



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

January 25, 2011

Capt. Billy Merrill  
Tazewell County Sheriff's Office  
101 S. Capitol St.  
Pekin, IL 61554

Re: Pre-authorization request – 2011 PAC 11926

Dear Capt. Merrill:

We have received from the Tazewell County Sheriff's Office a notice of intention to deny disclosure of certain information requested under the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended. [REDACTED] requested copies of all FOIA requests directed to the Sheriff's Office between Jan. 1, 2011 and Jan. 7, 2011, and copies of all records provided in response to those requests. The Sheriff's Office requested pre-authorization to withhold a report pertaining to an investigation of a matter regarding a juvenile suspect and a juvenile alleged victim.

Information in public records is exempt if disclosure would "constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information." 5 ILCS 140/7(1)(c). An "[u]nwarranted invasion of personal privacy" is 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 request for pre-authorization to withhold the report under the Section 7(1)(c) exemption is **approved**. We have reviewed a copy of the report and determined that it regards a matter which is highly personal by its very nature; disclosure of this information would constitute a highly unwarranted invasion of the personal privacy of the subjects in the report. In 2010 PAC 9687 we reviewed a report of a similar investigation that yielded no arrests or charges, and concluded that the subjects' privacy rights outweighed any legitimate public interest in disclosure. Capt. Merrill has clarified in a telephone conversation that the juvenile suspect in the report in question was


not arrested or charged. Accordingly, the Sheriff's Office may withhold the entire report pursuant to Section 7(1)(c).

This letter shall serve to close this file. If you have any questions, please feel free to contact me at (312) 814-6756 or [ssilverman@atg.state.il.us](mailto:ssilverman@atg.state.il.us).

Sincerely,

Amalia Rioja  
Acting Public Access Counselor

By:

  
Steve Silverman  
Assistant Public Access Counselor

cc:

