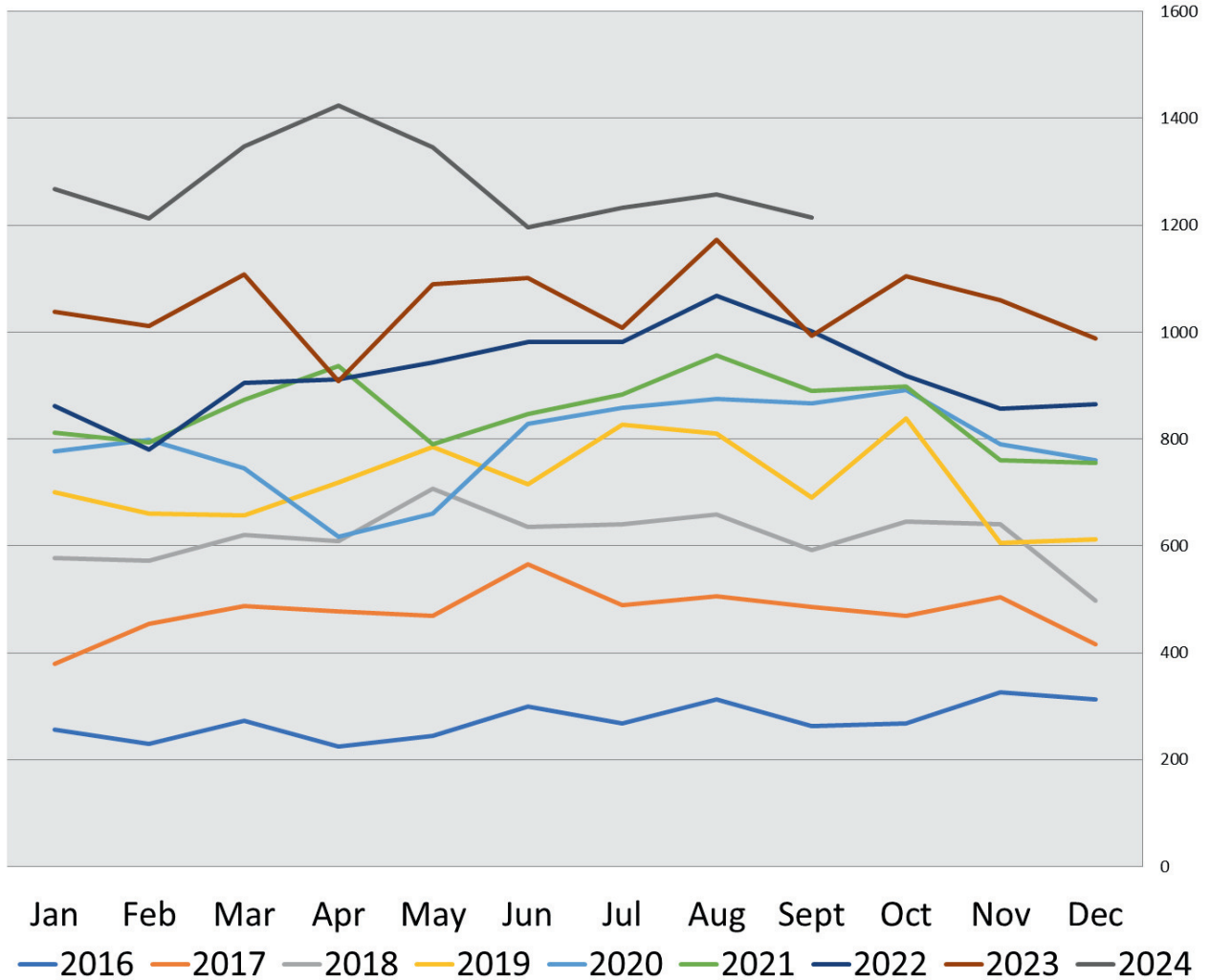
Requests Received To Date



This chart reflects the number of requests received each month since January 2024.

The chart shows a trend in the number of IPRA requests received by our office, with a peak in April (1,424 requests) and a slight dip in June (1,197 requests).

Number of IPRA Requests Month Over Year



There is a clear upward trend in the number of requests received from 2016 to 2024. In 2016, the highest number was 326, while in 2024, it has reached 1,400 in April. In each year, there are certain months that tend to have more requests than others.



ABBY GARCIA
IPRA SPECIALIST

Abby, who holds a degree in criminal justice, started in the office as a temp then was hired full-time and promoted to specialist. She now works closely with her team on APD requests and finds the most rewarding part of her job to be providing information that helps the public.

MEET OUR STAFF



ASHLEY MARTINEZ
IPRA CODIFICATION SPECIALIST

Ashley Martinez, with extensive records management experience, joined the IPRA division to help improve its processes. She enjoys handling unique requests that give her the chance to discover new and exciting aspects of the city.

IPRA STAFFING

The City Clerk’s IPRA division does not fully capture the resources the City devotes to IPRA. For example, there are two people who work at the front desk in the Clerk’s Office. Despite the fact that they are not part of the IPRA division, they spend time weekly and sometimes daily fielding calls from “requesters” regarding the status of their requests. They also mail out requests upon receipt of payment. In addition to the staff of the Clerk’s Office, there are numerous personnel across the City who spend a significant amount of time assisting with responding to requests for public records. The specific personnel that assist have also changed over time.

First, every department generally has a primary and back up contact for our office who assist us in gathering and processing requests. Additionally, there are some specific personnel and positions within the City who have always spent a significant amount of time processing public records requests. Specifically, there are personnel in Environmental Health, Planning, Fire etc. who assist the Clerk’s Office in searching for whether their specific divisions have records in response to thousands of requests annually. Similarly, there are (and have been) temporary and full-time employees in varying numbers at the City’s 911 center who spend a significant amount of their time on processing requests for 911 calls or other 911 related records.



IPRA Personnel Employee Staffing

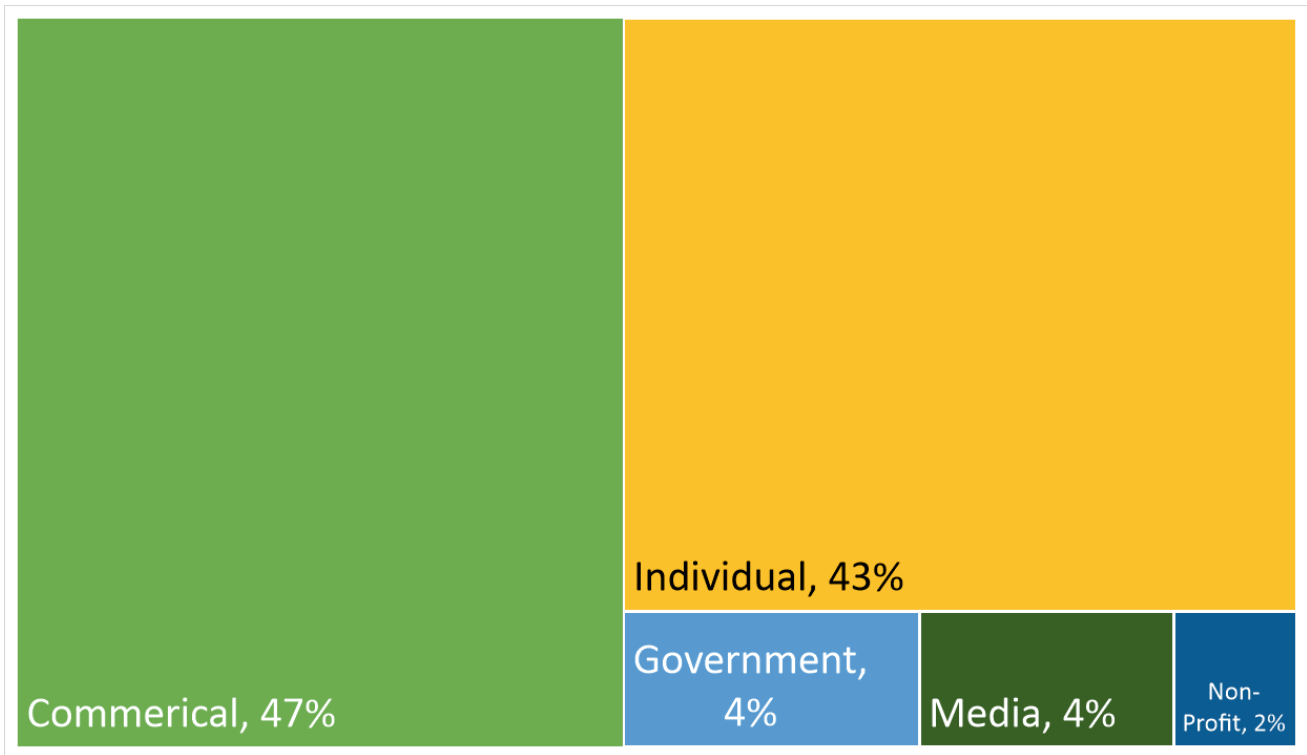
16 permanent employee positions with one vacancy



