



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

November 16, 2010

Jerald D. Paul  
Deputy Chief of Police  
Columbia Police Department  
1020 N. Main Street  
Columbia, Illinois 62236

Re: Pre-Authorization Request – 2010 PAC 10618

Dear Deputy Chief Paul:

We have received and reviewed the written notice from the Columbia Police Department (Department) of its intention to deny disclosure of certain information as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended.

██████████ submitted a FOIA request on October 29, 2010 seeking the “[e]ntire file regarding domestic police report filed on 09-21-10 by ██████████”. In its written notice, the Department advised that the report pertains to a domestic situation in which the victim signed a declination to prosecute. The Department asserted that certain statements made by the victim are exempt from disclosure under Section 7(1)(c) of FOIA, as disclosure would constitute an unwarranted invasion of personal privacy.

Section 7(1)(c) of FOIA (5 ILCS 140/7(1)(c)) 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.” 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’s proposed application of the exemption found in Section 7(1)(c) of FOIA to deny disclosure of statements made by the complainant to law enforcement is approved. We have reviewed the redacted and unredacted copies of the responsive documents provided by the Department and have determined that disclosure of this information would be objectionable to a

reasonable person and the subject's right to privacy outweighs any legitimate public interest in obtaining the information.

Therefore, the Department has met its burden of demonstrating that the specific information is exempt from disclosure under Section 7(1)(c) of FOIA. Accordingly, the Department may issue a partial denial letter and disclose the responsive documents with the specific information redacted.

Please note, we offer no advice or opinion as to the Department's use of any exemption other than Section 7(1)(c).

If you have any questions, please feel free to contact me at (312) 814-1003 or [joleary@atg.state.il.us](mailto:joleary@atg.state.il.us). This correspondence shall serve to close this matter.

Sincerely,

Cara Smith  
Public Access Counselor

By: 

 Assistant Attorney General

cc: 

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