



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

September 27, 2010

Denise Wills, FOIA Officer
Huntley Police Department
10911 Main Street
Huntley, Illinois 60142

Re: Pre-Authorization Request – 2010 PAC 9701

Dear Ms. Wills:

We have received and reviewed the written notice from the Huntley Police Department (Department) of its intention to deny 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 September 14, 2010, [REDACTED] submitted a FOIA request to the Department seeking two police reports regarding a juvenile at [REDACTED]. In its written notice, the Department asserted the disclosure of the reports in whole is exempt under Section 7(1)(c) of FOIA as “[t]he reports contain highly personal information regarding [the juvenile’s] alleged behavior and family issues. Release of these documents would constitute a clearly unwarranted invasion of personal privacy and could cause embarrassment for [the juvenile] and [the juvenile’s] family.”

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 proposed application of Section 7(1)(c) to deny disclosure of the two requested police reports is approved. We have reviewed the reports provided by the Department and have determined that they contain highly personal information regarding a juvenile against whom no criminal proceedings have been initiated. Disclosure of these reports would be objectionable to a reasonable person and therefore would constitute an unwarranted invasion of

personal privacy. In addition, the juvenile's right to privacy outweighs any legitimate public interest in obtaining the information.

Accordingly, the Department may issue a denial letter to [REDACTED] denying disclosure of the requested police reports.

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: [REDACTED]
[REDACTED]
Assistant Attorney General

cc: [REDACTED]

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