



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

March 3, 2011

Mr. Robert J. Grindle
Office of the Governor
100 W. Randolph St.
Chicago, IL 60601

Re: Pre-Authorization Request – 2011 PAC 12571
FOIA Requester: [REDACTED]

Dear Mr. Grindle:

We have received and reviewed the written notice from the Office of the Governor of its intention to deny disclosure of a certain information contained in requested documents as exempt from disclosure under Section 7(1)(f) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended.

On February 7, 2011, [REDACTED] submitted a FOIA request to the Office of the Governor for “any internal memos, internal emails from the governor’s office, emails or memos to and from the Governor’s office to IDOC pertaining to MGT from November 1, 2010 – December 31, 2010.”

In its written notice, the Governor’s Office asserted that e-mail discussions and presentation slides within the requested records contained information that “expressed opinions, made recommendations and/or evaluated actions to be taken” and have been withheld 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.”

The Governor’s Office’s use of the Section 7(1)(f) exemption with regard to the withheld information is **approved**. After review, our office has determined that the withheld documents contain opinions, notes, and recommendations and are documents in which policies or actions were being formulated. Further, the Governor’s Office has indicated that this document has not been publicly cited by the Governor. Accordingly, the Governor’s Office has met its initial burden of demonstrating that the withheld information is exempt from disclosure under Section 7(1)(f) of FOIA.

If you have any questions or concerns, please feel free to contact our office at (877) 299-3642. This correspondence shall serve to close this matter.

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Sincerely,


Rebecca Riddick
Assistant Public Access Counselor

cc:

