



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

July 25, 2011

Mr. Robert Legg, FOIA Officer
Roselle Police Department
103 S. Prospect St.
Roselle, Illinois 60172

RE: FOIA Pre-Authorization Request - 2011 PAC 14535

Dear Mr. Legg:

We have received and reviewed the written notice from the Roselle 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 2010)). Specifically, on May 24, 2011 [REDACTED] submitted a FOIA request to the Department for a police report involving an incident which took place on May 13, 2011, at Exclusive Tan, 828 Nerge Road in Roselle. The Department is seeking to withhold a one page "Call For Service" report responsive to this FOIA request, based on its claim that the disclosure of this report would constitute a clearly unwarranted invasion of personal privacy.

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 2010).

DETERMINATION

The Department's assertion of section 7(1)(c) to withhold this report is **approved**. We have concluded that the Department has met its initial burden of demonstrating that the disclosure of this one page report concerning a domestic dispute, which did not lead to an arrest, would be highly objectionable to a reasonable person. Under these circumstances, the right to

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privacy of the individuals referenced in this report outweighs any legitimate public interest in the information.

If you have any questions, please contact me at (217) 782-9078. This correspondence shall serve to close this matter.

Very truly yours,



MATTHEW M. SEBEK
Assistant Attorney General
Public Access Bureau

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cc:

