April 14, 2015

Trevor Gates-Crandall

Re: FOIA 15-224

Dear Mr. Gates-Crandall:

I write to respond to your Freedom of Information request dated and received in my office on March 31, 2015, in which you requested:

“I write to request records related to a dog (laboratory #2702) used for research at the University of Illinois. I request the records as a private citizen (and graduate of University of Illinois) under the Illinois Freedom of Information Act.

The records that I request are:
• All intake records
• Transfer records
• Daily care logs
• Animal health records
• Treatment and progress reports
• Veterinary reports
• Photographs of the animal and living quarters.”

Information responsive to your request is available and attached. This is a public document numbering 1 page. Some information on this record was redacted in grey as it is not responsive to your request. No record could be located responsive to your request for transfer records, photographs, or video.

The portion of your request seeking daily care logs, animal health records, treatment and progress reports and veterinary reports is being denied pursuant to the following section(s) of the Act:

• 140/7(1)(a) that exempts from disclosure “Information specifically prohibited from disclosure by federal or State law or rules and regulations implementing adopted under federal or State law.” The Veterinary Medicine and Surgery Practice Act of 2004 provides, “No veterinarian shall be required to disclose any information concerning the veterinarian’s care of an animal except on written authorization or other waiver by the veterinarian’s client or on appropriate court order or subpoena.” Thus, veterinary records are prohibited from production by law.
• 140/7(1)(b) that exempts from disclosure “Private information, unless disclosure is required by another provision of this Act, a State or federal law or a court order.” This includes medical records.

• 140/7(1)(i) exempts from production “Valuable formulae, computer geographic systems, designs, drawings and research data obtained or produced by any public body when disclosure could reasonably be expected to produce private gain or public loss.” This includes research information that, if disclosed, could lead to private gain or public loss.

• 140/7(1)(j)(iv) exempts from disclosure “course materials or research materials used by faculty members.” This includes faculty research information.

You have a right, under the law, to seek a review of this response by the Public Access Counselor (PAC) in the Office of the Attorney General. The PAC may be reached by phone at 217-782-1396, by email to publicaccess@atg.state.il.us, or by postal mail at the Public Access Bureau, 500 S. 2nd Street, Springfield, Illinois 62706. You also have the right to seek judicial review under section 11 of this Act.

If you have questions for our office, please contact 217-333-6400.

Sincerely,

Thomas P. Hardy
Executive Director
and Chief Records Officer