



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

August 25, 2010

Michael S. Recupito  
Director of Police Administration  
Round Lake Police Department  
741 West Town Line Road  
Round Lake, Illinois 60073

RE: Pre-Authorization Request - 2010.PAC 9073

Dear Mr. Recupito:

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

██████████ submitted a FOIA request dated August 5, 2010 seeking a copy of Report #10-1376. In its written notice, the Department asserts that dates of birth and a suspect's name are exempt from disclosure under Section 7(1)(c) of FOIA.

**Determinations**

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." 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 Section 7(1)(c) exemption 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. 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.

The Department's use of the Section 7(1)(c) exemption with regard to a suspect's name is also approved. We have determined that the disclosure of information identifying suspects would be

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objectionable to a reasonable person. Accordingly, the Department has met its burden of demonstrating that this information is exempt from disclosure pursuant to Section 7(1)(c) of FOIA. As such, the Department may issue a partial denial letter directly to [REDACTED] and release the records to him with the appropriate information redacted.

If you have any questions, please feel free to contact the Public Access Counselor's Office at (877) 299-3642. This correspondence shall serve to close this matter.

Sincerely,

Cara Smith  
Public Access Counselor

By:

*Amalia Rioja* b4EK  
Amalia Rioja  
Chief Deputy Public Access Counselor

cc:

