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**ATTORNEY GENERAL MADIGAN: NEW SUNSHINE LAWS CREATED MORE GOVERNMENT TRANSPARENCY**

Chicago — Attorney General Lisa Madigan today released details of the first year under the state’s strengthened Freedom of Information Act and Open Meetings Act that show the laws’ implementation have shed light for the public on the workings of all levels of government in Illinois. Madigan said more than 5,200 new matters were submitted to her Public Access Counselor’s Office by the public and the media, demonstrating the significance of strong, enforceable open government laws.

“Our vision in strengthening the Illinois open government laws was to give the public easier, better access to how their tax dollars are being spent and how public officials are acting on their behalf,” Attorney General Madigan said. “With these new laws, there have been significant improvements, and it’s vital that we continue this work to increase people’s access to information about their government.”

Attorney General Madigan, lawmakers and other open government advocates revamped the state’s open government laws in 2009 to bring about long overdue transparency and openness to government operations in Illinois.

Their efforts created the position of the Public Access Counselor within the Attorney General’s Office for the public and media to appeal to and review whether documents being withheld by a public body should in fact be disclosed under FOIA or whether a public body has violated the Open Meetings Act. These so-called “requests for review” submitted by the media and the public can lead to either informal or binding decisions by the Public Access Counselor that can compel public entities to act.

Under the new laws, public bodies seeking to deny records based on two of the most commonly used exemptions in FOIA (invasion of privacy and draft records) must first obtain pre-authorization to issue those denials with the Public Access Counselor. This pre-authorization requirement has ensured public bodies correctly use exemptions in the law when historically too many used them as a way to inappropriately withhold public information.

In 2010, there were 5,242 new matters before the Attorney General’s Public Access Counselor. The Illinois’ sunshine laws continue to be used most by the general public rather than the media, with 92 percent of requests and inquiries being submitted by members of the public.

***Snapshot of 2010 PAC Activities and Actions:***

- New matters before the Public Access Counselor: 5,242;
- Requests to review from those who have been denied records under FOIA or file complaints related to OMA: 37 percent;
- Review requests closed: 1,335; Review requests open: 630; Closure rate: 68 percent;
- Requests from public bodies for pre-authorization to deny a records request: 63 percent;
- Public body pre-authorization requests closed: 2,992; pre-authorization requests open: 285; Closure rate: 91 percent;
- Review requests submitted by the media: 159 requests; and
- Review requests submitted by the public: 1,806.

***Illinois top five public bodies for highest number of appeals to its FOIA and OMA decisions:***

- 162: Illinois Department of Corrections;
- 135: Chicago Police Department;
- 74: Illinois State Police;
- 54: Village of Wapella; and
- 41: Quincy School District #172.

***The new open government laws have enabled the public to obtain information and keep watch on public bodies as never before. A real life account from a citizen watchdog who successfully used the new laws:***

Changes to Illinois' open government laws have brought sunlight to the inner workings of government for many members of the public. Such was the case for Jane Collins, an attorney who has acted as a watchdog over her local government, Dorr Township.

Recently, Collins, of unincorporated McHenry County near Woodstock, sought records of environmental studies the township conducted but did not release to the public. When the township denied her FOIA request for the studies, she appealed to the Public Access Counselor's Office for its review of the detail. The PAC ruled the records public, stating the township wrongly exerted an exemption to the records law and requiring it to release the studies to Collins.

"In the past, it was very easy to deny records and for the public body to uphold the denial," Collins said. "Having the Public Access Counselor's Office there to appeal to has made a huge difference. This really means that finally FOIA is working."

***Schedule of 2011 online trainings on the changes to FOIA and OMA:***

Online training required annually for FOIA officers and OMA officers of public bodies will go live on the Attorney General's website Feb. 22 and March 7, respectively. Visit [foia.ilattorneygeneral.net](http://foia.ilattorneygeneral.net) to complete the training.

Further information and educational materials on FOIA and OMA can be found at Attorney General Madigan's website, [www.illinoisattorneygeneral.gov](http://www.illinoisattorneygeneral.gov). Anyone seeking assistance from the Public Access Office can contact its hotline at 1-877-299-FOIA (3642) or send an email to [publicaccess@atg.state.il.us](mailto:publicaccess@atg.state.il.us).

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