

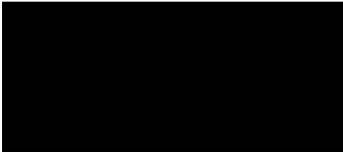


OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

KWAME RAOUL  
ATTORNEY GENERAL

March 17, 2025

*Via electronic mail*



RE: FOIA Request for Review – 2025 PAC 85555; Request #25-585

Dear [REDACTED]:

This determination letter is issued pursuant to section 9.5(c) of the Freedom of Information Act (FOIA) (5 ILCS 140/9.5 (West 2023 Supp.)). For the reasons that follow, the Public Access Bureau has determined that no further action is warranted in this matter.

On February 24, 2025, you submitted a FOIA request to the City of Evanston (City) seeking copies of the police reports for two separate child custody incidents and identified the individual who called in the incidents. On February 25, 2025, the City provided responsive records, subject to redactions made pursuant to sections 7(1)(b) and 7(1)(c) of FOIA.<sup>1</sup> On March 4, 2025, you submitted this Request for Review contesting the extent of the City's redactions.

FOIA provides that "[a]ll records in the custody or possession of a public body are presumed to be open to inspection or copying."<sup>2</sup> Section 7(1)(b) of FOIA exempts from disclosure "[p]rivate information, unless disclosure is required by another provision of this Act, a

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<sup>1</sup> 5 ILCS 140/7(1)(b), (1)(c) (West 2023 Supp.), as amended by Public Acts 103-605, effective July 1, 2024; 103-865, effective January 1, 2025.

<sup>2</sup> 5 ILCS 140/1.2 (West 2022).

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State or federal law or a court order." Section 2(c-5) of FOIA<sup>3</sup> (5 ILCS 140/2(c-5) (West 2022)) defines "private information" as:

[U]nique identifiers, including a person's social security number, driver's license number, employee identification number, biometric identifiers, personal financial information, passwords or other access codes, medical records, **home or personal telephone numbers**, and personal email addresses. Private information also includes **home address** and personal license plates, except as otherwise provided by law or when compiled without possibility of attribution to any person. (Emphasis added.)

Section 7(1)(c) of FOIA exempts from disclosure "[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." Section 7(1)(c) defines "unwarranted 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[.]" and further provides that "[t]he disclosure of information that bears on the public duties of public employees and officials shall not be considered an invasion of personal privacy."

The Public Access Bureau has consistently determined that disclosure of the identity of a person who complains to the police about an incident constitutes an unwarranted invasion of personal privacy. *See, for example*, Ill. Att'y Gen. PAC Req. Rev. Ltr. 79728, issued February 9, 2024 ("A complainant's identity is inherently highly personal."). When a requester knows the identity of the complainant, disclosing the information that the complainant provided to a police department would be highly objectionable to a reasonable person. *See, for example, Gabrielli v. U.S. Dep't of Justice*, 594 F. Supp. 309, 312–13 (N.D.N.Y. 1984) (complainant who submitted unfounded complaint retained right to privacy because to conclude otherwise could deter members of the public "from providing to law enforcement authorities what may prove to be vital information for fear that their names would be released to the parties against whom they provided information if their suspicions ultimately prove groundless.").

Based on a review of the provided redacted reports, it is apparent that the City redacted discrete details pertaining to the individuals involved in the incidents. The information included their private information (home addresses and personal telephone numbers), as well as information that, if disclosed, would constitute an unwarranted invasion of the personal privacy of those individuals under the circumstances of these incidents, which involved a domestic matter. Additionally, the City redacted statements that one of the individuals, the caller, made to the reporting officer. Because you know the identity of the caller, disclosure of the caller's

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<sup>3</sup>5 ILCS 140/2(c-5) (West 2022).

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statements to officers would be highly objectionable to a reasonable person for the reasons discussed above. Accordingly, the City did not improperly redact the reports pursuant to sections 7(1)(b) and 7(1)(c) of FOIA, and this office will take no further action in this matter.

If you have any questions, you may contact me by mail at the Chicago address listed on the first page of this letter or by e-mail at [c.lucentemccullough@ilag.gov](mailto:c.lucentemccullough@ilag.gov). This letter serves to close this file.

Very truly yours,

[REDACTED]  
CHRISTINA LUCENTE-MCCULLOUGH  
Assistant Attorney General  
Public Access Bureau

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cc: *Via electronic mail*  
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