



OFFICE OF THE ATTORNEY GENERAL  
STATE OF ILLINOIS

Lisa Madigan  
ATTORNEY GENERAL

September 28, 2010

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

RE: Pre-Authorization Request – 2010 PAC 9811

Dear Ms. Glass:

We have received and reviewed the Frankfort Police Department's notice of intention to withhold information in police Report No. 2010-03049 pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA), 5 ILCS 140/1 *et seq.*, as amended. [REDACTED] requested a copy of the report, which details an investigation of a harassment complaint that did not result in any arrests. The Department cited Section 7(1)(b), Section 7(1)(c) and Section 7(1)(d)(iv) as the bases for redacting information from the report. Specifically, the Department wishes to redact the names of two witnesses and the birth dates and identifying information of all people listed in the report with the exception of [REDACTED]

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 other information that the Department wishes to redact are based on the exemptions in Section 7(1)(b) and Section 7(1)(d)(iv). We have not analyzed the use of those exemptions because pre-approval from our office is not required.

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

Sincerely,

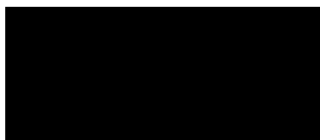
Cara Smith  
Public Access Counselor

By:



Assistant Public Access Counselor

cc:



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