

OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

September 16, 2010

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

RE: Pre-Authorization Request – 2010 PAC 9601

Dear Ms. Glass,

We have reviewed the Department's notice of intention to withhold information in police Report No. 2010-02963 pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA), 5 ILCS 140/1 *et seq.*, as amended. [REDACTED] requested the copy of the report, which details a complaint about a dog biting another dog. The Department asserts that the birth dates of several people listed in the report are exempt under Section 7(1)(c).

Information in public records is exempt personal information if disclosure would "constitute a clearly unwarranted invasion of personal privacy, unless the disclosure is consented to in writing by the individual subjects of the information." 5 ILCS 140/7(1)(c). An "[u]nwarranted invasion of personal privacy" is 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 request to redact birth dates from the report is *approved*. Birth dates are a highly personal form of information, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c). A subject's right to privacy outweighs any legitimate public interest in the disclosure of his or her date of birth. Therefore, the Department may redact birth dates from the report.

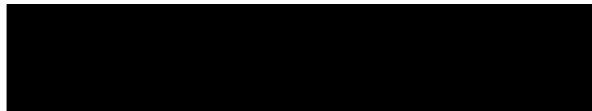
The Department intends to redact additional information from the report based on the exemption in Section 7(1)(b). We have not analyzed the use of that exemption because it does not require pre-approval from our office.

If you have any questions, please feel free to contact me at (312) 814-6756 or ssilverman@atg.state.il.us.

Sincerely,

Cara Smith
Public Access Counselor

By:



Assistant Public Access Counselor

cc:



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