



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

December 6, 2010

City of Champaign Police Department
Deputy Chief Holly Nearing, FOIA Officer
City of Champaign Police Dept.
102 S. Neil St.
Champaign, IL 61820

Re: Pre-authorization request – 2010 PAC 10922

Dear Deputy Chief Nearing:

We have received and reviewed a notice of intention to deny issued by the Champaign Police Department (Department) in response to [REDACTED] request for records under the Freedom of Information Act. 5 ILCS 140/1 *et seq.*, as amended. [REDACTED] requested records regarding an incident pertaining to his adult daughter, [REDACTED]. The Department requested pre-approval to withhold the records pursuant to Section 7(1)(c) (5 ILCS 140/7(1)(c)).

Information in public records is exempt personal information if disclosure would “constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information.” 5 ILCS 140/7(1)(c). An “[u]nwarranted invasion of personal privacy” is 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 Department’s request to withhold the records pursuant to Section 7(1)(c) is **approved**. We have reviewed copies of the records, which contain information that is highly personal by its very nature. A subject’s right to privacy right outweighs any legitimate public interest in the disclosure of this type of information.

This letter shall serve to close this matter. If you have any questions, please feel free to contact me at 312-814-6756 or ssilverman@atg.state.il.us.

Sincerely,

Cara Smith
Public Access Counselor

By:



Steve Silverman
Assistant Public Access Counselor

cc:

