



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

October 18, 2010

Ann Harrison
Acting FOIA Officer
Illinois Department of Labor
160 N. LaSalle
Suite C-1300
Chicago, Illinois 60601

RE: Pre-Authorization Request – 2010 PAC 10083

Dear Ms. Harrison:

We have received and reviewed the written notice from the Illinois Department of Labor (IDOL) 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).

On September 30, 2010, [REDACTED] submitted a FOIA request to IDOL seeking a copy of the following information.

2008 Inspection of the Illinois State Police Westchester Forensic Science Lab located at 10001 Roosevelt Road, Suite 112, Westchester, IL. 60154. Any and all documents reflecting inspection, testing, response and follow-up.

In its written notice, IDOL asserts that certain handwritten notes, contained within the requested records, are exempt from disclosure under Section 7(1)(f) of FOIA.

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 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.”

IDOL’s use of Section 7(1)(f) exemption with regard to the handwritten notes is **approved**. We have determined that the handwritten notes are pre-decisional documents in which opinions were expressed and were relied upon by IDOL in formulating an action or policy regarding a specific matter. Moreover, there is no indication that the handwritten notes have been publicly cited or

October 18, 2010

Page 2

identified by the Director of IDOL. Accordingly, IDOL has met its burden of demonstrating that the notes are exempt from disclosure under Section 7(1)(f) of FOIA.

Please note, however, that this letter does not express an opinion or provide advice as to the applicability of any other non-7(1)(f) exemptions to the requested records. If you have any questions or concerns, please feel free to contact me directly at (312) 814-6437. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:



Tola Sobitan
Assistant Public Access Counselor

cc:

