



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

Lisa Madigan
ATTORNEY GENERAL

March 16, 2011

Mr. Brad Mitchell
FOIA Officer
City of Crystal Lake
100 W. Woodstock St.
Crystal Lake, IL 60014

RE: FOIA Pre-approval Request– 2010 PAC 9935

Dear Mr. Mitchell:

We have received from the City of Crystal Lake a written notice of its intention to assert the Section 7(1)(c) exemption in response to a Freedom of Information Act (FOIA) request submitted by [REDACTED]. The request sought records pertaining to all police records for the last three years for [REDACTED] and [REDACTED]. The City has indicated that it intends to withhold certain documents responsive to this request, pursuant to Section 7(1)(c).

Section 7(1)(c) of the Freedom of Information Act permits a public body to withhold “[p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.” That provision further defines an “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.” It also provides that “[t]he disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy.”

Determination

The City seeks to withhold responsive police reports concerning domestic disputes involving one or more of the individuals referenced in [REDACTED] FOIA request, pursuant to Section 7(1)(c). With respect to responsive police reports which concern events not resulting in an arrest, we have determined that the disclosure of such records would constitute an “unwarranted invasion of personal privacy” under Section 7(1)(c). Therefore, the City has met its initial

burden to justify withholding such police reports. With respect to any arrest reports responsive to [REDACTED] FOIA request, Section 2.15(a) of FOIA requires that at least the following information from such reports must be disclosed:

- (i) information that identifies the individual, including the name, age, address, and photograph, when and if available;
- (ii) information detailing any charges relating to the arrest;
- (iii) the time and location of the arrest;
- (iv) the name of the investigating or arresting law enforcement agency;
- (v) if the individual is incarcerated, the amount of any bail or bond; and
- (vi) if the individual is incarcerated, the time and date that the individual was received into, discharged from, or transferred from the arresting agency's custody.

If you have any questions, please feel free to contact me at (217) 782-9078. This letter shall serve to close this file.

Sincerely,
[REDACTED]

Matthew M. Sebek
Assistant Public Access Counselor

cc:

