



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

KWAME RAOUL
ATTORNEY GENERAL

November 22, 2021

Via electronic mail

Ms. Patricia Robinson
Freedom of Information Officer
Champaign-Urbana Public Health District
201 West Kenyon Road
Champaign, Illinois 61820
probinson@c-uphd.org

RE: FOIA and OMA Request for Review – 2021 PAC 68452; 68453
Requester: Mr. Christopher Hansen
Date of FOIA Request: April 11, 2021

Dear Ms. Robinson:

The Public Access Bureau has received the attached Request for Review of the response by the Champaign-Urbana Public Health District (District) to a Freedom of Information Act (FOIA)¹ request submitted by Mr. Christopher Hansen. Mr. Hansen also alleges that the District's Board (Board) violated the Open Meetings Act (OMA).² This office has determined that further action is warranted.

On April 11, 2021, Mr. Hansen submitted a FOIA request to the District seeking a recording of every Board meeting. On April 21, 2021, Mr. Hansen e-mailed the District stating that he had not received a response to his request. On that same date, the District e-mailed Mr. Hansen to confirm receipt of his request and ask if he would agree to narrow his request to a specific time period within a seven year span of responsive records. On April 23, 2021, Mr. Hansen replied that he would not narrow his request. On July 20, 2021, Mr. Hansen again e-mailed the District stating that he had not received a response to his request. On July 22, 2021, the District informed Mr. Hansen that responsive records for 2020 and 2021 had been saved to a thumb drive which he could pick up from the District office. On July 30, 2021, Mr. Hansen

¹5 ILCS 140/1 *et seq.* (West 2020).

²5 ILCS 120/1 *et seq.* (West 2020).

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replied to the District reiterating that he requested the responsive records for all seven years. On August 5, 2021, Mr. Hansen e-mailed the District with a schedule for provision of the remaining records, which he had apparently agreed upon with District staff. On August 9, 2021, the District e-mailed to confirm that schedule with one change. On August 27, 2021, Mr. Hansen e-mailed the District regarding certain missing videos for meetings throughout 2020 and 2021.

On November 9, 2021, this office received Mr. Hansen's Request for Review contesting the adequacy and completeness of the District's search for responsive records. Specifically, Mr. Hansen alleges that he should have received video recordings of at least thirty-three additional meetings.

As required under section 9.5(c) of FOIA (5 ILCS 140/9.5(c) (West 2020)), please respond in writing to Mr. Hansen's allegation by providing a detailed description of the District's search for responsive records, including the specific recordkeeping systems searched, how they were searched, and the specific individuals who were consulted. If the District has a retention schedule that applies to recordings of Board meetings, please provide a copy for this office's review.

Mr. Hansen's Request for Review also alleges that the District violated section 7(e)(9) of OMA (5 ILCS 120/7(e)(9) (West 2020)) by failing to maintain and make available to the public verbatim recordings of some remote meetings during 2020 and 2021.

In order to evaluate this matter, we request that the District or its representative provide a written response to this allegation. Please provide this office with a list of meetings held remotely pursuant to section 7(e) of OMA (5 ILCS 120/7(e) (West 2020)), as well as an agenda, recorded minutes, and a verbatim recording of each remote meeting.

This information must be submitted to our office within seven (7) business days after receipt of this letter. Under FOIA and OMA, this office is required to forward a copy of any response to the requester and to provide the requester with an opportunity to reply. 5 ILCS 140/9.5(d) (West 2020); 5 ILCS 120/3.5(c) (West 2020). FOIA and OMA permit the District to provide a redacted version of its response for release to the requester. **If you claim that any portion of your written response is confidential, please send two versions of your response letter: a complete copy for this office's confidential review and a redacted version suitable for this office to forward to the requester.**

Please send your response to benjamin.silver@ilag.gov or 100 West Randolph Street, 11th Floor, Chicago, IL 60601. Please contact me at (773) 590-7878 or benjamin.silver@ilag.gov if you have questions or would like to discuss this matter. Thank you.

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BENJAMIN J. SILVER
Assistant Attorney General
Public Access Bureau

Attachment

cc: *Via electronic mail*
Mr. Christopher Hansen
[REDACTED]