



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

Lisa Madigan
ATTORNEY GENERAL

December 6, 2010

Matthew Sandoval
Freedom of Information Officer
Chicago Police Department
Records Inquiry Section, Unit 163
3510 S. Michigan Avenue
Chicago, Illinois 60653

RE: Pre-Authorization Request – 2010 PAC 1-1012

Dear Mr. Sandoval:

We have received the written notice from Chicago Police Department (CPD) of its intention to deny disclosure of certain information pursuant to Section 7(1)(f) of the Freedom of Information Act (FOIA).

On September 7, 2010, [REDACTED] submitted a FOIA request to CPD, seeking a copy of "all outgoing e-mails from Superintendent Jody Weis' Chicago Police Department e-mail account on 23 August 2010, between 2130 hrs and 2230 hrs." In its written notice, CPD asserts that two email correspondences responsive to the request 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."

CPD's use of the Section 7(1)(f) exemption with regard to the withheld email correspondences is approved. Based on the information provided by CPD, we have determined that the withheld emails constitute pre-decisional materials solicited, obtained, and utilized by the Superintendent in formulating various policies and/or actions. Accordingly, CPD has met its initial burden of demonstrating that the withheld email correspondences are exempt from disclosure under Section 7(1)(f) of FOIA.

December 6, 2010

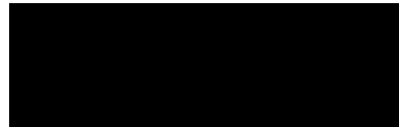
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If you have any questions, please feel free to contact me at (312) 814-6437. This correspondence shall serve to close this matter.

Sincerely,

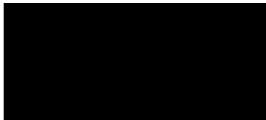
Cara Smith
Public Access Counselor

By:



Tola Sobitan
Assistant Public Access Counselor

cc:



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