



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

May 12, 2011

Ms. Simone M. Boutet  
Village of Oak Park  
123 Madison St.  
Oak Park, Illinois 60302

RE: FOIA Pre-Authorization Request – 2011 PAC 13972

Dear Ms. Boutet:

We have received and reviewed the written notice from the Village of Oak Park (Village) of its intention to deny disclosure of certain information 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). The Village seeks pre-authorization to withhold Oak Park Police Department incident report number 11-9785.

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 police incident report number 11-9785 is **approved**. We have concluded that the Village has met its initial burden of demonstrating that the disclosure of the report would be highly objectionable to a reasonable person. The Village has informed this office that there were no arrests or prosecutions resulting from this incident. Under these circumstances, the right to privacy outweighs any public interest in the information that the Village intends to withhold.

Ms. Simone M. Boutet  
May 12, 2011  
Page 2

If you have any questions, please contact Andres Acosta at (877) 299-3642. This correspondence shall serve to close this matter.

Very truly yours,

*Rebecca Riddick by: AA*

REBECCA RIDDICK  
Assistant Attorney General  
Public Access Bureau

cc:

