



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

KWAME RAOUL  
ATTORNEY GENERAL

February 27, 2019

*Via electronic mail*  
Ms. Jennie McCracken  
jennie.bydesign@gmail.com

RE: FOIA Request for Review – 2019 PAC 56911

This determination is issued pursuant to section 9.5(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(c) (West 2016)). For the reasons set forth below, the Public Access Bureau concludes that no further action is warranted in this matter.

On February 19, 2019, this office received your Request for Review challenging the response by Algonquin Township Road District (District) to a FOIA request by a named individual. The named individual appears to have sought a list of users blocked by the Township's Highway Department (Department) from posting to the Department's Facebook page. You assert that the District's response to the named individual's FOIA request is incomplete.

Section 9.5(a) of FOIA provides, in pertinent part, that "[a] person whose request to inspect or copy a public record is denied by a public body \* \* \* may file a request for review with the Public Access Counselor \* \* \* not later than 60 days after the date of the final denial. The request for review must be in writing, signed by the requester, and include (i) a copy of the request for access to records and (ii) any responses from the public body." Black's Law Dictionary defines a signature, in pertinent part as: "[a] person's name or mark written by that person \* \* \*; one's handwritten name as one ordinarily writes it, as at the end of a letter or a check, to show that one has written it. \* \* \* The act of signing something; the handwriting of one's name in one's usual fashion." Black's Law Dictionary (10th ed. 2014), available at Westlaw BLACKS.

Furthermore, section 2(b) of FOIA (5 ILCS 140/2(b) (West 2016)) defines "person" as "any individual, corporation, partnership, firm, organization or association, acting individually or as a group." Therefore, filing a Request for Review requires the individual whose FOIA request was denied, or an individual designee from an organization whose FOIA request was denied, to sign the Request for Review with his or her first and last name. Ill. Att'y Gen.

Ms. Jennie McCracken  
February 27, 2019  
Page 2

PAC Rev. Ltr. 52886, issued May 18, 2018 (concluding that an individual could not submit a Request for Review on behalf of another individual who submitted a FOIA request anonymously).

The named individual who filed the FOIA request with the District did not submit this Request for Review or sign it. Moreover, you have not asserted that the named individual submitted the request on behalf of a partnership, firm, organization or association that you are designated to represent. Because you, rather than the person whose FOIA request was allegedly denied, signed the Request for Review, it does not meet the requirements of section 9.5(a) of FOIA. Thus, we have determined that no further action is warranted in this matter.

If the person who submitted the FOIA request wishes to file a Request for Review of the District's response, he may do so not later than 60 days after the date of the response. 5 ILCS 140/9.5(a) (West 2016).

This letter closes this file. If you have any questions, you may contact me at (217) 524-7958 or LHarter@atg.state.il.us.

Very truly yours,



LAURA S. HARTER  
Deputy Bureau Chief  
Public Access Bureau

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cc: *Via electronic mail*  
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