



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

**Lisa Madigan**  
ATTORNEY GENERAL

February 22, 2011

Jaye Valadez-Wilger  
FOIA Officer  
St. Charles Police Department  
Two State Avenue  
St. Charles, Illinois 60174

RE: Pre-Authorization Request – 2011 PAC 12370

Dear Ms. Valadez-Wilger:

We have received and reviewed the written notice from the St. Charles Police Department of its intention to deny disclosure of certain information pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended.

██████████ submitted a FOIA request received on February 9, 2011, seeking any and all records regarding herself from January 21, 2004 to the date of the request. In its written notice, the Department asserted that one sentence in the narrative portion of the requested report is exempt from disclosure under Section 7(1)(c) (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, unless the 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 Department's use of the exemption in Section 7(1)(c) with regard to the one sentence in the narrative portion of the report is approved. We have determined that the disclosure of this information would constitute a clearly unwarranted invasion of personal privacy under Section

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7(1)(c). This information is highly personal, and the subject's right to privacy outweighs any legitimate public interest in obtaining this information. As such, the Department may issue a partial denial letter directly to the requester and release the report to her with the appropriate information redacted.

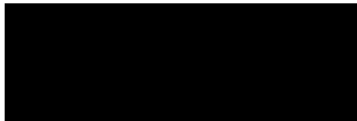
If you have any questions, please feel free to contact the Public Access Counselor's Office at (877) 299-3642. This correspondence shall serve to close this matter.

Sincerely,

*Sarah Kaplan by EK*

Sarah Kaplan  
Assistant Public Access Counselor

cc:



*12370 pre-auth al 71c priv pd*