



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

December 9, 2010

Ms. Kathe Swanson
City Clerk, City of Dixon
P.O. Box 386
Dixon, IL 61021

Re: Pre-Authorization Request -- 2010 PAC 6575
FOIA Requester: [REDACTED]

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 information contained in police reports as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended.

Section 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". The exemption defines "unwarranted 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."

The City's use of the Section 7(1)(c) exemption with regard to the information in question is **approved in part**. The City maintains that the release of information contained in these police reports, other than statements provided by the requestor, would be a violation of personal privacy. It argues that the statements were made in domestic disturbance situations, where there were no arrests, therefore the release of information not provided by the requestor would be highly personal and objectionable to a reasonable person and that the subjects' right to privacy outweighs any legitimate public interest in obtaining the information. Further, it says, allowing the release of information contained in reports such as these would inhibit victims or witnesses of domestic disturbances from reporting these incidents to the police.

After reviewing the documents in question, we have determined that the City may make most of its proposed redactions in these reports. However, use of Section 7(1)(c) to redact actions or statements made by police officers is **denied**. There is a legitimate public interest in observing how police officers interact with complainants, suspects, victims, and witnesses. Thus, the City should release these statements.

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