



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

January 26, 2010

Lt. David Dayhoff
FOIA Officer
Village of Western Springs
740 Hillgrove Avenue
Western Springs, IL 60558-0528

RE: FOIA Pre-Authorization PAC2010005336

Dear Lt. Dayhoff and [REDACTED]

We have received and reviewed the written notice from the Village of Western Springs of its intent to deny access to and redact names of complainants and/or others providing information to the Western Springs Police Department, along with their dates 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.

Please note that it is not necessary for you to seek pre-authorization to redact the names of persons who file complaints with or provide information to law enforcement agencies. This information may be redacted under Section 7(1)(d)(iv) of the Act without pre-authorization from this office. The only two exemptions which require pre-approval from this office are those for preliminary drafts under Section 7(1)(f) of FOIA or unwarranted invasion of personal privacy under Section 7(1)(c). Any other exemption can be asserted, related information redacted and sent directly to the requester without the need for formal pre-authorization.

Lt. David Dayhoff
[REDACTED]

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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