



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

April 11, 2011

Ms Trisha Crowley
Deputy City Attorney
City of Champaign
102 N. Neil
Champaign, IL 61821

Re: Pre-Authorization Request – 2011 PAC 13068
FOIA Requester: [REDACTED]

Dear Ms. Crowley:

We have received and reviewed the written notice from the City of Champaign of its intention to deny disclosure of certain information pursuant to Section 7(1)(f) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended.

On March 11, 2011, [REDACTED], submitted a FOIA request to the City seeking “all emails from Peg Wade from January 1, 2011 through March 11, 2011.” Her request also sought “Georgiana Schuster, the temporary secretary’s emails from January 1, 2011 – March 1, 2011.”

In its written notice, the City asserts that certain documents contain “staff discussion concerning proposed policy decision that when fully formulated will be taken to the City Council for further action or are internal staff memoranda related to the formation of policy.” These documents have been withheld from disclosure under Section 7(1)(f) of FOIA.

We determined that further inquiry was necessary and asked the City to provide us with a representative sample of the withheld documents and a detailed description of these documents. On April 5, 2011, the City provided us with this information. It informed us that four pages of documents contained within the requested records had been withheld because they discussed policy development. The City has already provided the requester with 2,325 pages of responsive documents.

Determination

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 formulated,

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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.”

The City’s use of the Section 7(1)(f) exemption with regard to the withheld documents is **approved**. After review of the information provided, our office agrees that the withheld records are ones in which opinions were expressed and policies or actions were formulated. Further, the documents have not been publicly cited by the head of the public body. Accordingly, the City has met its initial burden of demonstrating that the withheld information is exempt from disclosure under Section 7(1)(f) of FOIA.

If you have any questions or concerns, please feel free to contact our office at (877) 299-3642. This correspondence shall serve to close this matter.

Sincerely,

A solid black rectangular redaction box covering the signature of Rebecca Riddick.

Rebecca Riddick
Assistant Public Access Counselor

cc:

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