



**OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS**

Lisa Madigan
ATTORNEY GENERAL

August 16, 2010

Deb Busey
County Administrator
Champaign County Administrative Services
1776 E. Washington
Urbana, Illinois 61802

Re: Pre-Authorization Request 2010 PAC 8274

Dear Ms. Busey:

Thank you for providing the additional information we requested on July 14, 2010 in response to a written notice from the Champaign County Administrative Services (County) of its intention to deny certain records as exempt from disclosure under Section 7(1)(f) of the Freedom of Information Act. 5 ILCS 140/1 *et seq.*, as amended (FOIA).

Pursuant to 5 ILCS 140/9.5(b), we asked that the County identify which documents, sought by Patrick Pfungsten in a FOIA request submitted to the County on June 16, 2010, it seeks to withhold as exempt from disclosure under Section 7(1)(f).

Section 7(1)(f) of FOIA exempts from disclosure records that constitute "[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 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).

Determination

The County's proposed use of the exemption found in Section 7(1)(f) of FOIA to deny disclosure of the specified documents is approved. We have reviewed the documents provided by the County and have determined that they consist of emails and draft documents which include opinions, recommendations, and discussions in which policies or actions were being formulated. Thus, these documents are considered exempt from disclosure under Section 7(1)(f) of FOIA.

Accordingly, the County's issuance of a partial denial letter withholding the specified documents was appropriate.

We offer no advice or opinion on the County's use of other exemptions allowed under FOIA.

If you have any questions, please feel free to contact me at (312) 814-1003. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By: 

Jessica O'Leary
Assistant Attorney General

cc: Patrick Pfingsten
News Anchor/Report
WDWS-AM, WHMS-FM
2301 S. Neil Street
P.O. Box 3939
Champaign, Illinois 62826-3939