

Determination

To the extent that production of the report would disclose information as to the identity and sexual activities of an individual other than [REDACTED] IDOC's proposed application of the exemption found in Section 7(1)(c) of FOIA to deny disclosure is approved. Disclosure of this information would be objectionable to a reasonable person and would constitute a clearly unwarranted invasion of personal privacy.

Section 7(1) of FOIA (5 ILCS 140/7(1)), however, provides that "[w]hen a request is made to inspect or copy a public record that contains information that is exempt from disclosure under this Section, but also contains information that is not exempt from disclosure, the public body may elect to redact the information that is exempt. The public body shall make the remaining information available for inspection and copying..."

We have reviewed the unredacted copies of the responsive documents provided by IDOC and have determined that the disclosure of information contained in the reports which pertains specifically to [REDACTED] would not constitute an unwarranted invasion of personal privacy as [REDACTED] has requested the information himself.

Accordingly, IDOC shall release the responsive records with the exempt information redacted.

If you have any questions, please feel free to contact me at (312) 814-1003 or jolcary@atg.state.il.us. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:

Jessica O'Leary
Assistant Attorney General

cc:

