



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

February 4, 2010

[REDACTED]
Law Office of Hofeld and Scaffner
30 N. La Salle Street
Chicago, IL 60602

Karen M. Lucas
Metra
547 W. Jackson Blvd.
Chicago, IL 60661
(312) 322-6900

RE: FOIA Request for Review PAC 5577

Dear [REDACTED] and Ms. Lucas,

The Office of the Public Access Counselor has received and reviewed the written notice from Metra of its intent to deny [REDACTED] request, in part, the Metra police report #09-007832 based on subsection 7(1)(c) of the Freedom of Information Act, 5 ILCS 140/9.5(b) (FOIA).

As a result of this review, we have determined that it is **appropriate** for Metra to decline to disclose this information, in part, under subsection 7(1)(c). The portion that is redacted is the date of birth of the subject of the incident report.

Depending on the circumstance, age can be a highly personal subject. Dates of birth, by their very nature, may be considered personal information, the disclosure of which could constitute an unwarranted invasion of privacy in accordance with subsection 7(1)(c). 5 ICLS 140/7(1)(c).

Thus, Ms. Lucas's request to assert the exemption under 7(1)(c) is granted regarding date of birth.

If you have any questions, please feel free to contact me at (312) 814-6437.

Sincerely,

Cara Smith
Public Access Counselor



Lola Dada-Olley
Assistant Public Access Counselor

