



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

July 28, 2011

Ms. Josie Gavurnik
Carol Stream Police Department
500 N. Gary Ave.
Carol Stream, IL 60188

RE: FOIA Pre-Authorization Request – 2011 PAC 15598

Dear Ms. Gavurnik:

We have received and reviewed the written notice from the Carol Stream Police Department of its intention to deny disclosure of a police report under section 7(1)(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/7(1)(c) (West 2010)).

On July 13, 2011, [REDACTED] submitted a FOIA request to the Department for "[a]ll police reports concerning [REDACTED] from Jan. 1, 2011 till present day." The Department seeks approval from this office to withhold the sole responsive record pursuant to section 7(1)(c) of FOIA. [REDACTED] is not named in the police report and no arrest occurred in connection with this 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 Department's use of section 7(1)(c) to withhold the responsive document is **approved**. We have reviewed the record and agree that releasing this information would constitute an unwarranted invasion of personal privacy. The report relates to an incident that did not involve the requester and contains information that if disclosed would be "highly personal or objectionable to a reasonable person." Therefore, we have determined that the subject's right to

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privacy outweighs any legitimate public interest in obtaining this information. Thus, the Department has met its initial burden to withhold this information under section 7(1)(c).

If you have any questions, please contact our office at (877) 299-3642. This correspondence shall serve to close this matter.

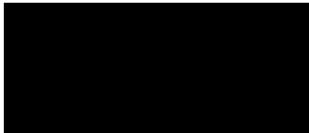
Very truly yours,

A large black rectangular redaction box covering the signature of Rebecca Riddick.

REBECCA RIDDICK
Assistant Attorney General
Public Access Bureau

15598 pre-auth al 71c priv pd

cc:

A black rectangular redaction box covering the list of recipients in the cc field.