



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

July 14, 2010

Ms. Heather Kruse
City of Des Plaines, Legal Division
1420 Miner Street
Des Plaines, Illinois 60016

RE: Pre-Authorization Request – 2010.PAC 8301

Dear Ms Kruse:

We have received and reviewed the written notice from the City of Des Plaines of its intention to withhold 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.

Specifically, on June 21, 2010, Maria Cabrales submitted a FOIA request to the City seeking records relating to [REDACTED]. In its written notice to this Office, the City asserted that the entire report is exempt from disclosure under Section (7)(1)(c) of FOIA, which 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 City’s request for approval of its decision to withhold information to Section 7(1)(c) is approved. In this case, the matter is apparently now closed and no subsequent action was taken by the City. In certain instances, the release of names referenced in a report where no subsequent action was taken by the City may be considered an invasion of personal privacy.

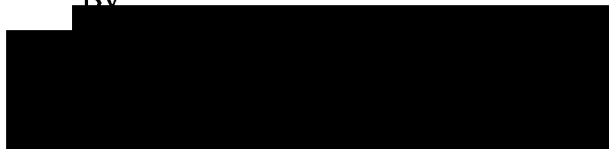
Based on this analysis, the City has met its burden under Section 7(1)(c) and may withhold the report from [REDACTED].

If you have any questions or concerns, please feel free to contact me at (312) 814-5383. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:



Matthew C. Rogina
Assistant Public Access Counselor

cc:

