



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

Lisa Madigan
ATTORNEY GENERAL

August 18, 2010

Cheryl Brombolich
Freedom of Information Act Officer
City of Collinsville
125 South Center Street
Collinsville, IL 62234

RE: Pre-Authorization Request – 2010 PAC 5558
FOIA Requestor – Timothy Rainey

Dear Ms. Brombolich:

We have received and reviewed the February 16, 2010 written notice and August 18, 2010 responsive documents from the City of Collinsville (City) of its intention to deny disclosure of City employee surveys pursuant to Section 7(1)(f) of the Freedom of Information Act (FOIA). 5 ILCS 140/7(1)(f).

Specifically, Tim Rainey submitted a FOIA request to the City on January 13, 2010 seeking “[a]ll comments from the employee survey for the years 2008 and 2009” and “[c]omments from all city departments.”

The City explains that Mr. Rainey’s request is exempt from disclosure pursuant to Section 7(1)(f), which exempts from inspection and copying “preliminary drafts, notes, recommendations, memoranda and other records in which opinions are expressed, or policies 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.” 5 ILCS 140 7(1)(f).

Determinations

The City’s request to withhold the surveys pursuant to Section 7(1)(f) is approved. This Office has reviewed the documents and concluded that they express opinions by City employees that were given to the City to help determine where the City “most need[ed] to improve, change, or continue to do well.” The employees were told that the surveys would be “confidential and anonymous” and that only the statistical results would be shared.


Additionally, there is no evidence that the employee surveys have been publicly cited and identified by the head of the City of Collinsville.

Based on this analysis, the City has met its burden under Section 7(1)(f) and may withhold the surveys.

Should you have questions or concerns, please feel free to contact me at (312) 814-5383. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor



Matthew Rogina
Assistant Public Access Counselor

cc: Mr. Timothy Rainey
Collinsville Firefighters Local 2625
1 Heatherwood
Collinsville, Illinois 62234