



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

July 28, 2010

Russell Thomas
Chief Deputy
McLean County Sheriff's Office
104 W. Front Street
Bloomington, Illinois 61701

RE: Pre-Authorization Request – 2010 PAC 8553

Dear Mr. Thomas:

We have received and reviewed the written notice from the McLean County Sheriff's Office ("Sheriff's Office") of its intention to deny disclosure of a suicide note as exempt under Section 7(1)(c) of the Freedom of Information Act ("FOIA"). 5 ILCS 140/7(1)(c).

On July 8, 2010, [REDACTED] submitted a FOIA request for a copy of the suicide note and criminal history concerning [REDACTED]. In its written notice, the Sheriff's Office asserts that suicide note 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." The exemption defines "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." *Id.*

The Sheriff's Office's use of the Section 7(1)(c) exemption with regard to the suicide note is **approved**. We have determined that disclosure of the suicide note would constitute a clearly unwarranted invasion of privacy because the note pertains primarily to the medical and mental state of the subject. This type of information is highly personal by its very nature and its release would be objectionable to a reasonable person. Accordingly, the Sheriff's Office has met its burden of demonstrating that this information is exempt from disclosure under Section 7(1)(c) of FOIA.

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

Sincerely,

Cara Smith
Public Access Counselor

By:


Toia Adewola
Assistant Public Access Counselor

cc:

