



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

June 3, 2011

Ms. Luly Godinho  
FOIA Officer  
Aurora Police Department  
1200 East Indian Trail  
Aurora, Illinois 60505

RE: FOIA Pre-Authorization Request - 2011 PAC 14297

Dear Ms. Godinho:

We have received and reviewed the written notice from the Aurora 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). On May 13, 2011, [REDACTED] submitted a FOIA request to the Department for report number 11-5962. The Department seeks pre-authorization to redact from that report the name of a victim and the name of a suspect who was not arrested or charged in connection with this incident.

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**

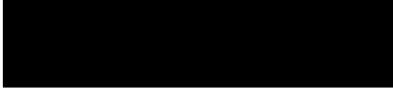
The Department's use of the exemption in section 7(1)(c) to redact the victim's name and the suspect's name is **approved**. We have concluded that the Department has met its initial burden of demonstrating that the disclosure of the name of the alleged victim in this matter and the name of a person suspected of a crime for which that person was never arrested or charged would be highly objectionable to a reasonable person. Under these circumstances, these

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individuals' right to privacy outweighs any legitimate public interest in the information that the Department intends to redact from the report.

The Department may issue a partial denial letter and release the report with the appropriate information redacted, if it has not already done so. If you have any questions, please contact me at (312) 814-2086. This correspondence shall serve to close this matter.

Very truly yours,

  
SARAH KAPLAN  
Assistant Attorney General  
Public Access Bureau

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cc:

