



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

July 28, 2011

Ms. Dawn Didier
Freedom of Information Officer
Village of Downers Grove
101 Burlington Ave.
Downers Grove, Illinois 60515

RE: FOIA Pre-Authorization Request- 2011 PAC 15565

Dear Ms. Didier:

We have received and reviewed the written notice from the Village of Downers Grove of its intention to deny disclosure of certain information requested by [REDACTED] as exempt from disclosure under section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/7(1)(c) (West 2010). [REDACTED] had requested records relating to an incident that took place at a specified address on July 6, 2011. The Village seeks preauthorization to redact portions of a police report containing information about the incident and the person involved in the incident.

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 redact certain portions of the police report is **approved**. We agree with the Village that releasing this information would constitute an unwarranted invasion of personal privacy. The redacted information is highly personal by its very nature and the subject's right to privacy outweighs any legitimate public interest in disclosing this information.

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If you have any questions, please contact me at 312-814-2770. This correspondence shall serve to close this matter.

Very truly yours,


JOHN SCHMIDT
Senior Assistant Attorney General
Public Access Bureau

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