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**MADIGAN RECOGNIZES SUNSHINE WEEK, ISSUES 2014 PUBLIC ACCESS  
BUREAU REPORT**

**Chicago** — In recognition of Sunshine Week, Attorney General Lisa Madigan today released the Public Access Bureau's annual report detailing more than 4,000 new matters the Bureau received in 2014. The Public Access Bureau monitors compliance with the state's Freedom of Information Act (FOIA) and Open Meetings Act (OMA), working to foster transparency and openness in Illinois government.

"Since the state's stronger transparency laws went into effect five years ago, many public bodies have taken important steps to be more accountable to Illinois residents," Madigan said. "But as this report details, there is continued need for oversight and enforcement."

In 2014, the Public Access Bureau received 4,032 formal requests for assistance pursuant to FOIA and OMA. The vast majority of the requests came from members of the public. The requests came from every area of the state and involved all types of public bodies – from small villages to large cities and state agencies.

In addition to formal requests, in 2014 the Public Access Bureau fielded up to 25 questions every day through the FOIA hotline and received approximately 240 general inquiries via mail or email. The Public Access Bureau also conducted 30 training sessions for members of the public, government officials, members of the media and students.

In 2014, the Public Access Bureau issued 16 binding opinions. The authority to issue binding administrative decisions was an important component of the 2010 overhaul of the state's transparency laws, and has allowed the Bureau to issue opinions that clarify the law and increase disclosure. The Public Access Bureau has also helped thousands of members of the public, media organizations and advocacy groups resolve disputes over records and open meetings through informal mediation with public bodies that has led to increased disclosure of government information.

***2014 Public Access Bureau Activities***

In 2014, the Public Access Bureau received 4,032 new matters. Last year's numbers once again show that members of the public, rather than media representatives, are the most prolific users of Illinois' sunshine laws.

4,032 total new matters received by the Public Access Bureau:

- 3,704 requests for review from those who were denied records under FOIA:
  - 3,129 from members of the public,
  - 542 from the media, and
  - 33 from public bodies.
- 328 requests for review regarding OMA violations:
  - 272 from members of the public,
  - 47 from the media, and
  - 9 from public bodies.

***2014 Success Stories of Illinois' Sunshine Laws***

The members of the public, media and government agencies can seek guidance from the Public Access Bureau as to whether documents should be disclosed under FOIA and guidelines for conducting open meetings according to OMA. "Requests for review" submitted by the public and the media regarding a public body's FOIA denials or potential OMA violations can lead to either informal or binding decisions to resolve questions over public access to government documents or meetings.

Madigan highlighted some of the Public Access Bureau's binding opinions and informal mediations that have helped to increase the public's access to their government:

- **III. Att'y Gen. PAC Req. Rev. Ltr. 26776, issued April 21, 2014** – A reporter for a Bloomington newspaper filed a Request for Review alleging that the city of Bloomington violated FOIA by withholding correspondence concerning the departure of the former city attorney under sections 7(1)(c), 7(1)(f), and 7(1)(m). The Bureau concluded that the city improperly withheld portions of the responsive records. More specifically, the Bureau determined that (1) a letter from the former city attorney was not part of the city's deliberative process under section 7(1)(f); (2) disclosure of the letter would not constitute an unwarranted invasion of personal privacy under section 7(1)(c) because it concerned the public duties of a public employee; and (3) that a separate letter that did not give or seek legal advice was not exempt under the section 7(1)(m) attorney-client privilege exemption. The city disclosed the information the Bureau identified as non-exempt in accordance with the Bureau's letter.
- **III. Att'y Gen. PAC Req. Rev. Ltr. 28670, issued July 15, 2014** – A reporter for a Belleville newspaper filed a Request for Review, alleging that the Illinois State Police violated FOIA by withholding investigative reports of five homicides from the 1980s and 1990s under section 7(1)(a), citing provisions of the Juvenile Court Act and the Privacy of Child Victims of Criminal Sexual Offenses Act. The Bureau determined that because the confidentiality provisions of the Juvenile Court Act do not apply to records concerning the death of a minor who was not taken into custody or subject to a juvenile court proceeding, and because the Privacy of Child Victims of Criminal Sexual Offenses Act only prohibits the disclosure of records that identify minor victims of sex offenses, the Illinois State Police improperly withheld all investigative records under section 7(1)(a). The reporter has now received copies of all responsive records.
- **III. Att'y Gen. Pub. Acc. Op. No. 14-016, issued December 2, 2014** – concluded that the Metropolitan Pier and Exposition Authority (MPEA) violated FOIA by denying a FOIA request for copies of lease agreements, including the financial terms and square footage data for rental space for events at McCormick Place. The decision rejected MPEA's assertions that the information was exempt because it was a trade secret or would cause financial harm to the public body, noting that the financial terms of the lease agreements directly relate to the receipt of public funds and are therefore expressly subject to disclosure under Article VIII, section 1(c) of the Illinois Constitution of 1970 and section 2.5 of FOIA.

Sunshine Week was founded by the American Society of News Editors and is recognized annually every March. More information about Illinois' sunshine laws can be found at Attorney General Madigan's [website](#). Anyone seeking assistance from the Public Access Bureau can contact the 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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