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July 9, 2015

VIA U.S. MAIL AND E-MAIL

Mr. Tracy Siska  
Executive Director  
Chicago Justice Project  
811 South Bishop Street  
Suite 2R  
Chicago, Illinois 60607

Re: FOIA Request dated 7/7/15

Dear Mr. Siska:

I have received the July 7, 2015 request for documents under the Illinois Freedom of Information Act ("FOIA") statute that you submitted to the Cook County State's Attorney's Office (the "SAO") via e-mail.

You asked for the following documents in digital machine readable format:

All data maintained in the your Crimes database for all case[s] submitted to the Cook County State's Attorney's Office for felony review in the year of 2013.

You also ask that the following information be removed: (1) identifying information regarding the crime victim(s) and witness(es) removed prior to release and (2) information indicating whether there was a relationship between the offender and the victim. On the other hand, if there is no relationship between the offender and the victim, you ask that the SAO detail that information.

For the reasons stated below, I deny this FOIA request on the grounds that it is unduly burdensome under Section 3(g) of FOIA ("Section 3(g)"). *See, e.g., Shehadeh v. Madigan*, 2013 IL App (4th) 120742, 996 N.E.2d 1243 (4th Dist. 2013) (holding that a FOIA request to the Attorney General's office was unduly burdensome under Section 3(g) because it required a hand count of 9,200 documents).

Mr. Tracy Siska

July 9, 2015

Page 2

The Felony Review unit receives over 30,000 telephone calls and requests from the police on an annual basis. Such calls may be informational and some may be requests for the approval of felony charges. Many calls lead to continuing investigations.

Your request would necessitate doing a hand count on over 30,000 phone calls to felony review in 2013 and analyzing each call to cull certain information and to redact other information. That is obviously an unduly burdensome FOIA request, particularly in light of *Shehadeh* where the court held that a hand count of 9,200 documents was unduly burdensome under Section 3(g).

While your FOIA request is not a proper one under *Shehadeh*, I would certainly respond to a FOIA request about a particular matter. If you wish to make such a request, I will certainly respond to it. If you have questions about particular aspects of our felony prosecutions, then I strongly urge you to contact Philip Roy or Jennifer Greene from our executive staff. I have no doubt that Mr. Roy or Ms. Greene would be glad to work with you with regard to any information about our office in which you have an interest.

Accordingly, and for the above 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 (2015).

Sincerely,



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