



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

April 19, 2011

Robert Legg
Freedom of Information Act Officer
Roselle Police Department
RLegg@roselle.il.us

RE: Pre-Authorization Request 2011 PAC 13556

Dear Mr. Legg:

We have received and reviewed the written notice from the Roselle Police Department ("Department") of its intention to deny information in its entirety pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA), 5 ILCS 140/7(1)(c), as amended.

On April 6, 2011, [REDACTED] submitted a FOIA request seeking a copy of any documents related to "any incident involving [REDACTED] and [REDACTED] at [REDACTED]". In its April 13, 2011 written notice to the Office of the Public Access Counselor, the Department asserted that requested material is exempt from disclosure under Section 7(1)(c) of FOIA (5 ILCS 140/7(1)(c)) which 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 Department states that no arrests were made and the matter is now close.

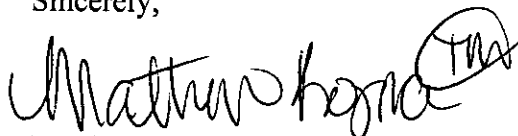
Determination

The Department's use of the exemption in Section 7(1)(c) with regard to these reports in their entirety is approved. Because there was no arrest in this matter, and the Department has stated that the matter is closed, disclosure of this information could be considered highly personal or objectionable to the reasonable person and no legitimate public interest exists in the disclosure of the information.

Accordingly, the Department has met its initial burden of demonstrating that this information is exempt from disclosure under Section 7(1)(c) of FOIA.

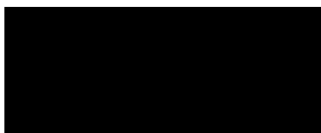
If you have any questions, please feel free to contact me at (312) 814-5383. This correspondence shall serve to close this matter.

Sincerely,

A handwritten signature in cursive script that reads "Matthew Rogina". To the right of the signature, the letters "TR" are circled in a hand-drawn circle.

Matthew C. Rogina
Assistant Public Access Counselor

cc:



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