



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

June 6, 2011

Ms. Patricia Taves
Glen Ellyn Police Department
535 Duane Street
Glen Ellyn, Illinois 60137

RE: FOIA Pre-Authorization Request - 2011 PAC 14214

Dear Ms. Taves:

We have received and reviewed the written notice from the Glen Ellyn Police Department 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). Specifically, on April 13, 2011, Vito J. Manicioto submitted a FOIA request to the Department for motor vehicle crash reports. The Department is seeking to deny the release of vehicle identification numbers associated with the vehicles involved in the crash reports.

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 Department's use of the exemption in section 7(1)(c) to withhold vehicle identification numbers is **denied**. We have previously concluded that the disclosure of vehicle identification numbers would not constitute an unwarranted invasion of personal privacy. Att'y Gen. PAC Pre-Auth. dl12961, issued March 22, 2011. Therefore, the Department has not sustained its initial burden of demonstrating that this information is exempt from disclosure under section 7(1)(c).

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If you have any questions, please contact Steve Silverman at (312) 814-6756.
This correspondence shall serve to close this matter.

Very truly yours,



STEVE SILVERMAN
Assistant Attorney General
Public Access Bureau

SJS:ah

14214 preauth dl 7(1)(c) priv pd

cc: Mr. Vito J. Manicioto
Hupy and Abraham
501 North Riverside Drive, Ste 101
Gurnee, IL 60031