New York State
Commission on Ethics and Lobbying in Government

To:	Chair Davie, Vice Chair Austin, Executive Director Berland, and Commission Members
From:	Emily DeSantis
Cc:	Marlena Diaz, Keith St. John, Carol Quinn, Michael Sande, Kavita Bhatt, Mariana Cadiz
Date:	April 26, 2023

NYS COMMISSION ON ETHICS AND LOBBYING IN GOVERNMENT INTEGRATED MARKETING COMMUNICATIONS PLAN

Process to Develop Communications Plan:

Over the past month, I underwent a comprehensive process to develop an Integrated Marketing Communications Plan for the NYS Commission on Ethics and Lobbying in Government. I met with ten senior staff members over three weeks to determine what they do and the communications opportunities and challenges they perceive. In addition, I considered input from Commission members and Executive Director Berland as was communicated during Commission meetings, Committee Day, and in conversations. I also made changes based on feedback from Communications Committee members.

To learn best practices of the Commission's peer agencies, I reviewed other federal and state agency websites and social media; other state ethics boards' websites and social media (if it existed), and the NYC Conflict of Interest Board's website, publications, and social media.

To determine the feasibility of using Gov Delivery and Constant Contact, Marlena Diaz and I met with ITS staff and representatives of Constant Contact. We also met with OGS staff to develop a logo and common branding for the Commission.

Finally, I considered my past experiences in executing communications plans while at other state agencies and in the private sector. The Communications plan will evolve over time as we evaluate the effectiveness of our communications and receive feedback from our audiences.

COMMUNICATIONS PLAN GOAL

To effectively communicate the Commission's actions, priorities, and policies to demonstrate how the Commission is ensuring compliance with the State's ethics and lobbying laws and regulations with transparency and integrity to help restore public trust in government.

KEY STAKEHOLDERS

Regulated Community

State Government Workforce
- All including SUNY /CUNY
- FDS filers
- General Counsels
- Ethics Officers
- Human Resources

Lobbyists
- Lobbying firms
- In-house lobbyists
- Non-profit organizations that lobby

Lobbying Clients

State Elected Officials

Candidates for Statewide and Legislative Offices

Other Stakeholders

Good government groups
- NYPIRG
- Reinvent Albany
- Common Cause
- Citizens Union
- League of Women Voters of NY
- Sexual Harassment Working Group

Law Schools and College and University Programs

NYS Bar Association

Statewide Bar Associations

NYC Bar Association

Local Bar Associations

Campaign Legal Center

Faith-Based Organizations

Media

Reporters
- LCA
- Statewide local news

Editorial Writers

Employees

General Public

Public Commenters

People Who Request Information

People with Disabilities

ESL Individuals

OBJECTIVES

1. **Proactive Communications:** To significantly increase proactive communications on Commission actions, priorities, policies, and guidance with the public and the regulated community through e-newsletters, social media, and other communications starting by June 1, 2023 to be fully implemented by the end of 2023.
2. **Education:** To educate the regulated communities on the laws and regulations they must abide by through training and proactive communications to begin by June 1, 2023 and to continue on an ongoing basis.
3. **Accessible Data:** To make information and data on the website more accessible and user-friendly for the public by the end of 2023.
4. **Media Engagement:** To engage media regularly about the Commission's actions and data resources based on the Commission's calendar starting May 1, 2023 and continuing on an ongoing basis.
5. **Stakeholder Engagement:** To implement a symbiotic stakeholder relationship strategy that is two-way in nature with several interactions per year by April 2024.
6. **Employee Engagement:** To develop a plan to engage employees about Commission actions by Oct. 1, 2023 to boost morale and demonstrate they are valued, and to break down silos among divisions.
7. **Legislative Agenda:** To develop an annual process to formulate the Commission's legislative agenda that is ready to be implemented by Jan. 1, 2024.
8. **Transparency:** To complete Commission tasks with transparency and integrity, and in a timely manner starting Apr. 1, 2023 and to continue on an ongoing basis.

KEY MESSAGES

1. Since its inception in July 2022, the Commission on Ethics and Lobbying in Government has avidly embraced its watchdog role to oversee ethics and lobbying in New York State.
2. The Commission is steadfast in its commitment to restoring the public's trust in state government by leading with integrity and transparency.
3. The Commission administers, enforces, and interprets New York State's ethics and lobbying law.
4. A new day has dawned in how we approach ethics and lobbying regulation in New York State. The Commission is examining how it can effectively carry out its duties with integrity, trust, and transparency.
5. The Commission and staff are hard at work improving the efficiency, efficacy, and effectiveness of our policies and procedures, and the transparency of our operations.

TACTICS

Each Communications Tactic is tied back to achieving one or more objectives as noted below.

- Communications Tools
- Stakeholder Relations
- Legislative Agenda & Outreach
- Media Relations
- Information Requests

Communications Tools

Branding & Logo	Mission Statement	Social Media	Topical One Pagers
Quarterly Newsletter	User-Friendly Website	Annual Report	Rollout Plans
News Releases	News Conferences	Op-Eds	Videos
	Surveys	Constant Contact	

Branding & Logo

Ensure integrated branding with a common logo that depicts what the Commission does and its values. All Commission communications should have the logo or a variation that is included in the logo family. All Commission communications should have the same look and feel, using the same colors. This includes e-blasts, Department letterhead, and agency offices.
Objectives Supported: All

Mission Statement

The Commission should develop a mission statement that communicates the purpose of the Commission and its values.
Objectives Supported: All

Social Media

Create COELIG social media channels on Twitter, Facebook, and Linked In initially. Develop campaigns to be featured across all channels. Campaigns could include:

- Evergreen - Dear COELIG, Do and Don't Do Scenarios, Educational, Report a Tip;
- Breaking News – SM on news releases, guidance issued, and settlements, decisions, and civil penalties reached;
- Reminders – Lobbyist and client filing dates, FDS filing, regulations out for public comment; and
- Limited Time – gift rules, introduce new Commission members, highlight different divisions of the agency.

Use social media analytics to determine popularity of posts. Develop a strategy to gain followers. Work with the Communications Committee to develop social media policy for Commissioners.
Objectives Supported: 1, 2, 3, 4, 5, 8

Topical One Pagers

Create one pagers that summarize information on the Public Officers Law and the Lobbying Law with links to more detailed information. Start with the topics that we get asked most frequently about. The one pager would be the first item featured on the website under the topic page and linked to social media posts. Provide the one pagers to Agency Ethics Officers, Human Resources, and General Counsels to share with current and NEW employees upon hire.
Objectives Supported: 1, 2, 3, 7

Quarterly Newsletter

Create a quarterly newsletter that would include information from across the agency and be targeted to the regulated communities and stakeholders. Included in the newsletter would be Dear COELIG, scenarios with quizzes, profiles of new commissioners, overview of the divisions, relevant reminders, profiles of employees, highlights of news releases and data from COELIG, "Report a Tip" Box, etc.
Objectives Supported: 1, 2, 5, 6, 7, 8

User-Friendly Website

Reorganize the COELIG website so that links to the most accessed pages are prioritized on the home page. Additional features that could be added to make the website more user-friendly and more quickly bring users to the information they are seeking include: a latest news sidebar, embedding social media channels, adding latest cases, and creating a "How do I?" call box. Also, make the "Report a Tip" link prominent on the home page. Some examples of other websites that use these features:

- https://ethics.hawaii.gov/
- https://www.tax.ny.gov/
- https://www.health.ny.gov/
- https://www.dfs.ny.gov/
- https://dmv.ny.gov/
- https://dps.ny.gov/ (recent cases)
- https://dos.ny.gov/
- https://www.hesc.ny.gov/
- https://ocfs.ny.gov/main/
- https://oer.ny.gov/
- https://www.parks.ny.gov/
- https://www.suny.edu/ (by the numbers, SM channels)
- https://www.wcb.ny.gov/
- https://ethics.house.gov/

In addition, COELIG's website platform is maintained by WebNY which sets the minimum accessibility requirements for web-based information, including features to assist people with visual impairments so that text readers can read its content. YouTube, which hosts meeting videos, features the ability to create closed captioning as videos are watched and individuals may request full transcripts of any Commission meeting. The website also includes the ability to translate the pages into 13 different languages.
Objectives Supported: 2, 3, 5, 8

Annual Report

Make the information in the annual report more user friendly and understandable by including infographics and a "by the numbers" intro to each section. In addition, add graphic elements (call-out boxes, photos, charts) in the text to break it up. Include a section on the public hearing and embed COELIG's key messages throughout the report. Issue a news release on the report (which will be included on social media and in the next newsletter) and continue to highlight the report's findings throughout the year. In between annual reports, issue a second news release six months later on the latest semi-annual reports. Consider holding a news conference with the Chair, Executive Director, and staff to release the report.
Objectives Supported: 2, 3, 4, 5, 7, 8

Rollout Plans

The Communications office will develop rollout plans for significant Commission actions, major announcements, news releases, news conferences, and other activities to create awareness among key audiences.
Objectives Supported: All

News Releases

Use news releases and heads up emails to reporters to highlight the Commission's activities. News releases would be used on bigger announcements such as appointments, release of annual reports, high-profile settlements, decisions, and civil penalties, etc. Heads up emails could be used on public comment periods and routine settlements, decisions, and civil penalties, etc.
Objectives Supported: 1, 2, 3, 4, 5, 7, 8

News Conferences

Hold news conferences with the Chair and/or Executive Director for major announcements such as the release of the annual report. These could be done via Webex to encourage more reporters to attend. A PPT with a script could be created, along with anticipated Q&A, and one or two practice sessions could be held to prepare leadership.
Objectives Supported: 1, 2, 3, 4, 5, 7, 8

Op-Eds

Publish op-eds from the Chair and Executive Director periodically in newspapers across the state to communicate the Commission's actions, priorities, and policies.
Objectives Supported: 1, 2, 4, 5, 8

Videos

We should consider using tutorial videos on how to use the PSQ and how to file an FDS. We could do this inexpensively by recording a staff training or look into getting quotes from contractors to create professional ones.
Objectives Supported: 2

Surveys

Surveys should be used to determine what improvements employees and the regulated community think COELIG should make to its policies and operations. Surveys could also be used to gauge thoughts on policy changes the Commission is considering and what these populations think is most important for the Commission to tackle first. The first survey could be an overall customer service benchmark survey that could be used to gauge growth against in the future.
Objectives Supported: 1, 2, 3, 5, 8

Constant Contact

Use Constant Contact or another online newsletter tool to send out most routine Commission communications that go to large groups of people including newsletters, lobbyist/client deadline reminders, and FDS reminders. The newsletter will be sent to agency Ethics Officers, General Counsels, and HR Directors in advance, and they will be asked to share with their non-FDS filing employees. Late filing reminders would continue to be sent out via Gov Delivery because they are auto-generated by that system. Constant Contact allows users to create multiple, branded templates and can accommodate all of our FDS filers and lobbying registrants. It can accommodate the entire state workforce if needed. The Commission would save approximately $6,500 per year by using Constant Contact through cost-savings by decreasing the number of emails sent out using Gov Delivery. Constant Contact also allows users to easily share the newsletters on social media and to archive them on the Commission website.
Objectives Supported: 1, 2, 3, 5, 6, 8

Stakeholder Relations

Stakeholder Roundtable

Hold a roundtable with invited stakeholders who testified or submitted written comments to follow up on the public hearing. Invite those stakeholders that were unable to attend the hearing as well. The Commissioners could each ask questions. The roundtable would be open to the public and live streamed on our website.
Objectives Supported: 1, 2, 5, 8

Outreach to Commenters

Directly reach out to commenters who have misconceptions about COELIG or its processes, so they have a full understanding of COELIG and what it does.
Objectives Supported: 1, 2, 5, 8

Periodic Meetings

Establish regular communication with certain stakeholders by convening regular meetings with stakeholders and staff to discuss what is and is not working with the agency's policies and procedures, and to identify common areas of concern and discuss potential solutions. These could be done via Webex or in person.
Objectives Supported: 1, 2, 3, 5, 8

Stakeholder Presentations

Accept invitations and seek opportunities to present to stakeholder audiences at annual conferences, scheduled meetings, or other means. These could include the state and local bar association meetings, the New York State Association of Counties, and other groups.
Objectives Supported: 1, 2, 3, 5, 8

Legislative Agenda & Outreach

Legislative Agenda

Develop a process to create a legislative agenda each year. Ideally, staff and Commissioners would begin discussing ideas for the next year's priorities in September and the agenda would be finalized by December.
Objectives Supported: 1, 2, 7, 8

