

OFFICE OF THE ATTORNEY GENERAL STATE OF ILLINOIS

Lisa Madigan

December 7, 2010

Skip Bradshaw City Clerk City of Jacksonville 200 West Douglas Avenue Jacksonville, IL 62650

RE: Pre-Authorization Request – 2010 PAC 8485

Requester: Greg Olson, Jacksonville Journal-Courier

Dear Mr. Bradshaw:

We have reviewed the written notice from the City of Jacksonville (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. On July 5, 2010, Greg Olson of the Jacksonville Journal-Courier requested certain police reports. The City proposes to redact the names of three individuals who had police check their homes or vehicles while on vacation that appear in two of these reports.

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." 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*.

Determination

The City's use of the exemption in Section 7(1)(c) with regard to the names of these individuals is <u>approved</u>. The disclosure of this information would be objectionable to a reasonable person, and the subjects' right to privacy outweighs any legitimate public interest in obtaining these names. Therefore, the City has met its initial burden of showing that these names are exempt under Section 7(1)(c).

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The City did not specify whether it asserted the exemption in Section 7(1)(c) with respect to the names only or with respect to the names, addresses and telephone numbers of these individuals. Please note that home addresses and personal telephone numbers are exempt from disclosure under Section 7(1)(b) of FOIA. Public bodies may assert the exemption in Section 7(1)(b) without pre-approval from this Office.

For the reasons discussed above, the redaction of the individuals' names from these reports was permissible. If you have any questions, please feel free to contact me at (312) 814-2086. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:

Sarah Kaplan Assistant Public Access Counselor

cc: Greg Olson
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