

Return Date: No return date scheduled  
Hearing Date: 2/19/2021 10:00 AM - 10:00 AM  
Courtroom Number: 2410  
Location: District 1 Court  
Cook County, IL

FILED  
10/22/2020 9:44 AM  
DOROTHY BROWN  
CIRCUIT CLERK  
COOK COUNTY, IL  
2020CH06403

2020CH06403

# EXHIBIT

10866319

## B

FILED DATE: 10/22/2020 9:44 AM 2020CH06403



OFFICE OF THE STATE'S ATTORNEY  
COOK COUNTY, ILLINOIS

ANITA ALVAREZ  
STATE'S ATTORNEY

PAUL A. CASTIGLIONE  
EXECUTIVE ASSISTANT STATE'S ATTORNEY  
FOR POLICY

WRITER'S E-MAIL ADDRESS:  
PAUL.CASTIGLIONE@COOKCOUNTYIL.GOV

69 West Washington St.  
Suite 3200  
CHICAGO, ILLINOIS 60602

WRITER'S DIRECT LINE:  
(312) 603-1840

WRITER'S DIRECT FAX:  
(312) 603-2655

January 22, 2014

VIA U.S. MAIL AND E-MAIL

Mr. Tracy Siska  
Chicago Justice Project  
35 East Wacker Drive  
9<sup>th</sup> Floor  
Chicago, Illinois 60601

Re: FOIA request dated 1/19/14

Dear Mr. Siska:

I have received the January 19, 2014 request for documents under the Freedom of Information Act ("FOIA") statute that you have submitted to the Cook County State's Attorney's Office (the "SAO") that you sent to me via e-mail. You have requested the following documents:

1. In digital format please provide a list of every data table your organization maintains and or uses to capture/collect/maintain data in the course of their digital data capturing procedures. Please include a dump of all fields included in each table - please provide each field blank or without any data, only provide data field names. Also please include the following:

- A code book that defines each table and field included in your response.
- Which department/office/division within your organization each table is used to capture data.
- Any data tables / fields that maintain data received from other organizations / agencies

Mr. Tracy Siska  
January 22, 2014  
Page 2

2. Please provide a copy of your organization's data dictionary

For the following reasons, I respectfully deny your FOIA request.

Under Illinois law, the SAO is not a "public body" subject to FOIA. *See Nelson v. County of Kendall*, 990 N.E.2d 1237, 2013 IL App (2d) 120635, ¶24, 2013 Ill. App. LEXIS 339, \*19 (2<sup>nd</sup> Dist. 2013) (holding that state's attorneys are not subject to FOIA) and *Uphoff v. Grosskopf*, 2013 IL App (4th) 130422 (4<sup>th</sup> Dist. December 12, 2013) (same). *See also* 2013 PAC 24444 (June 28, 2013) (finding that under *Nelson*, State's Attorneys are not subject to the requirements of FOIA and affirming the denial of a FOIA request to the SAO pursuant to *Nelson*); 2013 PAC 24955 (June 28, 2013) (same); 2013 PAC 25497 (August 23, 2013) (same); 2013 PAC 25598 (August 23, 2013) (same) 2012 PAC 21209 (September 5, 2013) (same) and 2013 PAC 25699 (October 9, 2013) (same). In *Nelson*, the Court held that because the State's Attorney office did not fall within the definition of "public body" in FOIA, State's Attorneys in Illinois are not subject to this statute. *Id.* Under *Nelson* and *Uphoff*, the SAO is not subject to FOIA.

If you have any questions about the operation of the SAO, including questions regarding the collection of data, you may submit such questions to our Communications Director, Sally Daly, at the following address:

Ms. Sally Daly  
Communications Director  
Cook County State's Attorney's Office  
69 West Washington Street  
Suite 3200  
Chicago, Illinois 60602

Accordingly, and for the foregoing legal reasons, I respectfully deny your FOIA request. You have a right to appeal this decision to Sarah Pratt, Public Access Counselor, Office of the Illinois Attorney General, 500 S. 2nd Street, Springfield, Illinois 62706, (phone number 1-877-299-FOIA) or to seek judicial review under Section 11 of FOIA, 5 ILCS 140/11 (2014).

Sincerely,

Paul A. Castiglione  
Executive Assistant State's Attorney  
for Policy  
69 West Washington St.  
Suite 3200  
Chicago, Illinois 60602  
(312) 603-1840