



March 17, 2009

## **ATTORNEY GENERAL MADIGAN ISSUES FOURTH ANNUAL PUBLIC ACCESS COUNSELOR REPORT**

### ***Public Questions about Access to Government Information Continue to Lead Requests; Legislative Effort Underway to Strengthen Illinois Sunshine Laws***

Chicago — Illinois Attorney General Lisa Madigan today issued the fourth annual Public Access Counselor Report, detailing her office's work to ensure compliance with the State's sunshine laws - the Freedom of Information Act (FOIA) and the Open Meetings Act (OMA). In 2008, the number of requests for assistance to the Public Access Bureau increased, demonstrating the continued need in Illinois for assistance and guidance with open government.

"The statistics in this year's *Public Access Counselor's Report* show, once again, that the people of Illinois are very interested in obtaining information about our government, but, unfortunately, they often need assistance from my office to gain that basic access," Madigan said.

The 2008 [Public Access Counselor Annual Report](#), released today as part of Sunshine Week, shows Madigan's office received 1,389 requests from members of the public, government bodies and the media for information and assistance with FOIA and the Open Meetings Act.

As in past years, the 2008 statistics show that members of the public seeking access to government information continued to lead all requests for assistance. In 2008, members of the public wrote to or called the Public Access Bureau for help in 952 instances, more than 68 percent of the overall requests for assistance from the Public Access Bureau.

Additionally, in 2008, Madigan's Public Access Bureau received an increased number of requests for FOIA assistance from government officials. Specifically, the Public Access Bureau received 162 requests for assistance with FOIA and 166 requests for assistance with Open Meetings Act questions from government officials.

"I am pleased that an increasing number of government officials are turning to my office to help them comply with the Freedom of Information Act," Madigan said. "These calls demonstrate that we need to strengthen and clarify FOIA to make it easier for government officials to comply."

In 2008, the news media accounted for 109 requests seeking assistance with FOIA and OMA issues that they encountered.

Another important facet of the Public Access Bureau is its availability to provide in-depth training to members of the public, the media and government officials on how to comply with the sunshine laws and how to use these laws to gain access to public information. Last year, Madigan's Public Access Bureau conducted 35 training sessions throughout Illinois, bringing the number of training sessions since Madigan created the Public Access Counselor over four years ago to well over 215. The Public Access Bureau held seminars for the DeKalb Police Department, public libraries in Decatur and DuPage County, various municipal, county and state government groups including the Municipal Clerks and Township Officials of Illinois, county bar associations and newly-elected state's attorneys to name just a few examples.

The Public Access Counselor Report also includes helpful information for Illinoisans on how to file a FOIA request, frequently asked questions about FOIA and OMA, and details on how to obtain assistance from the Attorney General's office regarding compliance with the open government laws.

As part of her commitment to open government reform, Attorney General Madigan also is currently working with a coalition of open government advocates to pass legislation to strengthen FOIA, codify the Public Access Counselor position, and provide the Public Access Counselor with the authority to issue binding opinions to quickly resolve disputes under the open government laws.

"Through our extensive public access work, we have seen that far too often, people are routinely denied access to public documents," Madigan noted. "For the last six years in Illinois government, we experienced a culture of secrecy imposed by the former governor. Among the complaints against the former governor and his administration was that they routinely and blatantly disregarded the sunshine laws and failed to provide the public and the media with access to information," Madigan said. "Our experience over these last six years served to emphasize the importance of strong public access laws and the need for a Public Access Counselor with clear authority to step in and ensure compliance with the laws."

"In February, I testified before the General Assembly's Joint Government Reform Committee and explained that the public deserves a law that will ensure that public officials will be held accountable for opening government to the people of Illinois," said Madigan. "Our FOIA reform bills will set a new tone of openness and finally put teeth in this absolutely critical law."

The proposed changes to the Freedom of Information Act are contained in House Bill 1370. House Bill 4165 contains the language that would establish the Public Access Counselor as a permanent position within the Attorney General's office and provide authority to quickly resolve open government disputes. Both bills, sponsored by Majority Leader Barbara Flynn Currie (D - Chicago), passed out of a House committee on March 11, 2009.

Both bills have received widespread, bi-partisan support in the House of Representatives. HB 1370 is co-sponsored by State Representatives Jim Watson, Jack Franks, Paul Froelich, Lisa Dugan, Robert Flider, Emily McAsey, William Burns, Harry Ramey, Jr., Mike Boland, Mike Bost, Annazette Collins, Cynthia Soto, Monique Davis and Sara Feigenholtz. HB 4165 is co-sponsored by William Black, Jack Franks, Keith Farnham, Lisa Dugan, Linda Chapa LaVia, Daniel Beiser, Emily McAsey, Charles Jefferson, Mark Walker, Paul Froelich, William Burns, Mike Boland, Harry Ramey, Jr., Mike Bost, Annazette Collins, Raymond Poe, Monique Davis, Sara Feigenholtz and Kathleen Ryg.

The 2008 [Public Access Counselor Annual Report](#) is available online at [www.illinoisattorneygeneral.gov](http://www.illinoisattorneygeneral.gov). Illinoisans can reach the Public Access Bureau by phone at 217-558-0486, by writing the bureau at the Attorney General's Springfield office at 500 S. Second St., Springfield, IL 62705, by fax at 217-782-1396, or by email at [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us).

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