



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

May 11, 2011

Ms. Linda L. Larson
Records Supervisor
Mundelein Police Department
221 North Lake Street
Mundelein, Illinois 60060

RE: FOIA Pre-Authorization Request - 2011 PAC 13906

Dear Ms. Larson:

We have received and reviewed the written notice from the Village of Mundelein Police Department (Department) of its intention to deny disclosure of certain information pursuant to 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 24, 2011, [REDACTED] submitted a FOIA request for a copy of police report #11-07761, including a specific letter written by the victim. In its written notice, the Department asserts that the requested report contains highly personal information and thus, is exempt from disclosure under section 7(1)(c) of FOIA.

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 Department's use of the exemption in section 7(1)(c) to withhold the requested record, in its entirety, is **approved**. Based on the Department's representation in its pre-approval form and the relevant portions of the law, we have determined that release of the

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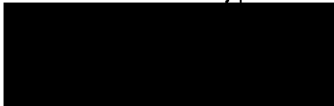
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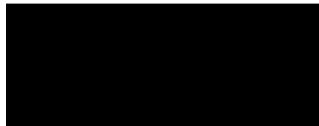
requested report would constitute a clearly unwarranted invasion of personal privacy. The information contained in the report is highly personal by its very nature and the subject's right to privacy outweighs any legitimate public interest in disclosing this information. Accordingly, the Department has met its initial burden of demonstrating that this information is exempt from disclosure under section 7(1)(c) of FOIA

If you have any questions, please contact me at (312) 814-6437. This correspondence shall serve to close this matter.

Very truly yours,


TOLA SOBITAN
Assistant Attorney General
Public Access Bureau

cc:



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