



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

April 21, 2011

VIA ELECTRONIC MAIL

Kristin Walker, Records Manager
South Holland Police Department
kwalker@southholland.org

RE: Pre-Authorization Request – 2011 PAC 13558

Dear Ms. Walker:

We have received and reviewed the written notice from the South Holland Police Department (Department) of its intention to deny certain information as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act. 5 ILCS 140/1 *et seq.*, as amended (FOIA). The Department is seeking to redact dates of birth and the names of the victim and complainant from the requested documents.

██████████ submitted a FOIA request on April 12, 2011 for police report #S10-17526. In its written notice, the Department asserted that the dates of birth and the names of the victim and complainant are exempt from disclosure under Section 7(1)(c) of FOIA.

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.*

Determination

The Department’s use of the exemption in Section 7(1)(c) with regard to the names of victims and complainants is approved. We have determined that the disclosure of this information would constitute a clearly unwarranted invasion of personal privacy. This type of information is highly personal by its very nature and the subjects’ right to privacy outweighs any legitimate public interest in disclosing this information.

The Department's use of the exemption in Section 7(1)(c) with regard to the dates of birth is approved. We have determined that the disclosure of dates of birth would constitute a clearly unwarranted invasion of personal privacy. This type of information is highly personal by its very nature and the subject's right to privacy outweighs any legitimate public interest in disclosing this information.

Accordingly, the Department may issue a partial denial letter and release the reports with the information redacted, if it has not already done so.

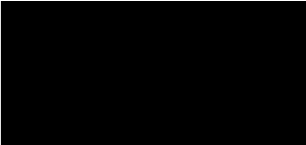
If you have any questions, please feel free to contact Tammy Friedewald at (217) 558-1926. This correspondence shall serve to close this matter.

Sincerely,

Amanda Lundeen
ML

Amanda M. Lundeen
Assistant Public Access Counselor

cc:



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