



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

August 3, 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 15532

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 Nos. 11-08770, 11-08422, 11-09188, 11-07547 and 11-09177.

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 Nos. 11-08770, 11-08422, 11-09188, 11-07547 and 11-09177 are **approved**. The Department has confirmed that the Requestor is a third party and is not identified in any portions of the reports. We have reviewed the reports, which contain information on various domestic disturbances which did not result in any arrests, and contain information that is highly personal by its nature. We have concluded that the Department has met its initial burden to demonstrate that the disclosure of this information contained in these documents would be highly objectionable to a reasonable person.

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Under these circumstances, the right to privacy outweighs any public interest in the information that the City intends to withhold. Accordingly, we conclude that the Department has sustained its initial burden of demonstrating that the reports are 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,

Amanda Lundeen
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AMANDA M. LUNDEEN
Assistant Attorney General
Public Access Bureau

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cc: *Via Electronic Mail*

