



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

April 25, 2011

Sean O'Brien  
FOIA Officer  
Illinois Criminal Justice Information Agency  
300 W. Adams Street  
Suite 200  
Chicago, Illinois 60606

RE: Pre-Authorization Request – 2011 PAC 13625

Dear Mr. O'Brien:

We have received and reviewed the written notice from the Illinois Criminal Justice Information Agency (ICJIA) of its intention to deny disclosure of certain information pursuant to the Illinois Freedom of Information Act (FOIA), 5 ILCS 140/1 *et seq.*

Specifically, on April 6, 2011, Ms. Helaine Hornby submitted a FOIA request to ICJIA, seeking a copy of the successful offer for the project to evaluate multidisciplinary teams and a copy of the scores given to Hornby Zeller and other competitors on the scoring elements outlined in the Request for Proposals (RFP). In its written notice, ICJIA asserts that the requested individual scoring sheets, containing the reviewers' scores and notes, are exempt from disclosure under Section 7(1)(f) of FOIA (5 ILCS 140/7(1)(f)).

**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." *Id.*

ICJIA's use of the Section 7(1)(f) exemption with regard to the reviewers' scoring sheets is **approved**. We have determined that these documents contain opinions and recommendations that were solicited and utilized by ICJIA in its decision-making process regarding a specific matter. Further, there is no indication that the reviewers' scores have been publicly cited or identified by the Executive Director of ICJIA. As such, ICJIA has met its initial burden of demonstrating that this information is exempt from disclosure under Section 7(1)(f) of FOIA

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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,



Tola Sobitan  
Assistant Public Access Counselor

cc: Helaine Hornby  
Hornby Zeller Associates, Inc.  
373 Broadway  
South Portland, ME 04106

*13625 preauth al 71f prelim sa*