



DEPARTMENT OF INNOVATION AND TECHNOLOGY
CITY OF CHICAGO

August 24, 2015

Via Electronic Mail
Matthew Chapman
foiarequesterchicago@gmail.com

RE: Your FOIA Request received August 12, 2015

Dear Mr. Chapman,

This letter is in response to the Freedom of Information Act (“FOIA”) request which you emailed to the City of Chicago Department of Innovation and Technology (“DoIT”) on August 11, 2015 at 8:57 p.m. Because your request was received by DoIT after business hours, it is deemed received on the next business day, which was August 12, 2015. On August 18, 2015, we requested the statutory extension of five business days. This response is now being timely made.

In your request, you state:

Please attach in a standard text format information would contain phone numbers dialed between the dates of 11/24/14 and 12/04/14 for the location of 121 N LaSalle St #507, Chicago, IL 60602 (mayor’s office). Please include as much information as is available for release.

We are providing you with a log of the phone numbers dialed between the dates of 11/24/14 and 12/04/14 for the location of 121 N. LaSalle St., Suite #507, Chicago, IL 60602 (Mayor’s Office). These records were generated from the City’s phone billing system, and, as such, do not include incoming calls, or calls to internal City phones (i.e., ‘744’ numbers). The City does not maintain records of calls made or received other than these billing records.

Because particular phone numbers called may be exempt from disclosure, we have redacted the last four digits of telephone numbers reflected in the log. Numbers that appear on the log may be personal, home, and/or other non-public numbers that are exempt from disclosure pursuant to 5 ILCS 140/7(1)(b). This includes, for example, the personal and other non-public phone numbers of business and community leaders, public officials, employees and other individuals that appear on the log. Further, we have redacted City-issued cell phone numbers. As the PAC has determined, City-issued cell phone numbers are exempt from disclosure pursuant to 5 ILCS 140/7(1)(c), because the disclosure of these numbers would constitute a clearly unwarranted invasion of personal privacy. The PAC reasoned that certain staff of public bodies are issued cell phones partly so they may be on call during non-work hours or while away from their offices. Disclosure of these numbers could subject staff to excessive phone calls from the public at all times of day. Further, if staff were forced to turn off their cell phones to reduce such intrusion, they may not be readily available to attend to the business of the public body, which defeats the purpose of issuing them cell phones. For these reasons, City-issued cell



DEPARTMENT OF INNOVATION AND TECHNOLOGY
CITY OF CHICAGO

phone numbers are exempt pursuant to 5 ILCS 140/7(1)(c). (See 2010 PAC 8685, issued September 30, 2010.)

It would be extremely burdensome to review each of the calls appearing in the log to determine whether it involved a personal, home, or other non-public number, and therefore exempt from disclosure pursuant to 5 ILCS 140/7(1)(b), or a City-issued cell phone number, and therefore exempt from disclosure pursuant to 5 ILCS 140/7(1)(c). This is not solely a function of the number of potentially responsive calls and the short period prescribed by FOIA. Making such a determination would require the use of a reverse directory and/or telephoning the number in question, and even that effort would identify only the individuals called. In many cases, further investigation would be required to determine whether the numbers were personal, home, or other non-public numbers.

The FOIA provides in 5 ILCS 140/3(g) that requests for all records falling within a category shall be complied with unless compliance with the request would be unduly burdensome for the complying body and there is no way to narrow the request and the burden on the public body outweighs the public interest in the information. For the reasons stated above, it would be unduly burdensome to determine for each of the calls you have requested whether the number was personal or otherwise private and non-public. On these grounds, we have redacted the last four digits of all phone numbers in the logs provided in response to your request.

If you object to this global redaction, it is necessary that your request be narrowed. If you would like assistance in narrowing your request, please contact me and we will assist you. Otherwise, as explained above, we will not be able to respond to your request beyond the redactions described above. If you wish to narrow your request, please submit a revised written request to our attention. The City of Chicago Department of Innovation and Technology will take no further action or send you any further correspondence unless and until your current request is narrowed in writing. If we do not receive your narrowed request within fourteen (14) calendar days of the date of this letter, your current request will be denied.

We look forward to working with you to resolve any outstanding issues you have with this response, and invite you to call me if you wish to discuss any of these matters further.

To the extent that you consider this a denial of your FOIA request, you have the right to have a denial reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General, 500 S. 2nd Street, Springfield, Illinois 62706, or by telephone at (877) 299-3642. You may also seek judicial review of a denial under 5 ILCS 140/11 of FOIA by filing a lawsuit in Cook County Circuit Court.



DEPARTMENT OF INNOVATION AND TECHNOLOGY
CITY OF CHICAGO

Sincerely,

Yolanda Gardner
Freedom of Information Officer
Department of Innovation and Technology