



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

April 25, 2011

Mr. Blaine Bastien
FOIA Officer
City of DuQuoin
302 E. Poplar
P.O. Box 466
DuQuoin, IL 62832

RE: Pre-Authorization Request – 2011 PAC 13620
FOIA Requester: [REDACTED]

Dear Mr. Bastien:

We have received and reviewed the written notice from the City of DuQuoin of its intention to deny disclosure of dates of birth and the victim named in the requested police records, pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA), 5 ILCS 140/1 *et seq.*, as amended.

On April 14, 2011, [REDACTED] submitted a FOIA request seeking Records relating to the "[REDACTED] [attempted rape] case of about 10 years ago."

On April 15, 2011, the City sought our office's approval to use Section 7(1)(c) withhold dates of birth and the victim's name.

Determination

Section 7(1)(c) 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." The exemption defines "unwarranted 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."

The City's use of the Section 7(1)(c) exemption with regard to dates of birth is **approved**. The information is highly personal by its very nature, and the subjects' right to privacy with respect to this information outweighs any legitimate public interest in obtaining it. Thus, the information is exempt

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from disclosure under Section 7(1)(c) of FOIA, as disclosure would constitute a clearly unwarranted invasion of personal privacy to the subjects of the information.

Additionally, the City's use of 7(1)(c) to redact the victim's name is **approved**. The nature of these crimes is highly personal and the victim's right to privacy here outweighs the interests of the public in accessing this information. Therefore, the City has met its burden in establishing that Section 7(1)(c) shields this information from disclosure.

Should you have questions or concerns, please feel free to contact me at (312) 814-8413. This correspondence shall serve to close this matter.

Sincerely,



By: Rebecca Riddick
Assistant Public Access Counselor

cc:

