



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

November 9, 2010

Sherry Holmes
FOIA Officer
Macomb Police Department
120 S. McArthur Street
Macomb, IL 61455-2141

RE: Pre-Authorization Request 2010 PAC 10456

Dear Ms. Holmes:

We have received and reviewed the written notice from the Macomb 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). [REDACTED] submitted a FOIA request on October 26, 2010 for a report regarding a child custody dispute. In its written notice, the Department asserted that certain information in the report 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 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 proposes to redact portions of the narrative of the report [REDACTED]. The Department's use of the exemption in Section 7(1)(c) with regard to this portion of the narrative is approved. We have determined that the disclosure of this information would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c) of FOIA. Those statements in the narrative contain information about the subject, the disclosure of which would be objectionable to a reasonable person. The subject's right to privacy outweighs any legitimate public interest in obtaining this information.

Accordingly, the Department may issue a partial denial letter and release the report with the appropriate information redacted, if it has not already done so.

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

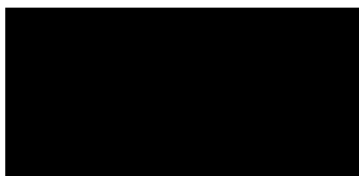
Sincerely,

Cara Smith
Public Access Counselor

By: *Amanda Lundeen*
AL

Amanda M. Lundeen
Assistant Public Access Counselor

cc:



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