



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

August 16, 2011

Ms. Hannah Eisner
First Assistant State's Attorney, Civil Division
McLean County State's Attorney's Office
Government Center
115 East Washington Street, Room 401
P.O. Box 2400
Bloomington, Illinois 61702-2400

RE: FOIA Pre-Authorization Request – 2011 PAC 15809

Dear Ms. Eisner:

We have received the written notice from the McLean County State's Attorney's Office (State's Attorney) of its intention to deny disclosure of certain information as exempt under section 7(1)(f) of the Freedom of Information Act (FOIA) (5 ILCS 140/7(1)(f) (West 2010)).

On July 6, 2011, the State's Attorney received a FOIA request from [REDACTED] seeking "copies of all written communications and evidence sent to Bill Yoder by [REDACTED] reference misconduct allegations against the Bloomington Police Department" and "copies of any written messages taken by staff reference [REDACTED]'s attempts to speak with the state's attorney's office." The State's Attorney seeks to redact certain information from the responsive documents 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 are 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."

DETERMINATION

Based on our review of the information in question, the State's Attorney's assertion of the section 7(1)(f) exemption to withhold the information is **approved**. The

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information consists of opinions and is preliminary in nature. The State's Attorney asserted that this information has not been publicly cited or identified by the Honorable William Yoder, State's Attorney for McLean County. Therefore, the State's Attorney has sustained its initial burden of demonstrating that this information is exempt under section 7(1)(f).

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

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cc:

