



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

June 22, 2010

Beverly Glass  
Freedom of Information Officer  
Frankfort Police Department  
20602 Lincoln Way Lane  
Frankfort, Illinois 60423

RE: Pre-Authorization Request – 2010.PAC.7976

Dear Ms. Glass:

We have received and reviewed the written notice from the Frankfort Police Department (Department) of its intention to deny disclosure of certain information as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act, (FOIA), 5 ILCS 140/1 *et seq.*, as amended

██████████ submitted a FOIA request dated June 15, 2010, seeking copies all reports filed since April 1, 2010, on behalf of ██████████. In its written notice, the Department asserted that dates of birth are exempt from disclosure under Section 7(1)(c) of FOIA.

**Determination**

Section 7(1)(c) of FOIA exempts from inspection and copying “[p]ersonal information contained within public records, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, unless disclosure is consented to in writing by the individual subjects of the information.” 5 ILCS 140/7(1)(c). The exemption defines “[u]nwarranted 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.” *Id.*

The Department’s use of the exemption in Section 7(1)(c) with regard to dates of birth is approved. We have determined that the disclosure of dates of birth would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c). 5 ILCS 140/7(1)(c). This type of information is highly personal by its very nature and the subject’s right to privacy outweighs any legitimate public interest in disclosing this information. As such, the Department may issue a partial denial letter directly to ██████████ and release the records to her with the appropriate information redacted.

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If you have any questions, please feel free to contact me at (312) 814-5206. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith  
Public Access Counselor

By:

*Amalia Rioja*  
Amalia Rioja *by EK*  
Chief Deputy Public Access Counselor

cc:

