



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

September 20, 2010

Trooper Kerry Sutton
Freedom of Information Officer
Illinois State Police
801 S. 7th Street
P.O. Box 19461
Springfield, IL 62794

RE: Pre-Authorization Request – 2010.PAC 9629

Dear Trooper Sutton,

We have reviewed your notice of intention to redact information from File No. 02-13723 pursuant to Section 7(1)(c) of the Illinois Freedom of Information Act, 5 ILCS 140/1 *et seq.*, as amended. [REDACTED], requested a copy of the evidence list and a record of the chain of custody. The State Police asserted that dates of birth in those records are exempt under Section 7(1)(c).

Information in public records is exempt 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.*

Determination

The request by the State Police to exempt dates of birth under Section 7(1)(c) 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.

Accordingly, the State Police may redact birth dates from the records requested by [REDACTED]
This letter shall serve to close this file. 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:

[REDACTED]
Assistant Public Access Counselor

cc:

9629 pre-auth 7(1)(c) dob pd