



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

September 15, 2010

Ms. Cindy Smiley
FOIA Officer
City of Woodstock
121 W. Calhoun Street
Woodstock, Illinois 60098

RE: Pre-Authorization Request – 2010 PAC 5717

Dear Ms. Smiley:

We have received written notice from the City of Woodstock (City) of its intention to withhold certain information from disclosure pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA) 5 ILCS 140/1 *et seq.*, as amended.

Specifically, on January 27, 2010, [REDACTED] submitted a FOIA request to the City seeking a copy of Police No. 07-4183. No arrests were made and this case is closed. In its written request, the City has asserted that the entire report is exempt from disclosure under Section 7(1)(c) which 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 City's request for approval of its decision to withhold the report in its entirety pursuant to Section 7(1)(c) is approved. We have determined that disclosure of this information would constitute a clearly unwarranted invasion of privacy because it pertains to a sensitive matter in which no arrest occurred. 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 City has met its burden of demonstrating that this information is exempt from disclosure under Section 7(1)(c) of FOIA.

Please note that home phone numbers and home addresses may be redacted as "private information" under Section 7(1)(b), which does not require pre-authorization from our office.

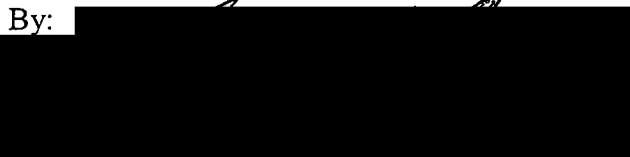
The City may has met its burden under Section 7(1)(c) and may withhold the report in its entirety.

If you have any questions or concerns, please feel free to contact me at (312) 814-5383. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:


Matthew C. Rogina
Assistant Public Access Counselor

Cc: