



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

August 20, 2010

Denise Wills
Freedom of Information Officer
Huntley Police Department
10911 Main St.
Huntley, IL 60142

RE: Pre-Authorization Request — 2010 PAC 9066

Dear Ms. Wills:

We have received and reviewed the written notice from the Huntley 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 July 30, 2010, seeking police report number 09-7878. In its written notice, the Department asserted that all of the information in the report is exempt from disclosure under Section 7(1)(c) of FOIA except for the location, report classification, times and certain names.

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 police report in its entirety, except as noted, is denied.

However, we approve the use of the exemption in Section 7(1)(c) to redact dates of birth and the names of the individuals involved in the incident. We have determined that the disclosure of

dates of birth and the names of the individuals involved 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.

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]