

The top 38 list of excuses government agencies give for not being able to fulfill your data request (and suggestions on what you should say or do)

- Compiled at our home office at the [Poynter Institute in St. Petersburg, FL](#), by members of the Computer-Assisted Journalism Seminar - April 20, 1994

EXCUSE	TELL THEM THIS	DO THIS
We don't know how to do that	<ul style="list-style-type: none"> • Let me show you how. • Don't you know how to do your job? • Then who DOES know how to do it? • I'd like to meet the programmer that set it up. • I'd like to talk with your boss. 	<p>Take your equipment there and do it yourself.</p>
It's too late in the day to do that.	<ul style="list-style-type: none"> • What time do you open tomorrow ? • It shouldn't take too long. • What are you going to do and how long will it take? • Might the data center be able to do it then? 	<p>Give yourself plenty of lead time for data requests. Be clear about what you're needing, there may be a report already</p>
It takes too long.	<ul style="list-style-type: none"> • It shouldn't take that long. • How long do you think it's going to take? • That's OK. I'll be happy to wait - I've got the latest edition of the FOI Reporter I can read while you do it. 	
The person that knows how to do that is on vacation for two weeks / doesn't work here anymore.	<ul style="list-style-type: none"> • So how are you doing your work? • Who is the backup? I'll talk to them. • What would you do if the governor asked for it? • I don't believe you'd close your office for two weeks. 	
It costs too much money for us to do it.		<ul style="list-style-type: none"> • Ask for an itemized estimate of charges. • Offer to pay for reasonable programming fees. • See if there is a rate charged by state agencies to other agencies. • Offer to pay the overtime. • Provide your own tape or disk. • Offer to do your own dump. • See if there is a commercial user rate. • If special programming is required to get a subset, think about getting a copy of the whole set of data and doing your own subsetting.
	<ul style="list-style-type: none"> • We'll be gentle. • I'll still respect you. 	

We've never done that before.	<ul style="list-style-type: none"> • So? • Surely you backup your system. We'll take yesterday's backup tape. We'll show you how. 	
We won't give you the records, you might use it as a mailing list.	<ul style="list-style-type: none"> • Show me in the statute where it says we can't use the data any way we want to. • I swear I won't use it as a mailing list. • Is there a way to disable some of the fields that would render it useless as a mailing list? 	
Our compilation is not a public record.	<ul style="list-style-type: none"> • Show me the statute. • See you in court. 	File an FOI
We'll have to get approval from each agency that contributed data.	<ul style="list-style-type: none"> • Well then, I won't keep you. Let me know when you've got them all. • Show me the statute that says you have to do that. • How long will that take? 	
We don't like what you plan to do with it.	<ul style="list-style-type: none"> • Tough • Tell me why that's your business. • Show us the statute that says we can't do that with it. • Honest, you'll like the story. 	Don't go into detail about what the story is going to be. Offer to sign a standard agreement that doesn't allow reselling.
We don't keep our data that way.	<ul style="list-style-type: none"> • How do you keep your data? • That's OK, just give us what you've got. • I'd like to talk to your programmer. 	get a record layout
There are confidential records mixed in.	<ul style="list-style-type: none"> • Then take them out 	<ul style="list-style-type: none"> • You may have to pay for the redaction. • Start working to make sure agencies deal with public record requests as systems are designed. Work with groups like SPJ, League of Women Voters, Taxpayer Assets Project, Common Cause, state press associations. Make it a public policy issue. Suggest that confidential parts of records be encrypted.
We don't think you'll understand the data / technology, you'll mess it up.	<ul style="list-style-type: none"> • Yes, I do, No, I won't. • Show me the statute where it says I have to understand. • That's kind of you to worry, but don't. • The more you work with us, the better we'll be. • I'll be sure to call you if I have any problems. 	
We don't keep that on computer.		<ul style="list-style-type: none"> • Make sure that's true -look at the printout you get. If it is clean, it probably came from a computer. • If it isn't true, file a FOIA. • If it is true, is there another source

		for the records? <ul style="list-style-type: none"> • Get the paper records and start typing. Don't scan.
We keep it on computer, but we'll only give it you on paper.	<ul style="list-style-type: none"> • Show me the statute that says you can't do that. • Can we get the print image file? (print to disk) • This is no different than asking for paper files. 	Appeal to their interests in accuracy - there is a greater likelihood of error if it is keypunched from paper.
We've done that kind of analysis, we'll give you the reports.	<ul style="list-style-type: none"> • Great. I'll take the reports and the data. • I want this for further analysis. • I want this for our research library. 	
You don't have the equipment to handle it.	<ul style="list-style-type: none"> • Yes, I do. • My consultant does. • Show me the statute that says I need the equipment. 	
The computer can't make files.	<ul style="list-style-type: none"> • Then it must not be computer. • You make backups right? I'll take one of those. • How do you store your data? 	
Our programmer is too busy with official business.	A public records request IS official business. It is part of your agencies mission. Do it.	<ul style="list-style-type: none"> • Have them do it in off hours and offer to pay overtime. • Threaten to hire your own programmer.
If we give it you we'll have to give it to everyone.	<ul style="list-style-type: none"> • What's your point? • Well, everyone has a right to it. • Save the files, it'll make it easier to help the next guy. 	
We'll be happy to give it to you for \$1.2 million.		Get an itemized estimate. If the charge is based on paper records retrieval, you may need to work on changing the statute.
We'd love to give it to you but it violates our contract with the software company.	<ul style="list-style-type: none"> • How can you sign a contract that lets you give away public access? • Give us the data, not the program. 	

Fill in your own responses to these excuses:

- We don't know how to work our own computer.
- We don't have a machine that can read that record type anymore.
- You don't know the difference between 1600 and 6250 and we won't give it to you because you don't know anything.
- I don't understand your request.
- We're afraid you'll get into our mainframe and corrupt our data.
- Let me something in writing, I'll get back to you.
- We don't have to give it to you.
- There's nothing in the state records laws that says anything about electronic records, therefore...
- We'll be glad to do that for you when we have our new system up - should be real soon now.
- A private firm maintains the information - contact them.

- The data is cheap, but you have to buy the software, and it's not.
- We don't have liability insurance.
- We lost the code.
- We've changed the file layouts.
- We don't collect it that way.

And the final excuse given to avoid filling public records requests:

The dog ate the password