



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

March 11, 2011

Beth Janicki Clark
Assistant Village Attorney
Village of Downers Grove
801 Burlington Avenue
Downers Grove, Illinois 60515

RE: Pre-Authorization Request – 2011 PAC 12639
Requester: [REDACTED]

Dear Ms. Clark:

We have received and reviewed the written notice from the Village of Downers Grove of its intention to deny disclosure of certain information pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended.

[REDACTED] submitted a FOIA request dated February 21, 2011, seeking copies of records from February 20 and 21, 2011 relating to a specified address. In its written notice, the Village asserted that part of the narrative section of the report is exempt from disclosure under Section 7(1)(c) (5 ILCS 140/7(1)(c)).

Determination

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." *Id.* 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.*

The Village's use of the exemption in Section 7(1)(c) to redact the information in the narrative section of the report is approved. We have determined that the disclosure of this information would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c). This

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information is highly personal, and the subject's right to privacy outweighs any legitimate public interest in obtaining this information.

Accordingly, the Village may issue a partial denial letter directly to the requester and release the report with the appropriate information redacted. If you have any questions, please feel free to contact the Public Access Counselor's Office at (877) 299-3642. This correspondence shall serve to close this matter.

Sincerely,

Sarah Kaplan by EK

Sarah Kaplan
Assistant Public Access Counselor

cc:

