



**OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS**

Lisa Madigan
ATTORNEY GENERAL

August 27, 2010

Mr. Craig A. Hilliard
Deputy Chief of Police and FOIA Officer
Morton Police Department
375 W. Birchwood St.
Morton, IL 61550-2494

RE: Pre-Authorization Request — 2010 PAC 6316

Dear Mr. Hilliard:

We have received and reviewed the written notice from the Morton Police Department (Department) of its intention to deny certain records requested by [REDACTED] as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act (FOIA), because they contain "personal information, the disclosure of which would result in a clearly unwarranted invasion of personal privacy." 5 ILCS 140/7(1)(c). Mr. Johnson's FOIA request sought a police report relating to an incident that took place at a certain specified address in Morton on December 19, 2005 regarding an alleged suicide attempt.

Section 7(1)(c) of FOIA permits a public body to withhold "[p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy." That provision further defines an "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." It also provides that "[t]he disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy."

Determination

We have determined that the Department has met its initial burden of justifying the non-disclosure of the responsive Incident Report in its entirety, because disclosure would constitute a clearly unwarranted invasion of the personal privacy of the individuals involved in the incident.


In light of the highly sensitive nature of the occurrence, the privacy interests of those individuals outweigh the public interest in obtaining information about the occurrence.

If you have any questions concerning this matter, please feel free to contact the undersigned at (217) 782-9078. This letter shall serve to close this file.

Sincerely,

Cara Smith
Public Access Counselor

By:


Matthew M. Sebek
Assistant Attorney General, Public Access Division

cc:

