



**OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS**

Lisa Madigan
ATTORNEY GENERAL

November 3, 2010

VIA FAX and REGULAR MAIL

Donna Brouder
Village of Fox River Grove Police Department
305 Illinois Street
Fox River Grove, IL 60021

RE: Pre-Authorization Request - 2010 PAC 10329

Dear Ms. Brouder:

We have received and reviewed the written notice from the Village of Fox River Grove Police Department (Department) of its intention to deny certain information as exempt from disclosure under subsection 7(1)(c) of the Freedom of Information Act, 5 ILCS 140/1 *et seq.*, as amended (FOIA). The Department is seeking to redact witness name and information from the requested documents. Our previous letter on October 29, 2010 only addressed the redaction of dates of birth from the requested documents.

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 witness names and information 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 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.

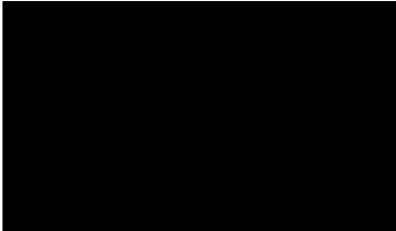
Sincerely,

Cara Smith
Public Access Counselor

By: *Amanda Lundeen*
AL

Amanda M. Lundeen
Assistant Public Access Counselor

cc:



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