



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

October 27, 2010

Sherry Holmes
FOIA Officer
Macomb Police Department
120 S. McArthur
Macomb, IL 61455

RE: FOIA Pre-Authorization Request – 2010 PAC 10271

Dear Ms. Holmes:

We have received and reviewed the written notice from the Macomb Police Department of its intent to deny portions of Macomb Police Department case report [REDACTED] [REDACTED] requested the report involving a battery. The Department asserted that the name of possible suspects who were not arrested or charged is exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act, 5 ILCS 140/1 *et seq.*

Information in public records is exempt if disclosure would “constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented in writing by the individual subjects of the information.” 5 ILCS 140/7(1)(c). An “[u]nwarranted invasion of personal privacy” is 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.*

The Department’s request to redact the name of the suspects is *approved*. We have concluded that the disclosure of the names and contact information of people suspected of crimes for which they were never arrested or charged would be highly objectionable to a reasonable person. Under these circumstances, the suspects’ right to privacy outweighs any public interest in the information that the Department intends to redact from the report.

If you have any questions, please feel free to contact me at (217) 558-1926. This letter shall serve to close this file.

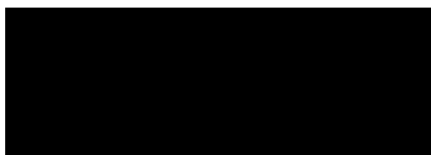
Sincerely,

Cara Smith
Public Access Counselor

By: *Amanda Lundeen*

Amanda M. Lundeen *AM*
Assistant Public Access Counselor

cc:



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