



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

December 14, 2010

Erin Van De Walle
Freedom of Information Officer
City of Elmhurst
209 North York Street
Elmhurst, IL 60126-2759

RE: Pre-Authorization Request — 2010 PAC 11207

Dear Ms. Van De Walle:

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

██████████ submitted an undated FOIA request seeking a copy of various police reports regarding a specific address. In its written notice, the City asserted that a specific incident report is, in its entirety, 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." 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 use of the exemption in 7(1)(c) with regard to the entire incident report is approved. We have determined that disclosure of this information would constitute a clearly unwarranted invasion of privacy of the subject of the report, and that the subject's right to privacy outweighs any legitimate public interest in disclosing this information. Accordingly, the City has met its initial burden of demonstrating that this information is exempt from disclosure under Section 7(1)(c) of FOIA.

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If you have any questions, please feel free to contact the Public Access Counselor's Office at (877) 299-3642. This correspondence shall serve to close this matter.

Sincerely,

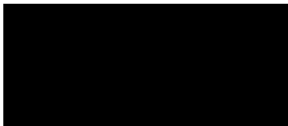
Cara Smith
Public Access Counselor

By:

Amalia Rioja by: AA

Amalia Rioja
Chief Deputy Public Access Counselor

cc:



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