



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

December 20, 2010

Ann Kavanaugh  
Records Supervisor  
Schaumburg Police Department  
1000 W. Schaumburg Road  
Schaumburg, Illinois 60194-4198

RE: Pre-Authorization Request – 2010 PAC 11282

Dear Ms. Kavanaugh:

We have received and reviewed the written notice from the Village of Schaumburg (Village) 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.

██████████ submitted a FOIA request to the Village on December 6, 2010 seeking, in part, Report #10-23758, Report #10-23952 and Report #10-24627. In its written notice, the Village asserted that "all information related to the incident" in each report is exempt from disclosure under Section 7(1)(c) as "[t]hese reports are not of a criminal nature and contain highly sensitive information that would constitute a clearly unwarranted invasion of personal privacy of a highly sensitive nature. The victims' privacy outweighs the public interest and need to know the details of the incidents."

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." 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 Village's proposed application of the exemption in Section 7(1)(c) to deny disclosure of information pertaining to the incidents in each of the reports is approved. We have reviewed the



redacted and unredacted copies of the reports provided by the Village and have determined that disclosure of the redacted information would be objectionable to a reasonable person and the subjects' right to privacy outweighs any legitimate public interest in obtaining the information. The redacted information is highly personal in nature. Therefore, the Village has met its initial burden of demonstrating that the specified information is exempt from disclosure under Section 7(1)(c).

Accordingly, the Village's issuance of a partial denial letter and release of the reports with the specified information redacted was appropriate.

If you have any questions, please feel free to contact me at (312) 814-1003 or [joleary@atg.state.il.us](mailto:joleary@atg.state.il.us). This correspondence shall serve to close this matter.

Sincerely,

Cara Smith  
Public Access Counselor

By:   
  
Jessica O'Leary  
Assistant Attorney General

cc: 