



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

June 22, 2010

Michael S. Recupito
FOIA Officer
Round Lake Police Department
741 West Town Line Road
Round Lake, Illinois 60073

RE: Pre-Authorization Request – 2010 PAC 8076
Requester: [REDACTED]

Dear Mr. Recupito:

We have received and reviewed the written notice from the Round Lake Police Department (Police) of its intent to deny disclosure of certain information in a police report as exempt from disclosure under Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/7(1)(c). This letter is to advise you that your request is approved.

[REDACTED] submitted a FOIA request dated June 14, 2010, seeking police report # 2010-001022. In its written notice, the Department asserted that dates of birth and detainee emergency contact name and relationship information are exempt from disclosure under Section 7(1)(c) of FOIA.

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.*

Determinations

The Police’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 this information would be highly objectionable to a reasonable person. The subjects’ right to privacy in these personal details outweighs any legitimate public interest in obtaining this information. Therefore, the disclosure of this information would constitute a clearly unwarranted invasion of personal privacy. 5 ILCS 140/7(1)(c).

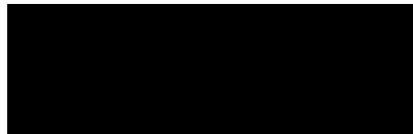
The Police's use of the exemption in Section 7(1)(c) with regard to detainee emergency contact name and relationship information also is approved. We have determined that the disclosure of detainee emergency contact name and relationship information in the police report would be highly objectionable to a reasonable person. The subjects' right to privacy in these personal details outweighs any legitimate public interest in obtaining this information. Therefore, the disclosure of this information would constitute a clearly unwarranted invasion of personal privacy. 5 ILCS 140/7(1)(c).

Should you have questions or concerns, please call our office at 1-877-299-FOIA (3642). This letter shall serve to close this matter.

Sincerely,

Cara Smith
Public Access Counselor

By:



Sara Gadola Gallagher
Deputy Public Access Counselor

