



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

March 4, 2010

Mr. Kerry Partridge
Freedom of Information Officer
425 East State St.
Rockford, Illinois 61104

RE: FOIA Pre-approval Request – No. 5980

Dear Mr. Partridge:

We have received and reviewed the written notice from the City of Rockford of its intent to deny access to certain **police reports** requested by [REDACTED] on February 11, 2010 as exempt from disclosure under subsection 7(1)(c) of the Freedom of Information Act, 5 ILCS 140/9.5(b).

As a result of this review, we have determined that it is **not appropriate** to withhold the reports in question in their entirety under **Section 7(1)(c)**. We do not view police reports as a whole as constituting highly personal or objectionable information about which the subjects' privacy interest outweighs any public interest in release of that information.

The Freedom of Information Act requires that, where a record contains both exempt and non-exempt information, rather than withhold the record as a whole, a public body is required to redact the exempt information it wishes to withhold and must release all non-exempt portions of the records. 5 ILCS 140/7(1).

Certain aspects of the reports in question are **appropriate for redaction** as exempt under **Section 7(1)(c)**. Specifically, information about injuries to the parties involved in the incidents giving rise to the reports and details about the incidents and personal backgrounds of the involved parties may be redacted as private under **Section 7(1)(c)**, because disclosure of that information would likely be highly personal or objectionable to a reasonable person and the subject's right to privacy outweighs any public interest in releasing it.

Please note that pre-approval from this Office is only required with regard to assertion of two exemptions; the **Section 7(1)(c)** personal privacy exemption or the **Section 7(1)(f)** exemption for predecisional, deliberative process materials. Denials based on other

Mr. Kerry Partridge

March 4, 2010

Page 2

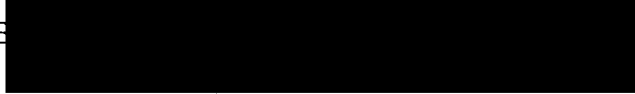
exemptions can be issued directly to the requester without notification to this Office. This letter is not intended to advise with regard to the applicability of any other exemption to the requested documents. The purpose of this letter is solely to make a determination as to the City of Rockford's intent to redact certain information on the basis of **Section 7(1)(c)**. It appears that other exemptions may apply to allow redaction of additional information from the reports at issue, including private information, exempt under Section 7(1)(b).

If you have any questions, please feel free to contact me at 217-785-7438. This letter will serve to close this matter.

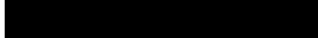
Sincerely,

Cara Smith
Public Access Counselor

E


Amanda M. Lundeen
Assistant Public Access Counselor

cc:


3108 State Route 59
Suite 124-354
Naperville, IL 60564