IPRA Temporary Employee Staffing

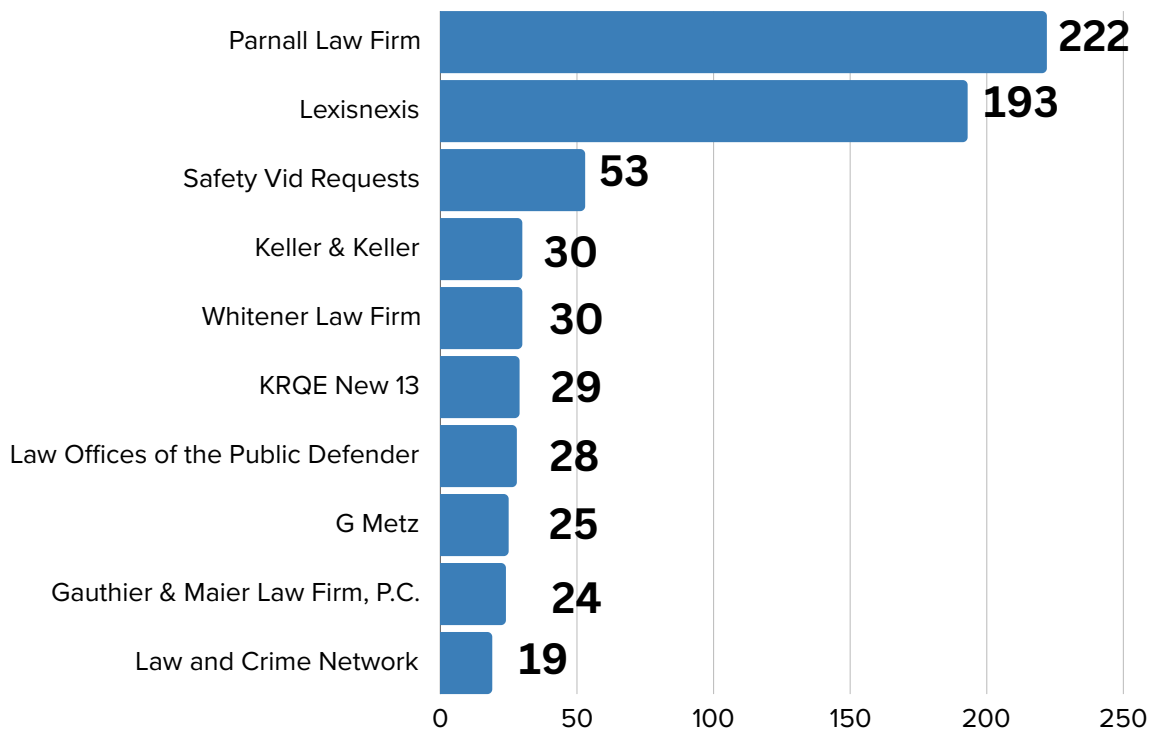
16 temp employee positions with one vacancy

