



**OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS**

Lisa Madigan
ATTORNEY GENERAL

April 9, 2010

Mary Pickett
FOIA Officer
Mount Prospect Police Department
112 E. Northwest Highway
Mount Prospect, Illinois 60056

Re: Pre-Authorization Request- 2010 PAC 6601

Dear Ms. Pickett,

We have received and reviewed the written notice from the Mount Prospect Police Department (MPPD) of its intent to deny disclosure of certain records as exempt under subsection 7(1)(c) of the Freedom of Information Act, 5 ILCS 140/1 *et seq.*, as amended (FOIA).

██████████ requested a police report relating to a burglary at ██████████ MPPD seeks under subsection 7(1)(c) to redact a portion of a statement made by Mr. Tescher because the statement "goes beyond the scope of the burglary that was reported" and constitutes a "personal statement Mr. Tescher made to law enforcement personnel."

After reviewing this issue, we have determined that the exemption in subsection 7(1)(c) does not apply to this statement and, therefore, pre-authorization is **denied**. Subsection 7(1)(c) exempts from disclosure "personal information ... the disclosure of which would constitute a clearly unwarranted invasion of personal privacy". 5 ILCS 140/7(1)(c). An unwarranted invasion of personal privacy is defined in FOIA 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).

The statement in the police report relates to an aspect of Mr. Tescher's background and reflects facts that are a matter of public record. Because the information contained in the statement is a matter of public record, it does not constitute information that is "highly personal or objectionable to a reasonable person" under subsection 7(1)(c).

If you have any questions, please feel free to contact me directly at (312) 814-6437. This letter shall serve to close this file.

Sincerely,

Cara Smith
Public Access Counselor

By: 

Lola Dada-Olley
Assistant Public Access Counselor

cc: 