



Information and Privacy
Commissioner/Ontario
Commissaire à l'information
et à la protection de la vie privée/Ontario

ORDER P-686

Appeal P-9300230

Ministry of the Solicitor General and Correctional Services



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ORDER

BACKGROUND:

The Ministry of Correctional Services (now the Ministry of the Solicitor General and Correctional Services) (the Ministry) received a request under the Freedom of Information and Protection of Privacy Act (the Act) for access to information relating to an incident (the incident) involving the discovery of contraband drugs and ammunition at a named detention facility. The request was itemized into 13 specific categories of information.

The Ministry located a number of records that were responsive to the request and granted access to some of them. Access was denied to other records based on the exemptions set out in sections 13(1), 14(1), 14(2) and 21(1) of the Act. The Ministry further advised the requester that access was denied to information corresponding to items 7 and 12 of the request as no records exist. The requester appealed the Ministry's decision.

During mediation, the appellant clarified that his appeal included both the application of the exemptions to the information requested and the decision that no records exist in response to two aspects of his request. He further indicated that he was not interested in obtaining access to the personal property declaration of any of the inmates. This information, which is found in Attachment H.35, is, therefore, not at issue in this appeal.

Also during mediation, a three-page List of Attachments (to Document H) which had originally been exempted in its entirety was disclosed to the appellant with the names of inmates withheld pursuant to section 21. The appellant did not appeal these severances. This record is, therefore, not at issue in this appeal.

Further mediation was not successful and notice that an inquiry was being conducted to review the Ministry's decision was sent to the Ministry, the appellant and 16 employees at the detention facility who were in some way involved in the incident. Representations were received from the Ministry, the appellant and one of the employees.

The records at issue, along with the exemptions claimed for each, are described in Appendix "A" to this order.

ISSUES:

The issues to be addressed are:

- A. Whether any of the information contained in the records qualifies as "personal information" as defined in section 2(1) of the Act.
- B. If the answer to Issue A is yes, whether the mandatory exemption provided by section 21 of the Act applies to the personal information contained in the records.
- C. Whether the discretionary exemption provided by section 13(1) of the Act applies to Documents E, F and H.

- D. Whether the discretionary exemptions provided by sections 14(1)(d) and (e) of the Act apply to the records for which this exemption has been claimed.
- E. Whether the discretionary exemptions provided by sections 14(1)(j) and (k) of the Act apply to the records for which this exemption has been claimed.
- F. Whether the discretionary exemption provided by section 14(2)(d) of the Act applies to the records for which this exemption has been claimed.
- G. Whether the Ministry has conducted a reasonable search for responsive records.

SUBMISSIONS/CONCLUSIONS:

ISSUE A: Whether any of the information contained in the records qualifies as "personal information" as defined in section 2(1) of the Act.

Section 2(1) of the Act states, in part, that "personal information" means "recorded information about an identifiable individual". In deciding this issue, I have considered all of the submissions which were provided, and carefully examined the records.

Document D (Attachment H.1) is an anonymous letter sent to the then Minister of Correctional Services relating to the incident. The letter makes reference to identifiable individuals and I find this information to be the personal information of those individuals.

Document G is the duty roster of staff for the week in which the incident occurred. All information relating to the appellant was provided to him. In my view, the remaining information documents the work schedules and sick time of individuals other than the appellant, and qualifies as their personal information.

Document H is titled "Investigation Report" and is divided into five sections: Investigation Summary; Recommendations; Memorandum; Findings/Recommendations/Conclusions; and Part 2 Investigation.

In my view, neither the Investigation Summary nor the two Recommendations sections contain personal information. The Memorandum and Conclusions sections raise issues relating to job performance of identified individuals employed at the jail. In my view, this information qualifies as the personal information of those individuals.

The Findings and Part 2 Investigation sections contain details of interviews held by the investigator and the investigation of the activities of staff and inmates relating to the incident. In my view, this information qualifies as the personal information of both staff and inmates.

