



**OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS**

Lisa Madigan
ATTORNEY GENERAL

October 18, 2010

Liz Rohrer
Freedom of Information Officer
Boone County Sheriff's Office
615 N. Main Street
Belvidere, IL 61008

RE: Pre-Authorization Request – 2010 PAC 10053

Dear Ms. Rohrer:

We have received and reviewed the written notice from Boone County Sheriff's Office (Sheriff's Office) of its intention to deny disclosure of specific incident report pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/7(1)(c).

On September 28, 2010, [REDACTED] submitted a FOIA request to the Sheriff's Office, seeking a copy of the incident report involving the death of his uncle, [REDACTED]. In its written notice, the Sheriff's Office asserts that the requested 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." 5 ILCS 140/7(1)(c). 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.*

The Sheriff's Office's use of the Section 7(1)(c) exemption to deny disclosure of the incident report in its entirety is **approved**. We have determined that release of the incident report would constitute a clearly unwarranted invasion of personal privacy. This type of information is highly personal by its very nature and its release would be objectionable to a reasonable person. Accordingly, the Sheriff's Office has met its burden of demonstrating that this information is exempt from disclosure under Section 7(1)(c) of FOIA.

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If you have any questions, please feel free to contact me at (312) 814-6437. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:



Tola Sobitan
Assistant Public Access Counselor

cc:

