



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

April 1, 2011

Chicago Police Department
Christopher Bove, Assistant FOIA Officer
Records Inquiry Section, Unit 163
3510 S. Michigan Avenue, Rm. 1027 SE
Chicago, IL 60653

Re: Pre-authorization request – 2011 PAC 13162

Dear Mr. Bove:

We have received from the Chicago Police Department a notice of intention to deny disclosure of certain information requested under the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended. [REDACTED] requested records regarding the hospitalization of a specific individual. The Department requested pre-authorization to withhold the records pursuant to Section 7(1)(c) of FOIA (5 ILCS 140/7(1)(c)).

Information in public records is exempt personal information if disclosure 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). An “[u]nwarranted invasion of personal privacy” is 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 request to withhold the records pursuant to Section 7(1)(c) is **approved**. The Department has confirmed in a telephone conversation that no individuals were arrested or charged in connection with the incident documented in the records. We have reviewed copies of those records, which contain information that is highly personal by its very nature. A subject’s right to privacy right outweighs any legitimate public interest in the disclosure of this type of information. Accordingly, we conclude that the Department has sustained its initial burden of demonstrating that the records are exempt from disclosure under Section 7(1)(c).

This letter shall serve to close this matter. If you have any questions, please feel free to contact me at 312-814-6756 or ssilverman@atg.state.il.us.

Sincerely,

[REDACTED]

Steve Silverman
Assistant Public Access Counselor

cc:

[REDACTED]