



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

June 9, 2011

Ms. Kim Heming
FOIA Officer
Lindenhurst Police Department
2300 East Grand Avenue
Lindenhurst, Illinois 60046

RE: FOIA Pre-Authorization Request - 2011 PAC 14555

Dear Ms. Heming:

We have received and reviewed the written notice from the Lindenhurst 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 25, 2011, [REDACTED] submitted a FOIA request to the Department for all reports since August 2010, relating to a particular address. In its written notice, the Department asserted that the narrative portions of the responsive reports 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 Department's use of the exemption in section 7(1)(c) to redact the narrative portions of the reports is **approved**. Based on our review of these documents, we have concluded that the Department has met its initial burden of demonstrating that these narratives are exempt under section 7(1)(c). These narratives pertain entirely to highly personal matters,

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and the subjects' right to privacy outweighs any legitimate public interest in obtaining this information.

The Department may issue a partial denial letter and release the reports 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:

