



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

August 8, 2011

Ms. Erin Van De Walle
FOIA Officer
City of Elmhurst
209 North York Street
Elmhurst, Illinois 60126

RE: FOIA Pre-Authorization Request - 2011 PAC 15221

Dear Ms. Van De Walle:

We have received and reviewed the written notice from the City of Elmhurst 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 police report No. EL11021624. In its written notice, the City asserts that the report contains highly personal information about a particular individual and is exempt in its entirety 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."

DETERMINATION

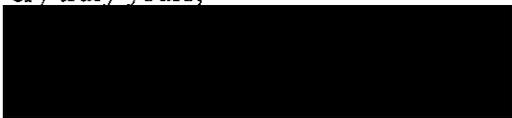
The City's assertion of the section 7(1)(c) exemption to deny disclosure of the police report is **approved**. The police report contains highly personal information about an individual who was neither arrested nor charged, and the investigation is now closed. Moreover, the individual's right to privacy with respect to this information outweighs any legitimate public interest in disclosure. Thus, the release of this information would constitute a clearly

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unwarranted invasion of the personal privacy of the individual. As a result, the City has met its initial burden of demonstrating that the report is exempt from disclosure under section 7(1)(c) of FOIA.

If you have any questions, please contact me at (312) 814-5206. This correspondence shall serve to close this matter.

Very truly yours,


DUSHYANTH REDDIVARI
Assistant Attorney General
Public Access Bureau

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