



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS


Lisa Madigan
ATTORNEY GENERAL

January 26, 2010

Ms. Barbara Connolly
Freedom of Information Officer
Mount Prospect Police Department
112 E. Northwest Highway
Mt. Prospect, IL 60056



RE: FOIA Pre-Approval Request – No. PAC 2010005326

Dear Ms. Connolly and 

We have received and reviewed the written notice from the Mount Prospect Police Department of its intent to deny access to and redact **date of birth** from the requested police report as exempt from disclosure under subsection **7(1)(c)** of the Freedom of Information Act, 5 ILCS 140/9.5(b).

As a result of this review, we have determined that it is **appropriate** to decline to disclose the **date of birth** under subsection **7(1)(c)** because disclosure of that information would likely be highly personal or objectionable to a reasonable person and the subject's right to privacy outweighs any public interest in releasing it. Thus, the request to assert the exemption under **7(1)(c)** to the date of birth is hereby approved.

You also sought to redact a paragraph containing some information, such as a home address and home telephone number, which would be properly redacted from that paragraph under **Section 7(1)(b)**, which does not require pre-authorization from this Office. A reliance upon **Section 7(1)(b)** would not warrant redaction of the entire paragraph. I understand from my follow-up conversations with your office that the Police Department wishes to assert the **7(1)(a)** exemption to redact that entire paragraph and the additional information at the top of the page obtained from the prohibited source. Please note that this exemption may be asserted, that information redacted, and sent directly to the requester without the need for formal pre-authorization. Please note, however, that no judgment is made herein as to whether **Section 7(1)(a)** is properly relied-upon in this instance to exempt the paragraph in question.

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If you have any questions, please feel free to contact our office at (217) 558-0486. This letter will serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:

[REDACTED]
Heather V. Kimmons
Deputy Public Access Counselor

HVK:dh