Attachments H.2 through H.27 consist of interviews with and statements made by staff and inmates relating to the activities or performance of identified individuals in the context of the incident which ultimately led to an investigation under section 22 of the Ministry of Correctional

Services Act (the MCSA). Attachment H.28 is a copy of the shift supervisor's log book and contains details relating to the supervision of inmates. Attachments H.18(a) and H.29 through H.38 comprise various institutional reports which contain information relating to inmates. In my view, the information contained in Attachments H.2 through H.38 qualifies as the personal information of both the inmates and staff referred to in the records.

None of the information contained in the records at issue consists of the personal information of the appellant.

In my view, the remaining records do not contain information which qualifies as personal information.

ISSUE B: If the answer to Issue A is yes, whether the mandatory exemption provided by section 21 of the Act applies to the personal information contained in the records.

Under Issue A, I found that Documents D (Attachment H.1) and G, parts of Document H, the Investigation Report (with the exception of the "Investigation Summary" and "Recommendations" sections) and Attachments H.2 through H.38 contain the personal information of identifiable individuals other than the appellant.

Section 21(1) of the Act is a mandatory exemption which prohibits the disclosure of personal information to any person other than to the individual to whom the information relates, except in the circumstances listed in sections 21(1)(a) through (f) of the Act.

In his representations, one employee consented to the release of the information contained in the Occurrence Report he prepared, thereby raising the possible application of section 21(1)(a) of the Act to Attachment H.14. In my view, however, the information contained in the body of this Report also relates to individuals other than the employee and qualifies as their personal information as well as that of the employee. I am, therefore, of the view that section 21(1)(a) does not apply to this record.

Section 21(1)(f) of the Act prohibits the Ministry from releasing the personal information of an individual except where such disclosure would **not** constitute an unjustified invasion of that individual's personal privacy.

Sections 21(2), (3) and (4) of the Act provide guidance in determining whether disclosure of personal information would result in an unjustified invasion of an individual's personal privacy.

In its representations, the Ministry submits that, in deciding not to release the information, it has relied upon the presumptions outlined in sections 21(3)(a), (b), (f) and (h) of the Act.

These provisions state that:

A disclosure of personal information is presumed to constitute an unjustified invasion of personal privacy where the personal information,

- (a) relates to a medical, psychiatric or psychological history, diagnosis, condition, treatment or evaluation;
- (b) was compiled and is identifiable as part of an investigation into a possible violation of law, except to the extent that disclosure is necessary to prosecute the violation or to continue the investigation;
- (f) describes an individual's finances, income, assets, liabilities, net worth, bank balances, financial history or activities, or creditworthiness;
- (h) indicates the individual's racial or ethnic origin, sexual orientation or religious or political beliefs or associations.

I am unable to agree that the presumption provided by section 21(3)(b) has any application to the records at issue. The investigation undertaken pursuant to section 22 of the MCSA was not an investigation into a possible violation of law. Rather, the investigation was undertaken as a result of an anonymous complaint about the handling of what was considered to be a serious incident. The purpose of the investigation was to gather information about the incident and to submit a report to senior Ministry officials for their review.

Any possible investigation into a possible violation of law would be undertaken by the appropriate police authorities, not by Ministry personnel. The Ministry indicates that the police did attend the detention facility to conduct an independent investigation of the incident. It should be noted that the records from that investigation do not form part of the records in this appeal.

The Ministry has claimed that section 21(3)(f) applies to financial information relating to one inmate. The information regarding the named inmate relates to the amount posted for bail. Bail is a condition of release from incarceration, which is discussed and set in open court. In my view, this information is not in the same category of financial information as described in this section. I am, therefore, of the view that the presumption in section 21(3)(f) does not apply to this information.

