



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

June 1, 2011

Ms. Sharon McDowell
FOIA Officer
Village of Alsip
4500 West 123rd Street
Alsip, Illinois 60803

RE: FOIA Pre-Authorization Request – 2011 PAC 12539

Dear Ms. McDowell:

We have received and reviewed the written notice from the Village of Alsip of its intention to deny disclosure of certain information pursuant to section 7(1)(f) of the Freedom of Information Act (FOIA) (5 ILCS 140/7(1)(f) (West 2009 Supp.), as amended by Public Act 96-1378, effective July 29, 2010).

Mr. Randy Justin of ADT Security Services submitted a FOIA request dated January 19, 2011, to the Village that included eighteen numbered requests for records. Requests one through nine and request seventeen sought various categories of communications about alarm monitoring, such as communications about proposals to the Village and evaluations of those proposals. The Village asserts that documents responsive to these specific requests are exempt under section 7(1)(f).

Section 7(1)(f) of FOIA exempts from inspection and copying "[p]reliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies or actions formulated, except that a specific record or relevant portion of a record shall not be exempt when the record is publicly cited and identified by the head of the public body." 5 ILCS 140/7(1)(f) (West 2009 Supp.), as amended by Public Act 96-1378, effective July 29, 2010.

DETERMINATION

The Village's use of the exemption in section 7(1)(f) to withhold the documents that respond to Mr. Justin's requests one through nine and request seventeen is **approved**. These documents consist of preliminary drafts that were subject to revision before being finalized,

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preliminary notes, and documents in which opinions and recommendations are expressed. These documents also include proposals submitted to the Village for the Village's consideration that do not represent a final agreement between the Village and any vendor. The Village has asserted that none of these documents has been publicly cited or identified by the Village President or the Board of Trustees. Therefore, we have determined that the Village has met its initial burden of demonstrating that the requested documents are exempt under section 7(1)(f).

Accordingly, the Village may issue a partial denial letter directly to Mr. Justin and release the non-exempt documents, if it has not already done so.

If you have any questions, please contact me at (312) 814-2086. This correspondence shall serve to close this matter.

Very truly yours,



SARAH KAPLAN
Assistant Attorney General
Public Access Bureau

12539 preauth al 71f prelim draft mun

cc: Mr. Randy Justin
111 Windsor Drive
Oak Brook, Illinois 60523