

Inside the Legal Battle for Transparency

Government transparency is critical to holding our elected officials accountable. New York's Freedom of Information Law (FOIL) was designed to make government more open, but transparency is still a battle. Since 2008, the Empire Center has filed hundreds of FOIL requests every year to ensure that taxpayers know where their money is going.

Follow our journey through five fights to make New York more transparent.

FDNY Pension Fund

1 FOIL requests
0 appeals
2 years fighting for data
Over 142K records now available

Police Pension Fund

5 FOIL requests
1 appeal
9+ years fighting for data
Over 260K redacted records available

NYC Employees

1 FOIL request
1 appeal
3+ years fighting for data
Over 5.1 million records now available

Teachers Retirement

2 FOIL requests
4 appeals
2 years fighting for data
Over 2.1 million records now available

NYC Retirement

1 FOIL request
0 appeals
4 years fighting for data
Over 250K records now available

2009

Police Pension Fund redacts names in response to 1st FOIL request

2010

2nd FOIL request denied
Empire files Article 78 (FOIL legal challenge)
Article 78 denied

2011

Empire appeals
Appeal denied

2012

3rd FOIL request for full pension records denied (names redacted)

Teachers' Pension Funds (NYS and NYC TRS) redact names
Empire files Article 78s
NYC TRS Article 78 dismissed
Empire appeals
NYS TRS Article 78 denied
Empire appeal denied

2013

NYC TRS appeal denied
Empire appeals both cases to Court of Appeals

2014

Numerous media outlets and nonprofits file *amicus* briefs

FDNY Pension Fund denies FOIL request

Empire files Article 78

Firefighters' union files related lawsuit

4th FOIL request for full records denied (names redacted)

NYC Retirement System redacts names of retired law enforcement

Empire wins at Court of Appeals

NYS and NYC TRS ordered to release full records

2015

Empire intervenes

Empire files Article 78

NYC Payroll Admin. redacts all records of undercover NYPD

Empire files Article 78

Court orders FDNY to comply with FOIL request

2016

City appeals
Court orders names to be released

2017

City withdraws appeal
City appeals
Court orders records to be released

2018

Empire receives full pension records

Appeal denied

Empire files 5th FOIL request

Pending appeal