In my view, the presumptions provided by sections 21(3)(a) and (h) of the Act properly apply to prevent the disclosure of those parts of the records which refer to the medical condition of three inmates, and the ethnic origin of one inmate. I find, therefore, that the presumption of an unjustified invasion of personal privacy has been established under section 21(3) for those portions of the records.

The only way in which a section 21(3) presumption can be overcome is if the personal information at issue falls under section 21(4) of the Act or where a finding is made under section 23 of the Act that a compelling public interest exists in the disclosure of the record in which the

personal information is contained, which clearly outweighs the purpose of the section 21 exemption (Order M_170).

I have considered section 21(4) of the Act and find that none of the personal information at issue in this appeal falls within the ambit of this provision. In addition, the appellant has not argued that the public interest override set out in section 23 of the Act applies. Accordingly, I find that as the presumptions described in sections 21(3)(a) and (h) of the Act have not been rebutted, the disclosure of this personal information would constitute an unjustified invasion of the personal privacy of persons other than the appellant. This information is, therefore, properly exempt from disclosure.

In its representations, the Ministry makes reference to the circumstances described in sections 21(2)(e), (f) and (h) of the Act as being relevant in determining, on balance, whether the disclosure of the remaining personal information would constitute an unjustified invasion of the personal privacy of individuals referred to in the records. The appellant raises the possible application of sections 21(2)(a) and (b).

Sections 21(2)(a), (b), (e), (f) and (h) of the Act provide as follows:

A head, in determining whether a disclosure of personal information constitutes an unjustified invasion of personal privacy, shall consider all the relevant circumstances, including whether,

- (a) the disclosure is desirable for the purpose of subjecting the activities of the Government of Ontario and its agencies to public scrutiny;
- (b) access to the personal information may promote public health and safety;
- (e) the individual to whom the information relates will be exposed unfairly to pecuniary or other harm;
- (f) the personal information is highly sensitive;
- (h) the personal information has been supplied by the individual to whom the information relates in confidence;

I will first consider the application of the factors which weigh in favour of privacy protection.

Unfair Exposure to Harm - Section 21(2)(e)

The Ministry submits that the disclosure of the personal information contained in the records could unfairly subject the persons referred to in these documents to harm. This would be the case, particularly for inmates under the supervision and control of a correctional institution, when those individuals bring forth their concerns to correctional staff, or agree to be formal witnesses to occurrences.

In Order P-597, Inquiry Officer Donald Hale noted:

I believe that it is reasonable to assume that inmates might experience fear of repercussion from staff members or other inmates when they provide signed witness statements about occurrences within a correctional facility, whether or not there is an explicit threat to their health or safety.

I agree that individuals under the custody and control of a correctional facility are in a particularly vulnerable position with respect to those who monitor their incarceration.

Accordingly, this factor is a relevant consideration favouring privacy protection when balancing the circumstances described in section 21(2) of the Act.

Highly Sensitive - Section 21(2)(f)

The Ministry also argues that the information contained in the records which was provided by, and relates to, inmates is "highly sensitive" and, if disclosed, could cause extreme personal distress.

With respect to inmates incarcerated at a detention centre, Inquiry Officer Hale stated in Order P-597:

I agree with the position put forward by the Ministry. Personal information contained in those records not dealt with above which includes the names of inmates may properly be considered to be "highly sensitive". Persons incarcerated at this facility are often awaiting trial and have yet to be convicted of an offence. The confirmation that an individual has been detained in the Toronto West Detention Centre, regardless of whether [he or she has] been convicted, could cause to that individual extreme personal distress.

In my view, similar considerations apply to the present situation. Because of the nature of the allegations, and the intent of the investigation, I am of the view that information relating to staff contained in Documents D (Attachment H.1) and G may also be properly considered "highly sensitive". Accordingly, I find section 21(2)(f) of the Act to be a relevant consideration favouring privacy protection as well.

Expectation of Confidentiality - Section 21(2)(h)

The Ministry submits that in the day to day operations of a correctional facility, both staff and inmates must be able to communicate with the Superintendent with an expectation that those communications would be kept "as confidential as circumstances permit".

With respect to the inmates mentioned in the records, the Ministry states specifically that the inspector in charge of the investigation assured them that if they co-operated, "any information they provided would be kept as confidential as circumstances permit".

The Ministry further submits that the staff's expectations of confidentiality are extended to both occurrence reports and statements provided pursuant to section 22 of the MCSA.

I accept that, in the circumstances of this appeal, both staff and inmates had a reasonable expectation of confidentiality with respect to the statements which they provided as part of the investigation under section 22 of the MCSA. I am, therefore, of the view that section 21(2)(h) is a relevant consideration with respect to this information.

I am not satisfied, however, that a similar expectation could reasonably be held for information provided by staff with respect to occurrence reports submitted as part of their routine employment. Accordingly, section 21(2)(h) is not a relevant consideration with respect to this information.

I will now turn to the factors favouring disclosure.

Public Scrutiny and Public Health and Safety - Sections 21(2)(a) and 21(2)(b)

The appellant submits that, in order to prevent similar incidents from occurring, information relating to the incident and the subsequent investigation should be provided to staff. He goes on to argue that a lack of knowledge places the health and safety of both staff and the general public at risk.

The appellant maintains that although procedures are in place at the facility to deal with these types of incidents, it is his view that these procedures were not followed by management. In order to avoid a recurrence it is necessary to determine how the situation was handled.

I agree that incidents such as the one described in this appeal are extremely serious and that the safety concerns of staff should not be minimized. In this case, a specific allegation is raised that the Ministry did not respond according to proper procedures in dealing with a serious occurrence at a correctional facility. In a situation such as this, the considerations outlined in sections 21(2)(a) and (b) would ordinarily be relevant in determining whether personal information contained in records relating to the incident should be disclosed.

However, because of the level of disclosure which I will order in this appeal, I am of the view that the **disclosure of personal information** contained in the records is not desirable for the purposes of subjecting the activities of the Ministry to public scrutiny. Nor, in my view, would **disclosure of the personal information** in question promote public health and safety. I therefore find that in the circumstances of this appeal, neither sections 21(1)(a) nor (b) are relevant considerations.

Summary of Personal Information exemptions

In summary, I have found that information contained in portions of Document D (Attachment H.1) and the Memorandum and Conclusions sections of Document H, as well as the Findings

and Part 2 Investigation sections of Document H, Document G and Attachments H.2 through H.38 in their entirety qualify as personal information.

I have found that there do not exist any factors in section 21(2) which weigh in favour of disclosure. I have further found that one or more factors in section 21(2) weigh in favour of privacy protection for the personal information contained in the records. On this basis, I find that, with two exceptions, the disclosure of the personal information **would** constitute an unjustified invasion of the personal privacy of the individuals identified in the records, and that the information must not be released.

The two exceptions consist of portions of Document D (Attachment H.1) and the Memorandum and Conclusions sections of Document H. In the case of these two records, I find that once the personal identifiers are removed, the remaining information in the records does not qualify as personal information. Section 21 is, therefore, not available with respect to this information.

I have highlighted the portions of Document D (Attachment H.1) and the Memorandum and Conclusions sections of Document H which qualify for exemption under section 21(1) on the copy of these records which will be sent to the Ministry's Freedom of Information Co_ordinator with this order. The highlighted portions should **not** be disclosed to the appellant.

The Ministry has claimed that sections 13(1) and 14 also apply to Document D (Attachment H.1) and the Memorandum and Conclusions sections of Document H, and they will, therefore, be included in my discussion of those sections below.

ISSUE C: Whether the discretionary exemption provided by section 13(1) of the Act applies to Documents E, F and H.

The Ministry submits that section 13(1) of the Act applies generally to Document H, but specifically to the "Recommendations" portion of the Investigation Report (pages 1, 2 and 9 of Document H), and to all of Document E. While the Ministry originally claimed that Document F was also subject to this exemption, it did not provide representations to substantiate this position. As section 13(1) is a discretionary exemption, I will not consider Document F in this context.

Section 13(1) of the Act reads as follows:

A head may refuse to disclose a record where the disclosure would reveal advice or recommendations of a public servant, any other person employed in the service of an institution or a consultant retained by an institution.

It has been established in a number of previous orders that advice and recommendations for the purpose of section 13(1) must contain more than mere information. To qualify as "advice" or "recommendations", the information contained in the records must relate to a suggested course of action, which will ultimately be accepted or rejected by its recipient during the deliberative process (Orders 118, P-304, P-348, P-356 and P-529).

If it is found that a record falls within the provisions of section 13(1), the mandatory exceptions enumerated under section 13(2) must be considered before determining whether or not disclosure of a record can be refused.

I agree that the information contained in Document E and the "Recommendations" sections of Document H (pages 1, 2 and 9) properly falls within the exemption provided by section 13(1) of the Act. I have reviewed the list of mandatory exceptions contained in section 13(2) and find that none of them apply in the circumstances of this appeal.

The remainder of Document H, however, contains factual or background information, such as a description of the purpose of the review, how the investigation was conducted, results of the investigation and general conclusions. In my view, none of this information relates to a suggested course of action, and accordingly does not qualify for exemption under section 13(1).

I have carefully reviewed the Ministry's representations on the exercise of discretion and would not alter this determination on appeal.

I have highlighted the portions of Pages 1, 2 and 9 of Document H which qualify for exemption under section 13(1) on the copy of this record which will be sent to the Ministry's Freedom of Information Co-ordinator with this order. The highlighted portions should **not** be disclosed to the appellant.

Because of the manner in which I have dealt with Issues A, B and C, it is not necessary for me to address Issues D and F.

ISSUE E: Whether the discretionary exemptions provided by sections 14(1)(j) and (k) of the Act apply to the records for which this exemption has been claimed.

As a result of the conclusions reached in Issues A, B and C, the records remaining at issue are: one paragraph withheld from each of Documents A, B and C; the portions of Document D (Attachment H.1) which do not contain personal information; Document F and the portions of pages 1, 3, 4, 5, 12 and 13 of Document H (Investigation Summary, Memorandum and Conclusions) which do not contain personal information.

The Ministry submits that sections 14(1)(j) and (k) of the Act apply to all of these records. These sections read:

A head may refuse to disclose a record where the disclosure could reasonably be expected to,

- (j) facilitate the escape from custody of a person who is under lawful detention;
- (k) jeopardize the security of a centre for lawful detention;

In its representations, the Ministry states that the records at issue contain detailed information about the policies and procedures in place at the detention facility in question, particularly relating to staffing, inmate movement, contraband and jail searches. The Ministry submits that this type of information is not generally available to members of the public.

In my view, the exceptions to access set out in sections 14(1)(j) and (k) of the Act require that there exist a reasonable expectation of probable harm. The mere possibility of harm is not sufficient. At a minimum, the Ministry must establish a clear and direct linkage between the disclosure of the specific information and the harm which is alleged (Orders P-557, P-589 and M-202).

Document D (Attachment H.1) is an anonymous letter which refers to the incident. The author of the letter has set out his concerns regarding the handling of the incident by management. These concerns are directed at administrative issues such as proper documentation and communication between management and staff.

The paragraphs withheld in Documents A, B and C refer to the allegations raised in the anonymous letter.

The pages at issue in Document H make some general references to searches and emergency procedures but do not discuss actual and detailed procedures which either were followed or are to be applied by staff in dealing with the incident. Rather, they focus on administrative issues relating to communications and notification of personnel during the incident.

Document F is a two-page memorandum to Shift Supervisors which addresses the procedures to be followed relating to the discovery of contraband at the facility. The memorandum is in the nature of a directive. As with the other records described above, the memorandum deals with administrative procedures to be followed, such as who should be contacted and when, how records should be maintained and the documentation that should be kept.

For the purposes of this appeal, I am not satisfied that the disclosure of any of the information contained in these records could reasonably be expected to jeopardize the security of a centre for lawful detention or facilitate the escape from custody of a person who is under lawful detention. Because the Ministry has failed to establish a clear and direct linkage between the disclosure of the information contained in these records and the harm alleged, neither section 14(1)(j) nor (k) of the Act can be used to exempt them from disclosure.

ISSUE G: Whether the Ministry has conducted a reasonable search for responsive records.

The appellant identified certain documents which he believed should exist in answer to Items 7 and 12 of his request.

Along with its representations, the Ministry provided an affidavit from the Senior Assistant Superintendent of the facility which sets out details regarding the steps taken to search for responsive records and the results of those searches. The Ministry also identified those records in which some of the information to which the appellant referred is located. These documents

have previously been identified by the Ministry and I have upheld the Ministry's decision to exempt these records.

Having carefully reviewed the representations of the parties, and the affidavit of the Senior Assistant Superintendent, I am satisfied that the Ministry's search for responsive records was reasonable in the circumstances of this appeal.

ORDER:

1. I order the Ministry to disclose to the appellant Documents A, B, C and F in their entirety.
2. I order the Ministry to disclose to the appellant the portions of Document D (Attachment H.1) and pages 1, 2, 3, 4, 5, 12 and 13 of Document H which are **not** highlighted. I have provided a copy of these pages to the Ministry's Freedom of Information Co-ordinator with this order.
3. I uphold the Ministry's decision not to disclose the remaining records as well as those portions of Document D (Attachment H.1) and those pages of Document H which have been highlighted.
4. I order the Ministry to disclose the records identified in Provisions 1 and 2 within thirty_five (35) days of the date of this order and not earlier than the thirtieth (30th) day following the date of this order.
5. In order to verify compliance with this order, I order the Ministry to provide me with a copy of the pages which are disclosed to the appellant pursuant to Provisions 1 and 2, **only** upon request.

Original signed by: _____
Laurel Cropley
Inquiry Officer

_____ May 19, 1994

APPENDIX "A"

DOCUMENT LETTER	NUMBER OF PAGES	DESCRIPTION OF DOCUMENT	EXEMPTIONS CLAIMED	DECISION
A	1 page	Memo dated November 6, 1991 re: anonymous letter	Partial release 14(1)(j), 14(1)(k)	To be disclosed in full
B	3 pages	Memo dated November 6, 1991 re: anonymous letter (attached) (duplicate of Document A)	Partial release 14(1)(j), 14(1)(k)	To be disclosed in full
C	1 page	Memo dated November 6, 1991 re: anonymous letter	Partial release 14(1)(j), 14(1)(k)	To be disclosed in full
D	2 pages	Anonymous letter	Withheld 14(1)(j), 14(1)(k)	To be disclosed according to highlighted copy
E	3 pages	Letter dated April 16, 1992 from Superintendent to Regional Manager	Withheld 13(1), 14(1)(j), 14(1)(k)	Decision upheld 13(1)
F	4 pages	Memo dated April 27, 1992 from Deputy Superintendent to all shift supervisors	Withheld 13(1), 14(1)(j), 14(1)(k)	To be disclosed in full
G	7 pages	Duty Roster	Withheld 14(1)(j), 14(1)(k), 21(1)	Decision upheld 21(1)
H	31 pages (plus 1 page - copy of page 9)	Investigation Report (Number WJ-I-36) Attachments to Investigation Report listed below	Withheld 13(1), 14(1)(d), 14(1)(e), 14(1)(j), 14(1)(k), 14(2)(d), 21(1)	Decision partially upheld 13(1), 21(1) To be disclosed according to highlighted copy
H.1	2 pages	Anonymous letter (duplicate of Document D)	" "	To be disclosed according to highlighted copy
H.2	3 pages	Statement by staff member dated November 12, 1991	" "	Decision upheld 21(1)
H.3	1 page	Interview report from inmate dated November 8, 1991	" "	" "
H.4	1 page	Interview report from inmate dated November 8, 1991	" "	" "
H.5	1 page	Interview report from inmate dated November 8, 1991	" "	" "

DOCUMENT LETTER	NUMBER OF PAGES	DESCRIPTION OF DOCUMENT	EXEMPTIONS CLAIMED	DECISION
H.6	1 page	Interview report from inmate dated November 8, 1991	" "	" "
H.7	1 page	Interview report from superintendent taken November 12, 1991	Withheld 13(1), 14(1)(d), 14(1)(e), 14(1)(j), 14(1)(k), 14(2)(d), 21(1)	Decision upheld 21(1)
H.8	5 pages	Statement of staff member dated November 15, 1991	" "	" "
H.9	1 page	Interview report from inmate dated November 18, 1991	" "	" "
H.10	4 pages	Statement of staff member taken December 5, 1991	" "	" "
H.11	3 pages	Occurrence Report with attached statement of inmate dated October 25, 1991	" "	" "
H.12	1 page	Occurrence Report dated October 25, 1991	" "	" "
H.13	1 page	Occurrence Report dated October 25, 1991	" "	" "
H.14	3 pages	Occurrence Report dated October 25, 1991 with attached search record sheet, dated October 25, 1991	" "	" "
H.15	1 page	Occurrence Report dated October 25, 1991	" "	" "
H.16	2 pages	Occurrence Report dated October 25, 1991	" "	" "
H.17	1 page	Occurrence Report dated October 25, 1991	" "	" "
H.18	1 page	Occurrence Report dated October 25, 1991	" "	" "
H.18(a)	1 page	Request for segregation	" "	" "
H.19	1 page	Occurrence Report dated October 27, 1991	" "	" "
H.20	1 page	Occurrence Report dated October 27, 1991	" "	" "

DOCUMENT LETTER	NUMBER OF PAGES	DESCRIPTION OF DOCUMENT	EXEMPTIONS CLAIMED	DECISION
H.21	2 pages	Occurrence Report dated October 27, 1991	" "	" "
H.22	1 page	Occurrence Report dated October 27, 1991	Withheld 13(1), 14(1)(d), 14(1)(e), 14(1)(j), 14(1)(k), 14(2)(d), 21(1)	Decision upheld 21(1)
H.23	1 page	Occurrence Report dated October 27, 1991	" "	" "
H.24	3 pages	Occurrence Report dated October 26, 1991	" "	" "
H.25	2 pages	Report by staff member dated October 28, 1991	" "	" "
H.26	1 page	Occurrence Report dated October 30, 1991	" "	" "
H.27	2 pages	Occurrence Report dated November 1, 1991	" "	" "
H.28	9 pages	Copies of shift supervisors log book sheets for October 25, 26, 27, 28, 1991	" "	" "
H.29	1 page	Search record of inmate's clothing, dated October 25, 1991	" "	" "
H.30	1 page	Search record for Corridor 5, 1545 hours, on October 25, 1991	" "	" "
H.31	1 page	Search record for Corridor 5, 1045 hours, on October 26, 1991	" "	" "
H.32	1 page	Search record for Corridor 5, 1625 hours, on October 28, 1991	" "	" "
H.33	2 pages	Custody client profile for inmate	" "	" "
H.34	2 pages	Misconduct report on inmate dated October 26, 1991	" "	" "
H.36	2 pages	Offender unit notification card	" "	" "
H.37	1 page	Custody client profile for inmate	" "	" "
H.38	5 pages	Custody client profile for inmate	" "	" "