



August 2, 2012

Melissa Motel
Prison Legal News

Dear Ms. Motel:

Thank you for writing to the Illinois Department of Central Management Services ("CMS") with your request for information pursuant to the Illinois Freedom of Information Act, 5 ILCS 140/1 et seq.

On July 16, 2012, you requested the following information:

- Contracts between telecommunications companies and Illinois government agencies related to correctional phone services for the years 2009, 2010, 2011 and 2012.
- Commission totals (i.e. revenue paid to the state by the inmate telephone providers) for fiscal years 2009, 2010, 2011 and 2012 – if these totals are not included in the contracts.
- Any audits of the commission from fiscal years 2009, 2010, 2011 and 2012, and
- If not included in the contracts, the fees charged to set up and pay for phone calls, debit and collect, from prisoners.

We have enclosed a copy of the contract between the State of Illinois and Consolidated Communications, Inc., for inmate calling services that was in effect between July 1, 2008 and June 30, 2012. Some information in the contract, such as employee resumes, 10-K filings, federal ID numbers, etc., has been claimed as "confidential" by Consolidated Communications and is not included in the enclosed document pursuant to the following FOIA provision:

"Trade secrets and commercial or financial information obtained from a person or business where the trade secrets or commercial or financial information are furnished under a claim that they are proprietary, privileged or confidential, and that disclosure of the trade secrets or commercial or financial information would cause competitive harm to the person or business, and only insofar as the claim directly applies to the records requested." 5 ILCS 140/7(1)(g).

Additionally, the Illinois Department of Corrections ("DOC") has identified certain technical and logistic information that would impose a threat to the security of the correctional facilities; therefore this information has been redacted pursuant to the following FOIA provision:

"Vulnerability assessments, security measures, and response policies or plans that are designed to identify, prevent, or respond to potential attacks upon a community's population or systems, facilities, or installations, the destruction or contamination of which would constitute a clear and present danger to the health or safety of the community, but only to the extent that disclosure could reasonably be expected to jeopardize the effectiveness of the measures or the

safety of the personnel who implement them or the public. Information exempt under this item may include such things as details pertaining to the mobilization or deployment of personnel or equipment, to the operation of communication systems or protocols, or to tactical operations.” 5ILCS 140/7(1)(v).

In response to your request for commission totals paid to the State for fiscal years (FY) 2009, 2010, 2011 and 2012, the dollar amounts are as follows:

FY09: \$10,392,626
FY10: \$10,940,246
FY11: \$12,649,898
FY12: \$11,699,879 (through April)

Please note that the calling rates for FYs 09, 10, 11 and 12 are included in the contract; however, debit card transactions were not allowed under the contract.

CMS has no responsive documents to your request for audits of the commissions paid for FYs 09, 10, 11 and 12.

Lastly, Consolidated Communications, Inc., is responsible for the costs involved to set up, administer and maintain the inmate calling services at no charge to the State.

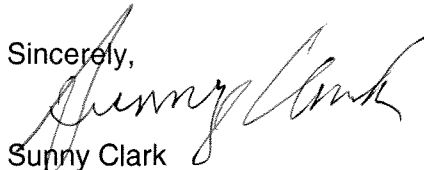
Please be advised, you have a right to have the partial denial of your request reviewed by the Public Access Counselor (PAC) at the Office of the Illinois Attorney General - 5 ILCS 140/9.5(a). You can file your Request for Review with the PAC by writing to:

Public Access Counselor
Office of the Attorney General
500 South 2nd Street
Springfield, Illinois 62706
Fax: 217-782-1396
E-Mail: publicaccess@atg.state.il.us

You also have the right to seek judicial review of your partial denial by filing a lawsuit in the circuit court pursuant to 5 ILCS 140/11.

If you choose to file a Request with the PAC, you must do so within the 60 calendar days of the date of this partial denial letter - 5 ILCS 140/9.5(a). Please note that you must include a copy of your original FOIA request and this partial denial letter when filing a Request for Review with the PAC.

Sincerely,



Sunny Clark
CMS FOIA Officer
Ph: 217-782-0975
Fax: 217-558-2797

Enclosure