



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

October 19, 2010

Lisa Madigan  
ATTORNEY GENERAL

Michelle Brooks  
Assistant City Attorney  
City of Urbana  
400 South Vine Street  
Urbana, IL 61801

RE: Pre-Authorization Request – 2010 PAC 10143  
Requester: [REDACTED]

Dear Ms. Brooks:

We have received and reviewed the notice from the City of Urbana (City) 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.

On September 27, 2010, the City received a request from [REDACTED] for several categories of records relating to case number 90-CF-2010. After extending the time for response pursuant to Sections 3(e)(ii) and 3(e)(vi) of FOIA, the City notified this Office of its intention to deny disclosure of certain specific medical information contained in the responsive police reports.

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 the 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.*

**Determinations**

The City’s use of the exemption in Section 7(1)(c) with regard to the medical treatment and condition information in these police reports is approved. We have determined that the disclosure of this information would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c) of FOIA. This information is highly personal, and the subjects’ right to privacy outweighs any legitimate public interest in disclosing this information. Accordingly, the City should issue a partial denial letter directly to [REDACTED] and release the non-exempt records to him with the appropriate information redacted.

Michelle Brooks  
October 20, 2010  
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If you have any questions, please feel free to contact Sarah Kaplan at (312) 814-2086. This correspondence shall serve to close this matter.

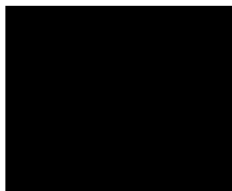
Sincerely,

Cara Smith  
Public Access Counselor

By:

*Amalia Rioja by SRK*  
Amalia Rioja  
Chief Deputy Public Access Counselor

cc:



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