Legislative Outreach

Once the Commission's legislative agenda is finalized, an outreach strategy should be developed to meet with the relevant committee chairs and inform legislative leadership of the Commission's legislative priorities. Staff should consider if other entities (Comptroller's office, stakeholders, etc.) may support the Commission's proposals and set up a meeting with them as well to provide an overview of the proposals. In addition, legislative committee chairs and leadership should be kept apprised of Commission activities and could be sent the newsletter, news releases, and other relevant information.
Objectives Supported: 1, 2, 7, 8

Media Relations

News Releases

As Included on p. 7: Use news releases and heads up emails to reporters to highlight the Commission's activities. News releases would be used on bigger announcements such as appointments, release of annual reports, high-profile settlements, decisions, and civil penalties, etc. Heads up emails could be used on public comment periods and routine settlements, decisions, and civil penalties, etc.
Objectives Supported: 1, 2, 3, 4, 5, 7, 8

News Conferences

As Included on p. 7: Hold news conferences with the Chair and/or Executive Director for major announcements such as the release of the annual report. These could be done via Webex to encourage more reporters to attend. A PPT with script could be created, along with anticipated Q&A, and one or two practice sessions could be held to prepare leadership.
Objectives Supported: 1, 2, 3, 4, 5, 7, 8

Training Sessions

Hold a training session for reporters once a year in January on how to use the Public Search Query for lobbying information. Reporters often turnover so sessions at least once a year would be helpful for LCA reporters as well as reporters statewide.
Objectives Supported: 1, 2, 3, 4, 8

Response to Inquiries

Respond to reporter inquiries in a timely and accurate fashion. Correct any inaccuracies in reporting as soon as possible. Develop standard responses to common media inquiries and respond to instances when the Commission is prohibited from commenting with an explanation as to why. For example:

> Since its inception in July 2022, the Commission on Ethics and Lobbying in Government has avidly embraced its role to oversee ethics and lobbying in New York State. The Commission is steadfast in its commitment to bringing integrity, trust, and transparency to state government. Part of the Commission's responsibility is to provide confidential guidance to state employees on matters of complying with the Executive and Public Officers Law. Executive Law Section 94 (7)(b) prohibits the Commission from disclosing whether or not guidance has been requested or given: "(b) Persons receiving such informal advice may rely on that advice absent misrepresentation or omission of material facts to the Commission and such communications with the Commission shall be treated as confidential."

The Communications Director should respond to inquiries unless the Communications Director, Executive Director or the Chair decide a response from the Executive Director or Chair is warranted.
Objectives Supported: 2, 3, 4, 8

Interviews

Have the Chair and Executive Director participate in regular, timely interviews with the reporters below to communicate Commission actions, priorities, and policies.

- Susan Arbetter at Capitol Tonight
- Dave Lombardo at Capitol Pressroom
- Dan Clark at NY Now
- Empire State Weekly

Objectives Supported: 1, 2, 3, 4, 8

Editorial Board Meetings

Meet at least once a year with the major editorial boards in the state to communicate the Commission's actions, priorities, and policies. This will develop relationships with editorial writers and make them more likely to call us when they are writing on issues related to the Commission.

- Times Union
- Newsday
- Post-Standard
- Buffalo News
- NY Daily News

Objectives Supported: 1, 2, 3, 4, 8

Information Requests & Inquiries

All information requests should be fulfilled in as timely a manner as possible and within the requirements outlined in regulation and law. Specific processes in how to respond to information requests and inquiries are outlined below.
Objectives Supported: 2, 3, 4, 5, 8

FOIL

The Records Access Officer acknowledges or fulfills a request for information within 5 business days of receiving the request. Every effort should be made to fulfill the request as expeditiously as possible and within 20 days. If this is not possible, the requester should be notified as soon as practicable. The Communications Director will review all FOILs for media. The Communications Director and General Counsel will review all sensitive requests.

Develop guidelines to determine when the disclosure conditions of Part 941.16 are met to create a uniform policy to be followed when requests come in for confidential information.

General Public

Non-FOIL requests and inquiries from the general public will be responded to by the Communications office with input from the appropriate division.

Regulated Community

Non-FOIL requests and inquiries from the regulated communities will be responded to by the appropriate division.

