



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

October 18, 2010

Ms. Vanessa Moritz
FOIA Officer
Village of Forest Park
717 DesPlaines
Forest Park, Illinois 60130

RE: Pre-Authorization Request - 2010 PAC-9687

Dear Ms. Moritz:

We have received written notice from the Village of Forest Park (Village) of its intention to withhold certain information from disclosure pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA) 5 ILCS 140/1 *et seq.*, as amended.

Specifically, on September 16, 2010, Mr. David Jackson, on behalf of the Chicago Tribune, submitted a FOIA request to the Village seeking a copy of Incident No. 08-08 03474. The report stems from an August 29 and August 30, 2008, matter at Riveredge Hospital in the Village. No arrests were made and this case is closed. In its written request, the Village has asserted that the entire report is exempt from disclosure under Section 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." 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.*

Determination

The Village's request for approval of its decision to withhold the report in its entirety pursuant to Section 7(1)(c) is approved. This Office has reviewed the report and we have determined that the information contained therein is highly personal by its very nature, and that disclosure of this information would constitute a clearly unwarranted invasion of privacy. Although there were allegations of possible criminal conduct, no arrest resulted from the investigation. Under these circumstances, the subjects' right to privacy outweighs any legitimate public interest in disclosing this information.

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

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

Sincerely,

Cara Smith
Public Access Counselor

By:


Matthew C. Rogan
Assistant Public Access Counselor

cc: David Jackson
djackson@tribune.com
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