



OFFICE OF THE ATTORNEY GENERAL
STATE OF ILLINOIS

Lisa Madigan
ATTORNEY GENERAL

April 1, 2011

Kate Rassmussen
Freedom of Information Officer
Kendall County Sheriff's Office
1102 Cornell Lane
Yorkville, Illinois 60560-9597

RE: Pre-Authorization Request — 2011 PAC 13119

Dear Ms. Rassmussen:

We have received and reviewed the written notice from the Kendall County Sheriff's Office of its intention to deny disclosure of certain information pursuant to Section 7(1)(c) of the Freedom of Information Act (FOIA). 5 ILCS 140/1 *et seq.*, as amended.

Metropolitan Reporting Bureau submitted a FOIA request dated March 16, 2011, seeking a copy of Report Number 20105523. This is in connection with claim number BOP1246572. In its written notice, the Office asserted that a date of birth is exempt from disclosure under Section 7(1)(c) (5 ILCS 140/7(1)(c)).

Determination

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 the disclosure is consented to in writing by the individual subjects of the information." *Id.* 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.*

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The Office's use of the exemption in Section 7(1)(c) with regard to a date 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). This information is highly personal by its very nature and the subject's right to privacy outweighs any legitimate public interest in disclosing this information.

As such, the Office may issue a partial denial letter directly to Metropolitan Reporting Bureau and release the report with the appropriate information redacted. If you have any questions, please feel free to contact the Public Access Counselor's Office at (877) 299-3642. This correspondence shall serve to close this matter.

Sincerely,



Sarah Kaplan
Assistant Public Access Counselor

cc: Metropolitan Reporting Bureau
Box 926, William Penn Annex
Philadelphia, Pennsylvania 19105-0926

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