



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

March 25, 2011

Nicole Wickham, C09
FOIA Officer Records
Aurora Police Department
1200 East Indian Trail
Aurora, IL 60505-1896

RE: Pre-Authorization Request – 2011 PAC 12972
Requester: [REDACTED] F11-23834

Dear Ms. Wickham:

We have received and reviewed the notice from the Aurora Police 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.

On March 10, 2011, [REDACTED] requested police report 2009-021596 and all associated pictures and written statements. In its notice dated March 16, 2011, the Department asserts that the dates of birth in this report, the names of alleged crime victims and certain other information that the Department proposes to redact is exempt under Section 7(1)(c).

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 the 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 exemption in Section 7(1)(c) to redact the dates of birth, the names of the alleged victims and the other specified information is approved. This information is highly personal, and the subjects’ right to privacy outweighs any legitimate interest in obtaining this information. We conclude that the Department has sustained its initial burden of proving that this information is exempt under Section 7(1)(c).

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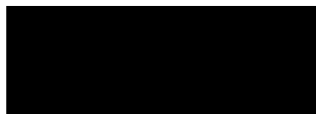
Accordingly, the Department may issue a partial denial letter directly to Ms. Perez and release the records to her with the appropriate information redacted. If you have any questions or concerns, feel free to contact me at (312) 814-2086. This correspondence shall serve to close this matter.

Sincerely,



Sarah Kaplan
Assistant Public Access Counselor

cc:



12972 pre-auth al 7(1)(c) vic priv sus priv pd