



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

July 9, 2010

Shirley Galloway
Macomb Police Department
120 S. McArthur Street
Macomb, Illinois 61455-2141

RE: Pre-Authorization Request – 2010 PAC 8219

Dear Ms. Galloway:

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

██████████ submitted a FOIA request on June 25, 2010 seeking in part, hardcopies of written statements mentioned of police reports previously disclosed to the requester. In its written notice, the Department asserts that the release of these documents are exempt from disclosure under Section 7(1)(c) of FOIA as they contain "...personal handwritten statements furnishing highly personal information to the police department in confidence and the subject's right to privacy outweighs any legitimate public interest in obtaining the information."

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.*

Determination

The Department's use of the Section 7(1)(c) exemption with regard to the handwritten statements is approved. We have reviewed the documents provided by the Department and have determined that this information is highly personal and the subject's right to privacy outweighs any legitimate public interest in disclosing this information. We have determined that the Department has met its burden of demonstrating that disclosure of these statements would constitute a clearly unwarranted invasion of personal privacy.

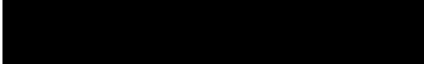
Accordingly, the Department may issue a partial denial letter withholding the release of these documents from disclosure.

If you have any questions, please feel free to contact me at (312) 814-1003. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By: 


Jessica O'Leary
Assistant Attorney General

cc: 