



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

August 24, 2011

Ms. Denise E. Wills
FOIA Officer
Huntley Police Department
10911 Main St.
Huntley, Illinois 60142

RE: FOIA Pre-Authorization Request - 2011 PAC 15679

Dear Ms. Wills:

We have received the written notice from the Huntley Police Department of its intention to deny disclosure of certain information under section 7(1)(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/7(1)(c) (West 2010), as amended by Public Acts 97-333, effective August 12, 2011; 97-385, effective August 15, 2011).

On July 16, 2011, [REDACTED] submitted a FOIA request for police report No. 11-06557. In its written notice, the Department asserts that the report contains highly personal information about particular individuals and is exempt in its entirety 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."

DETERMINATION

The Department's assertion of the section 7(1)(c) exemption to deny disclosure of the police report is **approved**. The police report contains highly personal information about individuals who were neither arrested nor charged, and the investigation is now closed.

Ms. Denise E. Wills
August 24, 2011
Page 2

Moreover, the individuals' right to privacy with respect to this information outweighs any legitimate public interest in disclosure. Thus, the release of this information would constitute a clearly unwarranted invasion of the personal privacy of the individuals. As a result, the Department has met its initial burden of demonstrating that the report is exempt from disclosure under section 7(1)(c) of FOIA.

If you have any questions, please contact me at (312) 814-5206. This correspondence shall serve to close this matter.

Very truly yours,



DUSHYANTH REDDIVARI
Assistant Attorney General
Public Access Bureau

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cc:

