



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

December 6, 2010

Kathe Swanson
City Clerk
City of Dixon
P.O. Box 386
Dixon, Illinois 62021

Re: Pre-Authorization Request – 2010 PAC 10811

Dear Ms. Swanson:

We have received and reviewed the written notice from the City of Dixon (City) of its intention to deny disclosure of certain records 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 to the City on November 12, 2010 seeking the following information:

- 911 Calls for ██████████
1. March 2006 address 1380 Galena Ave (Old Jewel Store)
 2. 4082 Everett Ave July 25th 2007

In its written notice, the City asserts that the responsive records are exempt from disclosure as "...release of these records would constitute personal information 'the release of which would be an unwarranted invasion of personal privacy' under Section 7(1)(c) [of FOIA]."

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 City's proposed use of the exemption found in Section 7(1)(c) of FOIA to deny disclosure of the responsive records is approved. We have reviewed the unredacted copies of the responsive records provided by the City and have determined that the information contained in the reports is highly personal and the release of these records would be objectionable to a reasonable person. The subject's right to privacy outweighs any legitimate public interest in obtaining the information.


Accordingly, the City may issue a denial letter withholding the responsive records from disclosure.

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

Sincerely,

Cara Smith
Public Access Counselor

By


Jessica O'Leary
Assistant Attorney General

cc:

