



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

June 8, 2011

Ms. Jaye Valadez-Wilger
Freedom of Information Officer
St. Charles Police Department
Two State Avenue
St. Charles, Illinois 60174

RE: FOIA Pre-Authorization Request - 2011 PAC 14452

Dear Ms. Valadez-Wilger:

We have received and reviewed the written notice from St. Charles Police Department (Department) of its intention to deny disclosure of certain information pursuant to 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 20, 2011, [REDACTED] submitted a FOIA request for a copy of police report pertaining to an incident that occurred in November, 2010, at [REDACTED] in St. Charles. In its written notice, the Department asserts that certain information contained within the requested record has been redacted as 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

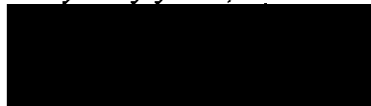
The Department's use of the exemption in section 7(1)(c) to withhold the redacted information in the requested record is **approved**. Based on a thorough review of the records and

Ms. Jaye Valadez-Wilger
June 8, 2011
Page 2

applicable statute, we conclude that the release of the redacted information would constitute a clearly unwarranted invasion of personal privacy. This information is highly personal by its very nature and the subject's right to privacy outweighs any legitimate public interest in disclosing this information. Accordingly, the Department has met its initial burden of demonstrating that the redacted information is exempt from disclosure under section 7(1)(c) of FOIA.

If you have any questions, please contact me at (312) 814-6437. This correspondence shall serve to close this matter.

Very truly yours,



TOLA SOBITAN
Assistant Attorney General
Public Access Bureau

14452 preauth al 71c vic priv pd

cc:

