



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

April 22, 2011

Mr. Jack Enter
Assistant Freedom of Information Act Officer
Chicago Police Department
3510 S. Michigan Avenue
Chicago, Illinois 60653

RE: Pre-Authorization Request - 2011 PAC 13587

Dear Mr. Enter:

We have received and reviewed the written notice from the Chicago Police Department (CPD) of its intention to withhold 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 March 25, 2011, Mr. John Conroy, on behalf of the Better Government Association, submitted a FOIA request to CPD seeking the criminal history of [REDACTED].

On April 11, 2011, CPD submitted a Pre-Authorization Request with the Office of the Public Access Counselor and asserted that certain information is exempt from disclosure under Section 7(1)(c) of FOIA (5 ILCS 140/7(1)(c)), Section 7(1)(c) of FOIA (5 ILCS 140/7(1)(c)), which exempts from inspection or 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." 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."

CPD argues that disclosure of [REDACTED] arrest history to a third party would constitute an unwarranted invasion of personal privacy for [REDACTED].

Determination

CPD's request for approval of its decision to withhold the documents pursuant to Section 7(1)(c) is denied.