



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

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ATTORNEY GENERAL

April 20, 2011

Roxanne Sosnowski  
City of South Beloit Attorney  
Barrick, Switzer, Long, Balsley & Van Evera, LLP  
6833 Stalter Drive  
Rockford, Illinois 61108

RE: Pre-Authorization Request – 2011.PAC 13529

Dear Ms. Sosnowski:

We have received and reviewed the written notice from the City of South Beloit of its intention to deny disclosure of certain information pursuant to the Illinois Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*

Specifically, Mr. Greg Stanley submitted two FOIA requests to the City for records relating to an investigation conducted on behalf of the City by Stewart and Associates. In its written notice, the City asserts that the names of minor children and portions of the narrative sections contained within the requested records involving the minor children, are exempt from disclosure under Section 7(1)(c) of FOIA (5 ILCS 140/7(1)(c)).

**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.” *Id.* The exemption defines “unwarranted 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.* In addition, the exemption provides that “[t]he disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy.” *Id.*

The City’s use of the Section 7(1)(c) exemption with regards to the names and actions of minor children, as contained in the records, is **approved**. Based on a thorough review of the records provided by the City and applicable statutes, we have determined that the disclosure of the identities and conduct of the minors would constitute a clearly unwarranted invasion of personal privacy because this information is highly personal by its very nature and does not *relate to* or *bear on* the public duties of the public employee who was the subject of the investigation. As

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such, the individual minors' right to privacy outweighs any legitimate public interest in disclosing this information. Accordingly, the City has met its initial burden of demonstrating that this information is exempt from disclosure under Section 7(1)(c) of FOIA.

Please note that this letter does not provide any opinion or advice as to the applicability of any exemptions to the records other than Section 7(1)(c). If you have any questions, please feel free to contact me at (312) 814-6437. This letter shall serve to close this matter.

Sincerely,



Tola Sobitan  
Assistant Public Access Counselor

cc: Greg Stanley  
Reporter  
Rockford Register Star  
99 East State Street  
Rockford, IL 61104

*13529 preauth al 71c priv mun*