



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

Lisa Madigan
ATTORNEY GENERAL

December 3, 2010

Lola Dada-Olley
Associate General Counsel
Office of the Governor
100 W. Randolph Street
Suite 16-100
Chicago, Illinois 60601

RE: Pre-Authorization Request – 2010.PAC 10759

Dear Ms. Dada-Olley:

We have received and reviewed the written notice from the Office of the Governor (Office) of its intention to deny disclosure of certain information pursuant to Section 7(1)(f) of the Freedom of Information Act (FOIA).

On November 10, 2010, [REDACTED] submitted a FOIA request to the Office, seeking a copy of the transcripts from two public hearing held by Governor Quinn's Anti-Violence Commission on September 20th and November 4th.

In its written notice, the Office asserts that a draft document, contained within the requested records, has been withheld 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."

The Office's use of the Section 7(1)(f) exemption with regards to the withheld document is approved. We have determined that the withheld document is a preliminary draft of the transcript from the September 20th hearing in which recommendations were expressed and were relied upon by the Office in creating a final version of the transcript. Furthermore, there is no indication that the draft document has been publicly cited or identified by the Governor, and the Office has noted that a copy of the final version of the transcript has been provided to [REDACTED]. Accordingly, the Office has met its initial burden of establishing that the withheld document is exempt from disclosure under Section 7(1)(f) of FOIA.

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:



10759 preauth al 71f prelim draft sa