



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

August 17, 2011

Via Electronic Mail

Ms. Maureen Schmidt, Records Supervisor
Village of Arlington Heights
200 East Sigwalt
Arlington Heights, IL 60005-1403
[REDACTED]

RE: FOIA Pre-Authorization Request - 2011 PAC 16086

Dear Ms. Schmidt:

We have received and reviewed the written notice from the Village of Arlington Heights (Village) 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 is seeking to redact a portion of the narrative from police report No. 11-15493.

[REDACTED] submitted a FOIA request for police report No. 11-15493 on August 10, 2011. In its written notice, the Village asserts that a portion of the narrative is 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 2009 Supp.), as amended by Public Act 96-1378, effective July 29, 2010.

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DETERMINATION

The Village's use of the exemption in section 7(1)(c) to redact a portion of the narrative in police report No. 11-15493 is **approved**. The statement in the narrative contains information about the complainant, the disclosure of which would be 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.

Accordingly, the Village may issue a partial denial letter and release the report with that portion of the narrative redacted, if it has not already done so.

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



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