OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

June 21, 2010

Ms. Beverly Glass
Freedom of Information Officer
Frankfort Police Department
20602 Lincolnway Lane
Frankfort, IL 60423

RE: Pre-Authorization Request – 2010 PAC 7955

Dear Ms. Glass:

We have received and reviewed the written notice from the Frankfort Police Department (Department) of its intent to deny disclosure of dates of birth as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/7(1)(c).

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 of privacy outweighs any legitimate public interest in obtaining the information." *Id.*

Determination
The Department's use of the exemption in Section 7(1)(c) with regard to dates of birth is **approved**. This is highly personal information, and the subjects' right to privacy with respect to this information outweighs any legitimate public interest in its disclosure. As such, disclosure of the information would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c) of FOIA.

If you have any questions, please feel free to contact me at (312) 793-0865. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By: [redacted]

Sara Gadola Gallagher
Deputy Public Access Counselor

cc: [redacted]

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