Types of Requestors July 1 - September 30



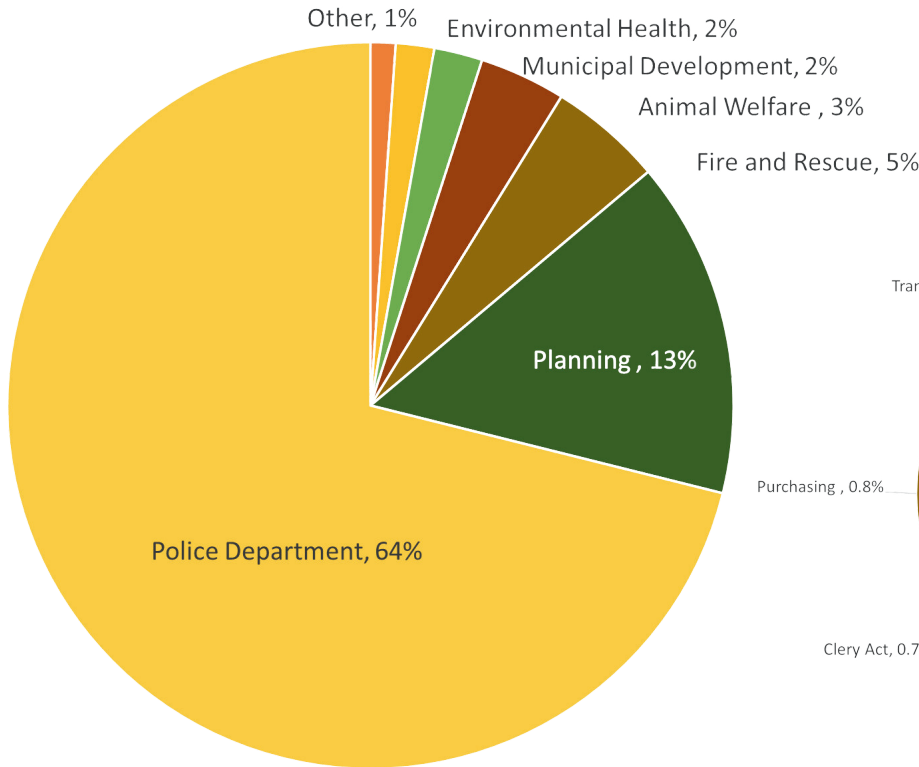
- This graph categorizes requestors into types such as individuals, commercial, media organizations, government agencies, or non-profits.
- The breakdown helps show which class of requestors are most actively using the public records system.

Top 10 Requestors July 1 - September 30

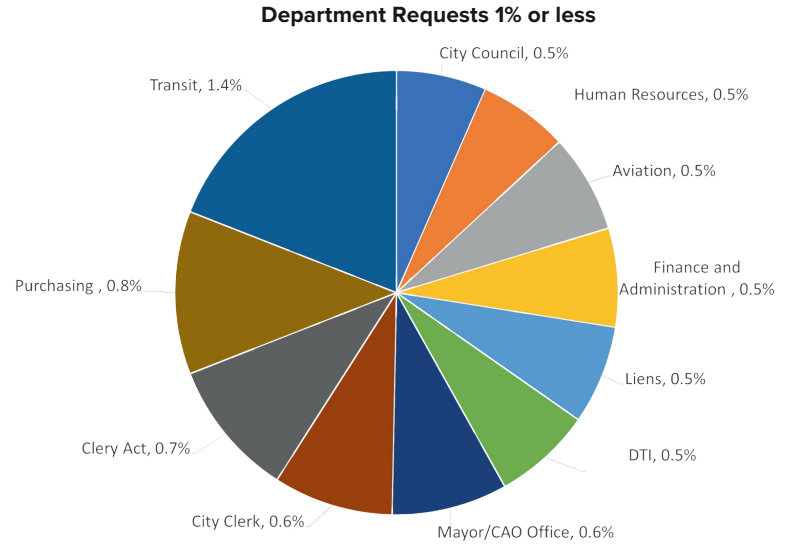


This chart identifies requests from part 2 of the backlog reduction plan and the number of requests they submit.

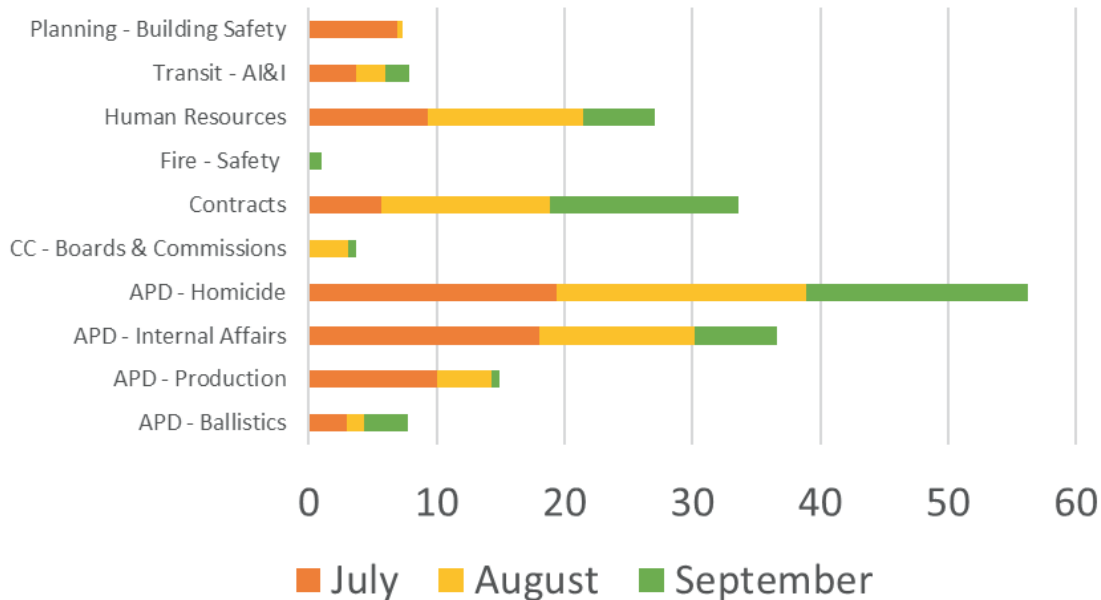
IPRA Requests by Department July 1 - September 30



This data shows the number of requests received by each department as a percentage of total requests.



Department Records Digitized (In Thousands)



This chart visualizes part 4 of the backlog reduction plan, as the City Clerk's office digitizes other department records.



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Summary

Modern Challenges with an Old Law

ABQ Records

ABQ Records allows you to submit your public records request conveniently online, receive live updates and access most responsive records electronically for free. This exciting tool is part of the City's ongoing effort to make government more efficient and transparent. To get started, click the MAKE

Search 335 counting.

The evolution of public records has introduced significant challenges in fulfilling IPRA requests. The increase in records from emails, on-body recording devices (OBRD), texts, and social media has made responses more complex, requiring custodians to manage multiple formats. Notably, the volume of OBRD footage has grown, complicating the review process for even routine incidents.

Additionally, new legislation and case law have expanded the types of information that can be redacted, increasing the time and resources needed to process requests. In 2023, House Bill 232 allows for more extensive redactions from law enforcement records, further contributing to the complexities.

The growing volume of public records requests locally and nationally has created significant challenges for public bodies, highlighting the need for ongoing adaptation in response to technological advancements and evolving laws. However, the City Clerk's office remains committed to making progress in addressing IPRA requests. Through the backlog reduction plan, the department is making strides in reducing the backlog. The City Clerk's office remains committed to making progress in addressing IPRA requests, showcasing the dedication of the department to public service.

By law, under the Inspection of Public Records Act, NMSA 1978, 14-2-1 to -12, every person has the right to inspect public records maintained by the City of Albuquerque.

To submit an IPRA request, contact the Office of the City Clerk.

<https://nextrequest.cabq.gov>

The Office of the City Clerk's mission is to preserve records, manage a fair and equitable public financing program, and ensure fairness through impartial hearings.

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