



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

July 28, 2011

Via Electronic Mail

Ms. Laura Godette, FOIA Officer
Village of Tinley Park
16250 S. Oak Park Avenue
Tinley Park, IL 60477
[REDACTED]

RE: FOIA Pre-Authorization Request – 2011 PAC 14780

Dear Ms. Godette:

We have received and reviewed the written notice from the Village of Tinley Park of its intention to deny certain information as exempt from disclosure under section 7(1)(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/7(1)(c) (West 2010). The Village seeks pre-authorization to withhold the dates of birth and the names of witnesses associated with incident report No. 11-7012.

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 Village's use of the exemption in section 7(1)(c) to withhold the dates of birth and the names of witnesses associated with incident report No. 11-7012 is **approved**. We have concluded that the Village has met its initial burden to demonstrate that the disclosure of this information contained in this document would be highly objectionable to a reasonable person. Under these circumstances, the right to privacy outweighs any public interest in the information that the Village intends to withhold.

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The Village also indicates that it intends to redact additional information from the record pursuant to section 7(1)(b) (5 ILCS 140/7(1)(b) (West 2010). Because advance approval by the Public Access Counselor is not required for the assertion of exemptions other than sections 7(1)(c) and 7(1)(f) (5 ILCS 140/7(1)(c)(f) (West 2010), we make no determination at this time regarding the applicability of any other exemptions.

If you have any questions, please contact Tammy Friedewald at (217) 558-1926. This correspondence shall serve to close this matter.

Very truly yours,



AMANDA M. LUNDEEN
Assistant Attorney General
Public Access Bureau

AL: tf

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cc: Lexis Nexis
c/o Mr. Bryan Dant
P.O. Box 7000
Southeastern, PA 19398