



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

December 2, 2010

Heather Kruse, Staff Attorney
City of Des Plaines
City Manager's Office, Legal Division
1420 Miner Street
Des Plaines, Illinois 60016

RE: Pre-Authorization Request – 2010 PAC 10812

Dear Ms. Kruse:

We have received and reviewed the written notice from the City of Des Plaines (City) 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.

[REDACTED] submitted a FOIA request on November 9, 2010 seeking a "[p]olice report for myself – end of October 2010." In its written notice, the City asserted that specific statements contained in the responsive record are "inherently personal in nature" and are thus exempt from disclosure under Section 7(1)(c) of FOIA.

Determination

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.*

The City's proposed application of the exemption found in Section 7(1)(c) of FOIA to deny disclosure of specific statements contained in the record is approved. We have reviewed the redacted and unredacted documents provided by the City and have determined that the specified statements are highly personal and the subject's right to privacy outweighs any legitimate public interest in obtaining this information.

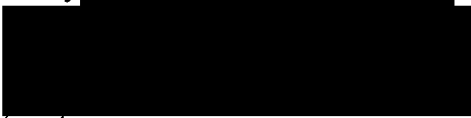
Accordingly, the City may issue a partial denial letter and the release the record with the specified statements redacted.

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: 