



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

February 24, 2011

Michael Recupito, FOIA Officer
Round Lake Police Department
741 West Town Line Road
Round Lake, IL 60073-5709

RE: Pre-Authorization Request 2011-PAC-12368

Dear Mr. Recupito:

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

[REDACTED] submitted a FOIA request on December 29, 2010 for any and all police reports at a particular address from May 2009 to February 7, 2011. In its written notice, the Department asserted that dates of birth, certain medical information and domestic and juvenile issues 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.*

The Department proposes to withhold certain medical information in reports 2011P001381, 2011P002804 and 2011P013604. The Department's use of the exemption in Section 7(1)(c) with regard to withholding information as to a medical condition is **approved**. We have determined that the disclosure of this information would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c) of FOIA.

The Department also proposes to withhold information in the narrative describing domestic and juvenile relations in report 2010-000488. The Department's use of the exemption in Section 7(1)(c) with regard to withholding this particular information is approved. We have determined that the disclosure of this information would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c) of FOIA. Those statements in the narrative contain information about domestic relations and a juvenile, the disclosure of which would be objectionable to a reasonable person. The subjects' right to privacy outweighs any legitimate public interest in obtaining this information.

The Department also proposes to deny disclosure of dates of birth in the responsive reports. The Department's use of the exemption in Section 7(1)(c) with regard to these dates of birth is approved. We have determined that the disclosure of dates of birth would constitute a clearly unwarranted invasion of personal privacy under Section 7(1)(c) of FOIA. This type of information is highly personal, and the subject's right to privacy outweighs any legitimate public interest in obtaining this information.

Accordingly, the Department may issue a partial denial letter and release the reports with the appropriate information redacted, if it has not already done so.

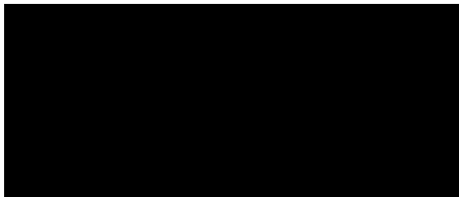
If you have any questions, please feel free to contact Tammy Friedewald at (217) 558-1926. This correspondence shall serve to close this matter.

Sincerely,



Amanda M. Lundeen *AMF*
Assistant Public Access Counselor

cc:



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