Litigants

FOIL requests from litigants will be treated as normal FOIL requests with the addition that the responses will be reviewed by General Counsel and the Director of Investigations and Enforcement before they are sent out. All other inquiries (those pertaining to the litigation or those seemingly routine) will be responded to by the General Counsel.

Media

FOIL requests from media will be treated as normal FOIL requests with the addition that the responses will be reviewed by the Communications Director before they are sent out. The Records Access Officer or Communications Director will send the approved responses to the reporter. The Communications Director will keep the Executive Director informed of noteworthy requests.

The Communications office will notify the Executive Director, General Counsel, Deputy General Counsel, and relevant division director and deputy director when a media inquiry comes in and will share the proposed response with all at once. The Communications office will send the approved response to the reporter and save the response for future use to similar inquiries.

Routine media inquiries for information on the Commission's website or in the Public Search Query will be handled by the Communications office with technical assistance from the appropriate division(s) as needed.

COMMUNICATIONS ANNUAL CALENDAR

All dates are tentative and subject to change.

January 2023

- Early Jan: State of State
- Jan. 6: Commission Meeting
- Annual FDS training for Ethics Officers
- Jan. 17: Nov/Dec 2022 Bi-Monthlies due, July-Dec 2022 Client Semi-annuals due
- Mid-Jan: Executive Budget–Proposed Appropriations
- Jan. 29: Extended deadline for Registrations, Bi-monthlies, and Client Semi-annuals and Source of Funding Exemption Applications

February

- Feb. 7: Deadline for state committee nominations for statewide candidates—candidate filings due within 10 days of nomination
- Feb. 28: Agency FDS filer lists due to COELIG
- Feb. 28: Commission Meeting

March

- Mar. 15: Jan/Feb 2023 Bi-monthlies due
- Mar. 24: Commission Meeting

April

- Apr. 1: Enacted State Budget Deadline
- Apr. 15: FDS notification to filers
- Apr. 25: Commission Meeting
  - Unveil new logo at Commission Meeting
- Outreach to commenters from public hearing to address misconceptions

May

- May 15: FDS filing deadline
- May 15: Mar/Apr 2023 Bi-monthlies deadline
- May 23: Commission Meeting
- *COIB Annual Ethics Conference*

June

- Jun. 1: Launch new social media channels by this date; News release.
- Early to Mid-June: 2022 Annual report to governor and legislature [Exec. L. 94(9)]. News release, interviews with reporters, op-ed.
- Jun. 27: Commission Meeting
- Jun. 30: FDS deadline for legislative filers from LEC

July

- Jul. 10: Post all legislative filings from LEC on the website; notify reporters
- Jul. 17: May/Jun 2023 Bi-monthlies, Jan-Jun 2023 Client Semi-annuals, Source of Funding Exemption Applications
- Jul. 19: Commission Meeting
- FDS reminder for academic agencies to add filers
- Jul. 31: Initial improvements to website made
- Meet with editorial boards

August

- Aug. 1: Issue first quarterly newsletter
- Begin developing employee engagement strategy
- Meet with editorial boards

September

- Sep. 15: Jul/Aug Bi-monthlies due
- Sep. 27: Commission Meeting
- Begin developing 2024 legislative agenda
- Hold stakeholder roundtable to help inform legislative agenda
- Mid-year lobbying data press release based on lobbying Client Semi-annual Reports
- Develop strategy to reach lobbyists who don't know they are required to register and file
- *Tentative:* Announce training portal is up and running via news release and communication with all state employees
- *Practicing Law Institute and NYSAC Conferences*

October

- Oct. 15: Academic filer FDS notices go out
- Oct. 25: Commission Meeting

November

- Nov. 1: Issue second quarterly newsletter
- Nov. 15: FDS deadlines for academics
- Nov. 15: Sep/Oct Bi-monthlies due
- Nov. 29: Commission Meeting
- FDS reminder to agencies to add filers
- Meet with stakeholders to discuss ideas for legislative agenda

December

- Finalize 2024 legislative agenda
- Hold reporter training on how to access information in the lobbying database
- Stakeholder quarterly meeting
- *Dec. 3-6: Council on Governmental Ethics Laws Conference*

January 2024

- Meet with editorial boards and do reporter interviews based on legislative agenda
- Hold annual training for media on how to use the Public Search Query
- Determine when to hold annual public meeting.