



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

January 12, 2011

John R. Holm
Chief of Police
Chatham Police Department
117 East Mulberry
Chatham, IL 62629

RE: Pre-Authorization Request – 2010 PAC 11542

Dear Chief Holm:

We have received and reviewed the written notice from Chatham Police Department of its intention to deny disclosure of a specific incident report pursuant to the Illinois Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*

On December 20, 2010, [REDACTED] submitted a FOIA request to the Department, seeking a copy of any records pertaining to police or ambulance dispatch to 118 Foxx Manor Drive, Chatham, IL 62629 on Wednesday, December 15, 2010 and October 17, 2010. In its written notice, the Department asserts that the December 15, 2010 incident report contains highly personal information and thus, is exempt from disclosure under Section 7(1)(c) of FOIA (5 ILCS 140/7(1)(c)).

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.” *Id.* 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.” *Id.*

The Department’s use of the Section 7(1)(c) exemption to deny disclosure of the December 15, 2010 incident report in its entirety is **approved**. Based on a thorough review of the record provided by the Department and applicable statutes, we have determined that release of the December 15, 2010 incident report would constitute a clearly unwarranted invasion of personal privacy. The information contained in the report is highly personal by its very nature and its release would be objectionable to a reasonable person. Accordingly, the Department 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 me at (312) 814-6437. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:


Tola Sobitan
Assistant Public Access Counselor

cc:



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