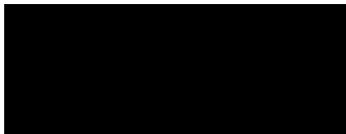




OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

February 8, 2010



Tpr. Kerry Sutton
Illinois State Police
Freedom of Information
801 S. Seventh St, Suite 1000-S
P.O. Box 19461
Springfield, IL 62794

RE: FOIA Pre-Approval Request – No. PAC 5617

Dear [REDACTED] and Mr. Sutton:

The Office of the Public Access Counselor has received and reviewed the written notice from the Illinois State Police (ISP) of its intent to deny [REDACTED] request, in part, of the request for police report 15-09-5776 based on subsection 7(1)(c) of the Freedom of Information Act, 5 ILCS 140/9.5(b) (FOIA). Based on subsection 7(1)(c), ISP seeks to redact the victim's name and the dates of birth from the report.

As a result of this review, we have determined that it is **appropriate** for the ISP to decline to disclose date of births and the victim's name, pursuant subsection 7(1)(c). 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).

The victim's name may also be redacted because it would clearly be highly objectionable to a reasonable person that the release of a victim's identity in a police report would constitute an unwarranted invasion of personal privacy. Therefore, it was **appropriate** for the ISP to redact both the victim's name and all date of births.

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

