

SAMPLE RESPONSE DENYING A FOIA REQUEST

Date

Requester's Name

Address

Dear [***Requester***]:

Thank you for writing to [***Name of Public Body***] with your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq.

On [***insert date received by public body***], you requested the following documents: [***insert description of information requested, or restate the request***].

Your request is denied for the following reasons: [***The public body must provide a detailed factual basis for denying the FOIA request and provide the names and titles of each person responsible for the denial. 5 ILCS 140/9(a). If the public body is denying the request based on an exemption in Section 7 of FOIA, the public body must provide the specific reasons for the denial, including a detailed factual basis and a citation to supporting legal authority. 5 ILCS 140/9(b). If the public body is denying the request, in whole or in part, based on an exemption in Section 7(1)(c) or 7(1)(f) of FOIA, the public body must first give written notice to the Public Access Counselor of the intent to deny the request on this basis.***]

You have a right to have the denial of your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General. 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-mail: publicaccess@atg.state.il.us

You also have the right to seek judicial review of your denial by filing a lawsuit in the State circuit court. 5 ILCS 140/11.

If you choose to file a Request for Review with the PAC, you must do so within 60 calendar days of the date of this denial letter. 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this denial letter when filing a Request for Review with the PAC.

Sincerely,

[***Name of FOIA Officer and Contact Information***]