

OFFICE OF THE ATTORNEY GENERAL STATE OF ILLINOIS

Lisa Madigan

December 16, 2010

Denise E. Wills FOIA Officer Huntley Police Department 10911 Main Street Huntley, Illinois 60142

RE: Pre-Authorization Request — 2010 PAC 8735

Dear Ms. Wills:

We have received and reviewed the written notice from the Huntley Police Department 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 140/7(1)(c).

submitted a FOIA request dated July 17, 2010, seeking a copy of a July 3, 2010, police report. In its written notice, the Department asserted that certain information concerning a juvenile is 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." 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 réasonable person and in which the subject's right to privacy outweighs any legitimate public interest in obtaining the information." *Id*.

The Department's use of the exemption in Section 7(1)(c) with regard to the specified third party information is approved. We have determined that the disclosure of this information would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c). This

× (((i)) **

Denise Wills December 16, 2010 Page 2

information is highly personal, and the subject's right to privacy outweighs any legitimate public interest in disclosing this information. As such, the Department may issue a partial denial letter directly to the requester and release the record with the appropriate information redacted.

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:

Saran Kapian

Assistant Public Access Counselor

cc: