



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

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ATTORNEY GENERAL

October 19, 2010

Commander Kevin Finlon
Village of Lake Zurich
70 E. Main Street
Lake Zurich, Illinois 60047-2416

RE: Pre-Authorization Request — 2010 PAC 10101

Dear Commander Finlon:

We have received and reviewed the written notice from the Village of Lake Zurich (Village) of its intention to deny disclosure of 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.

[REDACTED] submitted a FOIA request on September 29, 2010 seeking “[s]tatements given by [REDACTED] and any other police reports concerning [REDACTED] on or about Sept. 15, 2010.” In its written notice, the Village asserted that disclosure of specific statements found in the responsive documents would be “[a]n unwarranted invasion of personal privacy with no legitimate public interest” and are thus 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, 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.*

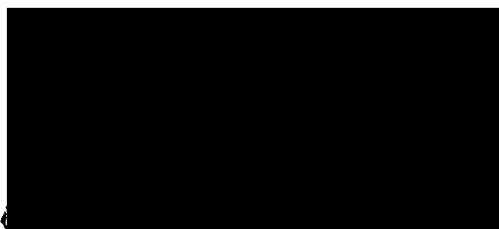
The Village’s proposed application of the exemption in Section 7(1)(c) with regard to specific statements identified by the Village is approved. We have reviewed the unredacted copies of the responsive documents and have determined that the disclosure of these statements would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c). This information is highly personal and the subjects’ right to privacy outweighs any legitimate public interest in disclosing this information.

Accordingly, the Village may issue a partial denial letter and release the records with the specific statements redacted, if it has not already done so.

If you have any questions, please feel free to contact me at (312) 814-1003 or joleary@atg.state.il.us. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor



cc:



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