



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

December 14, 2010

Simone M. Boutet
Assistant Village Attorney
The Village of Oak Park
Law Department
123 Madison Street
Oak Park, Illinois 60302-4272

RE: Pre-Authorization Request – 2010 PAC 11181

Dear Ms. Boutet:

We have received and reviewed the written notice from the Village of Oak Park 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 incident report #10-26287. In its written notice, the Village asserted that the entire incident report is exempt from disclosure under Section 7(1)(c) of FOIA.

Determinations

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 Village’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. This type of information is highly personal by its very nature and the subject’s right to privacy outweighs any legitimate public interest in disclosing this information. Accordingly, the Village has met its initial burden of demonstrating that this information is exempt from disclosure under Section 7(1)(c) of FOIA.

December 14, 2010

Page 2

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,

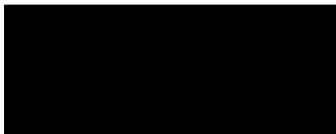
Cara Smith
Public Access Counselor

By:

Amalia Rioja by EK

Amalia Rioja
Chief Deputy Public Access Counselor

cc:



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