

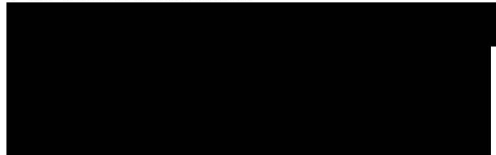


OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

KWAME RAOUL  
ATTORNEY GENERAL

July 31, 2025

*Via electronic mail*



RE: FOIA Request for Review – 2025 PAC 86749

Dear [REDACTED]:

This determination is issued pursuant to section 9.5(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5(c) (West 2024)). For the reasons explained below, the Public Access Bureau has determined that your allegations are unfounded.

On April 16, 2025, you submitted a FOIA request to the McHenry County Sheriff's Office (Sheriff's Office) seeking, in relevant part, video footage of block 3, section 1, dayroom related to a November 4, 2024, incident. On April 21, 2025, the Sheriff's Office denied your request in its entirety pursuant to section 7(1)(e) of FOIA (5 ILCS 140/7(1)(e) (West 2024)). On May 14, 2025, this office received your complete Request for Review contesting the Sheriff's Office's denial.

Section 7(1)(e) of FOIA exempts from disclosure "[r]ecords that relate to or affect the security of correctional institutions and detention facilities." In *Glynn v. Dep't of Corrections*, the Illinois Appellate Court held that this exemption "applies to records that could jeopardize the security of a correctional center or detention facility if disclosed, rather than any records merely pertaining to security in any manner whatsoever."<sup>1</sup> Therefore, when a public body withholds records under section 7(1)(e), it carries the burden of demonstrating "that disclosure of a requested record could pose a potential security risk to a correctional facility."<sup>2</sup>

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<sup>1</sup>*Glynn v. Dep't of Corrections*, 2023 IL App (1st) 211657, ¶ 34.

<sup>2</sup>*Glynn*, 2023 IL App (1st) 211657, ¶ 34.

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[REDACTED]  
July 31, 2025

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The court further explained that it did "not doubt that many prison surveillance camera footage will be found to be exempt under this court's interpretation of section 7(1)(e)," but that determination requires consideration of variables such as "the type of room filmed, the contents of the footage; whether the recording is of most, but not all, of the room; and whether the agency demonstrates that disclosure of the footage would pose a potential security risk to a correctional institution or detention facility."<sup>3</sup> Because the trial court had not reviewed the footage to confirm the Illinois Department of Corrections' vague assertion that disclosure would reveal blind spots that jeopardize prison security, the appellate court remanded the case for an *in camera* review of the footage. *Glynn*, 2023 IL App (1st) 211657, ¶¶ 47-48.

The Sheriff's Office's denial asserted that disclosure of the requested footage would jeopardize of the safety and security of its detention facility and correctional officers by exposing the surveillance system's blind spots. Although the Sheriff's Office's justification for withholding the footage was somewhat vague and conclusory, the Sheriff's Office provided this office with a copy of the requested footage for our confidential review, and this office confirms that its disclosure could pose a potential security risk to the facility. Specifically, the footage responsive to your request for "block 3, section 1, dayroom" reveals most, but not all, of a jail common area, including significant blind spots that potentially could be exploited by inmates to evade detection of dangerous or impermissible conduct. Under these circumstances, the Sheriff's Office did not improperly withhold the footage at issue under section 7(1)(e) of FOIA, and this office has determined that your allegations are unfounded.

This file is closed. If you have any questions, please contact me at the Springfield address listed on the first page of this letter.

Very truly yours,

[REDACTED]

CHRISTOPHER R. BOGGS  
Deputy Public Access Counselor  
Public Access Bureau

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cc: *Via electronic mail*  
Ms. Michelle Montgomery  
FOIA Officer  
McHenry County Sheriff's Office  
sheriff@mchenrycountyil.gov

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<sup>3</sup>*Glynn*, 2023 IL App (1st) 211657, ¶ 51.