



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

June 6, 2011

Ms. Lisa Farmington
Freedom of Information Act Officer
Village of Arlington Heights
lfarrington@vah.com

RE: FOIA Pre-Authorization Request - 2011 PAC 14432

Dear Ms. Farmington:

We have received and reviewed the written notice from the Village of Arlington Heights (Village) of its intention to deny certain information as exempt from disclosure 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 Village is seeking to redact the statements of an individual in an incident report.

██████████ submitted a FOIA request for a copy of five incident reports. In its written notice, the Village asserts that portions of Report No. 10-05515 are exempt from disclosure under section 7(1)(c) of FOIA.

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 Village's use of the exemption in section 7(1)(c) for the redactions in report is **approved**. This Office has reviewed an unredacted copy of the report and we have determined that the Village has met its initial burden to demonstrate that the disclosure of the statements would constitute a clearly unwarranted invasion of personal privacy. This type of information is

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highly personal by its very nature and the subject's right to privacy outweighs any legitimate public interest in disclosing this information.

If you have any questions, please contact me at (312) 814-5383. This correspondence shall serve to close this matter.

Very truly yours,



MATTHEW C. ROGINA
Assistant Attorney General
Public Access Bureau

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cc:

