



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

September 29, 2010

Ms. Colleen O'Brien
Records Clerk
Freedom of Information Officer
Harvard Police Department
P.O. Box 310
Harvard, IL 60033

RE: FOIA Preauthorization Request 2010 PAC 9383

Dear Ms. O'Brien:

The Office of the Public Access Counselor has received and reviewed the Harvard Police Department's response to its further inquiry letter regarding its request for preauthorization to deny in part the request for information of [REDACTED] based on Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/7(1)(c). [REDACTED] requested a copy of police report number 30-100-4632.

Section 7(1)(c) of FOIA exempts from disclosure "personal information, the disclosure of which would result in a clearly unwarranted invasion of personal privacy." 5 ILCS 140/7(1)(c). For purposes of FOIA, an "[u]nwarranted invasion of personal privacy means the disclosure of information that is highly personal or objectionable to a reasonable person and in which the subject's right to privacy outweighs the legitimate public interest in obtaining the information." 5 ILCS 140/7(1)(c).

According to its response, the Department intends only to redact an individual's birth date from the police report that [REDACTED] requested. As a result of our review, we have determined that this birth date may be redacted pursuant to Section 7(1)(c) because disclosure would result in a clearly unwarranted invasion of the individual's personal privacy. Therefore, the request to assert the exemption under Section 7(1)(c) is approved.

This correspondence will serve to close the matter. If you have any questions, please feel free to

contact me at 312-814-2770.

Sincerely,

Cara Smith
Public Access Counselor

By:



John Schmidt
Assistant Attorney General

cc:



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