



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

August 17, 2011

*Via Electronic Mail*

Ms. Ann Kavanaugh, Records Supervisor  
Schaumburg Police Department  
1000 W. Schaumburg Road  
Schaumburg, IL 60194-4148

RE: FOIA Pre-Authorization Request – 2011 PAC 16005

Dear Ms. Kavanaugh :

We have received and reviewed the written notice from the Schaumburg Police Department 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 Department seeks pre-authorization to withhold Report No. 09-28008.

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 use of the exemption in section 7(1)(c) to withhold Report No. 09-28008 is **approved**. The Department has confirmed that the Requestor is a third party and is not identified in any portion of the report. We have reviewed the report, which contains information on a domestic disturbance which did not result in any arrests, and contain information that is highly personal by its nature. The Department has also confirmed that the arrests have been expunged by a court order. We have concluded that the Department has met its initial burden to demonstrate that the disclosure of this information contained in the document would be highly objectionable to a reasonable person. Under these circumstances, the right to privacy outweighs

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any public interest in the information that the Department intends to withhold. Accordingly, we conclude that the Department has sustained its initial burden of demonstrating that the report is exempt from disclosure under Section 7(1)(c).

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

Very truly yours,

Handwritten signature of Amanda M. Lundeen in cursive script, with the initials 'AM' written below the name.

AMANDA M. LUNDEEN  
Assistant Attorney General  
Public Access Bureau

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cc:

