



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

January 28, 2011

City of Champaign Police Department
Deputy Chief Holly Nearing, FOIA Officer
City of Champaign Police Dept.
102 S. Neil St.
Champaign, IL 61820

Re: Pre-authorization request – 2010 PAC 12017

Dear Deputy Chief Nearing:

We have received and reviewed a notice of intention to deny issued by the City of Champaign Police Department in response to [REDACTED]'s request for records under the Freedom of Information Act, 5 ILCS 140/1 *et seq.*, as amended. [REDACTED] requested copies of all police reports for calls to 2107 Madison Court, Champaign, IL, between Jan. 7, 2010 and Jan. 7, 2011. The Department disclosed a list of police responses to that address, but requested pre-authorization to withhold copies of the reports in their entirety pursuant to Section 7(1)(c) (5 ILCS 140/7(1)(c)).

Information in public records is exempt personal information 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 Department's request for pre-approval to withhold the reports under Section 7(1)(c) is **approved**. We have reviewed copies of the reports, none of which resulted in arrests. The reports contain names, birth dates, physical descriptions and other information which identifies un-arrested suspects, alleged victims and witnesses. In addition, the reports regard highly sensitive matters pertaining to personal relationships. Such information is highly personal by its very nature, and the subjects' right to privacy outweighs any legitimate public interest in disclosure.

Accordingly, we conclude that the Department has met its initial burden to demonstrate that the entire reports are exempt from disclosure under Section 7(1)(c). This letter shall serve to close this matter. If you have any questions, please feel free to contact me at 312-814-6756 or ssilverman@atg.state.il.us.

By:



Steve Silverman
Assistant Public Access Counselor

cc:

