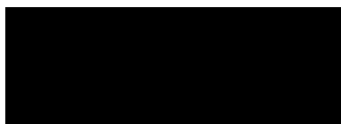


OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

December 3, 2018



RE: FOIA Request for Review – 2018 PAC 55719 and 55720

Dear Ms. [REDACTED]

This determination letter is issued pursuant to section 9.5(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(c) (West 2014)). For the reasons that follow, the Public Access Bureau concludes that no further action is warranted on these matters.

On October 27, 2018, you submitted a FOIA request to the Will County Adult Detention Facility (Detention Facility), which is part of the Will County Sheriff's Office (Sheriff's Office), seeking copies of medical records and certain other information. On October 30, 2018, the Sheriff's Office responded by providing free copies of fifty pages of records and stating that the fee for the remaining 103 pages is \$15.45, or fifteen cents per page. Your Request for Review (2018 PAC 55719) asserted that you are indigent and entitled to a fee waiver.

On November 2, 2018, you submitted another FOIA request to the Detention Facility seeking your classification record. On November 7, 2018, the Sheriff's Office provided free copies of fifty pages of records and stated that the fee for the remaining 121 pages is \$18.15, or fifteen cents per page. Your Request for Review (2018 PAC 55720) again asserted that you are entitled to a fee waiver.

Section 6(b) of FOIA (5 ILCS 140/6(b) (West 2016)) provides: "No fees shall be charged for the first 50 pages of black and white, letter or legal sized copies requested by a requester. The fee for black and white, letter or legal sized copies shall not exceed 15 cents per page." Section 6(c) of FOIA (5 ILCS 140/6(c) (West 2016)) further provides that "[d]ocuments shall be furnished without charge or at a reduced charge, *as determined by the public body*, if the person requesting the documents states the specific purpose for the request and indicates that a waiver or reduction of the fee is in the public interest." (Emphasis added). Thus, under the plain


December 3, 2018

Page 2

language of section 6(c) of FOIA, a public body has the discretion to decide whether to waive or reduce copying fees. Because FOIA does not require the Sheriff's Office to grant the fee waivers you requested and because its fee of 15 cents per page is authorized by section 6(b) of FOIA, this office concludes that no further action is warranted as to these matters.

These files are closed. If you have any questions, you may contact me at the Chicago address listed on the bottom of the first page.

Very truly yours,


STEVE SILVERMAN
Bureau Chief
Public Access Bureau

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cc: Ms. Christine Miller
FOIA Officer
Will County Sheriff's Office
95 South Chicago Street
Joliet, Illinois 60436