



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

September 23, 2010

Debra J. Ford
Freedom of Information Officer
Village of Northbrook
1225 Cedar Lane
Northbrook, Illinois 60062

RE: Pre-Authorization Request — 2010 PAC 6617

Dear Ms. Ford:

We have received and reviewed the written notice from the Village of Northbrook (Village) of its intention to deny disclosure of certain information pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended.

██████████ submitted a FOIA request dated March 31, 2010, seeking a copy of a Northbrook Police Department Incident Report regarding a visit to a specific address in Northbrook, Illinois. In its written notice, the Village asserted that page 4 of this report 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, unless disclosure is consented to in writing by the individual subjects of the information.” 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 Village’s use of the Section 7(1)(c) exemption with regard to page 4 as a whole is denied.

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However, we approve the use of the exemption in Section 7(1)(c) to redact the narrative portion contained in number 5. We have determined that disclosure of this information would constitute a clearly unwarranted invasion of privacy because it pertains to a sensitive matter. 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. Accordingly, the Village has met its burden of demonstrating that this information is exempt from disclosure under Section 7(1)(c) of FOIA. As such, the Village may issue a partial denial letter directly to [REDACTED] and release the report to her with the appropriate information redacted.


Please note that the address contained in number 1 may be redacted as "private information" under Section 7(1)(b), which does not require pre-authorization from our office.

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:


Amanda Lundeen
Assistant Public Access Counselor

cc: [REDACTED]