



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

July 28, 2010

Director Larry Stoll  
Freedom of Information Officer  
Addison Police Department  
3 Friendship Plaza  
Addison, IL 60101

RE: Pre-Authorization Request — 2010 PAC 7302

Dear Director Stoll:

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

██████████ submitted a FOIA request dated April 28, 2010, seeking police report number 10-8410. In its written notice, the Department asserted that the information contained in paragraphs #5 through #9 of the police report is exempt from disclosure under Section 7(1)(c) of FOIA.

**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 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.*

The Department's use of the exemption in Section 7(1)(c) with regard to the information contained in paragraphs #5 through #9 of the police 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). 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

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this information.

As mentioned in our office's phone conversation with Mr. Stoll, the Department may seek to withhold information regarding the minors listed in the police report as "other entities." We approve the use of the exemption in Section 7(1)(c) to redact the four minors' information such as the minors' names, the names and addresses of the schools they attend, their grade level, their dates of birth, as well as the names of the fathers. We have determined that the disclosure of this information would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c). 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.

The Department may also wish to withhold the minors' home addresses under the exemption in Section 7(1)(b). Please note this letter gives no further advice or opinion with regard to exemption 7(1)(b).

As such, the Department may issue a partial denial letter directly to [REDACTED] and release the records to him 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,

Cara Smith  
Public Access Counselor

By:

[REDACTED]  
Amalia Rioja  
Chief Deputy Public Access Counselor

cc:

[REDACTED]