



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

June 22, 2011

Ms. Elaine Speidel
Police Records
Village of Glen Ellyn Police Department
535 Duane Street
Glen Ellyn, Illinois 60137
espeidel@glenellyn.org

RE: Pre-Authorization Request – 2011 PAC 14686

Dear Ms. Speidel:

We have received and reviewed the written notice from the Village of Glen Ellyn Police Department (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 31, 2011, [REDACTED] submitted a FOIA request for police reports concerning [REDACTED] for the last four years. The Department seeks to withhold one police report.

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 one police report is **approved**. We have reviewed a copy of the report and determined that it contains details of an incident for which no individual was arrested or charged. The privacy rights of the subjects in the report outweigh any legitimate public interest in disclosing this information.

Ms. Elaine Speidel
June 22, 2011
Page 2

Therefore, we conclude that the Department has met its initial burden of demonstrating that this report is exempt from disclosure under section 7(1)(c).

If you have any questions, please contact me at (312) 814-2770. This correspondence shall serve to close this matter.

Very truly yours,

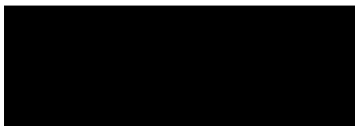


JOHN SCHMIDT
Senior Assistant Attorney General
Public Access Bureau

JS:ah

14686 Pre-auth al 7(1)(c) priv pd

cc:



Ms. Patricia Taves
FOIA Officer
Village of Glen Ellyn
535 Duane Street
Glen Ellyn, Illinois 60137