



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

May 20, 2011

The Honorable Kathe Swanson  
City Clerk  
City of Dixon  
P.O. Box 386  
Dixon, Illinois 61021

RE: FOIA Pre-Authorization Request – 2011 PAC 14137

Dear Ms. Swanson:

We have received and reviewed the written notice from the City of Dixon of its intention to deny disclosure of certain information under section 7(1)(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/7(1)(c) (West 2009 Supp.), as amended by Public Act 96-1378, effective July 29, 2010). The City seeks pre-authorization to withhold Dixon Police Department incident report case number IN11-02399.

Section 7(1)(c) of FOIA exempts from inspection and copying "[p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information." The exemption defines "unwarranted invasion of personal privacy" as "the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information." 5 ILCS 140/7(1)(c) (West 2009 Supp.), as amended by Public Act 96-1378, effective July 29, 2010.

**DETERMINATION**

The City's use of the exemption in section 7(1)(c) to withhold incident report case number IN11-02399 is **approved**. We have concluded that the City has met its initial burden of demonstrating that the disclosure of this report would be highly objectionable to a reasonable person. As of the date of the City's notice, the subject of this report had not been arrested. Being named a suspect in connection with a crime is highly personal, and releasing that information would be objectionable to a reasonable person. Further, the city explained that the report contains "voluminous references to the identity and comments" of various students. Under these

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circumstances, the subjects' right to privacy outweighs any public interest in the information that the City intends to withhold.

If you have any questions, please contact Andres Acosta at (877) 299-3642. This correspondence shall serve to close this matter.

Very truly yours,

*Sarah Kaplan by: AA*

SARAH KAPLAN  
Assistant Attorney General  
Public Access Bureau

cc: Ms. Joan Sprague  
Deputy Director  
Lee County Housing Authority  
1000 Washington Avenue  
Dixon, Illinois 61021