



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

April 26, 2011

Ms. Shirley Galloway
Macomb Police Department
FOIA@macombpolice.com

RE: Pre-Authorization Request - 2011 PAC 13694

Dear Mr. Galloway:

We have received and reviewed the written notice from the Macomb Police Department 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 April 20, 2011 Ms. Diana Bledsoe submitted a FOIA request to the Department seeking a copy of a Police Report No. #08-3882 and #04-4867.

On April 21, 2011 the Department submitted its Pre-Authorization Request to this Office. In its written request, the Department stated that dates of birth, victim names, victim statements, and graphic descriptions of the alleged offense are exempt from disclosure pursuant to Section 7(1)(c) of FOIA (5 ILCS 140/7(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." 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 Department's request for approval of its decision to withhold the requested information pursuant to Section 7(1)(c) is approved. We find that the information that the Department seeks to withhold can properly be considered highly personal or objectionable to the reasonable person and disclosure of this information is not outweighed by any legitimate public interest.

The Department has met its initial burden with regard to victim names and statements, graphic descriptions of the alleged offense and dates of birth. Accordingly, the District may redact this information pursuant to Section 7(1)(c).

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,

A large black rectangular redaction box covering the signature of Matthew C. Rogina.

Matthew C. Rogina
Assistant Public Access Counselor

cc: Ms. Diana Bledsoe
Lutheran Social Services
167 N. Kellog
Galesburg, Illinois 61401

13694 pre-auth al 7(1)(c) priv dob pd