OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

April 19, 2010

Shamim Shamsuddin
FOIA Officer
Yorkville Police Department
Records Supervisor
804 Game Farm Road
Yorkville, IL 60560

RE: Pre-Authorization Request – 2010 PAC 6799

Dear Ms. Shamsuddin:

We have received and reviewed the written notice from the City of Yorkville Police Department ("Yorkville") of its intent to deny disclosure of certain information as exempt from disclosure under subsection 7(1)(c) of the Freedom of Information Act, 5 ILCS 140/1 *et seq.*, as amended (FOIA). Yorkville is seeking to withhold documents relating to the personal statements of a private citizen.

Subsection 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 disclosure is consented to in writing by the individual subjects of the information." 5 ILCS 140/7(1)(c). The exemption defines "[u]nwarranted 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." *Id.*

Yorkville's use of the exemption in 7(1)(c) with regard to these personal statements is approved. We have determined that the disclosure of these deeply personal statements made by a private citizen meant to be read by his family members and his counselor fits within the parameters of the subsection 7(1)(c) exemption. 5 ILCS 140/7(1)(c). This type of information is highly personal by its very nature and the subject's right to privacy outweighs any legitimate public interest in disclosing this information.

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

Sincerely,

Cara Smith
Public Access Counselor

By [redacted]

Lola Dada-Olley
Assistant Public Access Counselor

cc: [redacted]