



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

July 22, 2011

Ms. Maureen Schmidt
FOIA Officer
Arlington Heights Police Department
200 E. Sigwalt St.
Arlington Heights, IL 60005

RE: FOIA Pre-Authorization Request - 2011 PAC 15296

Dear Ms. Schmidt:

We have received and reviewed the written notice from the Arlington Heights 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 2010)).

On June 27, 2011, [REDACTED] submitted a FOIA request for Arlington Heights Police Department Reports Numbered 10-04174 and 11-03652. In its written notice, the Village asserts that statements made to police, containing personal information, 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 2010).

DETERMINATION

The Village's use of the exemption in section 7(1)(c) to withhold statements made to the police is **approved**. We have concluded that the Village has met its initial burden of demonstrating that the disclosure of such statements, where no arrests were made, would be highly objectionable to a reasonable person. Under these circumstances, the subject's right to privacy outweighs any public interest in the information that the Village intends to withhold.

Ms. Maureen Schmidt
July 22, 2011
Page 2

Accordingly, the Village may issue a partial denial letter and release the reports in accordance with this letter, if it has not already done so.

If you have any questions, please contact me at (877) 299-3642. This correspondence shall serve to close this matter.

Very truly yours,



DUSHYANTH REDDIVARI
Assistant Attorney General
Public Access Bureau

15296 Pre-auth al 71c priv mun

cc:

