



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

March 1, 2011

Beverly Glass
Freedom of Information Act Officer
Frankfort Police Department
BGlass@frankfortpolice.net

RE: Pre-Authorization Request - 2011 PAC 12488

Dear Ms. Glass:

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

On February 17, 2011, [REDACTED] submitted a FOIA request seeking a copy of Police Report No. 050894. In its February 18, 2011, written notice to the Office of the Public Access Counselor, the Department asserted that the name of the alleged suspect is exempt from disclosure under Section 7(1)(c) of FOIA (5 ILCS 140/7(1)(c)), which 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." 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.*

Determination

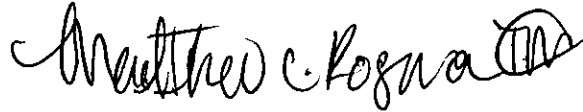
The Department's use of the exemption in Section 7(1)(c) with regard to the names of the alleged suspect is approved.

The Department states that no arrests were made by the Department and this matter is now closed. As a result, disclosure of this information could be considered highly personal or objectionable to the reasonable person and no legitimate public interest exists in the disclosure of the information.

Accordingly, the Department has met its initial burden of demonstrating that this information is exempt from disclosure under Section 7(1)(c) of FOIA.

If you have any questions, please feel free to contact me at (312) 814-5383. This correspondence shall serve to close this matter.

Sincerely,



Matthew C. Rogina
Assistant Public Access Counselor

cc:



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