



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

February 4, 2011

Lisa Spencer
Freedom of Information Officer
Village of Mackinaw
100 East East Avenue
Mackinaw, Illinois 61755-0500

RE: Pre-Authorization Request — 2011 PAC 12116

Dear Ms. Spencer:

We have received and reviewed the written notice from the Village of Mackinaw of its intention to deny disclosure of certain information pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/7(1)(c).

██████████ submitted a FOIA request dated January 7, 2011, seeking copies of all police reports from November 15, 2010 through November 30, 2010. In its written notice, the Village asserted that a third party name, insurance policy numbers and the names of insurance companies are exempt from disclosure under Section 7(1)(c) (5 ILCS 140/7(1)(c)).

Determinations

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." *Id.* 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.*

The Village's use of the exemption in Section 7(1)(c) with regard to the specified third party

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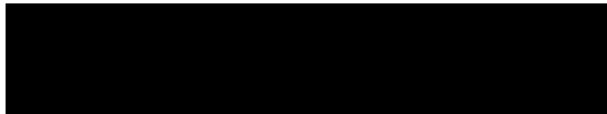
name is approved. We have determined that the disclosure of this name would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c). This type of information is highly personal by its very nature and the subject's right to privacy outweighs any legitimate public interest in disclosing this information.

Second, the Village's use of Section 7(1)(c) to withhold insurance information, including the name of the insurance carrier and insurance policy numbers, is denied. We have determined that the disclosure of this information is not highly objectionable to a reasonable person. The subjects' privacy interests are minimal, and the legitimate public interest in obtaining this information outweighs this slight privacy interest. Therefore, the disclosure of this information would not constitute a clearly unwarranted invasion of personal privacy.

As such, the Village may issue a partial denial letter directly to the requester and release the records with the appropriate information redacted.

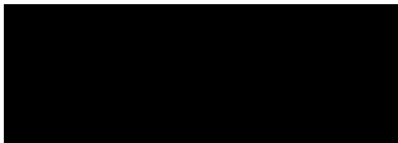
If you have any questions, please feel free to contact the Public Access Counselor's Office at (877) 299-3642. This correspondence shall serve to close this matter.

Sincerely,



Amalia Rijoja
Acting Public Access Counselor

cc:



12116 pre-auth al dl 7(1)(c) priv pd