



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

July 20, 2010

Lisa Weitekamp
Freedom of Information Officer
Illinois Department of Corrections
1301 Concordia Court
PO Box 19277
Springfield, IL 62794

RE: Pre-Authorization Request – 2010 PAC 7392

Dear Ms. Weitekamp:

We have received and reviewed the written notice from the Illinois Department of Corrections (Department) of its intention to deny disclosure of certain records as exempt under Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended.

██████████ submitted a FOIA request for copies of all commissary cash register tapes showing any and all purchases he made from May 2008 to May 2009 and copies of all documents being used as “evidence” of his indebtedness to the Department.

In its written notice, the Department asserts that the release of the requested records would constitute an unwarranted invasion of personal privacy under Section 7(1)(c).

Determination

Section 7(1)(c) of FOIA exempts from inspection and copying “[p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless disclosure is consented to in writing by the individual subjects of the information.” 5 ILCS 140/7(1)(c). The exemption defines “[u]nwarranted invasion of personal privacy” as “the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject’s right to privacy outweighs any legitimate public interest in obtaining the information.” *Id.*

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The Department's use of the exemption in Section 7(1)(c) with regard to the commissary records and related documents is denied. Because the records relate to purchases made by the requester himself, there is no invasion of personal privacy in the release of these records to the requester.

Accordingly, the Department should release the requested records to .

If you have any questions, please feel free to contact me at (312) 814-5206. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:



Amalia Rioja
Chief Deputy Public Access Counselor

cc:

