

VI. APPEALS OF INITIAL DENIALS OF FOIA/PA REQUESTS.

A. Numbers of appeals.

1. Number of appeals received during fiscal year 2,560
2. Number of appeals processed during fiscal year 4,255

B. Disposition of appeals.

1. Number completely upheld 1,430
2. Number partially reversed 139
3. Number completely reversed 25

a. Number of times each FOIA exemption was used (counting each exemption once per appeal):

- (1) Exemption 1 83
- (2) Exemption 2 315
- (3) Exemption 3 101
- (4) Exemption 4 1
- (5) Exemption 5 141
- (6) Exemption 6 100\*
- (7) Exemption 7(A) 113
- (8) Exemption 7(B) 0
- (9) Exemption 7(C) 660
- (10) Exemption 7(D) 181
- (11) Exemption 7(E) 81
- (12) Exemption 7(F) 135
- (13) Exemption 8 0
- (14) Exemption 9 0

\* The Parole Commission upheld two cases on appeal. In both cases, information contained in police reports was excised because it included personal information of victims/witnesses.

4. Other reasons for nondisclosure (total) 2,661
- a. No records 1,116
  - b. Referrals 6
  - c. Request withdrawn 51
  - d. Fee-related reason 57
  - e. Records not reasonably described 0
  - f. Not a proper FOIA request for some other reason 392
  - g. Not an agency record 5
  - h. Duplicate request 65
  - i. Other (specify) 969
    - 1) Remanded -- 777
    - 2) Failure of initial component to process initial action -- 104
    - 3) Judicial adjudication/litigation -- 71
    - 4) Expedited treatment granted -- 2
    - 5) Expedited treatment denied -- 8
    - 6) Previously adjudicated -- 2
    - 7) Transferred -- 1
    - 8) Administratively closed -- 4

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