



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

May 11, 2011

Ms. Kristine Curran
Village of Lisle
925 Burlington Ave
Lisle, Illinois 60532-1838

RE: FOIA Pre-Authorization Request – 2011 PAC 13816

Dear Ms. Curran:

We have received and reviewed the written notice from the Village of Lisle (Village) of its intention to deny certain information as exempt from disclosure under section 7(1)(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/7(1)(c) (West 2009 Supp.), as amended by Public Act 96-1378, effective July 29, 2010). On April 11, 2011, [REDACTED] requested "police reports pertaining to the area surrounding" his own address. In response, the Village seeks pre-authorization to withhold reports 11-401, 11-1314, 11-1603, 10-9476, 10-9337, 11-1082, and 10-9336 in their entirety. The Village also seeks pre-authorization to redact witness information and narratives from reports 11-1319 and 10-9927.

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 the disclosure is consented to in writing by the individual subjects of the information." 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." 5 ILCS 140/7(1)(c) (West 2009 Supp.), as amended by Public Act 96-1378, effective July 29, 2010.

DETERMINATION

The Village's use of the exemption in section 7(1)(c) to withhold report 11-401 in its entirety is **denied**. The Village **may** redact the victim's name and other identifying information pursuant to section 7(1)(c). The fact of having been the victim of a crime is highly personal, and the victim's right to privacy outweighs any legitimate public interest in learning the identity of the victim. However, with the victim's identifying information redacted, the other information in this report cannot be connected to any one individual. With the victim's identity

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protected, the details of this report are not highly personal, and disclosure would not be objectionable to a reasonable person. Therefore, we have concluded that the Village has not met its initial burden of demonstrating that this entire report is exempt under section 7(1)(c).


The Village's use of the exemption in section 7(1)(c) to withhold reports 11-1314, 11-1603, 10-9476, 10-9337, 11-1082, and 10-9336 in their entirety is **approved**. These reports pertain entirely to highly personal information, and the subjects' right to privacy outweighs any legitimate public interest in obtaining this information.

The Village's use of the exemption in section 7(1)(c) to redact information from report 11-1319 as proposed by the Village is **denied**. While some of the information in this report is highly personal to the alleged victim of this incident, other information that the Village proposed to redact pertains solely to the arrestee and to the details of the arrest. We have concluded that the Village has not sustained its initial burden of demonstrating that the information regarding the arrestee and the arrest is highly personal or that disclosure would be objectionable to a reasonable person. However, the Village **may** redact the victim's identifying information and the following information in the narrative of report 11-1319: the first sentence; the last line of the second paragraph; the third, fourth and fifth lines of the fourth paragraph; and the second sentence of the fifth paragraph. The specified information is highly personal to the alleged victim in this incident, and the victim's right to privacy outweighs any legitimate public interest in obtaining this information.

The Village's use of the exemption in section 7(1)(c) to redact the information in report 10-9927 that the Village proposes to redact is **approved**. The redacted information consists of dates of birth and information that is highly personal to the alleged victim of this incident. Under these circumstances, the subjects' right to privacy outweighs any legitimate public interest in obtaining this information.

The Village may issue a partial denial letter and release reports 11-1319 and 10-9927 with the appropriate information redacted in accordance with this letter. If you have any questions, please contact me at (312) 814-2086. This correspondence shall serve to close this matter.

Very truly yours,


SARAH KAPLAN
Assistant Attorney General
Public Access Bureau

cc: 